

Execution of the ECtHR judgment: KlimaSeniorinnen and NGO coalition respond to Switzerland's action report

Zurich, January 27, 2025. The judgment in the case of KlimaSeniorinnen Schweiz is on the agenda of the Committee of Ministers of the Council of Europe, which monitors the execution of the judgments of the European Court of Human Rights (ECtHR), during its meeting from March 4-6, 2025. The KlimaSeniorinnen, along with a broad coalition of non-governmental organisations, have each submitted a communication to the attention of the Committee of Ministers, responding to Switzerland's Action Report.

The Committee of Ministers monitors whether and how the human rights violations identified by the ECtHR are being remedied. To do this, it examines the reporting of the States concerned and also takes into account communications from the injured party, civil society organisations and National Human Rights Institutions in its assessment. In October 2024, Switzerland reported to the Committee of Ministers and requested the closure of the implementation process [1].

The legal team of KlimaSeniorinnen Schweiz (Senior Women for Climate Protection Switzerland) and a broad coalition of 33 non-governmental organisations [2] have subsequently analysed the Action Report of Switzerland [3] for the attention of the Committee of Ministers in October 2024 and submitted a communication to the Committee of Ministers.

Both the KlimaSeniorinnen and the NGO coalition point out that Switzerland has not yet remedied the violation of Article 8 of the European Convention on Human Rights as established by the ECtHR. "In its action report, Switzerland relies on arguments that the ECtHR previously dismissed in its judgment. Furthermore, the legislative changes made after the judgment – and independently of the judgment – fall short of meeting the requirements for human rights-compliant climate protection," says Cordelia Bähr, head lawyer of the KlimaSeniorinnen.

The KlimaSeniorinnen and the NGO coalition are calling on the Committee of Ministers to request Switzerland to promptly comply with the requirements of the ECtHR's judgment.

These requirements include both the timely determination of a CO₂ budget for Switzerland that is compatible with the goal of limiting global warming to 1.5°C, and a corresponding adjustment of Switzerland's climate targets. Switzerland claims that a calculation of the CO₂ budget is not possible due to the lack of an internationally agreed methodology. However, the ECtHR has already rejected this argument in its judgment, holding that it is possible to determine the national CO₂ budget (§571) [4]. Also, the European Scientific Advisory Board on Climate Change (ESABCC), which the Court referenced for comparative purposes, has just made such budget calculations for the revision of the EU climate targets for 2040 [5].

The KlimaSeniorinnen and Greenpeace Switzerland requested experts to determine the Swiss CO2 budget based on the ESABCC methodology. “These calculations, presented to the Committee of Ministers, show that Switzerland's planned emissions will in any case greatly exceed a 1.5°C-compatible CO2 budget”, says Georg Klingler, climate and energy expert and project coordinator at Greenpeace Switzerland.

“Switzerland's climate policy continues to violate our human rights. We therefore hope that the Committee of Ministers will urge Switzerland to finally take action on implementing the judgment. The window of opportunity to secure a livable and sustainable future for all is rapidly closing,” says Rosmarie Wydler-Wälti, co-president of KlimaSeniorinnen.

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Notes:

[1 and 3] [Action Report of Switzerland](#)

[2] Greenpeace International and Climate Litigation Network. In addition, this submission is supported by 31 non-governmental organisations, including the Conference of International Non-Governmental Organisations of the Council of Europe, the representative body of the INGOs enjoying participatory status with the Council of Europe. The signatories of this submission cover a wide geographical and topical scope and focuses on, inter alia, human rights, the environment, future generations, and climate protection.

[4] [Judgment](#) of the Grand Chamber of the European Court of Human Rights of 9 April 2024

[5] [Scientific advice for the determination of an EU-wide 2040 climate target and a greenhouse gas budget for 2030–2050](#)

The submissions to the Committee of Ministers

- Rule 9.2 [Submission](#) by KlimaSeniorinnen Schweiz with Annex I CLN-Analysis (forthcoming), [Annex II Switzerland Carbon Budget](#), [Annex III CO2 emissions projections Switzerland 2023-2050](#)
- Rule 9.2 [Submission](#) by the NGO-Coalition
- Rule 9.2 [Submission](#) by the Swiss National Human Rights Institution
- [Swiss](#) National Action Report

[Here](#) are more documents relating to the judgment.

Contacts

- Cordelia Bähr, Lawyer of Senior Women for Climate Protection Switzerland: baehr@ettwein.ch, +41 78 801 70 34
- Rosmarie Wydler-Wälti, co-president of Senior Women for Climate Protection Switzerland: rosmarywydler@sunrise.ch, +41 61 302 96 35 (for interviews in German)
- Anne Mahrer, co-president of Senior Women for Climate Protection Switzerland: anne.mahrer@bluewin.ch, +41 79 249 72 17 (for interviews in French)

- Elisabeth Stern, member of the board of Senior Women for Climate Protection Switzerland: elisabeth.stern@bluewin.ch, +41 79 351 22 00
- Pia Hollenstein, member of the board of Senior Women for Climate Protection Switzerland: mail@piahollenstein.ch, +41 79 740 04 50
- Norma Bargetzi, member of the board of Senior Women for Climate Protection Switzerland: normaba@bluewin.ch, +41 79 352 98 89 (for interviews in Italian)
- Georg Klingler, Project Coordinator and Climate Campaigner Greenpeace Switzerland: georg.klingler@greenpeace.org, +41 79 785 07 38