

# CLIMATE CHANGE: SUCCEED IN A LOWER-CARBON FUTURE

25 September 2019 | Global  
Guides – By **Silke Goldberg and Ben Rubinstein**

---

In a 2019 global survey, 1,250 CEOs rated environmental / climate change risk the single biggest threat to business growth.<sup>1</sup>

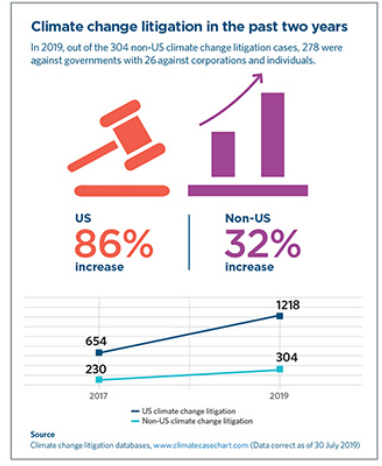
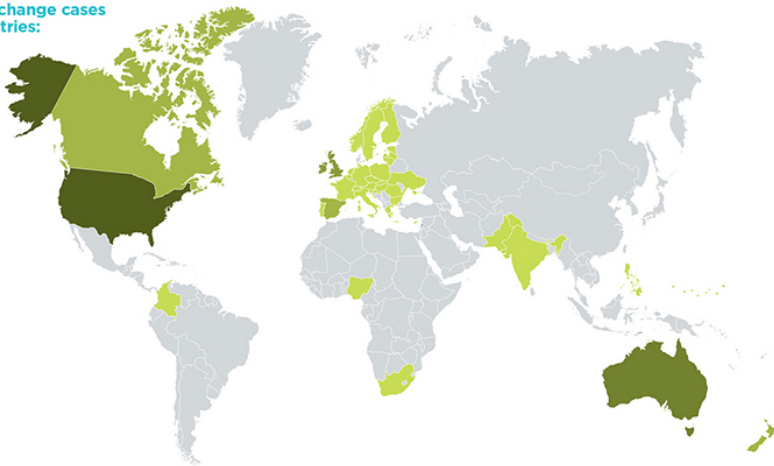
The race is on for businesses to understand their environmental impact and to manage the legal risks to succeed in a lower-carbon future.

Our report, which gathers insights from our global experts, considers the political, regulatory and commercial pressures arising from climate change, looks at the steps for ensuring that risk management practices measure up to the climate change challenge, and examines the benefits for businesses in all sectors that lead the transformation and innovate toward a lower-carbon future.

## The rise of climate change litigation

In 2017, 884 climate change cases were filed in 25 countries:

- 654 in USA
- 80 in Australia
- 49 in UK
- 40 in EU court of justice
- 16 in New Zealand
- 13 in Canada
- 13 in Spain
- 4 in France
- 3 in Germany
- 2 in India
- 2 in Pakistan
- 2 in Ukraine
- 1 case each in Nigeria, South Africa, Micronesia, Philippines, Belgium, Norway, Switzerland, Austria, Czech Republic, Ireland, Netherlands, Sweden, Columbia



### UN Sustainability Development Goals Index

Below are the climate action scores for the G20 countries.



Source: Sustainable Development Report 2019, www.sdindex.org

# MITIGATING RISK, AND THE RAPID RISE OF CLIMATE CHANGE-RELATED LITIGATION

The risks associated with climate change exceed the purely environmental, with the shift to a lower-carbon economy seemingly inevitable. Across geographies and sectors, stakeholders are judging businesses by both their perceived contribution to climate change and their efforts to mitigate its effects. Areas such as financing, contracts, human rights, and adequate disclosures and government action/inaction are also under greater scrutiny than ever before.

## TRANSITIONING TO A LOWER-CARBON FUTURE

Addressing climate change impacts can bring efficiencies and new sources of revenue for those who embrace innovation.

Across all industries ranging from financial services to natural resources, businesses are responding to demand for lower-emission products and services by innovating their operations to adhere to higher standards, and factoring carbon pricing into their strategic planning as evidence of their commitment to combat climate change and comply with emerging regulations. This enhances their attractiveness not only to consumers but to investors – giving them further access to funding with which to drive innovation.

**Innovation investment**

The rise of renewables, smarter cities and "green" finance have played an important role in supporting economic activities, services to communities and productivity in the rapidly changing environment. Investment into new asset classes and finding alternative short- and long-term fuel sources often in energy markets where infrastructure is fixed, costly and aging, are needed to aid the transition.

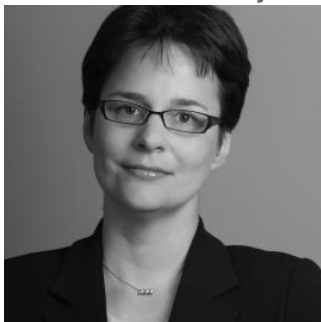
[Download Report](#)

## ENDNOTES

1. [Agile or irrelevant, Redefining resilience](#), 2019 Global CEO Outlook, KPMG International 2019.

## KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



**SILKE GOLDBERG**  
PARTNER, LONDON



**BENJAMIN RUBINSTEIN**

+44 20 7466 2612  
Silke.Goldberg@hsf.com

PARTNER, NEW YORK

+1 917 542 7818  
Benjamin.Rubinstein@hsf.com

---

## LEGAL NOTICE

The contents of this publication are for reference purposes only and may not be current as at the date of accessing this publication. They do not constitute legal advice and should not be relied upon as such. Specific legal advice about your specific circumstances should always be sought separately before taking any action based on this publication.

© Herbert Smith Freehills 2020

---

**SUBSCRIBE TO STAY UP-TO-DATE WITH LATEST THINKING, BLOGS, EVENTS, AND MORE**

Close

© HERBERT SMITH FREEHILLS LLP 2020