

# Rechtsanwaltskanzlei | Krömer

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The Registrar  
European Court of Human Rights Council of Europe  
F-67075 Strasbourg Cedex France  
EINSCHREIBEN

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**New application: [REDACTED] v Austria and request for expedite proceedings under Rule 41 (expedite proceedings)**

Please find enclosed our clients' application form, supporting documents and appendix. The application concerns a person whose right to private and family life is already directly and severely impacted by the climate-crisis induced increase in average temperature as well heatwaves, due also to the failure of the Austrian government to set effective climate measures in order to reduce greenhouse gas emissions. The application is brought after having exhausted all national remedies available, with the final decision from the Austrian Supreme Court communicated to the parties on 12 October 2020.

Under Rule 41 of the Rules of Court, we request that the Court expedite this application as its contents reflect Categories I, II, and III of the Court's Priority Policy. We ask that the Court to prioritize this application in recognition of its extreme urgency and the profound threats to the physical and psychological integrity of the Applicant. The Climate crisis is currently the most pressing emergency faced by humanity. It also poses particularly serious and urgent risks to the Applicant, who as a patient suffering from multiple sclerosis and the Uhthoff's syndrome is signifi-

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cantly affected by the increase in average temperatures as well as heatwaves. At temperatures of about 25°C plus, Applicant is no longer able to walk without the support of a wheelchair. These impacts are continuously exacerbated to the effect that Applicant loses complete control over muscular movement at temperatures of about 30°C and beyond.

We further request that the Court expedite this application as it raises an important question of general interest that could have major implications for domestic legal systems and the European system. Despite the Court's extensive jurisprudence addressing violations of the Convention stemming from adverse environmental factors, the Court has yet to address the specific and unprecedented human rights violations originating from climate impacts. As cases addressing climate impacts and concomitant violations of rights increase, domestic European courts could greatly benefit from this Court deciding such a case.

For the application for priority under Rule 41, paras 9-13, 30 of the application are the most pertinent

Yours faithfully,



Mag Michaela Krömer, LL.M