

HUMAN RIGHTS DEFENDERS WORKING ON CLIMATE CHANGE AND A JUST TRANSITION

SUBMISSION TO THE UN SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS DEFENDERS

Amnesty International welcomes the opportunity to provide information in response to the call for input for the upcoming report on human rights defenders working on climate change and a just transition from across the world.¹

POSITIVE TRENDS EMERGING DUE TO THE ACTIONS OF CLIMATE JUSTICE DEFENDERS

- The adoption of the [resolution](#) by the UNGA in 2022 recognizing the human right to a clean, healthy and sustainable environment; successful litigation at the IACtHR recognizing repeatedly the need for protection of HRDs working to protect the environment, and the adoption of the [Escazú Agreement](#).²
- The [UN](#) has supported the initiative by [Vanuatu](#) and other Pacific Islands states requesting an advisory opinion by the International Court of Justice (ICJ) on states' obligations and responsibilities surrounding climate change. This is [likely to provide clarity](#) on how existing international law can be applied to strengthen action on climate change. Similarly, [Colombia and Chile](#) formally requested the IACtHR issue an [opinion](#) to clarify State obligations in the context of the climate emergency.
- In numerous countries, for example, in the [Netherlands](#), [Portugal](#), [Australia](#), [Pakistan](#), [South Korea](#) and [elsewhere](#), defenders are suing governments for their inaction on cutting emissions, with courts often finding in their favour, though [difficulties](#) lie in the implementation of the rulings.
- In [Europe](#), the Special Rapporteur on Environmental Defenders under the Aarhus Convention, has opened a [consultation](#) on a set of [Guidelines](#) on the Right to Peaceful Environmental Protest and Civil Disobedience to guide action from governments. In addition, the [Task Force](#) on Public Participation in Decision-making has played a role in improving the implementation of the Aarhus Convention's provisions on public participation, including through sharing expertise, developing recommendations, strengthening civil society and building capacity.
- The EU approved in 2024 the [Corporate Sustainability Due Diligence Directive](#), an important step in addressing human rights and environmental impacts of big businesses, and a useful tool for defenders to bring large companies to account. Worryingly, this is now under threat as the European Commission published an Omnibus proposal risk [jeopardising](#) commitments towards its green ambitions and human rights protection, which is why in the upcoming legislative negotiations, the proposal should be revised to ensure that any amendments seeking to weaken the CSDDD are rejected.
- Though many activists have been criminalized and faced sanctions for peacefully protesting, some courts have acquitted them, recognizing their motivations. In [Italy](#), eight activists accused of obstructing traffic and defacing public property during a protest in 2021, were acquitted in [April 2024](#). The judge highlighted the peaceful nature of the protest and their motives. In the [UK](#) juries have acquitted climate

¹ <https://www.ohchr.org/en/calls-for-input/2025/call-input-report-human-rights-defenders-working-climate-change-and-just>

² The Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean

protesters in some [cases](#). However, some judges have prevented defendants from mentioning their motivations, and the [Court of Appeal](#) has ruled that the climate crisis cannot be used as a "lawful excuse" to justify criminal damage.³ One activist faced prosecution for contempt of court for displaying a placard informing the jury of their right to acquit someone based on their conscience outside court hearings on climate cases – her case was finally [thrown out](#) in 2024.

- Amnesty International's '[Any tidal wave could drown us](#)': [Stories from the climate crisis](#), includes case studies featuring marginalized communities, including in **Bangladesh, Fiji, Honduras, Senegal, Austria, Switzerland, Canada**, and the **Russian Arctic**. The case studies reveal the resourcefulness of communities taking adaptive measures in the face of the climate emergency.

EFFECTIVE STRATEGIES FOR ACHIEVING POSITIVE CHANGE

- In **Ecuador**, a [group of nine girls and young women](#) called "Guerreras por la Amazonía" successfully sued the State in a case around gas flaring amid stigmatization and [intimidation](#) for their activism. With the Union of People Affected by Chevron-Texaco (UDAPT) and the collective "*Eliminate the Flares, Ignite Life*", the defenders achieved that a regional court [rule](#) against the state and order full reparation for damages, the gradual and progressive elimination of the gas flares, that studies on their health impacts be conducted, and the establishment of oncological hospital care centres. Their campaign [continues](#) as the ruling has not been fully implemented.

- Also in **Ecuador**, the Waorani People, pushed for a [referendum](#) that received overwhelming support in 2023 to protect the Yasuní national park, [one of the most biodiverse zones in the world](#). Ecuador was supposed to dismantle the oil plant in the park and stop further oil exploration by August 2024. This [has yet to happen](#).

- In **Colombia**, the Federation of Artisanal, Environmental and Tourist Fisherfolk of the Department of Santander (FEDEPESAN) grouped together to [defend](#) the environment in 2019. The local wetlands have been polluted by Ecopetrol and others. FEDEPESAN has been instrumental in protecting the local biodiversity, document water pollution, ensuring Ecopetrol adheres to their environmental obligations, and in organizing protests when environmental agreements are not respected, despite its leaders suffering attacks and threats.

- In **Mexico**, the "[El Bosque](#)" [community](#), who since 2019 have seen their homes and community infrastructure destroyed by climate induced disasters, including a massive tidal wave in November 2023, alongside *Conexiones Climáticas*, *Nuestro Futuro*, and *Greenpeace Mexico*, won their demand that state authorities take action to relocate the community due to "climate impact". However, the support has been slow and the local community [continues to fight](#) for redress.

- In **Australia**, [two leaders](#) of the Guda Maluyilgal Nation Pabai Pabai (Uncle Pabai) and Paul Kabai (Uncle Paul), are raising awareness and [suing](#) the government demanding stronger action to reduce emissions and prevent further destruction of their territories and communities due to rising sea levels.

- In the **Democratic Republic of Congo**, civil society organizations including *Initiative pour la Bonne Gouvernance et les Droits Humains* and residents of the city of Kolwezi, have been challenging forced evictions and demanding redress in the context of expanding cobalt and copper mining, key minerals in energy transition.

ATTACKS ON CLIMATE JUSTICE DEFENDERS

- In **Canada**, members of the Wet'suwet'en Nation, have [faced repression](#), including harassment, intimidation, surveillance, forcible removal, criminalization, for their attempts to protect their ancestral and unceded territories against the construction of the Coastal GasLink (CGL) pipeline, without their

³ Details of legal defences related to expressive intent and public interest defence and specific cases in European countries are included in chapter 7 of 'Under protected and over restricted. The state of play of the right to protest in 21 European countries', EUR 01/8199/2024, [amnesty.org/en/documents/eur01/8199/2024/en/](https://www.amnesty.org/en/documents/eur01/8199/2024/en/)

free, prior and informed consent. In 2022, 20 land defenders were prosecuted on charges of criminal contempt for allegedly disobeying an injunction to stay away from pipeline construction sites, even though these sites are located on Wet'suwet'en territory. In 2024, Amnesty declared [Chief Dsta'hyl](#) a prisoner of conscience while he served a 60-day house arrest term. Other [defenders](#) currently appealing their convictions may also be designated prisoners of conscience if imprisoned.

- In **Argentina**, Indigenous defenders, who claim they did not give their free, prior and informed consent to the mining of lithium in Jujuy and Salta have been [leading protests and filed legal actions](#) against local authorities who had started to grant permissions for initial explorations and exploitation of the minerals. The authorities have obstructed freedom of expression and peaceful protest by enacting restrictions against public protest, and arbitrarily arresting protesters and defenders, including lawyer [Alberto Nallar](#).

- In **Vietnam**, Dang Dinh Bach, a leading environmental justice lawyer, was [arbitrarily detained](#) in 2021 as he campaigned against the country's heavy reliance on coal as energy source, and sentenced to five years imprisonment. Since 2021, at least five leaders of environmental and climate NGOs [have been arrested and accused](#) of "tax evasion" in an attempt to silence them.

- In **Azerbaijan** climate defenders are facing a [crackdown](#), including Anar Mammadli, Bashir Suleymanli, Nargiz Absalamova and Sevinj Vagifgizi. Anar Mammadli was [arrested on trumped up charges](#) in 2024 after launching the Climate of Justice Initiative, promoting civic space and environmental justice within the UNFCCC's COP29 that took place in Baku in 2024. He remains [in detention](#) awaiting trial. In March 2025, [Bashir Suleymanli](#), was also arrested on trumped up charges for his activism. In 2023 journalists [Sevinj Vagifgizi](#) and [Nargiz Absalamova](#), were arrested also in retaliation for their work covering environmental protests and corruption - if convicted, they face up to 12 years in prison.

- At numerous UN Climate Change Conferences, including COP24 in [Poland](#), COP25 in [Spain](#), COP26 in the [UK](#), COP27 in [Egypt](#), COP28 in the UAE, and COP29 in [Azerbaijan](#), climate activists have had trouble accessing the conference (including due to difficulties in travelling to the venues, [visa issues](#), costs involved, and being [crowded out](#) by fossil fuel lobbyists), been "debadged", as well as facing heavy handed policing and misuse of "stop and searches" powers, illegal [surveillance](#), and repression, with [chilling effect](#) on participants.⁴

- In **Indonesia**, Ilham Mahmudi and Taufik, were unjustly criminalized in 2024 and put on trial for their efforts to save their village from rising sea levels. They were [convicted](#) of property damage and received suspended sentences.

- In **Cambodia**, environmental defenders have faced repression for [years](#). In 2024, 10 activists with [Mother Nature Cambodia](#) were sentenced to between six and eight years in relation to their activism.

- In **Madagascar**, a country facing a [devastating](#) climate-change induced drought, the authorities have failed to adequately protect [Angélique Decampe](#) from threats due to her defence of the Vohibola forest from illegal logging, mining and poaching. The authorities also criminalized [Jeannot Randriamanana](#), who blew the whistle on the alleged mismanagement and embezzlement of humanitarian aid for the population impacted by cyclones.

- In **Paraguay**, [Vidal Brítez](#), of the Paso Yobai Yerba Mate Producers' Association, was arrested in March 2025, due to his advocacy for a clean, healthy, and sustainable environment and for denouncing the pollution⁵ caused by mining in his community. He is accused of serious coercion for an action which he was not involved.

⁴ For further details on restrictions and repression of climate activists at climate conferences see: Amnesty International, *Recommendations to parties to the UNFCC* (2024), <https://www.amnesty.org/en/documents/ior40/8627/2024/en/> and *Recommendations to parties to the UNFCC* (2025), <https://www.amnesty.org/en/documents/ior40/9721/2025/en/> (pending).

⁵ In 2022, the UN Special Rapporteur on Toxic Substances and Human Rights, visited Paraguay and specifically verified the situation in Paso Yobai, [noting](#) that "the use of mercury and cyanide in gold mining is generating serious environmental impacts."

- In **Kenya**, thousands of the Sengwer People in the [Embobut Forest](#) have been evicted, rendering them homeless, despite court rulings in their favour. Sengwer activist and photographer Elias Kimaiyo was shot at and beaten by forest guards in 2017, leaving him with a permanent injury, whilst documenting a forced eviction action. Similarly in [Tanzania](#), the Maasai People have been forcibly and violently evicted from their lands multiple times. In 2022, in Loliondo they faced repression when they tried to oppose a demarcation exercise conducted in the name of conservation, despite a pending judgement regarding the ownership and use of the land.
- In **India**, the Foreign Contribution (Regulation) Act has been used as a tool to silence critical organizations, including climate and environmental ones, cutting off their ability to seek funding abroad. The [Environics Trust](#), had their FCRA licence suspended for allegedly funding protests against steel and coal plants.
- In **Europe**, laws unduly restricting the right to protest, the use of unnecessary or excessive force, arbitrary arrests and prosecutions, unjustified, punitive or discriminatory restrictions, and the use of invasive surveillance technologies, affecting all types of peaceful protesters, including climate defenders, are on the rise. Crackdowns have taken place amid a stigmatising and delegitimising discourse in which climate defenders and protesters (especially those taking peaceful civil disobedience actions) have been smeared and discredited by as “extremists”, “criminals”, “terrorists”, and “ecofascists”, and painted as a “threat” to public order and/or national security, giving authorities a spurious pretext to impose restrictions and sidestep human rights obligations.
- In the **UK**, climate protesters have been stigmatized and their actions used in part to justify a whole raft of anti-protest legislation,⁶ introducing draconian powers to restrict the right to demonstrate peacefully. This has led to [lengthy jail sentences](#) of five environmental activists who organized non-violent protests on a motorway in 2022 after they were accused of ‘conspiracy to cause public nuisance’.
- In **Italy**, a new law — dubbed by some political figures as the “law against eco-vandals”— was introduced in 2024 to further deter activism, protests, and acts of peaceful civil disobedience. The use of administrative measure known as ‘presence banning order’ (*‘foglio di via’*) against activists has [increased](#). In April 2025, a [government decree](#) has further restricted the right to peaceful protest and increased, among others, penalties for offenses associated with civil disobedience tactics, such as road blockades.
- In **Germany**, climate activist groups, were [charged](#) with forming a ‘criminal organization’. These investigations involved extensive and invasive search and surveillance measures, including the interception of a press telephone and the confiscation of personal data from support groups, exacerbating the chilling effect on peaceful protest. The cases remain pending.
- In **France**, groups opposing the construction of Highway A69 [counted](#) hundreds of arrests, prosecutions and detentions, carried out between February 2023 to August 2024. In June 2023, organization *Soulevements de la Terre* was [dissolved](#) by a government decree but the dissolution was later suspended by the [Council of State](#). The group was accused of “eco-terrorism” for their actions against mega-projects they believe to be damaging the environment.

RECOMMENDATIONS

States should:

- Publicly recognize the legitimate work of all HRDs who contribute to climate justice, particularly those who are most discriminated against and impacted by climate change.
- Stop all stigmatization and smearing of climate justice activists peacefully demanding long overdue climate action.

⁶ Including the Police Crime Sentencing and Courts Act 2022, the Public Order Act 2023, the Serious Disruption Regulations 2023 and the Crime and Policing Bill 2025 currently going through Parliament.

- Respect, protect and guarantee the right to defend human rights in the context of the climate crisis, through public policies and laws aimed at preventing attacks and protecting the work of HRDs, considering their needs and wishes as well as the collective dimension of their work.
- Respect, protect and guarantee the rights to freedom of expression, peaceful assembly and association, including activities such as collecting, obtaining and disseminating ideas and information; participating in government and the management of public affairs; accessing and communicating with international human rights bodies; and submitting proposals for policy and legislative reform at the local, national and international levels.
- Guarantee the right of HRDs to seek, receive and use resources from domestic, foreign and international sources, and ensure that administrative requirements do not restrict their right of association.
- Guarantee that peaceful assemblies for climate action can take place, by taking urgent steps to remove all obstacles and undue restrictions put in place to prevent peaceful protests before, during and after such protests.
- Guarantee access to information without discrimination on the environmental and climate impacts of public and private activities, including greenhouse gas emissions or environmental impact assessments, and ensure that those adversely affected by such activities have access to justice and redress.
- Guarantee access to land and legal security of tenure for all, especially Indigenous Peoples, Afro-descendants and other racialized persons and communities. Support and promote, through policies, laws and resources, any activities they undertake for their subsistence, or their mitigation and adaptation strategies.
- Ensure that people affected by climate change, including those who are displaced and those who remain in their territories, have access to reparations and their rights to security of tenure, land, housing, water, food, health are respected.
- Ensure that the demands of climate justice and environmental HRDs are met, so that States may achieve the goals of the Paris Agreement, including through a full, fast, fair and funded fossil fuel phase out and a just energy transition.

In addition:

- States and private actors should refrain from abusing the legal system, including through strategic lawsuits against public participation to silence or intimidate defenders.
- States and bodies organizing regional and international climate conferences and other key processes relevant to achieving climate justice must allow and facilitate the full and effective participation of HRDs in decision-making processes at all levels.