

CLIMATE CHANGE

Civic Space Future Trend Report

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FUTURE TREND: CLIMATE CHANGE

Over the next two decades, environmental, technological, and demographic trends will dramatically change how we live our lives. A vibrant civic space is essential to ensure everyone can fully participate in shaping this future. ICNL launched “Civic Space 2040” — a futurist initiative to craft a positive vision for civic space and map strategies to make it a reality. The initiative explores trends that will radically transform the future and discusses ways in which these trends will affect civic space. This briefing is one in a series commissioned by ICNL to help inform civic space advocates about the opportunities and challenges ahead.

Climate change¹ and the response to the climate and ecological crisis is set to disrupt and transform the global economy, politics, and society by 2040. This briefing explores how states’ responses to the climate crisis over the next two decades will affect civic space for a range of established and new civic actors.

RE-THINKING CIVIC SPACE IN THE CONTEXT OF CLIMATE CHANGE

There is virtually no aspect of human rights or development that will not be affected by the climate crisis, and there will be no effective response to the crisis without the full engagement of citizens, communities, and civil society globally.

The physical impacts of climate change – from extreme weather events to coastal erosion to sea level rise — will result in worldwide environmental and economic damage. According to the United Nations Special Rapporteur on Extreme Poverty, this could “threaten the full enjoyment of a wide set of rights” and “undo the last fifty years of progress in development, global health, and poverty reduction.”² The World Bank estimates that without immediate action, climate change could push 120 million more people into poverty by 2030.³ As a result, the [International Panel on Climate Change \(IPCC\)](#)⁴ recommends that climate mitigation (actions to limit the scale of global warming) and climate adaptation (actions to adapt to impacts of climate change) need to be a global priority.

1 Climate change refers to a large-scale, long-term shift in the planet’s weather patterns and average temperatures.

2 Climate change and poverty, Report of the Special Rapporteur on extreme poverty and human rights, A/HRC/41/39, 25 June 2019.

3 Fay, Marianne and Stephane Hallegatte. Shock Waves: Managing the Impacts of Climate Change on Poverty. 2016, p.12.

4 The International Panel on Climate Change (IPCC) was established in 1988 as the United Nations body to provide governments with information to tackle climate change.

5 See: <https://www.metoffice.gov.uk/weather/climate-change/what-is-climate-change>

6 Special Report: Global Warming of 1.5 °C, IPCC, 2018, pp. 447, 452, 464.

Climate Change: The Science⁵

HOW ARE HUMANS CHANGING THE CLIMATE?

Evidence has shown that the high levels of greenhouse gases in the atmosphere — such as carbon dioxide, methane, and nitrous monoxide — are the leading cause of increasing global temperatures. These gases — generated through the burning of fossil fuels — trap heat in from the sun. In their most recent report, the IPCC states that human activity is “extremely likely” to be the main cause of climate change.

HOW FAST IS THE TEMPERATURE RISING?

In the 11,000 years before the Industrial Revolution, the average temperature across the world was stable at around 14°C. Since the Industrial Revolution, the average temperature of the planet has risen by around 1°C. This is a rapid change in terms of our global climate system. Previously, natural global changes are understood to have happened over much longer periods. The world is not warming evenly, so the temperature increase is higher than 1°C in some countries.

HOW MUCH WARMING COULD WE SEE?

The gases that are already in our atmosphere are effectively locked in and will contribute to increasing temperatures. Even if we stop all emissions today, we cannot avoid some level of warming. The amount of warming we will see, beyond what we have already caused, depends on what steps are taken to curb it.

The [Paris Agreement](#) includes a commitment to limit the average global temperature to 2°C above pre-industrial temperatures, and if possible, limit up to 1.5°C. According to the IPCC, restricting warming to 1.5°C rather than 2°C could reduce the number of people vulnerable to climate-related risks by up to 457 million; reduce the number of people exposed to the risk of sea-level rise by 10 million; limit exposure to floods, droughts, and forest fires; limit damage to ecosystems and reductions in food and livestock; cut the number of people exposed to water scarcity by half; and prevent 190 million fewer premature deaths over the century.⁶

ARE WE ON TRACK TO LIMIT WARMING TO 1.5°C OR 2°C?

If we continue to burn fossil fuels and cut down forests at the current rate, the planet could warm by more than 4°C by 2100. This warming could fundamentally change life on earth, with potentially drastic consequences. Limiting warming requires cutting CO₂ emissions by almost half (45%) by 2030, by replacing fossil fuels such as oil, carbon, and natural gas with renewable and cleaner sources of energy, all while increasing energy efficiency.



4°C by 2100

is the increase predicted if climate change is not addressed



45%

the amount emissions need to be reduced by 2030 to prevent the most catastrophic climate outcomes



The Paris Agreement

committed the world to keeping global warming under 2°C of beyond pre-industrial levels.



457 million

less people impacted by climate change if warming is restricted to 1.5°C rather than 2°C

The threat of climate change is galvanizing a wide cross-section of actors — from environmental and development organizations to human rights groups and protest movements, as well as scientists, health professionals, investors and economists — to demand action to curb climate change and address its impacts.

Over the next two decades, these actors will seek to influence the government, business, and public response to climate change by raising awareness; mobilizing mass public protests in support of climate action and climate justice; advocating for new policy solutions; setting new standards and norms; demanding justice and accountability from the actors most responsible for causing climate change; and creating new forms of dialogue between citizens, governments, and business. The degree to which they will be able to shape an alternative vision for the future will depend in a big part on how states respond to the climate crisis.

PATHWAYS TO ADDRESSING THE CLIMATE CRISIS AND IMPLICATIONS FOR CIVIC SPACE

Following three decades of climate negotiations, the 2015 Paris Agreement marked the first-ever commitment by the majority of countries in the world to curb global warming. However, implementation of the Agreement has been slow, and in October 2018, the IPCC issued a special report⁷ warning that the global community has a window of 12 years to address climate change.

In the absence of effective action on climate change mitigation or adaptation, governments are not on track to restrict global warming to 1.5°C.⁸ Instead, the world is on a pathway to temperature increases of between 3°C to 5°C by 2100,⁹ which would wipe out agricultural productivity and render many areas un-



Many governments are already viewing the climate as an issue that will need to be managed rather than solved.

⁷ Summary for Policymakers: Global warming of 1.5°C. IPCC, 2018. See: <https://www.ipcc.ch/sr15/>

⁸ This calculation is made on the basis of current stated Intended Nationally Determined Contributions (INDCs), which represents the climate change actions pledged by countries in the lead up to COP21 in 2015. The INDCs determine the greenhouse gas targets set by each country to hold the increase in global average temperature to well below 2C, as set out in the Paris Agreement.

⁹ See: [Global temperatures on track for 3-5 degree rise by 2100](#). United Nations, Nov 29, 2018.

inhabitable. According to the IPCC, environmental and economic impacts are expected to accelerate from 2040 onwards.¹⁰

As a result, many governments are already viewing the climate as an issue that will need to be “managed” rather than solved. A growing number of states and institutions (including the United Nations, NATO and the European Union) view climate as a “threat multiplier” that will fuel tensions in already fragile and underdeveloped states. States that apply a national security lens to climate change are less likely to pursue approaches to climate adaptation and mitigation which could promote human rights, development and security for all.

CLIMATE GOVERNANCE

In 1992, The UN Framework Convention on Climate Change (UNFCCC) was adopted in recognition that action was required to “avoid dangerous climate change,” and to reduce greenhouse gas emissions globally in an equitable way. For almost three decades, signatories to the UNFCCC have met every year to forge a global response to the climate emergency. They made significant progress for the first time in 2015, with the historic Paris Agreement.

The Paris Agreement is a landmark environmental accord that was adopted by nearly every nation in 2015 to address climate change and its negative impacts. It was signed by 195 countries and ratified by the 179 that account for 88.75% of global emissions, including China and India.

The deal aims to substantially reduce global greenhouse gas emissions in an effort to limit the global temperature increase in this century to 2 degrees Celsius above preindustrial levels while pursuing means to limit the increase to 1.5°C. The agreement includes commitments from all major emitting countries to cut their climate-altering pollution and to strengthen those commitments over time. The pact also provides a pathway for developed nations to assist developing nations in their climate mitigation and adaptation efforts, as developed nations share a historic responsibility for the majority of global greenhouse gas emissions, and have greater financial and technological resources.¹¹ While the technological know-how exists to work toward these goals, there are political barriers. Tragically, the challenge of tackling climate change coincides with a period of low international cooperation,¹² with governments failing to look beyond their strategic interests to jointly invest in new technologies at scale, let alone decouple the global economy from its reliance on fossil fuels. As

¹⁰ Climate adaptation costs are expected to total between \$140 and 300 billion annually by 2025-30, and between \$280 and 500 billion a year by 2050. See: <https://www.un.org/sustainabledevelopment/blog/2016/05/unep-report-cost-of-adapting-to-climate-change-could-hit-500b-per-year-by-2050/>

¹¹ A 2015 Oxfam briefing noted that “The poorest half of the world’s population—3.5 billion people—is responsible for just 10 percent of carbon emissions, while the richest 10 percent are responsible for 50%.” The concept of “climate justice” — that the wealthiest nations (who benefitted from the vast majority of greenhouse gas emissions and have the greatest capacity to adapt) should support the poorest countries with climate adaptation — is enshrined in the Paris Agreement.

¹² “While pooling resources is the only viable approach, the current political environment is not conducive to collaboration. China wants to invest in renewable energy but only to grab the market share. The US isn’t interested at all. What you need is a group of 15-20 countries willing to demonstrate how collaboration works with a view to building efficient infrastructure in developing countries. However, the case for this approach is not being made either at the G20 or the climate negotiations.” From an interview with a climate scientist, July 2019.

a result, governments are not switching to renewable energies at the pace required, and some of the largest economies, including the US,¹³ China, and India, are reversing progress on cutting emissions.¹⁴

A “securitized” response¹⁵ from Western governments could include cutting international aid budgets, investing in border control and surveillance mechanisms to prevent migration, and restricting the space for climate activism and humanitarian responses to migrants through surveillance, criminalization, and hostile rhetoric. Such measures might also receive public support from citizens anxious about their futures.¹⁶ Variations of this approach might also be pursued by illiberal, populist, and authoritarian leaders. Across all contexts, the poor and marginalized will be the most vulnerable and least likely to be protected, leading to human rights abuses, displacement, and loss of life.

There are alternatives to a securitized approach. Economists, business leaders, and civil society are proposing approaches based on respect for human rights, sustainable approaches to adaptation and mitigation, wellbeing, and quality of life.¹⁷ Such approaches involve: governments securing the consent of their citizens to the changes required for a rapid transition to a green economy through consultations and citizen assemblies;¹⁸ pooling resources to meet the adaptation needs of the poorest areas; and investing in climate adaptation and resilience in the countries that will be most affected in order to prevent unnec-



Governments will need the support of civil society to raise public awareness and mobilize popular support for climate action.

¹³ See: <https://www.state.gov/on-the-u-s-withdrawal-from-the-paris-agreement/>

¹⁴ The Global Carbon Project forecast for 2018 estimated a 2.7% increase in CO2 emissions in 2018, sharply up on the plateau from 2014-16. Almost all countries are contributing to the rise, with emissions in China up 4.7%, in the US by 2.5% and in India by 6.3% in 2018. See: Levin, K. *New Global CO2 Emissions Numbers Are In. They're Not Good*. Dec 5, 2018.

¹⁵ See: [>2 degrees futures: 2040 worlds on a trajectory to stay below two degrees centigrade warming above pre-industrial levels](#), Forum for the Future, 2018, for scenarios of four pathways the world could take to keep warming less than 2°C. The New Protectionism pathway sets out the implications of a securitized pathway in more detail.

¹⁶ See: Chatterjee, Elizabeth. *Green and White Nationalism*. London Review of Books, Sept 6, 2019, for an exploration of the links between environmental and far right white nationalist movements.

¹⁷ See the “Re-defines Progress” pathway in [>2 degrees futures: 2040 worlds on a trajectory to stay below two degrees centigrade warming above pre-industrial levels](#), Forum for the Future, 2018, pp 24-28.

¹⁸ For example, the French government organized a citizen’s assembly of 150 citizens tasked with drawing up policies on how France can cut carbon emissions by 40% before 2030: See: <https://www.theguardian.com/world/2020/jan/10/citizens-panels-ready-help-macron-french-climate-policies>

essary displacement, conflict, and crisis. As countries adapt to a low carbon economy, civil society could also work with governments, businesses, and electorates to begin re-thinking what growth, prosperity, and resilience mean if we are to keep within the environmental limits needed to prevent climate change while respecting human rights.¹⁹

OPPORTUNITIES AND THREATS TO CIVIC SPACE

Whichever approach states choose will have significant implications for civic space. Those engaged in protest and litigation or working on contested issues are likely to face contestation in the short-term. These will include Indigenous Peoples' led movements blocking coal, oil and gas extraction or opposing deforestation; climate protest movements; communities and environmental groups suing fossil fuel companies; and migrants' rights and humanitarian groups supporting displaced populations. The labeling of environmental activists as "eco-terrorists" and migrants' rights activists as "anti-national" are early warning signs of how the framing of climate as an issue of security could have serious implications for the future of civic space.

Conversely, many governments will also need the support of civil society to raise public awareness and mobilize popular support for climate action to facilitate dialogue between states, businesses, and communities, to devise policy solutions, and to support those most affected by climate change. One climate funder interviewed for this paper argued that the legitimacy of climate-related civic engagement could provide "wider cover for civil society, human rights, and broad participatory approaches to democracy"²⁰ — a sentiment echoed by several climate experts.

This section considers the opportunities to defend or expand civic space for key movements and sectors and highlights promising developments at the intersection of climate and democracy.

MIGRANTS' RIGHTS AND HUMANITARIAN GROUPS

Humanitarian and migrants' rights groups who support those displaced internally and forced across borders will be on the frontlines of the climate crisis. Since the mid-2000s, environmental and development groups have issued warnings that climate change will lead to mass cross-border migration with figures up to the hundreds

¹⁹ More radically, environmental economists argue that any form of growth — including green growth — will not be compatible with meeting the 1.5°C target and may require governments to re-think economic models and consider other measures of development and prosperity. See for example: Jackson, T. *Prosperity without Growth: Economics for a Finite Planet*. Abingdon, Oxon: Routledge, 2017.

²⁰ From an interview with a European climate funder, July 2019.

of millions.²¹ In response, migrants' rights experts have sought to downplay alarmist scenarios, stressing that the vast majority of displacement will take place within countries, and the degree to which climate events will lead to displacement will depend on the quality of governance, infrastructure, natural resource management, and development, as well as the quality of public disaster response and relief mechanisms available.²² They argue investment in these areas could considerably decrease levels of permanent displacement and migration.²³

Unfortunately, while the intention behind alarmist reporting was to pressure governments to take action, the specter of hundreds of millions of migrants "flooding" neighboring countries or heading towards Europe and the US could make the operating environment of those seeking to provide humanitarian support and solidarity to migrants even more hostile. This is especially worrying in a context where such support is already demonized and criminalized. There are early warning signs of the challenges ahead. Migrants' rights, humanitarian actors, and civic space advocates may need to:

Challenge Laws that Criminalize the Provision of Legal Advice to Migrants: For example, in June 2018, the Hungarian parliament passed a series of laws that criminalize any individual or group that offers to help an asylum seeker, on the grounds that migrants pose a threat to Europe's civilization. The legislation — officially called "Stop Soros," restricts the ability of non-governmental organizations (NGOs) to act in asylum cases and was passed in defiance of the European Union and human rights groups. Civil liberties and migrants' rights groups will need to be prepared to challenge the spread of similar laws elsewhere.

Protect Personal Data of Migrants: There has been mounting pressure on humanitarian groups to engage in the surveillance and collection of sensitive data on migrants as they cross borders. In December 2019, states agreed not to request or use personal data collected by the Red Cross and Red Crescent movement for purposes incompatible with their humanitarian work. This resolution has, for the time being, protected the independence of the movement from wider national security interests, but may be challenged in the future.

Address Gaps in Legal Defense: Prosecutions of people seeking to help migrants are also likely to increase. A June 2019 report from the Research Social

21 The 2006 Stern Review suggested that by 2050, 200 million people would be affected by climate change that could induce human mobility. In 2007, Christian Aid forecast that a billion people may be displaced by 2050 as a result of environmental causes, albeit not climate change alone, while a 2017 report by the Environmental Justice Foundation suggested that sea-level rise will lead to the displacement of hundreds of millions of people by 2100.

22 Optiz, Sarah, Rebecca Nadin, Charlene Watson and Jan Kellett. Climate change, migration and displacement: The need for a risk informed and coherent approach. November, 2017.

23 A 2018 World Bank report noted that the just over 143 million people could be internally displaced across Latin America, Sub Saharan Africa and South Asia by 2050, but that these figures could drop to between 31 million to 72 million with investments in development and preparedness. See: Groundswell: Preparing for Internal Climate Migration. World Bank, 2018.

Platform on Migration and Asylum (ReSOMA) revealed that between 2015 and 2019, at least 158 individuals (including the elderly, firefighters, and fishermen) had been investigated or prosecuted in 11 European countries for providing food, shelter, transportation, or other support to undocumented migrants, on the grounds that they were complicit in human trafficking and smuggling. While legal resources are available for high profile prosecutions — for example, of the crews of the search and rescue boats in the Mediterranean — much more needs to be done to address the legal support needs of ordinary people who will fall under the radar.

ENVIRONMENTAL AND CLIMATE MOVEMENTS

Threats to civic freedoms will vary across the growing and increasingly diverse climate movement. Indigenous People’s-led movements and frontline environmental activists will be most vulnerable to intimidation and deadly attacks. Additionally, new climate movements are likely to experience a mix of opening space and subtle forms of restrictions, while those engaged in climate litigation will largely face lawsuits and delegitimization. The opportunities to defend and expand civic space will also vary.

GRASSROOTS MOVEMENTS

Indigenous community-led movements and their allies have sought to defend their environments against the impacts of fossil fuel, agribusiness, and infrastructure projects for decades. They face increasing violence, criminalization, and harassment. Global Witness has documented a year over year rise in killings of activists at the hands of governments, paramilitaries, and private security hired by companies. 164 land and environmental defenders were reported killed in 2018 alone, with the highest numbers of deaths in Latin America and Asia.²⁴ These movements also face criminalization from governments through the misuse of national security laws and new anti-protest laws. Some environmental defenders are being sued by agribusiness and extractive companies on the grounds of defamation. The lawsuits, known as strategic law-

²⁴ Enemies of the State: How governments and business silence land and environmental defenders. Global Witness, July 2019



Communities are finding that the renewable energy industry is following the negative practices of traditional energy companies.

suits against public participation, or SLAPPs,²⁵ are used to intimidate activists and tie up their resources.

Indigenous and rural communities are finding that the renewable energy industry is following the negative practices of traditional energy companies. 2018 research from the Business and Human Rights Resource Centre found that the renewable industry is the third worst, behind mining and agribusiness, for alleged attacks on civil society and human rights defenders, due in large part to the failure of hydropower companies to respect Indigenous peoples' rights.²⁶

In the short term, the typical recourse for these groups has been to focus on digital and physical security and legal defense, often with limited resources. Looking ahead, there may be new strategies to strengthen their enabling environment:

Using Business Arguments to Make a Case for Civic Participation: With regards to renewables, there is an urgency to cut emissions. Business and human rights groups are making the case that companies that fail to consult communities and civil society may face complications, including negative press coverage, project suspension, costly delays, and litigation that can also set back the transition to low-carbon economies. They are also making the case to investors that consulting civil society and communities, as well as respecting human rights, is critical to the success of their investments and cutting emissions.

Utilizing and Advocating for New Business and Human Rights Frameworks: Rising awareness about climate and biodiversity, as well as attacks on environmental defenders, has led to the introduction of new mechanisms and frameworks that may open civic space. For example, in 2019, the European Development Bank strengthened its grievance mechanism, including a no-tolerance position on retaliation against anyone who files a complaint. The 2018 Escazú Agreement, a

²⁵ See: <https://anti-slapp.org/what-is-a-slapp> for a guide to SLAPP Suits from the Public Participation Project.

²⁶ See: Fast & Fair: Renewable Energy Investments. A Practical Guide for Investors. Business and Human Rights Resource Centre, July, 2019.



The Escazú Agreement

The Agreement is the first environmental treaty for the Latin America and Caribbean region and obliges states to protect the people and groups that defend the environment. It requires states to enable communities to:

- Access information on the state of the environment and how a particular project might affect it;
- Be consulted and participate in decisions that could affect their environment; and
- Seek reparations in the courts if their environment is adversely affected or if their views are not taken into account.

It is also the first agreement to recognize and guarantee protection for environmental defenders. Not only does the agreement recognize defenders, but it articulates the responsibilities of countries to ensure that defenders are able to act free from the threat of retaliation, including by adopting measures to prevent, investigate, and punish attacks.

Signatories include countries with the highest numbers of killings of indigenous and environmental defenders — most notably Brazil and Guatemala.

ground-breaking multilateral agreement signed by 16 Latin American and Caribbean nations, obliges states to consult and protect the people and groups that defend the environment. It could become a crucial tool for climate and environmental protection in the years to come and a model for laws in other regions where environmental activists are at risk.

NEW CLIMATE PROTEST MOVEMENTS

Between September 20 – 27, 2019, the Global Climate Strike mobilized a record 7.6 million people in more than 185 countries to strike for climate action. Protesters included climate justice movements, youth strikers, unions, faith-based organizations, social justice, and feminist movements, as well as city and mayor-led campaigns. Given rising levels of public awareness and disquiet about climate change, the scale of protests is likely to grow.

Mobilization at this scale has the potential to invigorate civic space and democracy and provide states and economic actors with the mandate they need to initiate radical green reforms. As a result, new protest movements have been able to operate relatively freely — compared to those led by Indigenous communities — but they are beginning to attract state scrutiny and political backlash. Strategies to defend their civic space in the future will include:

Challenging the Use of Existing and New Counterterrorism Laws to Restrict Protest and Justify Surveillance: In 2018, 58% of human rights defenders were charged under security legislation, according to the UN special rapporteur on protecting human rights and fundamental freedoms while countering terrorism. This phenomenon is already extending to the policing of climate activism, with counterterrorism and national security laws used to justify surveillance and restrictions on protest. In January 2018, the Polish government sought to restrict civil society participation in COP 24 (24th round of UNFCCC climate talks) by giving the police and secret services greater surveillance powers to collect and process personal data about all civil society participants, on the grounds that some individuals would pose a threat to public safety. The law also prohibited spontaneous peaceful assemblies during COP 24. In January 2020, it was revealed that British counterterrorism police had placed a UK-based, non-violent climate protest movement, Extinction Rebellion (XR) on a list of extremist ideological groups that should be reported to the authorities.

Addressing Gaps in Legal Defense: Globally, there is already a significant shortfall in the legal defense support available to movements being criminalized by governments. The movement leaders and funders seeking to support civil disobedience will need to ensure that legal support systems are in place to support the hundreds and thousands of climate protesters likely to be arrested. In April

2019, more than 1000 activists involved in protests led by the UK based Extinction Rebellion movement (XR) were arrested and hundreds charged with public order offenses.

Developing Counter-narratives: While youth protesters have been accorded some protective cover from attacks due to their age, young activists like Greta Thunberg have been the subject of personal attacks by populist politicians and commentators who accuse climate and environmental groups of being a privileged elite seeking to impose fuel hikes and job losses on those least able to afford it. States seeking to discredit climate movements might also spread misinformation online. The environmental movement may have useful lessons to learn from the feminist, LGBTQI, and migrants' groups who have spent several years in the crosshairs of the "culture wars" campaigns led by the religious and populist right in the US, Latin America, and Europe. Cross-movement dialogue and collaboration would benefit all.

Digital Surveillance: As climate protests mushroom globally, more and more states might be willing to aggregate the vast amounts of the data they have access to online, from phones and other devices, to engage in the surveillance of climate protesters. Data from satellite imagery, including heat maps,²⁷ facial recognition powered cameras, and cell phone locations, could be used by intelligence and police to predict and disrupt gatherings. Facial recognition technology in public spaces could also have a chilling effect on assembly, as many people rely on the anonymity provided by mass protests to gather in public and express their views. Collaboration between civic space defenders, digital rights groups, and climate protesters will be key to monitoring and challenging these trends.



Opening Spaces for Climate and Environmental Activism

Student climate campaigner, Greta Thunberg, has to date inspired school strikes in at least 270 cities globally. Public concern about the environment is opening spaces for activism in otherwise restrictive countries; rising air pollution has galvanized movements across cities in Poland, while the defense of rivers in the Western Balkans brought thousands out onto the streets in Serbia.²⁸ In the UK, the Extinction Rebellion movement organized thousands of first-time activists to engage in civil disobedience, which contributed to the UK becoming the first G7 country to pass laws to end its contribution to global warming by 2050. In July of this year, US philanthropists launched the Climate Emergency Fund to support the school strikes, Extinction Rebellion, and fund protest movements globally.²⁹

²⁷ Heat mapping involves the detection and strength of signals sent out from mobile devices to create a "heat map" that indicates where protesters are gathering.

²⁸ See: <https://balkaninsight.com/2018/09/19/serbia-s-greens-mobilise-against-threat-to-mountain-rivers-09-17-2018/>

²⁹ See: <https://www.theguardian.com/environment/2019/jul/12/us-philanthropists-vow-to-raise-millions-for-climate-activists>

CLIMATE ACCOUNTABILITY

There is growing evidence that many of the international coal, oil, and gas companies, known as the Carbon Majors, knew about the climate impacts of their operations for years,³⁰ and actively lobbied to obscure this information.³¹ Climate litigation is already on the rise. In the US, around 20 new climate lawsuits are being filed each year, while elsewhere, 21 cases have been filed since 2015.³² While the potential success of these cases is uncertain, the companies involved have run aggressive public relations counter-campaigns and mounted SLAPPs seeking considerable damages from plaintiffs that include environmental organizations, activists, journalists, and scientists. These companies have also sought to portray the plaintiffs' actions as a threat to free expression and national security. For example, ExxonMobil circulated a petition earlier this year, claiming that it is the victim of a coordinated conspiracy intended "to cleanse the public square of alternative viewpoints."³³

Strategies to defend and expand civic space of those involved in accountability efforts include:

Campaigns to Cut the Influence of the Fossil Fuel Lobby in Politics: **One way to combat the undue influence of the fossil fuel lobby in politics is to monitor and expose it.** In 2019, a coalition, including Corporate Observatory Europe and Friends of the Earth, exposed how five oil and gas corporations and their lobby groups had spent at least a quarter of a billion euros buying influence at the heart of European decision-making since

30 In 2017, ground-breaking research from CDP found that 70% of global CO2 emissions since 1988 could be attributed to 100 major companies, and that for the period 1988 to 2015, just 25 fossil fuel producers (including ExxonMobil, Shell, BP, Chevron, Peabody, Total, and BHP Billiton) were linked to 51% of global industrial greenhouse emissions. See: <https://www.cdp.net/en/articles/media/new-report-shows-just-100-companies-are-source-of-over-70-of-emissions>

31 According to one account, the fossil fuel industry spent an estimated \$370 million lobbying on US climate change legislation from 2000 to 2016, in addition to funding think tanks, research institutions, and industry scientists. See, <https://e360.yale.edu/digest/fossil-fuel-interests-have-outspent-environmental-advocates-101-on-climate-lobbying>

32 **Turning up the heat: Corporate legal accountability for climate change.** Corporate Legal Accountability Annual Briefing. Business and Human Rights Resource Centre, 2018.

33 See: <https://www.scribd.com/document/368760851/Rule-202-Petition-Re-CA>, p.2

34 See: <https://www.theguardian.com/environment/2016/jul/27/worlds-largest-carbon-producers-face-landmark-human-rights-case>



Holding the Carbon Majors to Account in the Philippines

One of the most innovative partnerships to hold the Carbon Majors to account was initiated after violent typhoons in the Philippines in 2013 caused widespread loss of life and damage to property and livelihoods. These events prompted a group of 31,000 Filipino citizens and civil society organizations to ask the Human Rights Commission of the Philippines to investigate the responsibility of Carbon Majors for alleged breaches of human rights – including rights to life, health, food, water, sanitation, adequate housing, and self-determination. Starting in 2016, the Commission launched a three-year inquiry, which examined the culpability of 47 Carbon Majors and included hearings in London and New York. While the Commission is not a court and cannot fine companies or force them to reduce emissions, its recommendations – expected later this year – will add to worldwide pressure on shareholders to divest from heavy carbon emitters.³⁴ The model is one that is replicable and could form the basis of new partnerships between Human Rights Commissions, citizens, and environmental movements globally.

2010. The coalition is demanding the EU end private meetings and partnerships with these companies. In the US, environmental and democracy groups are campaigning for laws to reform campaign financing to limit undue corporate influence in politics.

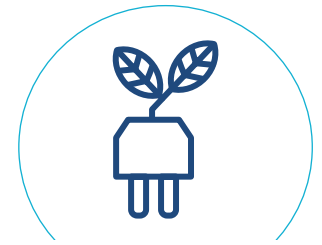
Advancing Policies Aimed at Countering SLAPPs: Addressing SLAPPs requires implementing policy protections that make it harder to pursue suits aimed at discouraging activism. Anti-SLAPP measures have been enacted in the US., Canada, Australia, Thailand, Indonesia, and the Philippines, and activist coalitions are advocating further measures at the US. federal level and in the EU. Effective anti-SLAPP responses should prioritize providing protections for public participation, creating expedited dismissal procedures for SLAPPs, increasing the cost of SLAPPs for their filers, and reforming the causes of action on which SLAPPs are commonly based, including civil and criminal defamation.

Building Alliances: Affected communities, activists, cities, and human rights bodies are joining forces to use the courts to hold fossil fuel companies accountable for climate harm. Building alliances help plaintiffs strengthen legitimacy and maintain resilience against harassment and intimidation. One of the most innovative partnerships has been between the Philippines Human Rights Commission and communities affected by climate change, seeking to hold the Carbon Majors to account for a devastating typhoon in 2013.

NEW FORMS OF CIVIC ENGAGEMENT

If governments fail to limit climate change for fear of a backlash from vested business interests or their electorates or impose drastic green reforms without securing public buy-in, protests are likely to spread, both in favor of climate action and against rising fuel or food prices that may come with green reforms. The ignition of anger and protest in France between 2018-19 in response to the imposition of carbon taxes on diesel is an example of what governments may face if they fail to secure public support or fail to develop measures to support those who will be hit hardest economically.

³⁵ See: <https://cop24.gov.pl/presidency/initiatives/just-transition-declaration/>



Just Transition

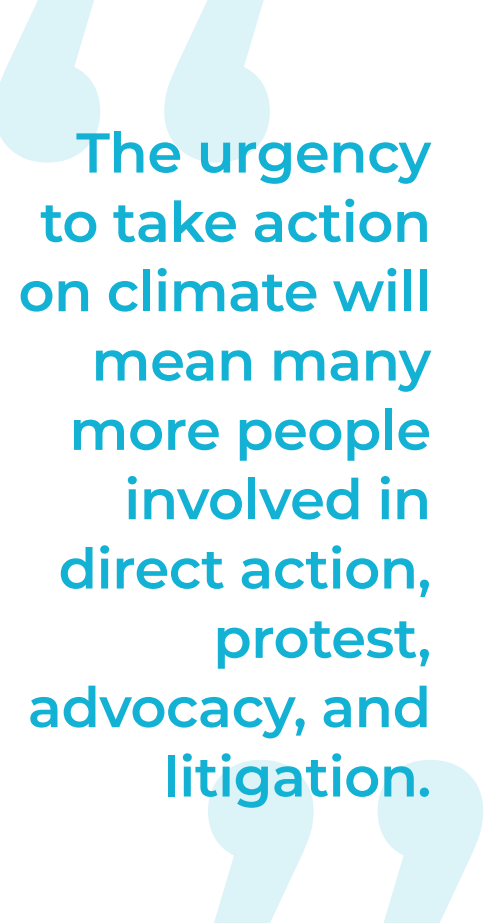
One of the most promising opportunities for increasing civic participation regarding climate change is the “Just Transition” framework. The framework requires governments, the private sector, and investors to work in partnership with unions, workers, and affected communities to manage the transition to a low-carbon economy in a just and fair way. The concept has been endorsed by the ILO, is included in the Paris Climate Agreement, and forms the basis of the Solidarity and Just Transition Silesia Declaration,³⁵ which was adopted by 45 state leaders at the Katowice Climate Conference (COP24) in December 2018. Signatories include states that have significantly restricted civic space, including Poland, Serbia, Indonesia, Nigeria, and Honduras. The framework might partially open the space for labor organizing in restrictive contexts, and bring governments, businesses, and investors together with communities to discuss how green reforms can be carried out equitably.

There is growing interest from climate, democracy, and human rights groups to develop new ways for states to consult citizens on how to transition to a low carbon economy in a fair and just way. Some of the processes involve a three-way dialogue between states, the private sector, and communities, such as the Just Transition framework, which seeks to protect the rights of workers in carbon-intensive industries as well as the communities most likely to be affected by rising fuel and food prices.

Several local authorities are running citizens' assemblies and commissions on climate change, and in October 2019, France launched a seven-week citizen's assembly asking 150 citizens on how the government should respond to climate change.³⁶ The initiative was viewed as a way to resolve the democratic crisis triggered by the Gilets Jaunes protests the year before, as well as a way to secure input and buy-in from the public on solutions to climate change. Mirroring the model adopted in France, the UK also launched its first citizen's assembly this year, meeting a central demand of the Extinction Rebellion movement.

CONCLUSION

The climate crisis will galvanize new partnerships across movements and sectors — between climate and human rights activists, shareholders and environmental groups, and youth movements and civil liberties groups. The urgency to take action on climate will mean many more people involved in direct action, protest, advocacy, and litigation. This dynamic and fast-changing civil society will rely on civic space actors to defend their right to association, assembly and expression, and to keep pace with the legal challenges ahead.



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³⁶ Issues discussed included housing and food production, transportation, and consumption. The assembly had the power to propose laws to parliament, new measures to government, or ask for referendums on certain issues.

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