



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Information Note on the Court's case-law 250

April 2021

***Verein KlimaSeniorinnen Schweiz and others v. Switzerland
(communicated case) - 53600/20***

Article 34

Victim

Victim status of an association and individuals in the area of global warming:
communicated

Article 2

Positive obligations

Alleged failings in the prevention of global warming: *communicated*

Article 6

Administrative proceedings

Article 6-1

Access to court

Civil rights and obligations

Inadmissibility of legal actions concerning global warming on grounds of insufficient individual and direct interest: *communicated*

Article 8

Positive obligations

Alleged failings in the prevention of global warming: *communicated*

Article 13

Effective remedy

Lack of remedy in the prevention of global warming: *communicated*

The applicants are, on the one hand, an association under Swiss law for the prevention of climate change and of which hundreds of elderly women are members, and on the other, four elderly women (between 78 and 89) who complain of health problems which

undermine their living conditions during heatwaves. Since 2016 they have made unsuccessful requests to a number of authorities urging them to make up for their failure to take the necessary measures to meet the 2030 goal set by the 2015 Paris Agreement on climate change (COP21), in particular to limit global warming to well below 2 degrees Celsius compared to pre-industrial levels.

The Federal Court dismissed as inadmissible a number of applications by the applicants. Even invoking the concept of “potential victim”, the applicants were still required to demonstrate that they were sufficiently affected by the alleged failings. As it had not been established that they had sufficient standing, the court was of the view that their claims were tantamount to an *actio popularis*.

Communicated under the head of the positive obligations arising from Articles 2 and 8 (right to respect for private and family life and the home) and Articles 6 (access to a court) and 13 of the Convention – with questions about their applicability and the victim status of the applicants, a legal entity and a number of individuals.

(See also *Duarte Agostinho and Others v. Portugal and 32 other States*, 39371/20, communicated in November 2020, [Legal Summary](#))

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