

Subject matter of the application

All the information concerning the facts, complaints and compliance with the requirements of exhaustion of domestic remedies and the six-month time-limit laid down in Article 35 § 1 of the Convention must be set out in this part of the application form (sections E, F and G). It is not acceptable to leave these sections blank or simply to refer to attached sheets. See Rule 47 § 2 and the Practice Direction on the Institution of proceedings as well as the “Notes for filling in the application form”.

E. Statement of the facts

58.
 APPLICANT IS DIRECTLY AFFECTED BY CLIMATE-CRISIS INDUCED INCREASE IN AVERAGE TEMPERATURE AND HEATWAVES
 Since 2003, Applicant suffers from multiple sclerosis ("MS"), an autoimmune neurodegenerative disease of the central nervous system ("CNS"). He has a certificate of disability, attesting a degree of disability of 60 %. (Doc 1) Each MS patient experiences a unique set of symptoms. Yet, 60 to 80% of patients, including Applicant, suffer from temperature sensitivity, meaning that their specific symptoms of disease worsen with increase of external temperatures. This effect, known as UHTHOFF'S SYNDROME, can only be remedied by decrease of overall (body) temperature. No medical treatment exists. (Doc 2; p 6, 11-15) As described in his medical report and personal statement, Applicant's symptoms of disease consist in signs of paralysis. At a temperature starting at about 25°C - due to the Uhthoff's syndrome - the impairment of his muscular movement severely worsens, meaning that he starts to get dependent on his wheelchair. Especially, when leaving the house. This impact increases to the extent that at temperatures of about 30°C and plus, he is fully dependent on an electric wheelchair and hence 100 % external support, as the muscular strength in his arms is too weak for pushing the wheels of his mechanical wheelchair, let alone do anything else. On hot days, he hence experiences a different level of disability than usual. Up until 25°C he can walk independently or with the help of two crutches (depending on general health condition, length of distance). The increase in average mean temperature caused by the climate crisis cages him to his home for increasingly longer period of time, forcing him to live an isolated family and private life. Besides, the strenuous effects of this isolation, Applicant is severely burden by the humiliation and increase in anxiety he suffers due to the complete loss of control over his muscular strength at 30°C plus. (Doc 1, 3; AS paras. 1-2)

THE AVERAGE TEMPERATURE IN AUSTRIA (AND APPLICANT'S HOME REGION) HAS INCREASED BY ABOUT 2°C DUE TO THE CLIMATE CRISIS

Austrian average temperature has been rising faster than the global average, namely by almost 2°C since 1880 and by about 1°C since XXXX, the year Applicant was born. The faster rate of warming also applies to Applicant's home region where the average temperature has risen by about 2.4°C above preindustrial level. (Doc 4, p 252, Doc 5, p 1142; AS paras. 3-4) This temperature rise has led to an almost twofold increase of the number of days with temperature reaching and exceeding 25°C, and a more than sixfold increase of days with temperatures of 30°C or higher, also in Applicant's home region. (AS para. 5) The temperature rise has also led to an increase in heatwaves. The summers 2003, 2015, 2017, 2018, 2019 have been the hottest on record in Austria increasing the suffering for Applicant during these periods. (Doc 5, p 1142; AS paras. 1-2, 8) According to the Austrian Panel on Climate Change ("APCC"), the International Panel on Climate Change ("IPCC"), and the Lancet Report, this strongly impacts people with chronic diseases such as Applicant increasing the risk of premature mortality and overall impairment for Applicant. (Doc 7, p 1893-1894, DOC 9; AS paras. 9, 31) Pursuant to this robust data of Applicant's home region , a decadal-mean, referred to as "Threshold Exceedance Days per Year" for 25°C ("TEDY25C") and a devised Uhthoff Impairment Amplification Factor ("UIAF") can be derived as shown by the submitted expert report. This maps out the average impact for Applicant due to Uhthoff's syndrome and with increasing temperatures. It concludes that Applicant's overall temperature induced impairment due to warm and hot days has – on average - more than tripled. (Doc 8; AS para. 7-8)

THESE DIRECT IMPACTS ON APPLICANT WILL INCREASE IF GREENHOUSE GAS EMISSIONS ARE NOT RAPIDLY REDUCED

If no effective climate protection measures are set, temperatures in Austria will rise by about 2°C in the period 2021-2050 and by about 4°C until in the period 2071-2100 compared to the period of 1971-2000, which amounts to 3°C between 2021-2050 and about 5°C for 2071-2100 compared to preindustrial levels. Under these circumstances, the IPCC predicts a global mean temperature increase between 2.6°C and 4.8°C (with a mean of 3.7°C) with high confidence, resulting also in in frequent and extreme weather events, particularly for Applicant's home region and Respondent. (Doc 5, p 1143, Doc 7, p 1843; AS paras. 10-13)

This translates to a further increase of warm and hot days, which will increase drastically if business as usual remains and no climate measures are set. The temperature rise will also result in an increase of warm spells and rise in very extreme heatwaves, especially for Central Europe, also for Applicant's home region. (Doc 7, p 1893-1894, 1843; AS paras. 10-13) Although the number of days impacting Applicant will increase even at a global average of 1.5°C increase (compared to the current global 1°C) holding the global temperature increase to 1.5°C would drastically reduce the frequency and intensity of hot extremes as well as the length of warm spells. (Doc 7, p 1843; AS para. 13) compared to an increase of 2°C or more.

Statement of the facts (continued)

59.
RESPONDENT HAS FAILED TO COMPLY WITH INTERNATIONAL CLIMATE LAW TARGETS IN LINE WITH BEST AVAILABLE SCIENCE

Already in 1994, Respondent ratified the United Nations Framework Convention on Climate Change ("UNFCCC") and consented to stabilizing greenhouse gas concentration in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Respondent reaffirmed its obligation to reduce Greenhouse Gas Emissions ("GHG") in 2016, by ratifying the Paris Agreement. Respondent thereby also acknowledged its individual duties under human rights, in particular the right to health and rights of vulnerable persons with disabilities based on best available science (Paris Agreement, Preamble and Articles 4, 7, 14). By joining both, the UNFCCC and the Paris Agreement, Respondent consented to the guiding principles of equity, common but differentiated responsibilities and respective capabilities ("CBDR-RC"), and its duty as a developed state to "take the lead" in reducing emissions. (AS paras. 14-15). When adopting the Paris Agreement, the Parties invited the IPCC to provide a special scientific report regarding the impacts of global warming of 1.5°C ("SR 1.5°C"). The Parties, including Respondent, thereby affirmed the IPCC as the scientific authority concerning on global climate science. Respondent also acknowledged the impacts on human rights of current degree of warming and the importance of limiting any future warming to 1.5°C. In order to significantly reduce climate impacts, including adverse health effects in general and the health of people with chronic diseases, such as Applicant, in particular. (AS paras. 15-16) There is global consensus in politics and science that a 1.5°C limit is the scientific benchmark to calibrate national mitigation efforts. (AS para. 16) The efforts by the European Union in its New Green Deal Plans also contain a 1.5°C target, as a temperature increase by 2°C would have devastating consequences. (Proposal for a Regulation Of The European Parliament And Of The Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999, 2020)

In 2019, Respondent's legislator, Austria's National Council, declared a national Climate Emergency based on the scientific findings of the IPCC, the APCC and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services ("IPBES"). In its statement of 25.9.2019, Respondent confirmed its commitment to the 1.5°C target to solve this emergency and declared the mitigation of the present climate crisis based on this target its utmost priority. (Doc 13; AS para. 17) Yet, no revised climate targets have consequently been set by Respondent. The Austrian Climate Protection Act ("Klimaschutzgesetz", "KSG") contains no specific measures, no complaint procedure (if targets are not met or are too low or not embedded), and from 2017 to 2020 no updated European climate targets. At present, no GHG reduction target has even embedded in the KSG for the years 2021 and beyond. (AS paras. 25-27)

Also in the past, Respondent has consistently failed to set any effective climate measures. Despite recurring warnings by the scientific community, Respondent was not able to fulfill its obligations under the Kyoto Protocol and under the Effort Sharing Decision ("ESD") by effective GHG reduction. In the last years, GHG in Austria rose even above already low national reduction targets. The GHG level today is practically the same as in 1990. Emissions also didn't go down at all between the years 2010 and 2019. (Doc 5, p 1168, Doc 14, p 3295; AS paras. 18-20)

According to the APCC, it is de facto impossible for Respondent to meet the 1.5°C target by way of Respondent's current climate measures. Respondent's current national contributions under the Paris Agreement do not suffice to meet the 1.5°C. (Doc 5, p 1135, Doc 15, p 3318; AS paras. 21-22) Pursuant to the IPCC, states have to achieve global CO2 neutrality by about 2050 with halving emissions by 2030 if they want a 66% chance of limiting the temperature rise to 1.5°C. (Doc 7, p 1665). For Respondent this amounts to a CO2 budget of 700 Mt CO2 equ., meaning that Respondent has to reduce emissions by 55% until 2030 and achieve CO2 neutrality – emission reduction by 90 to 95% - by 2040 (Doc 15, p 3318; AS para. 29). If insufficient climate policy such as Respondent's (among the wealthiest countries worldwide) were pursued by all countries, the ultimate objective of the UNFCCC, namely „stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system“ could never be reached. Respondent as wealthy industrialized state had per capita CO2 emission of 8.25 tCO2/cap/yr in 2019, which was above the EU average of 6.47 CO2/cap/yr (AS para. 18)

RESPONDENT EVEN ACTIVELY TAKES MEASURES THAT EXACERBATE THE CLIMATE CRISIS

The European Commission criticized Respondent's national energy and climate plan ("NECP") pursuant to the EU Regulation 2018/1999 on Governance of the Energy Union and Climate Action for the lack of ambition regarding effective measures as well as for submitting a comprehensive list of subsidies and incentives counterproductive to climate and energy targets. (Doc 16, p 3331f, p 3349ff; AS para. 24)

To this day, no comprehensive list has been submitted by Respondent. Already in 2016, the Austrian Institute for Economic Research ("WIFO") published a comprehensive list of Respondent's climate counterproductive measures. (Doc 17) Not a single one of these subsidies, incentives and counter-productive measures has been removed by Respondent until today. At present, Respondent subsidizes climate counterproductive actions in realm of energy and transport in the amount 15 billion EUR/ year on average, of which 4,4 million are directly related to its annual budget. (Doc 19; AS para. 23)

Statement of the facts (continued)

60.

STAYING WITHIN THE TEMPERATURE LIMIT OF 1,5°C WOULD SIGNIFICANTLY IMPROVE APPLICANT'S OVERALL WELL-BEING
In its SR 1.5°C the IPCC found that limiting temperature increase to 1.5°C instead of 2°C would reduce heat-related impacts with high confidence. A maximum of 1.5°C warming would also diminish the further increase days beyond 25°C with high confidence. (Doc 7, p 1843-1844; AS para. 30) It is scientifically undisputed that measures have to be set now in order to be effective and reach this target. Postponement could lead to exceeding critical thresholds, known as "tipping points", which would constitute significant negative and even irreversible changes in the climate, and ultimately greater harm for Applicant. Some of which might have already been reached. This risk consistently increases with an overall temperature rise between 1 and 2 °C (Doc 7, p 1915; AS para. 30).

Applicant is 40 years old and has an average life expectancy of 68,35 years, yet already suffers from the present increase in average temperatures. (Doc 1, 3; AS paras. 1-2, 9) Most likely he will have to suffer for an increasingly longer period of time for many more years, with his well-being worsening as number of days reaching and exceeding 25°C, as well as 30°C will rise in light of inadequate climate policies, such as Respondent's. In some cases, the Uthoff's syndrome (not the MS) has even led to a premature death. This is in line with the IPCC's finding that people with chronic diseases face a higher risk of premature mortality due to the climate crisis. (Doc 2, 9; AS paras. 9, 13, 31)

APPLICANT IS FACED WITH A SYSTEMIC DEFICIT IN RESPONDENT'S LEGAL SYSTEM TO RAISE HIS CLAIM REGARDING HIS CLIMATE INDUCED SUFFERING

Applicant cannot challenge Respondent's ineffective climate policies, as the inaction of the legislator and administrative omissions regarding climate measures cannot be challenged under Austrian domestic law. (see Section F) In lack of a remedy mechanism under the relevant administrative law, the Austrian Climate Protection Act ("KSG"), Applicant is faced with a systemic deficit regarding his human rights protection. No general duty of protection can be adhered to or general administrative omission can be referred to by Applicant to assert his rights. Applicant tried - at the very least - to request the invalidation of counter-productive measures under Art 2 and 8 and the principle of equality before the law (Art 2 StGG and Art 7 B-VG), alleging that climate damaging norms such as a VAT exemption on private, cross-border flights constitute an active infringement of Respondent's duty to protect Applicant under Art 2 and 8. The aviation sector is VAT-privileged over the railways despite the fact a flight emits around 31 times more CO₂ than a train-ride. Emissions in the realm of transportation rose in 2019 compared to 2018 (Doc 14, p 3297). The Constitutional Court denied standing on very formalistic grounds, despite having been made aware of Applicant's lack to file any other remedy. (see section F Art 13, Doc 20, 21, AS paras. 57-59)

THE APPLICANT'S VICTIM STATUS IN THE FACE OF CLIMATE-CRISIS INDUCED INCREASE IN WARM TO HOT DAYS

Applicant is a DIRECT VICTIM pursuant Art 34 ECHR in respect to Art 8 ECHR, as he has suffered and continues to suffer from the rise in average temperature and heat afflictions caused by the climate crisis severely and to a greater extent than the average population. The effects of the rise in warm and hot days (and length of time during these days) caused by the climate crisis have serious, specific and imminent effects on his physical and moral integrity. Specific and serious, as his symptoms of disease worsen already today as a direct consequence to the rise in temperatures including heat waves leading to immense suffering. (Section E, Doc 1, 2, 3; AS paras. 1-8). The effect is imminent as average temperatures will continue to rise (resulting in a greater number of warm and hot days) and hence his suffering will worsen in the future, if no effective protection measures are set now. (AS paras. 9-13, 30-31) His application doesn't concern the general degradation of the environment, but the specific effects he has to suffer from due to the Uthoff's Syndrome. (Doc 1, 3; AS para. 32)

URGENCY OF THE CASE

Applicant's case is urgent according to best available science. Only very limited time is left to vindicate Applicant's rights Art 8 ECHR. Each additionally emitted ton of CO₂ increases the risk of crossing critical thresholds which could lead to irreversible changes in the system, rendering mitigation of the climate crisis almost impossible. In a climate emergency, Applicant's well-being and personal dignity will be impacted to an even greater extent than what is currently the case, as each additional day of 25°C and beyond immensely impacts his physical ability to move around freely and to lead a self-determined and non-isolated private life in dignity. Hence, Applicant requests to grant this case priority status under Rule 41.

Documents are ordered in the number of appearance, first in the application form itself and then in the additional submission ("AS") which lays out all the arguments of the application form in a more detail. Abbreviations are introduced by order of appearance in the text.

F. Statement of alleged violation(s) of the Convention and/or Protocols and relevant arguments

61. Article invoked	Explanation
Art 8 ECHR (subsidiary Art 2 ECHR)	<p>Respondent is continuously violating Applicant's right under Article 8 ECHR by failing to comply with its positive obligation to take "reasonable and appropriate measures" to effectively protect the health and wellbeing of Applicant. (Hatton v. the United Kingdom (GC), no. 36022/97, § 98) The ECtHR has found Art 8 to apply to environmental hazards (Cordella v Italy, nos. 54414/13 54264/15, § 161; Budayeva and others v. Russia, §133, López Ostra v. Spain, no. 30765/08, § 51) constituting a duty to prevent harm in connection with an environmental hazard where it "attains a level of severity resulting in significant impairment of Applicant's ability to enjoy his home, private and family life" (Dubetska v. Ukraine, § 105; Giacomelli v. Italy, no. 59909/00, §76; AS paras. 33-34), even if the state of health is not seriously endangered (López Ostra v. Spain, § 51; Tătar v. Romania §107) or deteriorated (Branduse v. Romania, no. 6586/03, § 67). The climate crisis induced rise of the mean temperature in Austria and in Applicant's home region, results in more days and longer hours beyond 25°C and plus 30°C on average. (Doc 1, 3, 8, 26; AS paras. 4-5) Due to this, Applicant's symptoms of disease severely worsen. (Section E; Doc 1, 3; AS paras. 1-2) The effects of the climate crisis constitute a real and serious risk to Applicant's physical, psychological and moral integrity (López Ostra v. Spain, § 51; Guerra and others v. Italy, no. 116/1996/735/932, § 60), personal dignity (Beizaras and Levickas v. Lithuania, no. 41288/15, § 117) and the overall quality of his private and family life and well-being (Di Sarno and others v. Italy, no. 30765/08, § 108; Fadeyeva v. Russia, no. 55723/00, §§ 68-69; Çiçek and Others v. Turkey, no. 44837/07, §22; Tătar v. Romania, § 85), as he is locked up in his house at days reaching and exceeding 25°C and humiliated due to the complete loss of control over his muscular strength at 30°C and plus (Nicolae Virgiliu Tănase v. Romania, §§ 118, 121; Bouyid v. Belgium [GC], no.23380/09, § 87). Respondent knows of the real and serious risks of the climate crisis (López Ostra v. Spain, § 52,53; Fadeyeva v. Russia, no. 55723/00, §90; AS paras. 35, 38). Respondent is a member State of the IPCC, so it has reviewed and endorsed the findings contained in the IPCC's SR 1,5°C as best available science (AS para. 38). It is aware that staying within the 1.5°C limit would mitigate the effects of the climate crisis and avoid the risk of reaching irreversible tipping points. (AS para. 30) Hence, Respondent is required by Art 8 "to do everything within in their power"(López Ostra v. Spain, §51) to provide "effective protection" (Budayeva and others v. Russia, § 129, Öneriyildiz v. Turkey, §§ 89-90;) and to approach "the problem with due diligence" (Fadeyeva v. Russia, §128). In this regard, the "onus" is upon Respondent (Fadeyeva v. Russia, § 128-133) to provide "sufficient explanation" (Dubetska v. Ukraine, no. 30499/03, § 105) including "using detailed and rigorous data" (Fadeyeva v. Russia, § 125) that its measures are necessary and appropriate, to the risk of harm constituting an "effective protection" of the Applicant (Budayeva and others v. Russia, no. 15339/02, § 129, Öneriyildiz v. Turkey, §§ 89-90; Dubetska v. Ukraine, § 155, Fadeyeva v. Russia, § 133) The state's obligation to adopt appropriate measures to protect can arise even if it has no direct and/or exclusive responsibility. (Nicolae Virgiliu Tănase v. Romania, no. 41720/13, § 135). The required due diligence must be informed by national and international law and consensus (Demir and Baykara v. Turkey, §§ 67-86; Case of Oluić v. Croatia, no. 61260/08, § 60; AS para. 40), as the European Convention as "a living instrument (..) must be interpreted in the light of present-day conditions" (Tyrer v. United Kingdom, no. 5856/72, § 31). The UNFCCC, the Paris Agreement and the IPCC as best available science have almost universal ratification. This framework is evidence of the global consensus on, and States' commitments to, preventing dangerous climate crisis by reaching the 1,5°C target. (AS paras. 16, 41) It also evidences consensus regarding the principles of equity, hence common but differentiated responsibilities and respective capacities ("CBDR-RC"). Established international law such as the precautionary and the prevention principle, also enshrined in Art 191 of the Treaty on the Functioning of the European Union (TFEU), must further inform the scope of Respondent's obligation under Art 8 (Tatar v. Romania, § 120, where the Court specifically considered the precautionary principle under Art 8). Whilst "the choice of means is in principle a matter that falls within the Contracting State's margin of</p>

Statement of alleged violation(s) of the Convention and/or Protocols and relevant arguments (continued)

62. Article invoked	<p>Explanation</p> <p>appreciation" (Fadeyeva v. Russia, § 96) a "manifest error of appreciation" (Buckley v. United Kingdom, §§ 76–77;) constitutes an infringement of Art 8 ECHR. Such error has been made by Respondent. Respondent has acknowledged the threats of the climate crisis, its obligation to mitigate based on the IPCC's findings (Doc 7) and even declared the state of climate emergency. (AS para. 17) Yet, Respondent has not established an adequate legislative and administrative framework to meet the 1.5°C target. There has been no reduction of national GHG in the period 2010-2019. (AS para. 20). Respondent also consistently failed to meet its national targets by way of effective GHG reduction. Stricter EU climate targets were not enacted under the Austrian Protection Act ("KSG") and no national climate targets for 2021 and beyond are even enshrined under the KSG. Respondent acknowledged the need to revise its National Energy and Climate Plan ("NECP"), which was criticized by the European Commission for lack of ambition, yet hasn't done so. (AS paras. 17, 25) Despite numerous warnings by national scientists, Respondent is not on track to reach the 1.5°C target (AS paras. 14-19, 31) although this would improve Applicant's overall well-being and would also avoid the risk of reaching irreversible tipping points which would severely worsen his situation. (AS para. 45) Applicant cannot mitigate the effects of the crisis for himself. (AS para. 50) Regarding the mitigation of the crisis, there is no conflict of interests between the general interest of the community and Applicant's protection of rights (Soering v. UK, no. 14038/88, § 89). Respondent's protection is essential for society as a whole and of primary importance (Öneryıldız v. Turkey, § 89). The effects of the climate crisis pose a foreseeable risk to the life of society at large (AS para. 49), including Applicant's life in particular (L.C.B. v. the United Kingdom, no. 14/1997/798/1001, § 36, 38; Öneryıldız v. Turkey, § 90; AS para. 9), requiring Respondent to act preventively.</p>
Art 8 in conjunction with Art 13 ECHR	<p>Applicant has no effective national remedy available within its own legal system (Kudłha v. Poland, no. 30210/96, § 152) regarding his arguable claim (Boyle and Rice v. the United Kingdom, no. 19/1986/117/165-166, § 52; Hatton and Others v. the UK, § 137) before a competent national authority (Boyle and Rice v. the United Kingdom, no. 16580/90, § 52). Applicant rights are arguable infringed by Respondent's failure to protect the private life and well-being of Applicant regarding the effects of the climate crisis (see above re Art 8 ECHR). Yet, administrative omission regarding climate measures and the legislator's inaction cannot be challenged. The relevant specific act, the Austrian Climate Protection Act, doesn't provide for any complaint mechanism if CO2 reduction targets have not been reached, are too low and not in compliance with the 1,5°C target. Let alone, if no climate measures or targets have been set. (AS para. 51) If remedies are not provided for in the respective applicable administrative act (in this case the KSG), a systemic protection deficit exists as administrative omissions cannot be challenged per se. Neither constitutional law nor administrative law provide for a general duty of care which can be adhered to or grant the right to request any declaratory action (AS para. 52). Art 139 and 140 of the Austrian Constitution ("B-VG") only grant Applicant the right to challenge single norms and regulations that directly impact him and are legally addressed to him. The Austrian public ombudsman board ("Volksanwaltschaft") has no power to hand down legally binding decisions (Zazanis v. Greece, no. 68138/01, § 47). There is no administrative body, let alone court, which has competence to decide on Applicant's arguable infringement of rights in the face climate related issues.</p>
Art 6 ECHR	<p>Applicant is personally exposed to an environmental danger that is serious, specific and imminent. (Athanassoglou and Others v. Switzerland [GC], no. 27644/95, §§ 46,55) Yet, the overly formalistic approach taken by the constitutional court denied Applicant even the chance to have his case partially addressed on the merits by a court. The Court didn't assess the critical questions of this of this genuine and serious dispute (Mennitto v. Italy, no. 33804/96, § 23) on the merits due to an applied excessive formalism regarding the criteria of Art 140 B-VG (Hasan Tunç and Others v. Turkey, no. 19074/05, §§ 32-33), thereby also infringing Applicant's rights under Art 6.</p>

G. Compliance with admissibility criteria laid down in Article 35 § 1 of the Convention

For each complaint, please confirm that you have used the available effective remedies in the country concerned, including appeals, and also indicate the date when the final decision at domestic level was delivered and received, to show that you have complied with the six-month time-limit.

[illegible]

64. Is or was there an appeal or remedy available to you which you have not used?

☐ Yes☐ No

65. If you answered Yes above, please state which appeal or remedy you have not used and explain why not

H. Information concerning other international proceedings (if any)

66. Have you raised any of these complaints in another procedure of international investigation or settlement?

☐ Yes

☐ No

67. If you answered Yes above, please give a concise summary of the procedure (complaints submitted, name of the international body and date and nature of any decisions given)

68. Do you (the applicant) currently have, or have you previously had, any other applications before the Court?

☐ Yes☐ No

69. If you answered Yes above, please write the relevant application number(s) in the box below

I. List of accompanying documents

You should enclose full and legible *copies* of all documents. No documents will be returned to you. It is thus in your interests to submit copies, not originals. You **MUST**:

- arrange the documents in order by date and by procedure;
- number the pages consecutively; and
- **NOT** staple, bind or tape the documents.

70. In the box below, please list the documents in chronological order with a concise description. Indicate the page number at which each document may be found

1.	Chimani _et_al, ÖKS15 – Klimaszenarien für Österreich. Daten, Methoden und Klimaanalyse, 2016.	p.	3658
2.	Statistik Austria, Lebenserwartung bei der Geburt 1970 bis 2019 nach Bundesländern und Geschlecht	p.	4012
3.	Chimani et al, ÖKS15 – Klimaszenarien für das Bundesland Niederösterreich bis 2100, 2016.	p.	4014
4.	Ökobüro/Greenpeace Austria, Antrag zu Klimaschutz-Sofortmaßnahmen 2019.	p.	4024
5.	Kirchengast, Stellungnahme NEKP – auf Basis NKK-Sitzungsstatement 26.11.2018.	p.	4442
6.	Übermittlung des Verfassungsgerichtshofes der Stellungnahme des Bundesministerium für Finanzen, Rs V-332/2020 (in Zusammenhang mit Rs G-144 und 145/2020)	p.	4448
7.		p.	
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Any other comments

Do you have any other comments about your application?

71. Comments

In the cover letter, Applicant has made a request pursuant to Rule 41 of the Rules of the Court to expedite this proceeding as its contents reflect Categories I, II and III of the Court's Priority Policy. We ask the Court to do this in recognition of the extreme urgency of the climate crisis and its profound effects and threats to Applicant. Besides, this application raises important questions of general concern with major implications for domestic legal systems.

Documents are listed in order of appearance, first in the application form and then in the additional submissions.

Declaration and signature

I hereby declare that, to the best of my knowledge and belief, the information I have given in the present application form is correct.

72. Date

0	7	0	4	2	0	2	1
D	D	M	M	Y	Y	Y	Y

e.g. 27/09/2015

The applicant(s) or the applicant's representative(s) must sign in the box below.

73. Signature(s) ☐ Applicant(s) ☒ Representative(s) - tick as appropriate

Confirmation of correspondent

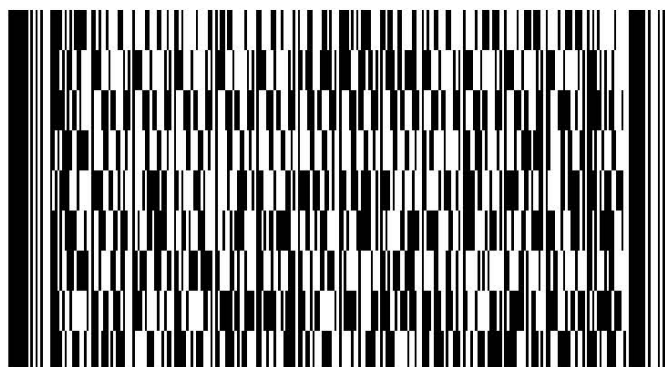
If there is more than one applicant or more than one representative, please give the name and address of the one person with whom the Court will correspond. Where the applicant is represented, the Court will correspond only with the representative (lawyer or non-lawyer).

74. Name and address of ☐ Applicant ☒ Representative - tick as appropriate

1, Mag Michaela Krömer	2, Dr Peter Krömer
Rechtsanwältin	Rechtsanwalt
Riemerplatz 1	Riemerplatz 1
3100 St.Pölten/ Austria	3100 St.Pölten/Austria

The completed application form should be signed and sent by post to:

The Registrar
European Court of Human Rights
Council of Europe
67075 STRASBOURG CEDEX
FRANCE



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