



PRESS RELEASE

Coordinated effort by 33 countries to overturn ‘urgent’ status of youth climate change case rejected by Strasbourg Court

- Unprecedented case brought by six Portuguese young people secures another positive result
- International [crowdfund](#) seeks support for crucial next phase of case

Embargoed until Friday 12.01am (Dublin/Lisbon/London time, GMT) February 26th 2021

The European Court of Human Rights has dismissed a coordinated effort by 33 governments to overturn its decision to fast-track an unprecedented climate change case. The case is brought against Europe’s major emitters by six Portuguese children and young adults experiencing the effects of rising heat extremes in Portugal. In October 2020, the Strasbourg Court granted the case priority status on the basis of the “importance and urgency of the issues raised”. The youth-applicants argue that defendant countries must adopt the “deep and urgent” emissions cuts which the UN says are now necessary to achieve the goal of the Paris Agreement.

Following the [“communication” of the case](#) to the 33 defendant governments in November, 2020, these governments petitioned the Court to reverse its decision to fast-track it, arguing that the youth-applicants do not face any imminent danger. As well as rejecting this request, the Court also denied their application to defer scrutiny of their climate policies. The governments had sought permission to argue solely that the case is inadmissible and therefore that the challenge to their climate policies should not be heard. As a result of the Court’s decision, these countries must now attempt to defend the compatibility of their climate policies with the Paris Agreement’s 1.5°C global warming target.

Martim Agostinho (18), one of the youth-applicants involved, said: "The Court’s resistance to the efforts to prevent our case from being heard in full brings me even more hope and demonstrates the importance and urgency of our case. The fight against climate change is a fight against time and it is urgent that we get a decision from the Court."

According to Gerry Liston, Legal Officer with GLAN: “This is another major step towards securing a decision from the Court which compels European governments to take the urgent action necessary to safeguard the futures of the youth-applicants and their generation. With global warming on course to vastly exceed the 1.5°C target of the Paris Agreement, there can be no delay in subjecting the climate policies of European countries to scrutiny.”

The Court did extend the deadline for governments to submit their defences to the youth-applicants’ case to 27 May 2021. Then, the youth-applicants and their team will face the major task of responding to the arguments of each of the 33 governments. The Global Legal Action Network (GLAN), the organisation assisting the six Portuguese young people in bringing their case, has launched an international [crowdfund](#) to back this effort.

The youth-applicants have also received the support of numerous civil society organisations, UN experts, academics and representatives of the youth-led climate movement in Europe, who have sought permission from the Strasbourg-based Court to formally participate in their case as “third-party interveners.” This mechanism allows individuals and organisations to independently make



submissions to the Court. The Climate Action Network-Europe, a coalition of over 170 member organisations from 38 European countries, together with Germanwatch (Germany), 2 Celsius (Romania), and Notre Affaire à Tous (France), these organisations [stated](#) that through their interventions they “aim to strengthen the plaintiffs’ arguments on European countries’ climate inaction.”

ENDS

Note to the editor

The six young applicants from Portugal are: Cláudia Agostinho (21), Catarina Mota (20), Martim Agostinho (18), Sofia Oliveira (15), André Oliveira (13), Mariana Agostinho (8). A copy of the court application and FAQs on the case can be accessed at www.youth4climatejustice.org

Martim Agostinho’s quote in Portuguese is as follows: “O facto de o Tribunal estar a resistir a tentativas de impedir que o nosso caso seja plenamente ouvido traz-me ainda mais esperança e demonstra a importância e urgência do nosso caso. A luta contra as alterações climáticas é uma luta contra o tempo, e é urgente obter uma decisão do Tribunal.”

The youth-applicants are represented by a team of barristers from Garden Court Chambers, London (www.gardencourtchambers.co.uk). Lead counsel is Marc Willers QC.

GLAN’s crowdfund: www.crowdjustice.com/case/youth4climatejustice

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 case was filed on the 3rd September, just after Portugal recorded its [hottest July in ninety years](#). It is the first climate case brought before an international court with the power to issue binding legal rulings. If successful, the defendant 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 enterprises. 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.



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. **Media Contacts:** Gerry Liston (Legal Officer) | gliston@glanlaw.org | +353863415175; Dr Gearóid Ó Cuinn (Director) | gocuinn@glanlaw.org | +447521203427