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Switzerland

Historic victory for the “Aînées pour le climat”

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On 9 April, the Grand Chamber of the European Court of Human Rights handed down a historic verdict, ruling that Switzerland is violating the human rights of older women because the country is not taking the necessary measures to combat global warming. [[Aînées pour le climat - Older Women for Climate)

This is a major first, and a verdict that will set a precedent in the 46 other countries of the Council of Europe. For eight years, a group of old ladies had been waging a legal battle. They accused Switzerland, with evidence to back up their accusations, of failing to take care of their health and well-being in the face of increasingly worrying heatwaves, and of failing to take steps to achieve the target set for 2030 by the Paris Agreement in 2015. They had chosen this original angle to force Switzerland to take the climate threat seriously.

A battle begun in 2016

These old ladies, numbering 2,500 across Switzerland, were environmental activists from the very beginning and were already feminists in the 1970s with the MLF. They know what it means to fight. In 2016, they first submitted their application to the Federal Council, but the Federal Department of the Environment declared their request inadmissible. In 2017, they turned to the Federal Administrative Court, which rejected their request, and in 2019 to the Federal Supreme Court, which rejected their appeal.

In 2020, supported by Greenpeace (Swiss and international) and an excellent international team of lawyers, they took their case to the European Court of Human Rights. Their case was given priority. And in March 2023, the Aînées pour le Climat (KlimaSeniorinnen / Anciane per il clima) were heard by the Grand Chamber in Strasbourg. It was a very impressive hearing (I was there as an individual plaintiff in addition to the collective action), where the 17 judges listened very carefully to the arguments put forward by the Aînées' lawyers and the (rather weak) defence of the Swiss government. The judgement was handed down one year later, on 9 April 2024.

Hopes on the environmental side and anger on the right

And it was a resounding victory for the Aînées. The judges were unanimous, whereas they had ruled inadmissible two similar cases, which were certainly less well-founded. The Swiss women's victory will therefore set a precedent and raise great hopes.

On the other hand, the ruling has aroused the ire of the right in the Federal Assembly. The Union Démocratique du Centre, Switzerland's most right-wing party, referred to the origins of Switzerland: in 1291, the three peasants who sealed their alliance of mutual support opposed the interference of foreign judges in their affairs. Nearly eight centuries later, this party is fulminating and calling for Switzerland to leave the Council of Europe. Lawyer Raphaël Mahaim, who is also a Green National Councillor, has received insults and threats from his opponents. The Federal Office of Justice has taken note of the ruling, but we do not know when or how effective measures will be taken. Even the lawyers are not in a position to give an opinion at the moment, as the 300 pages of the ruling will first have to be analysed in detail. The Aînées, energized by their success, are continuing the fight!

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Translated by **International Viewpoint** from [l'Anticapitaliste](#).

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