

KlimaSeniorinnen Schweiz

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Joint press release of the Senior Women for Climate Protection Switzerland and Greenpeace Switzerland

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Victory for Swiss Senior Women for Climate Protection: Climate protection is a human right

The association of the Swiss Senior Women for Climate Protection, whose members took action against Switzerland for violating their human rights by failing to set sufficient climate targets have won a historic victory at the European Court of Human Rights (ECtHR). The Grand Chamber of the Court ruled this morning in the case "Verein KlimaSeniorinnen Schweiz and Others v. Switzerland" (application no. 53600/20) that Switzerland is violating the human rights of the older women because the state is not taking the necessary steps to combat global warming. Specifically, the court found a violation of Article 8 (right to private and family life). The Court also found that the action brought by the association, which currently represents over 2,500 women aged 64 and over, also has victim status. This is a huge victory not only for all the older women, but for access to justice across Europe. On the other hand, it ruled that the action brought by the individual applicants was inadmissible. Switzerland must now adjust its current climate targets based on science. The Court found that Switzerland had failed to comply with its duties under the Convention concerning climate change. The Swiss authorities had not acted in time and in an appropriate way to implement measures to mitigate the effects of climate change in this case. Furthermore, Switzerland has not achieved its own inadequate targets for reducing greenhouse gas emissions.

For the first time a transnational court specialising in human rights is directly upholding a human rights-based right to climate protection.

With this decision, the Court confirms that the increasingly frequent and intense heat waves caused by climate change pose a real and serious threat to the health and the private and family life of the senior women and that there is a rights-based link between these negative effects on senior women and Switzerland's measures for climate protection.

The Court makes it clear that Switzerland has a duty to protect senior women from the negative consequences of global warming to their health. And it made clear that Switzerland has violated this obligation through its inadequate climate policy.

Switzerland must therefore subject its current climate targets to improvements in order to sufficiently protect human rights. In its judgement, the ECtHR lays out specific requirements that must be met in order to remedy the identified gap in climate protection.

The European Court of Human Rights has also ruled that Switzerland has violated the right of the Swiss Senior Women for Climate Protection to access to a court. The Swiss authorities and courts should have carried out a substantive examination of the human rights violations alleged by the senior citizens. In the context of the climate crisis, there is also a duty to review human rights violations that have been committed.

This ruling has far-reaching implications. It sets a precedent for all 46 states of the Council of Europe. Across Europe, all Council of Europe states could be asked by their citizens to review and, if necessary, strengthen their climate policy on the basis of the principles developed by the ECtHR to safeguard human rights. This would benefit everyone – young and old. This ruling sends out a global signal.

"This judgement is not just a victory for the Senior Women for Climate Protection. Our victory is a victory for all generations. Especially for the Portuguese youth, whose generation will be beneficiaries of a long-term improved climate. The presence of the young people in the courtroom showed the judges the face of human rights for the future," says Rosmarie Wydler-Wälti, Co-President of the Swiss Senior Women for Climate Protection.

"This ruling is a landmark in the struggle for a liveable climate for everyone. And the ruling is a satisfaction. We have been fighting for climate justice for nine years with the support of Greenpeace. After the Swiss courts refused to hear us, the ECHR has now confirmed that climate protection is a human right," says Anne Mahrer, Co-President of the Swiss Senior Women for Climate Protection.

"I am absolutely overwhelmed and extremely proud that after 9 years of intensive work, the senior women have finally got their due. This is an indescribable moment," says Cordelia Bähr, lead lawyer for the Swiss Senior Women for Climate Protection. "The significance of this decision cannot be overestimated. It will be of great importance for further climate lawsuits against states and companies worldwide and increase their chances of success. The judgment shows citizens, judges and governments across Europe what is needed in terms of climate protection in order to respect human rights."

The senior women are supported by Greenpeace in their fight for climate justice.

"This ruling for the protection of human rights and the wellbeing of us all is a wake-up call for the Federal Council and Parliament. It is now important to quickly strengthen climate protection in Switzerland. The Court's decision is binding for the Federal Council and

Parliament. Human rights are the basis of every democracy - we expect politicians of all colours to abide by the ruling," says Georg Klingler, initiator and project coordinator at Greenpeace Switzerland.

"This doesn't stop in Strasbourg. The KlimaSeniorinnen's stories are also on the agenda for the International Court of Justice, where hearings on all governments' climate justice obligations - including Switzerland's - will be held early next year", says Louise Fournier, legal counsel at Greenpeace International, who supported the legal team of the Swiss Senior Women for Climate Protection.

More Information

[Press release](#) of the ECtHR

[Pictures and videos](#) of the Swiss Senior Women for Climate Protection

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