



Three forthcoming Grand Chamber rulings in cases concerning climate change

The European Court of Human Rights will be delivering rulings in the cases of **Verein KlimaSeniorinnen Schweiz and Others v. Switzerland** (application no. 53600/20), **Carême v. France** (no. 7189/21) and **Duarte Agostinho and Others v. Portugal and 32 Others** (no. 39371/20) at a public hearing on 9 April at 10.30 a.m. in the Human Rights Building, Strasbourg.

The case **Verein KlimaSeniorinnen Schweiz and Others v. Switzerland** (no. 53600/20) concerns a complaint by a Swiss association and its members, who are a group of older women concerned about the consequences of global warming on their living conditions and health, that the Swiss authorities are not taking enough action to mitigate climate change.

The case **Carême v. France** (no. 7189/21) concerns a complaint by a former inhabitant and mayor of the municipality of Grande-Synthe, who submits that France has taken insufficient steps to prevent global warming and that this failure entails a violation of the right to life and the right to respect for private and family life.

The case **Duarte Agostinho and Others v. Portugal and 32 Others** (no. 39371/20) concerns the current and future severe effects of climate change, which the applicants attribute to the respondent States, and which they claim impact their lives, well-being, mental health and the peaceful enjoyment of their homes.

A limited number of seats are available for the press. To be sure of a place, you need to book in advance by contacting the Press Unit at echrpess@echr.coe.int.

Principal facts, procedure and complaints

In **Verein KlimaSeniorinnen Schweiz and Others v. Switzerland** (no. 53600/20), the applicants complain of various failures by the Swiss authorities to mitigate climate change – and in particular the effect of global warming – which they claim adversely affects their lives, living conditions and health. They complain that the Swiss Confederation has failed to fulfil its duties under the Convention to protect life effectively (Article 2) and to ensure respect for their private and family life, including their home (Article 8).

They further complain that they did not have access to a court within the meaning of Article 6 of the Convention, concerning the State's failure to take the necessary action to address the adverse effects of climate change.

Lastly, the applicants complain of a violation of Article 13 (right to an effective remedy), arguing that no effective domestic remedy was available to them for the purpose of submitting their complaints under Articles 2 and 8.

The application was lodged with the European Court of Human Rights on 26 November 2020.

On 17 March 2021 the Swiss Government was given [notice](#) of the application, with questions from the Court. At the same time, the Chamber decided to grant the case priority under Rule 41 of the Rules of the Court.

The Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber on 26 April 2022.

The Governments of Austria, Ireland, Italy, Latvia, Norway, Portugal, Romania, and Slovakia intervened in the written proceedings as third parties, in addition to the people/entities listed in the endnote¹.

The Government of Ireland and the European Network of National Human Rights Institutions (ENNHRI) were granted leave to intervene orally in the proceedings as third parties.

A public [hearing](#) was held on 29 March 2023 in the Human Rights Building, Strasbourg.

In **Carême v. France** (no. 7189/21), the applicant alleges that France has failed to take sufficient steps to combat climate change and that this failure entails a violation of his right to life and the right to respect for his private and family life and his home, relating, in particular, to the risk of climate-change-induced flooding to which the municipality of Grande-Synthe would be exposed in the period 2030-40. The applicant relies on Articles 2 (right to life) and 8 (right to respect for private and family life) of the Convention.

The application was lodged with the European Court of Human Rights on 28 January 2021.

The Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber on 31 May 2022.

The following organisations were granted leave to intervene in the written proceedings as third parties: European Network of National Human Rights Institution (ENNHRI); Our Children's Trust (OCT); and Oxfam France and Oxfam International and its affiliates (Oxfam).

A public [hearing](#) was held on 29 March 2023 in the Human Rights Building, Strasbourg.

In **Duarte Agostinho and Others v. Portugal and 32 Others** (no. 39371/20), the applicants are six Portuguese nationals, born between 1999 and 2012, who live in Merinhas (Pombal municipality), Leira and Sobreda (Almada municipality).

Relying in particular on Articles 2 (right to life), 3 (prohibition of ill-treatment), 8 (right to respect for private and family life) and 14 (prohibition of discrimination) of the Convention, they complain about the present and serious future effects of climate change, which they attribute to the respondent States. They refer in particular to heatwaves, wildfires, and wildfire smoke which they say impact their lives, well-being, mental health and their homes.

The application was lodged with the European Court of Human Rights on 7 September 2020.

On 13 November 2020 the Governments concerned were given [notice](#) of the application, with questions from the Court. The Chamber also decided to deal with this case as a matter of priority, in accordance with Rule 41 of the Rules of Court.

The Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber on 28 June 2023.

The organisations listed in the endnote² intervened in the written proceedings as third parties.

A public [hearing](#) was held in the Human Rights Building, Strasbourg, on 27 September 2023.

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on www.echr.coe.int. To receive the Court's press releases, please subscribe here: www.echr.coe.int/RSS/en or follow us on Twitter [@ECHR CEDH](https://twitter.com/ECHR_CEDH).

Press contacts

echrpress@echr.coe.int | tel.: +33 3 90 21 42 08

We would encourage journalists to send their enquiries via email.

Jane Swift (tel : + 33 3 88 41 29 04) / Denis Lambert (tel : + 33 3 90 21 41 09)

Tracey Turner-Tretz (tel : + 33 3 88 41 35 30)

Inci Ertekin (tel.: + 33 3 90 21 55 30)

Neil Connolly (tel.: + 33 3 90 21 48 05)

The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.

¹ The United Nations High Commissioner for Human Rights, the United Nations Special Rapporteur on toxics and human rights, the United Nations Special Rapporteur on human rights and the environment, the Independent Expert on the enjoyment of all human rights by older persons; International Commission of Jurists (ICJ) and the ICJ Swiss Section (ICJ-CH); European Network of National Human Rights Institutions (ENNHRI); International Network for Economic, Social and Cultural Rights (ESCR-Net); Human Rights Centre of Ghent University; Professors Evelyne Schmid and Véronique Boillet (University of Lausanne); Professors Sonia I. Seneviratne and Andreas Fischlin (Swiss Federal Institute of Technology Zurich); Global Justice Clinic; the Climate Litigation Accelerator and Professor Christina Voigt (University of Oslo); ClientEarth; Our Children's Trust (OCT); Oxfam France and Oxfam International and its affiliates (Oxfam); a group of academics from the University of Bern (Professors Claus Beisbart, Thomas Frölicher, Martin Grosjean, Karin Ingold, Fortunat Joos, Jörg Künzli, C. Christoph Raible, Thomas Stocker, Ralph Winkler and Judith Wyttenbach, and Doctors Ana M. Vicedo-Cabrera and Charlotte Blattner); Center for International Environmental Law (CIEL) and Dr Margaretha Wewerinke-Singh; Sabin Center for Climate Change Law at Columbia Law School; Germanwatch; Greenpeace Germany; and Scientists for Future.

² The Council of Europe Commissioner for Human Rights; the European Commission; the United Nations Special Rapporteurs on human rights and the environment, and on toxics and human rights; the European Network of National Human Rights Institution ("ENNHRI"); Save the Children International; Climate Action Network Europe ("CAN-E"); the Extraterritorial Obligations Consortium and partners; Center for International Environmental Law; Greenpeace International and the Union of Concerned Scientists; the International Network for Economic, Social and Cultural Rights (ESCR-Net); ALL-YOUTH research project and Tampere University Public Law Research Group; Professor Christel Cournil and Notre Affaire à Tous ("NAAT"), and Our Children's Trust ("OCT"); Oxfam International and its affiliates (Oxfam); the Centre for Climate Repair at the University of Cambridge; and the Centre for Child Law at the University of Pretoria.