



**mouvement
écologique**

Landmark ruling by the International Court of Justice on climate protection: But Luxembourg's Ministry of the Environment disregards climate protection law and government members fail to recognize the issue

According to Luxembourg's climate law, the Ministry of the Environment should have published its 2024 interim report by yesterday, 31 July, at the latest, detailing the extent to which Luxembourg has met its CO₂ reduction targets for this year. This report covers various sectors, including mobility, industry/construction, buildings, agriculture and forestry, waste management and wastewater treatment.

However, this report has not been presented, nor has it been published on the Ministry of the Environment's website.

This once again demonstrates the importance that this government in general, and the Ministry of the Environment in particular, attaches to the climate crisis. The results will be eagerly awaited. Given the economic situation and the problems in the construction industry, the fact that the full subsidies for electric cars will still be in place in 2024, and other factors, Luxembourg may not miss its targets by too much.

However, if the government's current view prevails in important climate-related dossiers, Luxembourg will most likely fall well short of its climate protection responsibilities in the coming years.

According to official figures, e-mobility will decline again in 2025 (only 2,2826 new electric cars were registered in the months from April to June, compared to 3,734 in the first three months and more than 3,000 in each of the previous quarters). It is entirely justified to ask whether this is also due to the reduction in subsidies, for which – it should be remembered – the government was unable to provide any calculations to show that they were legitimate and appropriate in this form. If the expansion of e-mobility were to stall, this would undoubtedly call into question the implementation of Luxembourg's climate and energy plan – the mobility sector is responsible for a large proportion of Luxembourg's CO₂ emissions.

However, a statement made by Claude Meisch, Minister for **Housing and Spatial Planning**, in a recent press interview is also highly irritating. When asked whether he would buy a new build, he replied that he would if he needed the apartment for himself. When asked whether it would be cheaper to buy an existing property, he replied that with a new build, you can design it yourself and have a say in what the apartment will look like. A minister's personal preferences are a private matter. However, when he expresses this view as Minister for Housing in times of climate change, it must be open to critical scrutiny. Regardless of the fact that renovation also offers considerable scope for design and participation, Luxembourg's Climate and Energy Plan clearly states that increased support for renovation rather than new construction is essential if climate targets are to

be achieved (reduction of so-called 'grey emissions' but also saving land from sealing). Minister Meisch's stance probably explains why Luxembourg has so far done little to promote the renovation of houses to the extent necessary. Renovation creates jobs, has ecological and urban planning advantages and, given the right conditions, would allow housing to be mobilised much more quickly. The potential is currently not being exploited: according to estimates, 10-15% of buildings in towns and villages are currently unused.

However, recent statements by Mobility Minister Yuriko Backes were the last straw. With remarkable nonchalance, she argued that Luxembourg's airport **needed to be expanded** and that Luxembourg would need a new airport in the long term. Quote: 'The forecasts we have indicate that we will have over eight million passengers by 2040. Today, we are at five million. We are now working on anticipating the next 20 to 30 years. I want us to shape the future and not continue to chase growth. I therefore assume that Luxembourg will need a new airport in the future.' In times of climate change, when other countries are discussing reducing air traffic (e.g. by cutting certain short-haul flights) and strengthening the regional economy, making such statements is simply irresponsible towards future generations.

All this is probably in line with the 'pragmatic' climate protection announced by the Minister of State.

These problematic statements and positions were grotesquely expressed at virtually the same time as a landmark opinion on climate change issued by the International Court of Justice on 23 July 2025.

In this opinion, the Court (ICJ) clearly sets out key obligations under international law – including those of each individual country – in dealing with the climate crisis.

It is worth noting that it clearly states that the 1.5°C limit is relevant under international law, that national climate targets must be ambitious and fair, that climate protection is part of the protection of human rights, and that private emissions are also subject to state responsibility. Individual countries facing an acute existential risk must also retain recognition under international law. This ruling therefore also reinforces the requirements for EU member states to set an ambitious target for reducing emissions by 2040 and to underpin this with clear contributions (NDCs) from EU countries.

The actions of Luxembourg's politicians have not lived up to this requirement to date, and the examples cited show that there still seems to be a lack of basic understanding of the climate crisis.

Yet the devastating effects of the advancing climate crisis are threatening human life. Those who subordinate climate policy to everyday pragmatism are acting negligently towards present and future generations ... and in contradiction to the opinion of the International Court of Justice.

Mouvement Ecologique asbl

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Appendix :

Opinion of the International Court of Justice on climate change: A clear signal to politicians

In its opinion of 23 July 2025, the International Court of Justice (ICJ) clearly set out key obligations under international law in dealing with the climate crisis. From the perspective of Mouvement Ecologique, this opinion represents an important step towards making climate protection more binding at the international level – and it also provides clear guidance for policymakers at the national and European levels.

The following aspects are particularly noteworthy:

1) The 1.5°C limit is relevant under international law

The Court explicitly states that the 1.5°C limit is a scientifically based target criterion under the Paris Agreement – not the 2°C mark.

This increases the pressure on countries to actually align their climate policies with the 1.5°C pathway. In future, it will be more difficult to justify pursuing less ambitious targets – including from a legal perspective.

2) National climate targets must be ambitious and fair

Although it remains up to individual states to define their so-called ‘nationally determined contributions’ (NDCs), these must follow the principle of ‘maximum ambition’, become more stringent over time and not be based solely on domestic considerations. Historical responsibility, level of development and national circumstances must be taken into account. The report thus reinforces the call for a fair distribution of burdens – including within the EU.

3) Climate protection is part of human rights protection

The ICJ makes it clear that the climate crisis affects numerous human rights – such as the right to life, health, an adequate standard of living, and the right to a clean, healthy and sustainable environment. The protection of vulnerable groups (such as children, indigenous peoples and climate-induced displaced persons) is particularly emphasised. The advisory opinion is therefore also an important signal for climate policy that increasingly incorporates the protection of human rights.

4) Private emissions are also subject to state responsibility

States are obliged to take effective action against climate-damaging emissions from the private sector, for example through clear legal frameworks, regulation and targeted support policies, while at the same time removing harmful incentives (subsidies, tax policies, etc.).

Passive tolerance of fossil fuel activities is incompatible with international law.

5) States facing an acute risk to their existence retain recognition under international law

The ICJ emphasises that even states whose territory is threatened by sea-level rise do not automatically lose their existence under international law. At the same time, it emphasises the duty to protect people who are forced to leave their homes due to the climate crisis.

The opinion comes at a crucial moment: negotiations are currently underway in the EU to set climate targets for 2040. The European Commission's proposal to reduce emissions by 90% compared to 1990 is, in the view of the Mouvement Ecologique, a necessary but not yet sufficient step. The ICJ opinion shows that setting ambitious targets is not only a political obligation but also an obligation under international law. Member States – including Luxembourg – have a responsibility to commit clearly to a strong 2040 target.

The opinion is also highly relevant in view of the COP30 World Climate Conference in Brazil in November 2025, where new climate targets for 2035 are to be presented. The ICJ's position provides clear guidance in this regard: contributions must be aligned with the 1.5°C target and be ambitious and fair.

Mouvement Ecologique calls on the Luxembourg government to actively take up this report – in particular when revising national climate targets, in future energy and infrastructure planning, and in international and European cooperation. The legally and ethically required orientation towards the 1.5°C limit must become the central benchmark – also in the context of Luxembourg's position on EU climate policy and with a view to COP30.