

**Swiss courts need to hear experts,
not listen to prosecutors denying the urgency of the climate change and the seriousness of its effects.**

At the trial of the 9 young climate activists who protested in front of Credit Suisse in 2019, the climate experts proposed by the defense were not allowed to speak. Moreover, in his final plea the Zurich public prosecutor Daniel Kloiber asked the court: *“What is the use of climate protection if the economy goes down the drain [...]?”*¹ He then shared his position regarding the imminent danger of man-made climate change, claiming that it had not been proven. *“These are [...] only forecasts and there are also scientists who question these forecasts.”*¹ *“The [imminent danger] is simply not given in this case at first glance and from afar. [...] If it is only forecast that the earth's temperature will rise in a few years, if science does not agree on the resulting consequences, and argues with models and assumptions, then, with the best of wills, one cannot speak of an imminent danger.”*¹ In his preliminary remarks, Mr. Kloiber had already illustrated his opinion about forecasts by recalling his personal experience concerning past predictions of forest dieback, and citing an article in Wikipedia. (According to the article, forest area had grown by over 20% in most European countries by the turn of the millennium, contrary to the predictions of forest dieback in the 1980s.) The defendants were subsequently sentenced to conditional fines as well as to pay 27,000 CHF in legal and procedural costs.

We affirm that the statements of the prosecutor Kloiber contain serious inaccuracies and statements which are patently false.

- First, the international climatological community attests that climate change is underway and that it is indeed urgent to act.
- Second, the vast majority of the major effects of the process are known and documented.²
- Third, the economic impact of the current catastrophe is already perceptible worldwide. Although some actors are doing their best to postpone the transformation of their business model, preserving the equilibrium of the climate is an obvious economic necessity. Many countries, including Switzerland, are already suffering from business losses due to climate change in sectors such as agriculture, waterway transport and tourism, not to mention the costs of increased natural disasters, malnutrition and the spread of certain diseases. The Stern report (by former chief economist and vice-president of the World Bank) estimated in 2006 the costs of inaction at 5,500 billion euros, i.e. between 5% and 20% of the world's GDP, as opposed to the 1% necessary to finance climate action. The Secretary General of the United Nations evokes an existential threat. The International Energy Agency has just published a report establishing the need abstain from *a//*new fossil fuel extraction projects.

The statements upon which the Zurich public prosecutor's indictment was based demonstrate the importance of educational action at all ages and for all sectors, but also - during all trials dealing with the climate issue - the imperative need to hear climatologists, biologists, anthropologists or economists, in order to make known the facts and enlighten judges with regard to one of the most serious and complex challenges that humanity has ever had to face.

¹ Bezirksgericht ZH, 12.05.2021, Volkshaus ZH: Translation of the German transcript of the pleading of the public prosecutor Daniel Kloiber (For the Verbatim cites, please refer to the German version of this letter)

² IPCC, 2018: Summary for Policymakers. In: Global warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty [V. Masson-Delmotte, P. Zhai, H. O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J. B. R. Matthews, Y. Chen, X. Zhou, M. I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, T. Waterfield (eds.)]. In Press.

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