EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Press Unit
Unité de la Presse

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This factsheet does not bind the Court and is not exhaustive

75 years of the European Convention on Human rights

Focus On: Climate Change

This factsheet provides a brief focus on a thematic topic. For more detail on the Court's caselaw see the Knowledge Sharing website of the Court and the factsheets on: Climate change and Environment.

Relevant Articles of the European Convention on Human Rights

Cases which raise questions of 'climate change' have been submitted to the Court by applicants in circumstances including: the serious present and future consequences of climate change on their living conditions and health and insufficient steps to mitigate or to adapt to climate change.

The provisions under the European Convention on Human Rights and the Rules of Court which are often cited by applicants in such cases are:

Article 2 (right to life), Article 3 (prohibition of torture and inhuman or degrading treatment), Article 8 (right to respect for private life and family life), Article 13 (right to an effective remedy) of the Convention.

Statistics

The number of applications submitted to the Court which concern climate change is low.

Among the cases pending before the Court, **0.007%** relate to climate change[1]. Since 2020, 23 applications concerning climate change have been made to the Court. Of these, four applications remain pending. 19 applications were decided: 17 applications have been declared inadmissible or struck out; and two ended in judgments (in one case, the Grand Chamber of the Court found violations of the Convention[2], while in the other, the Chamber found no violation of Article 8[3]).

The Court's case-law

The Court examines each application brought before it on a case-by-case basis. It finds a violation of the Convention when a State, through its actions or omissions, has infringed the rights and freedoms guaranteed by the Convention in respect of individuals within its jurisdiction. Each year, the Court receives a large number of applications, many of which are rejected as they concern clearly inadmissible complaints. Admissible applications may result in a judgment, not all judgments delivered by the Court result in a finding of a violation.

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[1] 4 applications of 59,233 overall (as of 1 October 2026).
[2] *Verein KlimaSeniorinnen Schweiz and Others v. Switzerland* [GC], no. 53600/20, 9 April 2024.
[3] *Greenpeace Nordic and Others v. Norway*, no. 34068/21, 28 October 2025.

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The Court may examine a complaint only where the applicant falls within the jurisdiction of the respondent State, has been directly affected by a measure attributable to that State, and where the complaints submitted to it have first been raised before domestic courts. In cases relating to climate change, the Court has noted that as a general principle, it finds it difficult to accept [a] vision of subsidiarity according to which the Court should rule on the issue of climate change before the opportunity has been given to the respondent States' courts to do so. This [vision] stands in sharp contrast to the principle of subsidiarity underpinning the Convention system as a whole, and, most specifically, the rule of exhaustion of domestic remedies. As the Court has explained, it is not a court of first instance. It does not have the capacity, nor is it appropriate to its function as an international court, to adjudicate on large numbers of cases which require the finding of basic facts which should, as a matter of principle and effective practice, be the domain of domestic jurisdictions (*Duarte Agostinho and Others v Portugal and 32 others*).

In April 2024 in the case of *Verein KlimaSeniorinnen Schweiz and Others v. Switzerland* an association was successful in its complaint that that State had failed to implement sufficient measures to combat climate change. The Court found that the Swiss Confederation had failed to comply with its duties ("positive obligations") under the Convention concerning climate change. The authorities had not acted in time and in an appropriate way to devise, develop and implement relevant legislation and measures in this case.

As regards environment, in January 2025 in the case of *Cannavacciuolo and Others v. Italy* the Court found a violation of Article 2 de la Convention due to the State's failure to act against systematic large-scale pollution in areas of Campania region affected by a decade-long large-scale pollution phenomenon known as the "*Terra dei Fuochi*" ("Land of Fires") and stemming from illegal dumping, burying and/or uncontrolled abandonment of hazardous, special and urban waste, often carried out by criminal organised groups. For the first time, the Court relied on epidemiological studies to establish an imminent risk to life under Article 2.

The Court's judgments are binding and essentially declaratory in nature. In general, the choice of the measures to be taken to enforce the Court's judgment remains with the States, subject to supervision by the Council of Europe Committee of Ministers, and provided that such means are compatible with the conclusions set out in the Court's judgments. In the proceedings before the Committee of Ministers concerning *Verein KlimaSeniorinnen Schweiz and Others*, Switzerland has informed the Committee of various steps to implement the Court's judgment. In *Cannavacciuolo and Others*, Italy was given two years to address the problem of pollution in the *Terra dei Fuochi*. The Court indicated not only measures such as the establishment of a compensation mechanism, but also that Italy should establish a single, public information platform aimed at informing the public of potential or actual health risks, and of actions taken or envisaged to manage such risks.

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