

Climate Justice

LW5124 – 5 ECTS – Semester 2

Cassie Roddy-Mullineaux

Course Outline 2026-2027

Objective	The course engages postgraduate students with the topic of climate justice, exploring questions regarding the role of human rights in addressing climate change and environmental damage, and the relevant obligations of States and other actors (including business entities). It considers developments at the international and domestic level, including within the European and United Nations human rights system, international criminal justice, constitutional law and civil litigation.			
Lecturer(s)	Name Cassie Roddy-Mullineaux	Office Online Office Hours: TBC	Ext n/a	E-mail croddymullineaux@glanlaw.org
Times	Semester 2	Day See Semester 2 timetable	Time	Venue Seminar Room, Irish Centre for Human Rights
Overall Learning Outcomes	On successful completion of this course, you will: • Demonstrate a thorough and nuanced understanding of climate justice, the human rights impacts of climate change and the debates concerning the role of human rights in this context • Have developed an awareness of legal, political and sociological issues arising in relation to climate change, environmental harms and human rights • Have a knowledge of the international and domestic efforts aimed at ensuring climate justice, including through judicial remedies • Be able to conduct comprehensive research focused on this subject area and will be familiar with the major literature and policy documents and emerging legal instruments			
Format	The course will be taught by weekly seminars, each three hours, over four weeks. Students are expected to have read all prescribed readings in advance of each seminar, thus requiring independent study of 8-10 hours each week, and will be expected to engage actively in discussion and to participate in various exercises and activities.			
Programme(s)	Full-time and part-time LL.M Programmes in the Irish Centre for Human Rights and School of Law.			

Course Material	Syllabus can be downloaded from Canvas.								
Assessment	Evaluation is undertaken through the submission of a written essay (2,500 words, including footnotes, excluding table of contents, bibliography etc.). Essays should demonstrate significant research, familiarity with the literature, independent thought and critical analysis. Essays are to be submitted in hardcopy and electronically via Canvas. Submission date to be confirmed but is likely to be Thursday 30 th April.								
Workload hours	The course will be taught by weekly seminars, each three hours, over four weeks. Students are expected to have read all prescribed readings in advance of each seminar, thus requiring independent study of 8-10 hours each week, and will be expected to engage actively in discussion and to participate in various exercises and activities. The assignment requirement will also generate workload hours of approximately 75 hours. <table> <tr> <td>Credit weighting:</td><td>5 ECTS</td></tr> <tr> <td>Lecture hours:</td><td>12</td></tr> <tr> <td>Independent study:</td><td>113</td></tr> <tr> <td>Total Student Effort:</td><td>125 hours</td></tr> </table>	Credit weighting:	5 ECTS	Lecture hours:	12	Independent study:	113	Total Student Effort:	125 hours
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Lecture hours:	12								
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Total Student Effort:	125 hours								

Topics

Week 1: Introduction to Climate Justice, Climate Science, and Governance Frameworks

The module begins with an exploration of the concept of climate justice, the relevant governance frameworks and the role of international law (particularly international human rights law, international environmental law, and international climate law) in addressing climate change and environmental issues. It provides an introduction to relevant legal principles. It also introduces the relevant climate science to provide the necessary background for understanding the legal and governance challenges arising in this context. We will finally examine issues of climate justice which arise in relation the contributions of a State, or non-State actors within that State, to emissions released beyond its borders.

Reading:

- Mary Robinson, *Climate Justice* (Bloomsbury, 2018), Chapters 1 and 10.
- Chukwumerije Okereke and Philip Coventry, 'Climate justice and the international regime: before, during, and after Paris' (2016) 7(6) *Wiley Interdisciplinary Reviews* 834-851.
- Sarah Connors, Elvira Poloczanska, Shreya Some, Minal Pathak and Joeri Rogelj, 'A Scientific Overview of Climate Change' in Margaretha Wewerinke-Singh and Sarah Mead (eds), *The Cambridge Handbook on Climate Litigation* (Cambridge University Press 2025) 13. <https://doi.org/10.1017/9781009409155.003>

Week 2: The “fair share”/equity issue and human rights law post-*Urgenda*

This session examines the contested issues of equity, common but differentiated responsibilities (CBDR), and States' “fair share” of the global emissions reduction burden. It considers the relevance of legal principles such as equity/CBDR, effectiveness, due diligence, and the use of best available science in determining a State's fair share of climate action, and explores the methodologies developed by the Climate Action Tracker and by *Rajamani et al.* which provide indicative measures of States' fair share. It considers how questions of fair share have been addressed in climate litigation since the landmark *Urgenda* judgment. Using Ireland's recent proposals for its second carbon budget programme as a domestic case study, the session will finally examine how issues of equity are reflected in Ireland's proposed carbon budget programme.

Reading:

- Climate Analytics expert report submitted on behalf of the applicants in *Duarte Agostinho*, Sections 2, 3.1 and 3.2 (pp. 5-50).
- Lavanya Rajamani et al. 'National 'fair shares' in reducing greenhouse gas emissions within the principled framework of international environmental law' 21(8) *Climate Policy* (2021) 983
- Kate Dooley et al., "Ethical choices behind quantifications of fair contributions under the Paris Agreement." 11(4) *Nature Climate Change* (2021) 300.
- Kian Mintz-Woo, *Irish Carbon Budgets: Some Moral Considerations* (Climate Change Advisory Council Report, 7 October 2024).

Further Reading:

- [Decision of the Dutch Supreme Court in *Urgenda v Netherlands*](#) (selected paragraphs)
- [Decision of the European Court of Human Rights in *Verein KlimaSeniorinnen Schweiz and Others v Switzerland*](#) (selected paragraphs)
- [International Court of Justice, Advisory Opinion on the Obligations of States in Relation to Climate Change](#) (selected paragraphs)

Week 3: Climate in the Courts

This session further examines the role of courts in advancing climate justice and explores how recourse to international, regional, and domestic courts is being used to influence state policy and practice. Topics include the applicability of the relevant human rights to harm from climate change as well as admissibility hurdles such as victim status/standing, exhaustion of domestic remedies, and extraterritorial jurisdiction, as well as other challenges to bringing litigation in this area. The session also considers key issues of children's rights and intergenerational equity, and provides an overview of some major trends and developments in climate litigation, including the emerging areas of corporate climate litigation and individual criminal or civil liability for serious environmental harm.

Week 3 will notably feature a guest presentation by Gerry Liston on the recent European Court of Human Rights case *Duarte Agostinho v 33 European States*.

Reading:

- Gerry Liston, 'Reflections on the Strasbourg Climate Rulings in Light of Two Aims Behind the *Duarte Agostinho* Case' (EJIL:Talk!, 7 May 2024)
- N. Mavronicola, 'The Future is a Foreign Country: State (In)action on Climate Change and the Right Against Torture and Ill-Treatment' (2022) 2022/2 *Europe of Rights and Liberties/Europe des droits & Libertés* 211
https://www.europedeslibertes.eu/en/article/_trashed/
- Aoife Nolan, 'Children's Rights and Climate Change at the UN Committee on the Rights of the Child: Pragmatism and Principle in *Sacchi v Argentina*' (EJIL:Talk!, 20 October 2021)
- Aoife Nolan, 'Inter-generational Equity, Future Generations and Democracy in the European Court of Human Rights' *Klimaseniorinnen* Decision' (EJIL:Talk!, 15 April 2024)
- [Global-Trends-in-Climate-Change-Litigation-2025-Snapshot.pdf](#) (for skimming)

Further Reading:

- [Decision of the European Court of Human Rights in *Verein KlimaSeniorinnen Schweiz and Others v Switzerland*](#) (selected paragraphs)
- [Decision of the European Court of Human Rights in *Duarte Agostinho v 33 European States*](#) (selected paragraphs)
- [Decision of the UN Committee on the Rights of the Child in *Saachi and others v Argentina and others*](#) [Note that the Committee issued separate decisions in

respect of each Respondent. Regarding the decisions on jurisdiction and victim status, it is only necessary to read the decision in respect of any one Respondent. In relation to exhaustion of domestic remedies, it is appropriate to read the decisions in respect of all Respondents].

- Aoife Nolan, 'Children and Future Generations: Rights Before the Courts – The Vexed Question of Definitions' (2024) 13(3) *Transnational Environmental Law* 522

Week 4: Student-Led Seminar – Contemporary Issues in Climate Justice

The final session of the module will be largely student-led, featuring presentations on key contemporary issues in climate justice. Possible topics include the development of the right to a healthy environment; the movement beyond a human-centric approach towards recognising rights of nature; the movement towards a crime of Ecocide; the Green Growth debate; securing a Just Transition; the Gender dimension of climate justice; Protection of Environmental Defenders; and the integration of local and Indigenous knowledge into climate justice solutions.

Week 4 will notably feature a guest presentation from PhD student Monica Namanya on climate migration and free movement within East Africa.

Required Reading

- TBC – will depend on presentation topics as well as guest lecturer recommended reading