

## PRESS RELEASE

# Portuguese young people file ground-breaking climate case against 33 countries with European Court of Human Rights

Six youth-applicants exposed to spiralling heat extremes bring first of kind climate case to Strasbourg Court.

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Four children and two young adults from Portugal have filed an unprecedented climate change case with the European Court of Human Rights in Strasbourg. They are asking the Court to hold 33 countries accountable for fuelling the climate crisis. The case, which is brought with the support of the Global Legal Action Network (GLAN), centres on the rising threat which climate change poses to their lives and to their physical and mental wellbeing. If successful, the 33 countries would be legally bound, not only to ramp up emissions cuts, but also to tackle overseas contributions to climate change, including those of their multinational companies.

The filing of the case comes just after Portugal recorded its [hottest July in ninety years](#). An expert report prepared for the case by Climate Analytics describes Portugal as a climate change “hotspot” which is set to endure increasingly deadly heat extremes. Four of the youth-applicants live in Leiria, one of the regions worst-hit by the devastating forest fires which killed over 120 people in 2017. The remaining two applicants reside in Lisbon where, during a heatwave in August 2018, a new [temperature record of 44°C](#) was set. On the current path leading to about 3°C of warming, [scientists have predicted](#) that there will be a thirty-fold increase in deaths from heatwaves in western Europe by the period 2071-2100.

The complaint alleges that the governments being sued are categorically failing to enact the deep and urgent emissions cuts required to safeguard the futures of the youth-applicants. Their lawyers cite the authoritative [Climate Action Tracker](#) which provides detailed ratings of countries’ emissions reduction policies. Its ratings for the EU, the UK, Switzerland, Norway, Russia, Turkey and the Ukraine - which cover the 33 countries being sued - show that their policies are too weak to meet the overall goal of the Paris Agreement.

Catarina Mota, one of the young adults behind the case, said: “It terrifies me to know that the record-breaking heat waves we have endured are only just the beginning. With so little time left to stop this, we must do everything we can to force governments to properly protect us. This is why I’m bringing this case.”

According to Gerry Liston, Legal Officer with GLAN: “This case is being filed at a time when European governments are planning to spend billions to restore economies hit by Covid-19. If they are serious about their legal obligations to prevent climate catastrophe, they will use this money to ensure a radical and rapid transition away from fossil fuels. For the EU specifically this means committing to a minimum 65% emissions reduction target by 2030. There is no true recovery if it is not a green recovery.”

Dr Gearóid Ó Cuinn, GLAN’s Director added, “It is not just the future of these young people and countless others which is on the line in this case. Experts have said that the climate crisis puts the very [survival of human rights at risk](#). Never before has the European Court of Human Rights been faced with an issue of such existential significance.”

Marc Willers QC of London’s Garden Court Chambers, lead counsel in the case, said: “One of our key aims in bringing this case is to persuade the European Court of Human Rights (ECtHR) to provide an urgently needed direction to the Member States of the Council of Europe that the human right to a safe and healthy environment requires them to take all necessary steps to address the climate emergency. If the ECtHR issues such a direction then that will further empower individuals who bring cases in domestic courts throughout Europe, seeking decisions which force their governments to tackle the climate crisis.”

#### Note to editor

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- Six young applicants from Portugal (3 will speak\*): Cláudia Agostinho\* (21), Catarina Mota\* (20), Martim Agostinho (17), Sofia Oliveira\* (15), André Oliveira (12), Mariana Agostinho (8)
- Four of the youth-applicants are from the Leiria region of Portugal, one of the regions worst-hit by forest fires which killed over 120 people in 2017. [Scientists say](#) that climate change was partially responsible for the scale of these fires. In 2017 GLAN began working with the youth-applicants to build a case following a successful [international crowdfunding](#) campaign.
- In the case of Urgenda v The Netherlands, the Dutch Supreme Court held that the European Convention on Human Rights requires States to “take measures to counter the genuine threat of dangerous climate change” and ordered the Dutch government

to increase its emissions cuts. This is the first and only case in Europe where a domestic court has made such an order.

- The countries being sued are: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Germany, Greece, Denmark, Estonia, Finland, France, Croatia, Hungary, Ireland, Italy, Lithuania, Luxembourg, Latvia, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Russia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, the United Kingdom, Turkey and Ukraine.
- This case focuses on two main areas: how States contribute to global emissions inside and outside their borders. Regarding emissions released at home, European governments' reduction efforts are too weak and not in line with what the science demands. Regarding emissions released outside their borders, it is argued that States must take responsibility for emissions relating to: 1) fossil fuels which they export, 2) the production of goods which they import from abroad and 3) the overseas activities of multinationals headquartered within their jurisdictions.

The Global Legal Action Network (GLAN) is a non-profit organisation that works to pursue innovative legal actions across borders to challenge powerful actors involved in human rights violations and systemic injustice by working with affected communities. GLAN has offices in the UK (London) and Ireland (Galway) | @glan\_law | [www.glanlaw.org](http://www.glanlaw.org).