CLIMATE ACTIVISM
ACTION AND BACKLASH
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COVER: Young activists raise their hands with a watchful eye painted on them as they sing onstage during COP25. Photo by Pablo Blázquez Domínguez/Getty Images.

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ABOUT THIS REPORT

Around the world, civil society is mobilising to demand climate action and defend the environment for current and future generations. It’s being penalised for doing so, because its actions often antagonise powerful economic and political interests.

This report outlines some of the ways civil society is taking action and the forms of repression it’s experiencing in response. Action and backlash are taking place at every level, from local to global. Civic space restrictions against climate and environmental activists are happening within countries and in international arenas, including at the annual conferences of parties (COPs) of the United Nations (UN) Framework Convention on Climate Change.

Looking at events since COP27 was held in November 2022, this report explores civil society struggles from the ground up – from the frontlines of the grassroots resistance against extraction and land grabbing to transnational advocacy for stronger commitments to fight global warming, keep fossil fuels in the ground and finance a just climate transition. It highlights the vital roles of civil society in sounding the alarm to keep climate and environmental destruction in check, holding those responsible to account and advancing solutions.

This report is published ahead of the latest climate summit, COP28, being held in the closed civic space conditions of the United Arab Emirates (UAE), a fossil fuel power where activists are routinely detained and dissent criminalised. This will likely mean yet another missed opportunity to make ambitious agreements, as was the case when COP27 was held in Egypt, another country with closed civic space.

There’s no hope of overcoming the powerful vested interests that prevent climate action unless civil society is able to play the full spectrum of its vital roles. Open and enabled civic space is essential to tackle the climate crisis. The closure of civic space for climate action should be viewed as a form of climate denial – and a harbinger of runaway climate change.
CIVIL SOCIETY ACTION

The need to act on the climate crisis has never been clearer. In 2023, heat records have been shattered in multiple countries, with the year on course to be the hottest on record. Seemingly every day brings news of another extreme weather event, imperilling the lives of the most vulnerable people and causing chaos it may take years and millions to clear up. This is happening even as the science gets ever more certain that human activity is causing climate change and climate change is making extreme weather and unliveable conditions far more likely. In July, UN Secretary-General António Guterres grimly announced that ‘the era of global boiling has arrived’.

And yet the response from states and the private sector is nowhere near sufficient to meet the scale of the crisis. Current plans to cut greenhouse gas emissions fall far short of the Paris Agreement’s stated ambition of limiting global temperature rise to 1.5 degrees above pre-industrial levels. Fossil fuel firms are banking soaring profits and spending very little of the cash on transition to renewable energies, even as the folly of relying on oil and gas has been further exposed by the impacts of Russia’s war on Ukraine. Despite some superficial greenwashing and heavy marketing of limited spending on renewable energies, new extractive projects continue getting the go-ahead. Meanwhile international funding to cut emissions and adapt to climate change has never met the promised targets – and the recently agreed fund to provide compensation for loss and damage caused by climate change is also likely to fall short.

The calls to end the madness are coming loudest from civil society, which has consistently sounded the alarm and raised public awareness of the need for climate action. Civil society urges more ambitious commitments and more funding. It resists extraction, promotes sustainability and defends communities against environmental devastation. It pressures states and the private sector to stop approving and financing extraction and transition faster to more renewable energies and sustainable practices. One key arena where civil society seeks to do this is at climate summits such as the upcoming COP28.
SOUNDING THE ALARM

Climate change shot up the global agenda as a result of the wave of mass protests and disruptive non-violent action that unfolded from 2019 onwards. People – many of them young people taking to the streets for the first time – felt compelled to act in response to their direct experience of the impacts of climate change, irrefutable proof of its reality, and a palpable lack of action to prevent further harm.

The speed at which they were able to change the agenda proved the value of protest as a key response to climate change. As part of protests, many people have embraced non-violent civil disobedience and direct action that cause disruption as a way of keeping climate in the headlines. These methods communicate the fact that the climate emergency can’t be tackled through a business-as-usual approach and that far greater disruption will come if climate change isn’t urgently addressed. Disruptive tactics have become more appealing over time due to the lack of responses beyond lip service and greenwashing.

Some groups have subsequently dropped disruptive approaches, fearing they might alienate the audiences they’re trying to reach. Others have continued to use them, seeing no evidence that they reduce support for climate action. The use of controversial tactics may even have the positive effect of normalising and legitimising more mainstream responses.

While there are legitimate differences of opinion regarding what forms of advocacy are most effective for winning hearts and minds, the fact remains that the harm caused by the climate crisis staggeringously outweighs the inconvenience of one climate protester blocking one lane of traffic for 25 minutes. The right to peaceful protest is fundamental to democracy, and many of the freedoms and rights we cherish were won and defended through peaceful protest.

“Disruption shouldn’t be equated with violence or destruction: when climate activists obstruct roads or transport, disrupt high-profile sporting events or throw paint or soup at works of art, nobody gets hurt. Activists even ensure artworks aren’t damaged.”

Nelli Stevenson, Greenpeace Australia Pacific

A child holds a sign that reads ‘We are studying in order to save the world!’ in Manila, Philippines, September 2019.

Photo by Ezra Acayan/Getty Images
But states are increasingly codifying protest tactics as crimes, equating disruption with violence and treating peaceful protesters as criminals.

**ACTION ON ALL FRONTS**

To match the scale of the climate crisis, civil society is responding by every means possible. On top of protest, methods include public campaigns, calls for international solidarity, litigation, shareholder activism and advocacy towards states and corporations.

Civil society plays critical roles in pushing for new laws, programmes, policies and strategies on climate change, holding governments accountable for their commitments, identifying the lack of coordinated government responses to climate change and ensuring that national policymaking does not forget the poor.

Caroline Owashaba, Action for Youth Development Uganda

Civil society is increasingly reaping rewards by taking states and companies to domestic and international courts. In one example, 16 young activists won a case in Montana, USA, in August with the court ruling that the state government’s policies in support of fossil fuels violate their right to a healthy environment. Many other court cases are underway, including one brought by six young Portuguese activists against 32 European governments at the European Court of Human Rights.

Alongside the growing use of litigation, activists are using corporate annual general meetings (AGMs) to advance climate resolutions. In a sign of shift, in 2023, major funders supported resolutions to cut emissions at the AGMs of some of the biggest oil and gas companies. Activists are also putting pressure on institutions to divest from fossil fuel investments. In response to sustained student advocacy, New York University committed to divest in September.

And then there’s engagement with the international sphere. At COP summits, the peak annual climate change gathering, civil society attempts to influence negotiations, bringing to the table unparalleled expertise and the vital voices of people on the frontline.

The participation of civil society in climate negotiations is extremely important because we are active stakeholders and, when we are able to influence the negotiations, we are a key factor in progress towards sustainable development. Our actions are complementary to political dialogue, which is why it is necessary, even compulsory, for us to take part in these negotiations.

Estelle Ewoule Lobé, Action for the Protection of Environmental Refugees and Internally Displaced People in Africa, Cameroon

But even these relatively uncontroversial efforts aren’t adequately recognised and enabled. And when COPs are held in countries with closed civic space, it’s much harder for civil society to gain access and have a voice.
CIVIC SPACE FOR CLIMATE ACTIVISM

Climate and environmental activists are experiencing restrictions as a result of the specific focus of their work. In contexts where civic space is heavily restricted, repression is perhaps unsurprising. But climate campaigners and protesters are experiencing backlash from state and non-state sources even in countries where civic space is otherwise broadly respected.

This is happening because the climate movement is confronting and being seen as a threat to powerful economic and political interests that profit from the practices causing climate harm – particularly fossil fuel extraction and use.

Even when political and corporate leaders publicly acknowledge the need for transition, there’s a powerful dissonance between rhetoric and a reality of repression. Common tactics of restriction deployed in countries around the world include harassment, threats and violence, particularly targeted at Indigenous activists, public vilification, the criminalisation of protest tactics and the violent suppression of protests.

Restrictions overwhelmingly target the people taking action. Climate change is a collective reality but the experience of repression is personal. The aim is to raise the costs of activism to deter people from speaking out and make it harder to mobilise in numbers, develop solidarity and enable climate leaders to grow.

Those who continue to act are brave – but they shouldn’t have to be.
PERSONAL PRESSURE ON ACTIVISTS

The personal risks of taking action can lead to activists feeling pressure from families and friends to dial down activism and avoid antagonising powerful interests.

"In the Democratic Republic of the Congo (DRC), and in most of Africa more generally, defending the environment means becoming the target of certain politicians and businesspeople, because we challenge their interests. Behind every acre of forest illegally cut down by Chinese or European corporations hides a Congolese politician. When I started my activism, I received threatening messages warning me not to look for trouble by meddling with politicians. Friends and members of my extended family put a lot of pressure on me when I started protesting against oil exploitation in the Congo rainforest. But I can’t stop defending the environment, because I think if I remain silent in the face of a crime I would become an accomplice."

Guillaume Kalonji, Rise Up Movement DRC

The greatest danger is faced by defenders of environmental, Indigenous and land rights in global south countries with abundant natural resources and rapacious interests that want to plunder them. Such activists have long been on the frontlines of resistance to fossil fuel extraction and projects that cause climate and environmental harm – and have long been targeted with deadly repression.

DEADLY DANGERS AND SOME STEPS FORWARD IN LATIN AMERICA

The connection between Indigenous rights and climate response is clear. Indigenous rights stand in the way of powerful state and private sector forces that want lands for extraction and exploitation. When Indigenous rights are attacked, the climate suffers. When the rights of Indigenous people are recognised and they’re free to manage Indigenous territories, the climate benefits. The best-preserved areas of the Amazon rainforest are those legally recognised and protected as Indigenous lands.

Brazil, which contains the largest part of the Amazon rainforest, saw 34 killings in 2022. Under the four-year rule of far-right President Jair Bolsonaro, climate denial and attacks on Indigenous rights went hand in hand. Deforestation of the Amazon dramatically increased. Violence and threats towards Indigenous people mushroomed.

Under the progressive government that came to office in January, however, institutions to protect Indigenous rights have been restored and strengthened, thousands of miners illegally operating in Indigenous areas have been expelled and deforestation has dramatically decreased.
But powerful economic interests, well represented in politics, are pushing back. When Brazil’s Supreme Court ruled in September against a principle that limited the demarcation and titling of Indigenous lands to a specific occupancy date – a principle that denied the reality of past evictions – it was an important step forward. But members of congress, many of them linked to agribusiness, responded by passing a law defying the court’s ruling. President Lula da Silva partly vetoed the bill, but further attempts to push back at the recognition of Indigenous rights can be guaranteed.

There’s been some success in another Amazonian country, Ecuador. In its August election, people voted in two referendums to halt two extractive projects: oil exploitation in Yasuní National Park – a key Indigenous territory – and metal mining in the Andean Chocó.

This is a historic outcome, with the Yasuní result said to be the first in the world where people have voted to keep climate-destroying fossil fuels in the ground. The results dealt a significant blow to extractive industries. But it remains to be seen whether people’s wishes will be respected, given that successive Ecuadorian governments have embraced extraction.

In Ecuador as elsewhere, the lack of recognition of Indigenous land rights remains a key enabler of mining, oil extraction and deforestation, destroying ecosystems on which people rely. Resistance is dangerous, bringing threats, harassment and violence, including lethal violence.

For some time now we have been living in conflict with an oil company that invaded our territory. We experience threats and harassment from both the company and the state. Every day more and more of our leaders and social activists are being threatened. Many have been kidnapped and some have been killed. But none of this silences or stops us, as we fight to save our territories, our living space.

Fausto Daniel Santi Gualina, Sarayaku people of the Ecuadorian Amazon

Participation by Indigenous people in conservation and development decision-making is also insufficient and inadequate. In June, Indigenous and environmental groups submitted a Constitutional Court complaint over a presidential decree passed the month before that changed the rules on environmental consultation, making it easier to grant mining licences.

Waorani leader Nemonte Nenquimo speaks at a 2020 protest against oil exploitation on Indigenous land in the Ecuadorian Amazon.
In Mexico, the state tolerates a broad range of protests but often cracks down on activism that focuses on particular governmental or private sector interests. María Reyes of the Indigenous Futures collective relates that her early involvement in the school strike movement didn’t attract any backlash, but the situation changed as her activism progressed.

“Either your demands are not radical enough and then the government pays no attention to you, or they are too radical and then you are branded a threat to national sovereignty, you are criminalised and can be made to disappear. We got proof of this in November 2022, when a list of organisations and collectives considered threats to sovereignty and national security was leaked. This list included Indigenous peoples’ collectives, feminist groups and mothers’ collectives searching for their disappeared children, along with terrorist organisations such as Al Qaeda and ISIS and drug cartels.”

— María Reyes, Indigenous Futures, Mexico

The threats are real in Mexico. In January, two environmental activists, Antonio Díaz Valencia and Ricardo Arturo Lagunes Gasca, disappeared in Colima state. They’d been part of negotiations between the local community and a mining company. Their families accused the company of being involved in their apparent abductions. Two more environmental activists, Álvaro Arvizu and Cuauhtémoc Márquez, were killed in separate attacks in June that bore the hallmarks of being premeditated. They’re sadly part of a long line of victims.

Protesters hold a sign that reads ‘The climate crisis is colonialism’ at the Fridays for Future global protest in Mexico City, March 2022.
Violence is also commonplace in several Central American countries. In Honduras, two land rights activists were found dead in the Gama River this year. Two more, Jairo Bonilla and Aly Domínguez, were shot dead. They were part of the Guapinol community, whose people have been criminalised, attacked and harassed for resisting a polluting mining project. The situation hasn’t improved with the inauguration of a progressive government in January 2022. The Afro-Indigenous Garifuna population has also continued to report systemic violence.

In El Salvador, populist strongarm president Nayib Bukele is leading an all-out assault on dissent under sweeping state of emergency powers. Leaders of the Indigenous Nahua community are among those who’ve been subjected to security force intimidation after protesting against construction on Indigenous land. Other Indigenous groups have complained of a military presence in their territories. Environmental leaders have been harassed and arbitrarily detained as part of a widespread campaign of mass detention. In January, five environmental activists from the Santa Marta community were detained on concocted homicide charges after resisting a mining project. Protests have followed calling for their release. Women environmental activists have been harassed and stigmatised on social media, evidently by people connected with Bukele’s party.
ON THE FRONTLINES IN AFRICA

Indigenous activists face similar challenges in multiple African countries where, in pursuit of economic development, there’s a rush to extract fossil fuels and exploit forested areas. The Congo Basin, the second-largest rainforest after the Amazon, is one key site. Threats come from both states and private sector interests. The two are often tightly connected, resulting in corruption and lack of accountability.

In Cameroon, Action for the Protection of Environmental Refugees and Internally Displaced People in Africa works to protect the rights of Indigenous groups and communities affected by the illegal exploitation of forest resources and trafficking of protected species. Working in the Congo Basin, they’re a target for powerful private sector and organised criminal interests.

We are human rights defenders working in an environment that is not always receptive to the type of work we do. We are confronted with powerful interests such as those of forestry companies that often exploit forests abusively. We are subject to threats that force us to limit our scope of action to prevent the situation from degenerating and becoming too risky.

Despite all the legal measures in place to protect Cameroon’s forests, forest exploitation, often carried out in partnership with private companies, gives rise to numerous abuses, resulting in serious human rights violations fuelled by well-organised criminal networks, and generally leading to the dispossession of the lands of these peoples and communities.

Defenders of Indigenous rights in Tanzania face similar challenges, as Gideon Abraham Sanago of Pastoralists Indigenous Non-Governmental Organizations’ Forum recounts. The Forum is a coalition of Indigenous organisations working for the rights of marginalised Indigenous pastoralists and hunter-gatherer communities. It supports community initiatives to recognise land rights, resist evictions and manage land sustainably. But the state often sees Indigenous people as an obstacle to economic development. Lack of recognition of Indigenous identities is the starting point for repression.

Rights to ownership of land and resources have been repeatedly violated through forceful evictions from ancestral lands.

The state of Tanzania does not recognise the existence of Indigenous peoples in the country. Instead, it always refers to them as marginalised groups, forest-dependent communities, forest dwellers and other such terms. This limits the ability of Indigenous peoples to exercise their rights as enshrined in the UN Declaration on the Rights of Indigenous Peoples, of which Tanzania is a signatory but clearly does not respect.

Gideon Abraham Sanago, Pastoralists Indigenous Non-Governmental Organizations’ Forum, Tanzania
South African environmental and land rights activists face lethal threats for standing in the way of economic interests. In recent years several community leaders have been shot dead. In August, that was the fate of land rights activist Jomo Keromeng, shot 16 times in front of his family. He was involved in a campaign to demand that his community benefit from a mining project. In January, the Amadiba Crisis Committee, which seeks to protect a coastal area, received information from a whistleblower of a plot to assassinate two of its leaders.

Violence is enabled by top-down vilification. This was seen in September, when government minister Gwede Mantashe used his speech at an oil and gas conference to attack civil society organisations (CSOs) and accuse them of being foreign agents working to block development.

Students protest in Cape Town, South Africa, during the Call For Climate Justice Resistance Against Oil And Gas Corporations, September 2023.
Activists in Uganda are facing growing restrictions for challenging powerful economic and political interests. That’s the experience of Stop EACOP, which is mobilising against the construction of the 1,500 km-long East African Crude Oil Pipeline (EACOP) connecting Tanzania and Uganda.

Alarms first sounded when the project was imposed without any real consultation with affected communities, followed by the criminalisation of those who tried to make their voices heard. Civil society was not given enough space to speak up on the implications of the project. Just because we tried to make ourselves and the affected communities heard regarding the environmental and human rights consequences of the pipeline, the government has smeared us and called us ‘anti-government’ and ‘anti-development’. As a result of this branding, we’ve been intimidated, threatened and arrested by the police.

The kind of work we do has led us to clash with the powerful interests of government agencies and private companies. EACOP is a huge project in which powerful state and private forces have a lot at stake, so we are facing a lot of restrictions coming from both of them.

Environmental activists in Tanzania and Uganda believe the project, which contradicts both states’ emissions cuts commitments, will have devastating impacts on communities and environments. State-owned corporations in both countries have a stake in the project, meaning that the backlash is particularly fierce. In response, civil society has been forced to adopt protective strategies.

Recently four of our activists were forcibly arrested on charges of ‘inciting violence’, transported in police vehicles and kept in jail overnight for protesting against the pipeline in Kampala. The activists were protesting peacefully but their arrests were unnecessarily violent.

Several of our members maintain a fund to secure bail or engage lawyers whenever activists are arrested. We arrange legal representation and explore the possibility of anticipatory bail when possible. We’ve also partnered with organisations that specialise in security training so that we can provide tools for advocates to voice their concerns without jeopardising their personal safety.

The struggle isn’t over. Local activists are working with international civil society to put pressure on potential financiers, with some success. Numerous banks, including several in South Africa, have already pledged not to support the project.

Ireen Twongirwe, Women for Green Economy Movement Uganda

Zaki Mamdoo, Stop EACOP, Uganda

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SPOTLIGHT ON UGANDA

CLIMATE ACTIVISM
POLITICAL AND ECONOMIC POWER AT PLAY IN ASIA

Political and economic interests are to the fore in several Asian countries with highly authoritarian governments pursuing top-down policies of industrialisation and extraction. Some, like Cambodia and Vietnam, are one-party states that increasingly view climate and environmental action as opposed to their interests.

Climate and environmental activists used to have relative freedom in Vietnam, compared to campaigners for democracy, human rights and the rights of religious minorities. But that’s changed in the last couple of years as climate and environmental activism is increasingly seen as suspicious.

In September, high-profile climate activist Hòang Thị Minh Hồng was given a three-year jail sentence on bogus tax evasion charges – a tactic the regime often uses to lock up activists. At least seven other climate and environmental activists have been jailed on the same pretext.

Some of those jailed and arrested had previously worked with the government. Ngo Thi To Nhien, detained in September, has worked on energy policy for over 20 years, including with the World Bank, and heads an independent think tank on energy transition. Her detention suggests that independent efforts on energy policy are no longer tolerated.

Climate and environmental organisations helped the government secure significant funding for environmental projects. But the government has continued emphasising economic development powered by the dirtiest fossil fuel, coal, which puts it at odds with its international commitments, including under the Paris Agreement and a Just Energy Transition Partnership agreed with a group of global north states in 2022. The state needs to control the narrative and doesn’t want civil society exposing the gap between rhetoric and practice. And so, despite agreeing with international partners to involve civil society in climate transition, it locks away those who might expose inconvenient truths.

Until recently, the Vietnamese government did not perceive environmental rights defenders as a threat. The authorities have benefited massively from the diverse activities of Vietnamese associations in the fields of development and environmental protection, as well as from the substantial contributions of international CSOs working in Vietnam. In a recent report published in official media, Vietnam said it had received over US$677 million from international environmental CSOs between 2020 and 2022.

The Vietnamese government hates losing face. For Vietnam, high-level public declarations are tantamount to threats against national security, and the authorities decided to silence voices by any means. To avoid international condemnation, instead of charging people under national security laws, they have resorted to the old pretext of tax evasion charges, using loopholes and vague wording in tax laws to silence environmental rights defenders.

Penelope Faulkner, Quê Me: Vietnam Committee on Human Rights

In neighbouring Cambodia, where land-grabbing by state officials is common, environmental and land rights activists are also seen
to stand in the way of elite economic interests closely associated with the ruling family. Among those targeted is youth-led environmental group Mother Nature, which the state calls an illegal organisation. In September, three Mother Nature representatives serving suspended jail sentences as a consequence of their advocacy work were denied permission to travel to Sweden to receive the Right Livelihood Award, an annual prize that recognises people who stand up for lives, rights and the environment. Indigenous activists are also criminalised for managing forest lands that they claim as their territory but the state insists belong to it.

The problems aren’t limited to one-party states. In countries that have a level of democratic competition, such as India and the Philippines, the restriction of climate and environmental activism comes as part of efforts by ruling elites to consolidate power.

The Philippines is a dangerous country for environmental and Indigenous activists, with enforced disappearances frequent. In April, two Indigenous rights activists, Dexter Capuyan and Gene Roz Jamil ‘Bazoo’ de Jesus, went missing, with state security forces suspected of involvement. Their families and supporters continue to protest for their return. In June, five Indigenous leaders and activists were designated as terrorists, a status that enables the government to freeze their bank accounts. In September, two students active in environmental protests were abducted and missing for almost two weeks.

In India, the Hindu nationalist government is pursuing economic development at all costs – and stamping down on dissent in the process. That puts climate and environmental activists increasingly in its crosshairs.

The results can be fatal. Sendhu Munda, a campaigner against illegal tree-felling, died in detention in May, reportedly after being beaten by his captors. Munda was a member of a forest protection committee in Jharkhand state.

Indigenous people in Odisha state are the subjects of a police crackdown, encompassing abductions, arbitrary arrests, torture and the use of force against protesters, due to their opposition to two bauxite mining projects. Activists say the projects – for which the national government granted permission after amending a law on forest management to remove consultation rights – will displace over 200,000 people from excluded tribal groups.
Disha Ravi, founder of India’s Fridays for Future movement, knows the dangers as well as anyone else. She continues to face sedition and criminal conspiracy charges for sharing a campaigning toolkit in relation to mass protests by farmers against changes to farming laws – an innocuous item used to help people mobilise in many contexts.

Being an activist in India is scary. India is the sixth most dangerous country in the world for environmental activists. This particularly hazardous environment engenders a sense of unease among all of us.

Traditionally, threats and prosecutions loomed over environmental defenders living in rural areas. However, the scope of these threats has evolved, now extending to encompass urban activists like me as well. The tide has shifted, and we are increasingly perceived as formidable adversaries to the government’s agenda.

I have been detained for my environmental work, a stark illustration of the risks involved. My arrest in 2021 was tied to my support for the farmers’ movement, a pivotal moment in the fight against India’s repressive farm laws. Although these laws have since been revoked due to sustained resistance, legal proceedings stemming from my involvement remain ongoing.
BACKLASH TO PROTESTS IN THE GLOBAL NORTH

Seemingly nowhere is immune. Growing restrictions on climate protests are being seen in countries that otherwise have relatively open civic space and position themselves internationally as leaders in climate action. These are countries with vibrant protest movements – that are now being targeted.

The context is one in which right-wing populist and nationalist politicians are increasingly influential. They vilify climate campaigners just as they demonise activists for women’s and LGBTQI+ people’s rights. Climate disinformation is rife. Climate activists are accused of being part of a shadowy elite, somehow engaged in a conspiracy to control the public. Government-imposed restrictions on climate activists raise the danger of legitimising these views.

In the Netherlands, climate activists are demanding an end to the government’s fossil fuel subsidies, which amount to around US$39.9 billion a year. The Dutch government committed to ending them in 2020 but hasn’t done so. Campaigners have been communicating this demand through non-violent direct action, repeatedly blocking a major highway in the Hague, the country’s administrative centre. Protests grew during 2023 ahead of November elections, with around 25,000 people taking part in a march on 9 September. The police used water cannon and detained around 2,400 people. In August, seven Dutch Extinction Rebellion activists were found guilty of sedition for encouraging others to protest.

Climate campaigners complain that farmers’ groups, which have also staged disruptive protests in response to nitrogen emissions cuts, have been treated with more leniency. But the more the government criminalises climate protests, the bigger the numbers that turn out.

The government’s reasonings clearly illustrate why the right to protest is under attack in the Netherlands. It is a fundamental right that should be protected, respected and fulfilled. The authorities should take the peacefulness of protesters as a starting point and facilitate protests as much as possible. Restrictions should be the exception rather than the rule.

Sieger Sloot, Extinction Rebellion and Marjolein Kuijers, Amnesty International, The Netherlands

It’s a similar situation in Germany, where the Last Generation movement is at the forefront of direct action. By disrupting traffic with street blockades, it has raised awareness and started conversations. It has gathered growing numbers while making practical recommendations, such as proposals to cut food waste and make public transport more affordable.

Its actions have sparked some constructive discussions with local-government, but the national-level response is criminalisation – including through laws intended to tackle organised crime. Last Generation activists have had their homes raided, with laptops and phones confiscated, and had their bank accounts frozen. But as in the Netherlands, there are signs that this heavy-handed approach is bringing further support for the movement.
A serious accusation being used against climate activists is that of being part of a criminal group. When the police start an investigation on these grounds they can listen to your phone calls, read your messages and search your homes.

This June, some of us experienced searches of our homes, our website was taken down, our bank accounts were frozen and we had work materials confiscated. Activists are struggling because it’s scary to feel that the police could force their way in, search your entire home and take away whatever they want.

The criminalisation of peaceful protests organised by people who aren’t trying to hurt anyone but who want to protect lives elicits instant solidarity. Thousands of people have joined Last Generation’s protest marches. Frozen funds have been almost fully replaced by donations pouring in. People contact us to ask how they can play their part in climate activism.

Zoe Ruge, Last Generation, Germany

Violent policing of protests is a further problem. In January, police used violence to evict activists occupying land to try to prevent a coalmine expansion and again against a protest at the police’s actions. Police assaulted journalists and prevented their access.

Violent policing of protests is a further problem. In January, police used violence to evict activists occupying land to try to prevent a coalmine expansion and again against a protest at the police’s actions. Police assaulted journalists and prevented their access.

Last Generation is also active in Italy, where it too embraces non-violent civil disobedience to demand the government stop its funding for fossil fuels, cut emissions, increase renewable energy use and improve energy efficiency. But Italy’s far-right government is in no mood to listen.
There are currently three Last Generation activists facing trial for spraying the Senate building in Rome. They’re accused of ‘criminal damage’ and risk up to three years in prison. Never mind that the paint they used in the protest was washable. In April, the Italian government introduced a new law specifically to punish climate actions seen as damaging monuments or cultural sites with fines and possible imprisonment for those caught in the act.

Another tool used by the Italian state is indictment for ‘criminal conspiracy’, a charge historically used against the mafia. The Italian government criminalises climate activists because by doing so it can continue avoiding its responsibilities regarding the wellbeing of its citizens.

Gabriella Abbate, Last Generation, Italy

In the UK as well, direct action groups have sought to keep climate in the headlines through nonviolent direct action and civil disobedience. The government’s reaction has been to pass restrictive laws to criminalise disruptive protests.

Numerous climate activists have been jailed for peaceful actions that, until recently, wouldn’t have attracted prison sentences. People have been banned from citing the climate crisis as a justification for their actions in court, and found in contempt of court for doing so. Fossil fuel companies are also filing civil lawsuits against them.

Among those criminalised are activists from Just Stop Oil, one of the UK’s most high-profile direct-action groups. They have a simple ask: that the government stop licensing fossil fuel projects.

I was arrested on 19 July for slow marching in Parliament Square. I was only on the road for a matter of seconds before my arms were forcibly yanked behind my back, and handcuffs put on. I was detained in a police cell for 13 hours. My right to protest was violated, and the correct procedures were not followed.

On top of imposing new draconian anti-protesting laws that restrict our legal right to take to the streets, the UK legal system is allowing big polluting companies, such as oil giant Valero, to buy the law in the form of high court injunctions. I’m one of several people who face spiralling costs and potential bankruptcy because civil injunctions are being bought to stop peaceful protests at oil terminals and on roads. Many of us have already spent time in prison and paid fines in criminal courts, and now civil courts also want to convict us all over again and get us to pay their legal costs.

Mitch Rose, Just Stop Oil, UK

Criminalisation and top-down political vilification of climate activists have come at the same time that the government has announced it will grant over 100 new licences to drill for oil and gas. It seems the government wants to break its climate commitments in silence. Activists point out that the ruling party has received sizeable donations from oil and gas interests, and the anti-protest laws it has adopted bear the hallmarks of a right-wing think tank that also receives such donations.

Some Australian states have also passed anti-protest laws to target and jail climate activists. Among them is New South Wales,
where under a 2022 law protesters can be punished with two years in jail for disrupting economic activity, which includes obstructing roads and ports. The law came after a series of climate protests blocked a major port. While her sentence was overturned on appeal, activist Deanna ‘Violet’ Coco of the Fireproof Australia group faced 15 months in jail for blocking a lane of traffic on Sydney Harbour Bridge. Several others have been jailed under New South Wales’s draconian law. Anti-protest laws have also been passed in Tasmania and Victoria.

Like many Australians, Coco was brought into activism by devasting bush fires, a consequence of extreme weather largely driven by climate change. The government that lost power in May 2022 was characterised by climate denial, with people embracing direct action to urge it to change course. Climate concern was a key motivator in people’s voting decisions – but it had been driven up the political agenda by the efforts of activists.

New Zealand is also home to large-scale climate mobilisations. Thousands of students left their classrooms to take part in protests across 11 cities in February, in the wake of extreme weather that caused the worst flooding in recent memory. But the following month, when two Greenpeace activists staged a mock flood outside the headquarters of dairy giant Fronterra, New Zealand’s biggest company and a major greenhouse gas emitter, they were arrested. And in June, climate activist Rosemary Penwarden was convicted on forgery charges after circulating an obviously satirical letter claiming an oil conference had been cancelled.
TIME TO RESPECT FREEDOMS

Efforts to sap the energies of the climate movement often backfire. There’s no hiding the problem: people around the world are experiencing the impacts of climate change in their daily lives. Opinion polls in country after country show that the climate crisis has become a major concern. In many countries significant numbers of people are also seeing the repression of climate activists as unjust, attracting support for the movement and fuelling further protests. Even amid repression, the global climate movement continues to grow.

The climate movement owes its resilience to its ability to make connections between different facets of the problem and its productive combination of a variety of tactics, from mobilising and causing disruption to building coalitions, sharing information and advocating locally, nationally and internationally.

Last Generation is part of the A22 coalition, an international network of nonviolent civil disobedience campaigners, all of which demand their governments adopt measures to address ecoclimate collapse. The coalition was established in 2022 and it already includes at least 10 different campaigns advocating with governments in Europe, the Pacific and the USA.

This network is a great source of support. We help each other increase the visibility of our campaigns. It has certainly helped us attract more people to Non Paghiamo il Fossile (We Don’t Pay for Fossil) and other environmental campaigns in Italy and beyond.

But the movement is increasingly having to focus on defensive strategies in response to repression. That implies an opportunity cost: without restrictions, defensive energies could instead be channelled towards advancing creative climate solutions.

Ultimately, it needs to be recognised that people have a right to protest. It’s one of the fundamental freedoms guaranteed in international conventions that pretty much every state has signed up to. It must be understood that protests that cause disruption are still peaceful protests. Protests have historically used disruption of everyday routines as a key means to communicate the urgency of an issue and emphasise the need for action. They’re how recognition of key rights such as universal suffrage, labour rights and women’s rights have been won.

Last December, the new UN human rights head, Volker Türk, spoke out about the role of protest in driving climate action, and the need to protect civic space for climate protesters. States should heed his words.
GLOBAL ADVOCACY FOR CLIMATE ACTION

International-level civic space is essential too. At the multilateral summits where climate decisions are made, it’s vital that civil society is in the room and able to mobilise to demand greater ambition, hold states and fossil fuel companies and funders to account and ensure the views of the people most affected by climate change are heard. But that’s often not what happens.

WHY CIVIL SOCIETY PARTICIPATION MATTERS

The active involvement of civil society in climate talks is not a luxury but an imperative. Civil society serves as a conduit for the voices, ideas and aspirations of the people, propelling the discourse beyond mere rhetoric. Our insights and perspectives are equally valid and informed, and we are entitled to a seat at the table.

Disha Ravi, Fridays for Future India

It’s vital to involve civil society at COP28. Civil society is made up of members of forgotten communities, the real victims of climate change. A COP to which only presidents and ministers are invited won’t work, because they are the kind of people who will cope with rising temperatures by turning on their air conditioners and will be able to import food when there are local shortages, all while ordinary people starve because their land receives no rain. Only victims can bring in the reality of climate change, explain what it really looks like in their communities.

Guillaume Kalonji, Rise Up Movement DRC
ANOTHER COP IN CLOSED CIVIC SPACE

In September, COP28 host the UAE was added to the CIVICUS Monitor Watchlist, which highlights countries experiencing significant declines in respect for civic freedoms. Civic space in the UAE has long been closed: no dissent against the government or advocacy for human rights is allowed, and those who try to speak out risk criminalisation. In 2022, a Cybercrime Law introduced even stronger restrictions on online expression.

There’s widespread torture in jails and detention centres and at least 58 prisoners of conscience have been held in prison despite having completed their sentences. Many of them were part of a group known as the UAE 94, jailed for the crime of calling for democracy. Among the ranks of those incarcerated is Ahmed Mansoor, sentenced to 10 years in jail in 2018 for his work documenting the human rights situation, and held in solitary confinement for over five years.
Some of the problems that might dog COP28 can be anticipated by looking at the experience of COP27, held in Egypt’s closed civic space. As with the UAE, civil society used the run-up to the summit to call attention to the state’s ruthless crackdown on human rights, including the vast numbers of political prisoners and the torture and ill-treatment they’re subjected to.

And as is happening with COP28, rather than responding to these concerns, the Egyptian regime used the event as a PR opportunity to try to burnish its international image. It ignored international calls to open up space around the summit, held in an inaccessible location amid tight security, with security guards forming a highly visible and intimidating presence.

There was no place where we could come together and have conversations about slightly more radical issues or demonstrate in more confrontational ways, because the omnipresent surveillance, to which activists from the region were particularly subjected, made it very risky. Without enough pressure from communities and young people, COPs end up being nothing more than climate festivals.

“... There was no place where we could come together and have conversations about slightly more radical issues or demonstrate in more confrontational ways, because the omnipresent surveillance, to which activists from the region were particularly subjected, made it very risky. Without enough pressure from communities and young people, COPs end up being nothing more than climate festivals.”

María Reyes, Indigenous Futures, Mexico

Ahead of COP27, numerous Egyptians were arrested after calling for protests. At least one international activist was denied access to Egypt. There were long waits to get official approval to hold a protest in the meeting’s designated protest area. People from international CSOs complained about harassment and intimidation. UN independent human rights experts reported that several civil society members were interrogated and photographed by security officers.

The official conference app was criticised for giving the Egyptian government incredibly broad scope to access user information, enabling surveillance, to the extent that some states told their delegations not to use it. The meeting’s internet service blocked access to major news websites and Human Rights Watch’s site. When it came down to it, the Egyptian government, as summit host, treated international civil society as it treats domestic civil society – with hostility and contempt.

Egyptian CSOs working to defend human rights were denied accreditation, with the government accused of handpicking domestic civil society to exclude dissenting voices. For those taking part, self-censorship seemed part of the deal. International civil society faced the dilemma of whether to participate to try to advance climate action by any means possible, and risk legitimising the regime, or whether to boycott – a decision that could spark recriminations. A year on, the problems are remarkably similar.
Ahead of COP28, civil society has denounced the absurdity of holding such a vital summit in closed civic space conditions. Domestic civil society is unable to influence COP28 and its preparatory process, and it’s hard to see how civil society, both domestic and international, will be able to express itself freely during the summit.

Civil society is demanding that the UAE government visibly demonstrate that it’s prepared to respect human rights, including by releasing political prisoners – something it’s so far failed to budge on.

We are particularly worried about the fact that the UAE restricts civil society movements and campaigns. It is key for civil society and Indigenous peoples’ organisations to be able to exercise their rights to express their views and peacefully demonstrate at any time during the negotiations. Otherwise their perspectives will not be reflected in the outcomes and their concerns will not be addressed.

“Gideon Abraham Sanago, Pastoralists Indigenous Non-Governmental Organizations’ Forum, Tanzania

An ominous sign came when the UAE hosted a climate and health summit in April. Participants were reportedly instructed not to criticise the government, corporations, individuals or Islam, and not to protest while in the UAE.
FOSSIL FUEL INTERESTS TO THE FORE

Civic space restrictions aren’t the only indication that the UAE isn’t taking COP28 seriously. The summit’s president, Sultan Ahmed Al Jaber, also happens to be head of the state’s fossil fuel corporation ADNOC, the world’s 11th-biggest oil and gas producer. Having him lead the COP is like putting an arms manufacturer in charge of peace talks. Multiple other ADNOC staff members have roles in organising COP28. ADNOC is currently talking up its investments in renewable energies, all while planning one of the biggest expansions of oil and gas extraction of any fossil fuel corporation.

We have concerns about COP28’s location in the UAE, a major oil and gas producer. This raises questions about whether our voices will be heard effectively, as reducing fossil fuel production may not align with the host country’s interests. We had the same issue during last year’s COP, held in Egypt. How can people feel free to voice their concerns regarding oil and gas within such contexts?

Harlee Richards, Follow This, The Netherlands

Instead of real action, all the signs are that the regime is instrumentalising its hosting of COP28 to try to launder its reputation, as indicated by its hiring of expensive international lobbying firms. An array of fake social media accounts were created to praise the UAE as host and defend it from criticism. A leaked list of key COP28 talking points prepared by the host made no mention of fossil fuels.

A summit that should be about tackling the climate crisis – and quickly – is instead being used to greenwash the image of the host government – something easiest achieved if civil society is kept at arm’s length.

I think COPs are being used as a stage to show that oil companies are committed to managing the climate crisis, when in fact we all know this is not the case. It’s simple: if the production of fossil resources is not reduced, it won’t be possible to reduce greenhouse gas emissions and the climate crisis will continue its catastrophic and irreversible course.

Fausto Daniel Santi Gualina, Sarayaku people of the Ecuadorian Amazon

With civil society excluded, the voices of those actively standing in the way of climate action will remain influential. That’s what happened at COP27, where 636 fossil fuel lobbyists took part – and left happy. Like every summit before it, its final statement made no commitment to reduce oil and gas use. There’s zero prospect of this changing at COP28.

Representatives of oil and gas companies are unofficially involved in climate negotiations. They have no title, they do not appear as such on attendees’ lists, but we know they are there because we have seen them take advantage of COPs and pre-COPs to request informal meetings with heads of delegations or with the secretariat of the United Nations Framework Convention on Climate Change, the body in charge of organising COPs.

María Reyes, Indigenous Futures, Mexico
It’s little wonder that time and again, civil society has expressed low expectations about COP28 and lacks confidence that it will come up with the solutions the world needs.

It’s an entirely avoidable problem. COPs should be held in countries that offer an enabling civic space that allows strong domestic mobilisation, and summit hosts should be expected to abide by high standards when it comes to domestic and international access and participation, far beyond the minimum conditions guaranteed by international law. That should be part of the deal hosts make in return for the global prestige that comes with hosting high-level events. For the sake of all our futures, civil society’s exclusion mustn’t be allowed to happen again.
RECOMMENDATIONS

FOR STATES

- Recognise the role of climate, environmental and Indigenous rights activists in addressing the climate emergency and protecting ecosystems.

- Ensure a safe and enabling environment for activists and people from communities on the frontlines of climate change to participate meaningfully in decision-making to address the crisis.

- Adopt measures to protect people and groups working for climate and environmental justice from violence, attacks, harassment and intimidation.

- Ensure prompt, effective and impartial investigations into all threats, attacks and violence against activists and bring the perpetrators of offences to justice.

- Recognise and support existing mechanisms for ensuring accountability and access to environmental justice, such as the Escazú Agreement in Latin America and the Caribbean.

- Ensure that any laws restricting the exercise of the right to peaceful assembly, including legislation criminalising or preventing protests at specific sites, are reformed or repealed.

- Ensure that any limitations on the right to protest comply with legality, necessity and proportionality requirements.

- Refrain from using language that stigmatises, vilifies, disparages or discriminates against climate, environmental and Indigenous activists.

- Ensure that environmental organisations and Indigenous groups can operate without unreasonable restrictions, including by enabling their legal registration and resourcing.

- Ensure that climate, environmental and Indigenous activists have opportunities for input into climate negotiations and environmental policymaking, and establish civil society focal points to enable this.
FOR THE PRIVATE SECTOR

- Establish strong climate, environment and civic space safeguarding policies and compliance mechanisms for these.

- Ensure due diligence, as set out in the UN Guiding Principles on Business and Human Rights, so that the human rights of people and communities are respected in activities and projects related to natural resources.

- Cooperate with state authorities in the investigation of attacks against climate, environmental and Indigenous activists.

- Establish strong and accountable grievance mechanisms to reduce and remedy harm to people, the environment and climate, developed in consultation with affected communities.

- Disclose information related to natural resource projects and support constructive dialogue with activists.

- Prioritise renewable energy development and commit to no further fossil fuel extraction or financing of new fossil fuel projects.

Climate activists protest outside the Postbank headquarters in Bonn, Germany, to demand it stop funding EACOP, June 2023.
Develop stronger networks to connect climate movements, environmental activists and Indigenous rights defenders to share strategies and mobilise solidarity.

Adopt protection and security strategies to defend and uphold rights, including training in rights awareness in cases of arrest and detention.

Pursue all available tactics including protest, campaigning, advocacy, litigation, shareholder activism and engagement with international negotiations.

Prioritise the voices of grassroots and global south communities living on the frontlines of climate change and environmental degradation and ensure they are the forefront of advocacy and engagement in COPs.

Support the negotiation and adoption of a binding international treaty on business and human rights.

Mainstream climate action and the protection of civic space across all areas of work.
FOR COP SUMMIT ORGANISERS

- Develop and implement, in consultation with civil society, strong standards on mandatory civil society participation at COPs, to ensure the full involvement of a wide range of civil society, including from the host country and global south countries.

- Establish, enable and provide adequate resources for a civil society focal point to ensure civil society access and participation.

- Make funding available to support grassroots and global south civil society participation and grant all travel documents required.

- Develop and implement a strong conflict of interest policy to ensure transparency about the role of fossil fuel companies and funders in COP negotiations.

- Develop and implement a clear plan to increase women’s representation at COP summits.

- Ensure strong civil society participation in and oversight over loss and damage funding arrangements.

- Place Indigenous people at the centre of climate finance decisions and include specific language recognising the rights of Indigenous communities in COP decisions and actions.

- Create an Indigenous peoples working group to serve as a formal standing mechanism for COP negotiations to ensure the concerns of Indigenous people are heard and taken into account.
FOR THE UAE AS COP28 HOST

- Respect the right to protest and express dissent during COP28.
- Take meaningful steps to lift civic space restrictions in the UAE and respect freedoms of association, peaceful assembly and expression.
- Comply with all recommendations made to the UAE under its 2023 UN Human Rights Council Universal Periodic Review.
- Release all activists, human rights defenders and prisoners of conscience currently in detention, including Ahmed Mansoor and all members of the UAE 94, and drop all charges against them.
- End impunity for human rights violations by holding to account government representatives who work to restrict civil society and prevent activists and COP participants from expressing dissent.

Photo by the Gulf Centre for Human Rights

A civil society activist displays a poster calling for the release of Ahmed Mansoor as part of the International Campaign for Freedom in the UAE.
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