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Climate Change Litigation and Corporate Accountability: Emerging Legal Frameworks, Climate Attribution Science, and Environmental Justice in India (2025–2026)

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Abstract

Climate change has emerged as a major environmental, economic, and human-rights challenge, requiring legal mechanisms that go beyond conventional environmental regulation. Climate litigation increasingly holds governments and corporations accountable for greenhouse gas emissions, environmental degradation, and inadequate climate action. In India, constitutional protections, environmental legislation, and judicial interpretation provide an evolving foundation for climate accountability. The Supreme Court's recognition of a right to protection from the adverse effects of climate change in M.K. Ranjitsinh v. Union of India (2024) marks an important constitutional development. This paper examines emerging legal frameworks, climate attribution science, and environmental justice in India during 2025–2026. Using a qualitative, doctrinal research methodology based on secondary sources, it analyzes corporate responsibility, climate-related litigation, scientific evidence, constitutional rights, and the challenges vulnerable communities face. It argues that effective climate accountability requires stronger disclosure obligations, scientifically informed judicial processes, transparent corporate emissions reporting, and equitable remedies. The study recommends an integrated legal framework that connects environmental protection, corporate governance, climate science, and social justice.

Keywords: *climate change litigation, corporate accountability, climate attribution science, environmental justice, constitutional rights, India, climate governance.*

1. Introduction

Climate change is no longer merely an environmental concern; it has become a significant issue involving constitutional rights, corporate responsibility, public health, economic development, and social justice. Rising temperatures, extreme weather events, floods, droughts, and heatwaves increasingly affect human livelihoods and ecological systems. Although climate change is a global phenomenon, vulnerable populations experience its consequences locally and disproportionately.

Traditional environmental laws generally focus on pollution control, environmental clearances, and conservation. However, the scale and complexity of climate change require a broader legal approach. Climate litigation has therefore emerged as an important mechanism for demanding accountability from governments and corporations whose activities contribute to greenhouse gas emissions or whose policies fail to address climate-related risks.

India faces a particularly complex challenge. It must pursue economic development, energy security and poverty reduction while reducing emissions and protecting communities from climate-related disasters. The Indian Constitution, environmental statutes and judicial decisions provide a foundation for addressing these competing concerns.

A significant constitutional development occurred in 2024 when the Supreme Court, in M.K. Ranjitsinh v. Union of India, recognized the right to be free from the adverse effects of climate change as connected with Articles 14 and 21. This judgment creates an important foundation for future climate-related legal arguments.

This study examines how climate litigation, corporate accountability, and climate attribution science can contribute to environmental justice in India during 2025–2026.

2. Conceptual Framework

Climate change litigation refers to legal proceedings in which climate-related laws, scientific evidence, policies, or rights are central to the dispute. Such litigation may challenge inadequate government action, corporate emissions, misleading environmental claims, or decisions that increase climate vulnerability (Peel & Osofsky, 2015).

Corporate accountability refers to businesses' legal and institutional responsibility for their environmental impacts. Companies operating in energy, transport, manufacturing, construction and other emission-intensive sectors may face demands for transparent emissions disclosure, environmental compliance and responsible climate governance.

Climate attribution science provides scientific methods for examining the relationship between human-induced climate change and specific climatic events or changing patterns of extreme weather. It can help courts understand whether anthropogenic warming influenced the probability or intensity of particular events (National Academies of Sciences, Engineering, and Medicine, 2016).

Environmental justice connects climate protection with fairness. It recognizes that communities contributing least to global emissions may experience severe consequences because of poverty, geographical vulnerability, inadequate infrastructure, and limited access to legal remedies (Schlosberg, 2007).

These four concepts provide the foundation for this study.

3. Review of Literature

The literature on climate litigation has expanded significantly. Peel and Osofsky (2015) explain that climate litigation operates through multiple legal pathways, including constitutional rights, administrative law, and tort law. Setzer and Higham (2024) document the expanding global landscape of climate-related litigation and its growing relevance to public policy and corporate conduct.

Boyd (2012) highlights the relationship between environmental rights and human rights, arguing that environmental degradation directly affects human dignity and well-being. Schlosberg (2007) develops environmental justice through distributional, procedural, and recognition-based dimensions.

Climate attribution research has also strengthened the evidentiary foundation of climate litigation. Stott et al. (2016) explain how attribution science connects climate observations with human influence. Otto et al. (2017) demonstrate the potential of event attribution in assessing climate-related losses and damages.

Corporate accountability is another emerging research area. The OECD (2023) guidelines emphasize responsible business conduct, environmental due diligence, and transparency. The International Sustainability Standards Board (2023) provides a framework for disclosing climate-related financial risks and opportunities.

In India, environmental jurisprudence has developed through constitutional interpretation and judicial application of principles such as sustainable development, precaution, and polluter pays. However, further research is needed to connect these established principles with corporate greenhouse gas emissions, attribution evidence, and climate-related human-rights claims.

4. Research Gap

Although climate litigation has expanded internationally, India still lacks a comprehensive climate-specific legislative framework. Existing environmental laws address pollution, forests, biodiversity, and environmental clearances, but corporate greenhouse gas accountability remains fragmented.

A further gap concerns the use of climate attribution science in Indian courts. Scientific research can link anthropogenic climate change to extreme weather patterns, but translating those findings into legally admissible evidence of causation and liability remains challenging.

The 2026 International IDEA study identifies an emerging Indian climate-litigation landscape involving constitutional rights, heatwave proceedings, regulatory decisions and public participation. It also highlights questions about implementation, expert-led decision-making and institutional accountability.

International IDEA

This paper addresses three connected gaps: corporations' legal responsibility, the evidentiary role of climate attribution science, and the protection of communities disproportionately affected by climate change.

5. Objectives of the Study

1. To examine emerging legal frameworks governing climate change litigation in India.
2. To analyze corporate accountability for greenhouse gas emissions and climate-related environmental harm.
3. To evaluate the role of climate attribution science in establishing evidence and legal causation.
4. To examine the relationship between climate litigation, constitutional rights, and environmental justice.
5. To suggest legal and regulatory reforms for strengthening climate governance in India.

6. Research Questions

1. How effectively do India's existing constitutional and statutory provisions address climate-related corporate accountability?
2. How can climate attribution science strengthen evidence in climate litigation?
3. What legal remedies are available to communities affected by climate-related environmental harm?
4. What reforms are required to develop a more integrated climate accountability framework?

7. Research Methodology

The study adopts a qualitative, doctrinal, and analytical research methodology based on secondary sources. It examines constitutional provisions, legislation, judicial decisions, international agreements, government policies, scientific reports, and academic publications.

The research focuses on India during 2025-2026, drawing on earlier landmark judgments and international developments for legal context. Thematic analysis examines four dimensions: climate litigation, corporate accountability, scientific attribution, and environmental justice.

The study does not claim to measure corporate emissions or establish liability in any particular case. Instead, it evaluates the legal and institutional conditions under which such liability may be examined.

8. Emerging Legal Framework for Climate Accountability in India

8.1 Constitutional Framework

Articles 14 and 21 of the Indian Constitution provide important foundations for environmental protection. Article 21 protects life and personal liberty, while Article 14 guarantees equality before the law. Environmental degradation that threatens health, livelihood, and human dignity may therefore raise constitutional concerns.

In M.K. Ranjitsinh v. Union of India (2024), the Supreme Court recognized a constitutional right to be free from the adverse effects of climate change, linking it to Articles 14 and 21. This recognition provides an important basis for future climate-related claims.

8.2 Statutory and Regulatory Framework

India's climate governance operates through several laws and regulatory mechanisms:

- Environment (Protection) Act, 1986.
- Air (Prevention and Control of Pollution) Act, 1981.
- Water (Prevention and Control of Pollution) Act, 1974.
- National Green Tribunal Act, 2010.
- Energy Conservation Act, 2001, including its 2022 amendments.
- Companies Act, 2013.
- SEBI's Business Responsibility and Sustainability Reporting framework.

The Carbon Credit Trading Scheme, 2023, also provides an important regulatory foundation for India's emerging carbon market. However, these instruments do not yet constitute a single, comprehensive climate accountability law.

8.3 International Legal Framework

The United Nations Framework Convention on Climate Change (1992), the Kyoto Protocol (1997), and the Paris Agreement (2015) provide the principal international framework for climate cooperation.

Article 2 of the Paris Agreement establishes the objective of limiting global temperature increase, while Article 4 addresses national climate commitments. Article 13 establishes an enhanced transparency framework.

These instruments influence national climate policies and corporate reporting expectations, although international obligations do not automatically establish direct corporate liability under Indian law.

9. Corporate Accountability and Climate Attribution Science

9.1 Corporate Responsibility for Climate Change

Corporations contribute to climate change through direct emissions, purchased energy and emissions generated across their supply chains. Corporate accountability should therefore extend beyond conventional pollution compliance to include emissions measurement, climate-risk disclosure, environmental due diligence and credible transition planning.

The OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (2023) provide an international reference for responsible corporate behavior. In India, SEBI's Business Responsibility and Sustainability Reporting framework strengthens sustainability disclosures for listed companies. However, disclosure alone does not create legal liability. A company's responsibility must be assessed under applicable law, based on evidence of its conduct, causation, and the alleged harm.

9.2 Role of Climate Attribution Science

Climate attribution science examines how human-induced climate change affects the likelihood, intensity, or duration of specific climatic events. It does not necessarily prove that a particular company caused a specific flood, heatwave, or drought. Instead, it provides evidence of anthropogenic climate change's contribution to the relevant hazard.

In litigation, this evidence may be combined with corporate emissions data, geographic exposure, vulnerability assessments, and damage records. The scientific and legal questions must remain distinct: scientific attribution assesses physical causation, while courts determine legal responsibility under applicable standards.

9.3 Emerging Global Trends

The 2026 Global Trends in Climate Change Litigation report recorded 249 new climate cases in 2025, bringing the global total since 1986 to more than 3,600. It also identified more than 50 strategic, climate-aligned cases against companies filed in 2025. Corporate climate-washing, polluter-pays claims, and challenges to high-emission business models are emerging areas of litigation (Setzer et al., 2026).

10. Environmental Justice and Vulnerable Communities

Climate change does not affect all communities equally. Low-income households, agricultural workers, coastal populations, forest-dependent communities, and informal-sector workers often face greater exposure and have fewer resources to adapt. Climate litigation can provide a legal avenue for addressing this unequal distribution of environmental harm.

Environmental justice has three major dimensions:

- Distributive justice: Fair distribution of environmental benefits, climate risks and adaptation resources.
- Procedural justice: Meaningful participation in decisions concerning land, forests, energy and infrastructure.
- Recognitional justice: Respect for the rights, knowledge and circumstances of vulnerable and indigenous communities.

In India, the Supreme Court's recognition of a constitutional right to protection from the adverse effects of climate change is relevant to these dimensions. The Rajasthan High Court's proceedings on heatwaves also illustrate how courts can address climate vulnerability through public authorities and administrative preparedness. The October 2026 International IDEA study identifies these proceedings as part of India's emerging climate litigation landscape.

11. Challenges in Climate Litigation

Despite its potential, climate litigation in India faces several challenges.

1. Causation: Establishing the relationship between a particular corporation's emissions and specific environmental damage is scientifically and legally complex.
2. Fragmented regulation: India has multiple environmental and sectoral laws but no single comprehensive climate statute.
3. Evidence and disclosure: Inconsistent emissions data and limited access to corporate supply-chain information can weaken claims.
4. Institutional capacity: Courts require scientific expertise, reliable data, and specialized technical assistance.
5. Remedies and implementation: Even favorable judicial decisions require effective monitoring, administrative action, and financial resources.
6. Development and justice conflicts: Renewable-energy projects and infrastructure may create local ecological or livelihood impacts, requiring a fair transition.

The 2026 global litigation review also cautions that favorable climate judgments do not automatically produce policy change; sustained implementation is essential (Setzer et al., 2026).

12. Major Findings

The study identifies the following findings:

1. India's constitutional framework provides an emerging basis for climate-related rights and government accountability.
2. Corporate climate responsibility increasingly requires transparent emissions reporting and environmental due diligence.
3. Attribution science can strengthen climate-related evidence, but it cannot independently determine legal liability.
4. Climate litigation can improve access to justice and public participation for vulnerable communities.
5. Fragmented legislation, scientific complexity, and weak implementation remain significant obstacles.
6. International litigation trends indicate growing scrutiny of corporate emissions, climate-washing, and high-emission business models.

13. Policy Recommendations

First, India should consider developing a comprehensive climate accountability law that clearly defines institutional responsibilities, emissions disclosure requirements, and climate-risk assessment obligations.

Second, corporate sustainability reporting should be strengthened through transparent, comparable, and independently verifiable emissions information, including relevant value-chain emissions.

Third, courts and environmental tribunals should have access to independent climate-science experts, attribution studies and standardized evidentiary protocols.

Fourth, climate-impact assessments should give greater attention to vulnerable communities, public consultation, livelihood protection and gender-sensitive adaptation.

Fifth, regulators should strengthen monitoring of corporate climate claims to address misleading environmental advertising and greenwashing.

Finally, judicial decisions should be supported by measurable implementation plans, periodic compliance reporting and accessible remedies for affected communities.

14. Conclusion

Climate change litigation is becoming an important instrument for strengthening environmental governance and corporate accountability. In India, constitutional interpretation, environmental legislation and judicial decisions have created an evolving foundation for climate-related legal claims. The recognition of a right against the adverse effects of climate change in M.K. Ranjitsinh v. Union of India marks a significant development in this direction.

However, effective accountability requires more than judicial recognition. It demands reliable scientific evidence, transparent corporate disclosures, clear regulatory duties, and meaningful remedies. Climate attribution science can help establish the link

between human activities and climatic hazards, while environmental justice ensures that legal responses recognize communities' unequal vulnerability.

The study concludes that India needs an integrated approach that connects climate science, corporate governance, constitutional rights, and environmental justice. Such a framework can help ensure that climate action is not merely a policy commitment but an accountable and enforceable component of sustainable development.

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