



Status of climate applications before the European Court

Between September 2022 and February 2023 the European Court of Human Rights held a series of procedural meetings in respect of climate change applications other than those pending before its Grand Chamber.

The Court decided to adjourn its examination of six cases until such time as the Grand Chamber has ruled in the climate change cases before it¹ (see [press release](#)).

It has also declared two other cases inadmissible.

Cases adjourned

Uricchio v. Italy and 31 other States² (application no. 14615/21) and ***De Conto v. Italy and 32 other States***³ (no. 14620/21)

These cases were brought by two young adults who complain, relying on Articles 2 (right to life), 8 (right to respect for private and family life), 13 (right to an effective remedy) and 14 (prohibition of discrimination) of the European Convention on Human Rights, that the greenhouse gas emissions from 33 member States have caused global warming, resulting, among other things, in extreme weather events such as heatwaves and storms, affecting the applicants' living conditions and mental health.

Müllner v. Austria (no. 18859/21)

This case was brought by a person suffering from a medical condition that makes him wheelchair-bound when subjected to temperatures of 30 degrees Celsius and above. The applicant complains, relying on Articles 2, 6 (right to a fair trial), 8 and 13 of the European Convention, that Austria has not put in place an adequate legislative and administrative framework to achieve the [Paris Agreement](#) temperature target of limiting the global average temperature increase to 1.5 degrees Celsius above pre-industrial levels, and that it has consistently failed to meet its national targets in terms of effective greenhouse gas reduction.

Greenpeace Nordic and Others v. Norway (no. 34068/21)

This case was brought by two non-governmental organisations (NGOs) and six affiliated individuals. The applicants complain, relying on Articles 2, 8, 13 and 14 of the Convention, about the judicial review-proceedings in which the applicant NGOs did not succeed in obtaining a judgment declaring invalid a decision made by the Norwegian Government to grant petroleum exploration licences for the Norwegian continental shelf. This case was notified to the parties ("communicated") by the Court on 16 December 2021.

¹ [Verein Klimaseniorinnen Schweiz and Others v. Switzerland](#) (application no. 53600/20), [Carême v. France](#) (application no. 7189/21) and [Duarte Agostinho and Others v. Portugal and 32 Others](#) (application no. 39371/20).

² Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Russia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Türkiye, Ukraine, and the United Kingdom.

³ Idem plus Ireland.

The Norwegian Grandparents' Climate Campaign and Others v. Norway (no. 19026/21)

This case relates to the same domestic proceedings as the subject of *Greenpeace Nordic and Others* (see above). The applicants are NGOs.

Soubeste and 4 other applications v. Austria and 11 other States⁴ (nos. 31925/22, 31932/22, 31938/22, 31943/22, and 31947/22)

These cases were brought by five individuals from France, Cyprus, Belgium, Germany and Switzerland. The applicants complain, relying on Articles 2, 3, 8 and 14 of the Convention, that the [Energy Charter Treaty](#) inhibits the respondent States from taking immediate measures against climate change, making it impossible for them to attain the [Paris Agreement](#) temperature goals.

Engels v. Germany (no. 46906/22)

This application was brought by nine teenagers and young adults. The applicants complain, relying on Articles 2 and 8 of the Convention, that the new objectives of the [German Climate Protection Act](#) in its amended version which entered into force on 31 August 2021, are insufficient to reduce greenhouse gas emissions to the level necessary for meeting the [Paris Agreement](#) temperature goals.

Cases declared inadmissible

In addition, the Court declared the two applications below inadmissible on the grounds that the applicants were not sufficiently affected by the alleged breach of the Convention or its Protocols to claim to be victims of a violation within the meaning of Article 34 (right of individual petition) of the Convention. These decisions were taken, respectively, in a Single Judge and Committee judicial formations in a non-public written procedure.

Humane Being and Others v. the United Kingdom (no. 36959/22) – decision of 1 December 2022

The case was brought by a non-profit organisation running the “Scrap Factory Farming” campaign. The applicants complained, relying on Articles 2, 3 and 8 of the Convention, that the United Kingdom had failed to regulate and take all reasonable steps to safeguard against the risks of factory farming.

Plan B. Earth and Others v. the United Kingdom (no. 35057/22) – decision of 13 December 2022

The applicants are an NGO and four individuals. They complained, relying on Articles 2, 3, 8 and 14 of the Convention, that the United Kingdom had failed to take practical and effective measures to tackle the extreme threat from man-made climate change. They also complained, relying on Articles 6 and 13 of the Convention, that they had been denied a full hearing of their case in the domestic courts.

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⁴ Belgium, Cyprus, Denmark, France, Germany, Greece, Luxembourg, the Netherlands, Sweden, Switzerland, and the United Kingdom.

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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.