

		Intergovernmental Panel on Climate Change				IPCC	
	2030		2010	45%	2050	2018	IPCC
					2	^① 2019	1.5
		25			77	2050	
2021	2030						
					2060		

②

22FFXB029

① IPCC Global Warming of 1.5 °C https://www.ipcc.ch/site/assets/uploads/sites/2/2019/09/IPCC-Special-Report-1.5-SPM_zh.pdf 2023 6 28

② 2014 6

①

②

③

④

1.

4

5

7

9

8

2

2.

2020 346

2021 9

⑤

①

2022 7

②

2022 1

③

Winter, G. (2020). Armando Carvalho and Others v. EU Invoking Human Rights and the Paris Agreement for Better Climate Protection Legislation. *Transnational Environmental Law*, 9(1), 137-164.

④

2022 7

⑤

2022 7

①

②

③

④

⑤

2007

2007 2015

2015

⑥

⑦

⑧

1.

⑨

Nuisance

Nuisance

Nuisance

①

②

③

--- 41

2019 6

④

⑤ Maryam Golnaraghi, Joana Setzer, Nigel Brook, Wynne Lawrence and Lucia Williams: Climate Change Litigation – Insights into the evolving global landscape , <https://www.genevaassociation.org/research-topics/climate-change-and-emerging-environmental-topics/climate-litigation>, 2023-7-5.

⑥

⑦

⑧

⑨ Gore N V , Tarr J E(2010). Connecticut v. American electric power Co. *The Harvard environmental law review: HELR*, 34(2), 577-591.

2019 12

3 1
4 1 7
①

2021 3 24

2030

2030

2031

2022

2020 2

Lliuya RWE

Lliuya

Milieudedefensie

7

17379

2021 5 26

2030

45%

2.

2011

②

4

1

2017 9 124

③

④

2

2017 12

⑤

9

①

72 1 2021 604

②

49 1 (2019)31

③

2 10 28 1479 164

④

3 4 27 2510 14

⑤

Law and

Sustainability

2020 145—146

3

2019 5

①

JERA

②

① SDGs 1566 2022 54 55

② UNEP(2021): Global Climate Litigation Report 2020 Status Review , <https://wedocs.unep.org/bitstream/handle/20.500.11822/34818/GCLR.pdf>, 2023-7-4.

①

②

③

2017

④

119

1

⑤

⑥

⑦

⑧

⑨

① []

2007 266—267

②

1 62 6 2012 69

③

1235 2022 2

④

2017 01 434

⑤

2022 3

⑥

2022 2

⑦

⑧

⑨ []

2017 2

2015 35—36

①

②

③

④

⑤

⑥

⑦

① 23 2021 118

② 1974 1

③ ——

④

⑤ 2021 4 27 2510 14

⑥ Thomas Burman.(2022)A New Causal Pathway for Recovery in Climate Change Litigation ? The Environmental Law Reporter, Vol.52, 10040.

⑦ 71 2 2021 76 —77

20

①

but for

IPCC

②

IPCC

but for

③

1172

④

1172

⑤

2014

①

327 328 2009 57

②

③

④

⑤

2016

①

②

③

④

⑤

⑥

①

②

③

④

2005 3

⑤

2019 3

⑥ Daniel A. Farber. (2007) Adopting to Climate Change Who Should Pay. 23(1) Journal of land Use & Environmental Law, 1-37.

1.

①

②

2 2

③

④

⑤

⑥

⑦

2 2

①

2022 7

②

③

—— “ ”

2020

8

2008 5

④

⑤

4

2017 253

“ ”

⑥

⑦

①

②

2.

③

④

⑤

⑥

⑦

466

①

②

③

④

⑤

⑥

⑦

90

2022 6
2023 3

①

②

ZHANG Ting

Shen Junru Law School, Hangzhou Normal University, Hangzhou, 311121

: The damage caused by climate change is characterized by indirectness, uncertainty, and interval, which leads to theoretical obstacles in climate civil litigation in terms of plaintiff qualifications, rights basis, factual causality, and responsibility. The cases leading to narrowly defined climate civil litigation are rare in China. The damage caused by greenhouse gas emissions and air pollution is not homogeneous, and the direction of regulation of both should be adopted in a dual-track system. From the perspective of the human nature of damage, climate damage is not one of the legal types of ecological environment damage, so China's climate