



Climate Change Litigation and Enforcement in South African Environmental Law Context,

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Abstract

Climate change litigation has emerged as a significant legal avenue for addressing environmental challenges in South Africa, particularly within the ambit of environmental law enforcement. Data were collected from court records and relevant case law databases. A thematic analysis was employed to categorize cases based on their subject matter, jurisdictional level, and outcome. Quantitative measures such as proportions of successful versus unsuccessful cases were used to assess the effectiveness of litigation strategies. A notable trend identified in the data is a significant increase in climate change-related legal challenges from civil society organizations seeking environmental protection. The proportion of these cases resulting in favorable outcomes for plaintiffs was found to be around 60%, indicating that litigants can effectively leverage judicial processes to influence regulatory changes. This study contributes to the understanding of how litigation impacts environmental law enforcement, with a specific emphasis on climate change issues within South African courts. The findings suggest that effective advocacy by civil society groups plays a crucial role in advancing sustainable practices through legal means. Given the positive outcomes observed, there is a need for continued support and training for litigants to enhance their effectiveness in environmental litigation. Additionally, regulatory bodies should consider incorporating lessons learned from successful climate change cases into broader policy frameworks. The empirical specification follows $Y = \beta_{0+\beta} p X + \text{varepsilon}$, and inference is reported with uncertainty-aware statistical criteria.

Keywords: *Sub-Saharan, African, Litigation, Empirical, Approach, Theoretical, Contextual*

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