

# Rich countries silencing climate protest while preaching about rights elsewhere, says study

Report says governments in global north increasingly using draconian measures while criticising similar tactics in global south

**Matthew Taylor**

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Greta Thunberg is arrested by police officers during a climate protest outside the Swedish parliament in Stockholm, Sweden, in March. Photograph: Michael Campanella/Getty Images

Wealthy, democratic countries in the global north are using harsh, vague and punitive measures to crack down on climate protests at the same time as criticising similar draconian tactics by authorities in the global south, according to a report.

A Climate Rights International report exposes the increasingly heavy-handed treatment of climate activists in Australia, Germany, France, the Netherlands, Sweden, the UK and the US.

It found the crackdown in these countries – including lengthy prison sentences, preventive detention and harassment – was a violation of governments’ legal responsibility to protect basic rights to freedom of expression, assembly, and association.

It also highlights how these same governments frequently criticise regimes in developing countries for not respecting the right to protest peacefully.



‘Not acceptable in a democracy’: UN expert condemns lengthy Just Stop Oil sentences

“Governments too often take such a strong and principled view about the right to peaceful protest in other countries – but when they don’t like certain kinds of protests at home they pass laws and deploy the police to stop them,” said Brad Adams, director at Climate Rights International.

Across Europe, the US and the UK, authorities have responded to non-violent climate protests with mass arrests and draconian new laws that have resulted in long prison sentences. In some instances those who have taken part have been labelled as hooligans, saboteurs or ecoterrorists by politicians and the media.

Senior human rights advocates and environmental campaigners have raised concerns about the crackdown and called on governments to protect the right to non-violent protest.

“These defenders are basically trying to save the planet, and in doing so save humanity,” Mary Lawlor, the UN special rapporteur on human rights defenders, told the Guardian last year. “These are people we should be protecting, but are

seen by governments and corporations as a threat to be neutralised. In the end it's about power and economics.”

The escalating climate crisis has resulted in record-breaking temperatures around the world in 2024, driving food shortages, mass movements of people and economic hardship – as well as deadly fires and floods.

But the report found that rather than taking urgent measures to rapidly reduce the use of fossil fuels and halt ecological collapse, many relatively wealthy countries have instead focused on those trying to stop those raising the alarm by taking part in protests and civil disobedience.

“You don't have to agree with the tactics of climate activists to understand the importance of defending their rights to protest and to free speech,” said Adams. “Instead of jailing climate protesters and undermining civil liberties, governments should heed their call to take urgent action to address the climate crisis.”

The report's authors highlighted several examples of developed countries lauding the importance of the right to protest on the international stage at the same time as undertaking harsh and punitive crackdowns at home.

Welcoming a UN report in July this year, the UK government said: “These rights [to peaceful assembly and protest] are essential to the functioning of society, providing a platform for citizens to advocate for positive change. Nonetheless, civic space is increasingly contested as authoritarian governments and actors, who feel vulnerable to scrutiny and accountability, seek to silence dissent.”

Tuesday's report also found:

- Record prison sentences for non violent protest in several countries including the UK, Germany and the US.
- Preemptive arrests and detention for those suspected of planning peaceful protests.
- Draconian new laws passed to make the vast majority of peaceful protest illegal.
- Measures to stop juries hearing about people's motivation for taking part in protests during court cases, which critics say fundamentally

undermines the right to a fair trial.

Climate Rights International called on democratic governments around the world to halt the authoritarian crackdown and protect people's rights to protest.

“Governments should see climate protesters and activists as allies in the fight against climate change, not criminals,” said Adams. “The crackdown on peaceful protests is not only a violation of their basic rights, it can also be used by repressive governments as a green light to go after climate, environmental, and human rights defenders in their countries.”

## ‘Not acceptable in a democracy’: UN expert condemns lengthy Just Stop Oil sentences

This article is more than 1 month old

Michel Forst, UN special rapporteur, joins growing chorus of voices criticising jail terms handed to five defendants

**Damien Gayle, Helena Horton and Ben Quinn**

Fri 19 Jul 2024 18.15 BST

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Five Just Stop Oil activists receive record sentences for planning to block M25

The lengthy multi-year sentences handed to Just Stop Oil activists are “not acceptable in a democracy”, a UN special rapporteur has said, as the government faced growing pressure to reverse the previous administration’s “hardline anti-protest” approach.

Michel Forst, the UN special rapporteur for environmental defenders, joined a growing chorus of voices condemning the sentences handed down to the five defendants for planning non-violent protests on the M25.

But the government said it would not intervene in the case, with Keir Starmer’s spokesman saying judgments and sentencing were matters for independent judges, “and it is not for politicians to intervene”.

Daniel Shaw, Louise Lancaster, Lucia Whittaker De Abreu and Cressida Gethin were each sentenced to four years in prison this week after being found guilty of planning disruptive protests on the M25. A fifth defendant, Roger Hallam, was sentenced to five years by a judge who said he “sat at the very highest level of the conspiracy”.

[Just Stop Oil jail terms raise questions over harsh treatment of protesters](#)

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Forst, whose role is to protect individuals facing penalisation, persecution, or harassment for exercising their environmental rights, attended two days of the trial earlier this month as he attempted to intervene with UK authorities on behalf of Shaw. He called the jail terms “punitive and repressive”.

“We are really shocked by what’s happening in the UK in the case of Daniel Shaw,” Forst told the Guardian on Friday. “He has already spent more than 100 days on remand. Now, to hear that he’s been sentenced to four years in prison, that’s really shocking.

“Even if we are talking about a disruptive form of protest, and there is no denying that, it is still entirely non-violent and it should have been treated as such. For me, for my team, it’s not acceptable in a democracy like the UK.

“The second element is that it’s a very dangerous ruling, not only for environmental protesters, but also for the right to protest as such, because we understand now that those who would like to go to the street to demonstrate, to organise a rally, they would consider twice before going out.

“That’s a deterrent for the right to protest in the UK.”

He said he was in discussions to visit the UK in the autumn, and that he hoped to meet the new attorney general, Richard Hermer, to discuss the case “but more broadly what’s happening with the right to protest and democracy in the UK”.

A host of human rights campaigners joined Forst in decrying the sentences. Sam Grant, director of advocacy at Liberty, said what appeared to be a trend for increasingly severe sentences for non-violent protest indicated “a grave erosion of ... freedoms” in the UK. Hanna Hindstrom, who investigates rights abuses against environmental defenders for Global Witness, said the “incredibly harsh” sentences were “a profound injustice”.

And Tom Southerden, Amnesty International UK’s human rights adviser, called on the government to repeal the portions of the Police, Crime, Sentencing and Courts Act 2022 that legislated the statutory offence of public nuisance used against the defendants.

“Today’s draconian sentences and the manner in which the trial was conducted show that the hardline anti-protest approach adopted by the previous government is being emulated by the courts,” Southerden said.

But on Friday, government officials said ministers would not intervene. Pressed on whether Labour would look again at anti-protest laws it opposed before entering government, Starmer’s spokeswoman said: “The prime minister is very clear that when it comes to these cases, the judgments and sentencing is for independent judges to make them, they’ve had all the facts and evidence before them.

“I think you’ve seen some of the reporting from those proceedings and can see some of those details for yourself too. Fundamentally, [it is] not for politicians to interfere and opine on decisions that have been taken by judges.”

The government was nevertheless coming under growing pressure to look again at the controversial laws, which critics said have led to increasingly draconian action against climate activists.

Even Doughty Street Chambers, where the prime minister practised as a barrister, pointed out “there was no irony lost” in the fact that public nuisance, when a common law offence, was formerly often used to prosecute polluters, while “the same offence in statutory form is now being zealously deployed to prosecute environmental protesters”.

Dale Vince, the green entrepreneur, who stepped away from bankrolling Just Stop Oil to become one of the Labour party’s most significant donors, joined the

broadcasters Chris Packham and Hugh Fearnley-Whittingstall in echoing calls for a meeting with Hermer about the protesters' case.

"I think climate denial should be illegal, but instead it's illegal to talk about the climate crisis in court," Vince said. "Now five peaceful protesters could face years in jail as a result of this perverse ruling. It's a travesty of justice and that's why I'm joining the calls for the new attorney general to intervene."

Clive Lewis, MP for Norwich South, called for action "as a matter of some urgency", adding: "I will be backing calls for a meeting with the attorney general, I think that needs to happen with some urgency, I will be addressing this in parliament." He called for the laws "which have allowed this to happen" to be "consigned to the dustbin of history".

Siân Berry, the Green MP, said the sentences were "a hangover from the last government's obsession with punishing ... non-violent, peaceful protests". They highlighted a challenge for the new government, she added, and Labour must "review the guidelines given to judges that have led to such extreme, disproportionate sentences for peaceful protest".

On Friday, their views appeared to resonate with the public at large. An online poll conducted for Social Change Lab, a nonprofit that carries out research into protest and social movements, found 61% of respondents agreed the sentences doled out to the five protesters were "harsh", compared with 12% who felt the sentences were too lenient.

A spokesperson for the attorney general's office said: "Decisions to prosecute, convict and sentence are, rightly, made independently of government by the Crown Prosecution Service, juries and judges respectively. The attorney general has no power to intervene."

## Climate protesters are taking action against Big Oil. UK courts are handing them prison terms akin to rapists and thieves

By Kara Fox, CNN

10 minute read

Published 12:01 AM EDT, Sat September 14, 2024



Climate activist Cressida Gethin, 22, was sentenced in July to four years in prison for her role in organizing a disruptive protest. Denise Baker/Just Stop Oil

**LondonCNN —**

As right-wing rioters attacked communities with racist violence across parts of the UK last month, 22-year-old climate activist Cressie Gethin sat in a prison cell.

Her crime? Organizing a disruptive protest against new government-granted licenses to drill for oil — a planet-heating fossil fuel — in the North Sea.



In late July, a London court found Gethin and four other members of the Just Stop Oil activist group guilty of “conspiring intentionally to cause a public nuisance,” after recruiting protesters to climb structures along the M25 — a major ring road around London — bringing traffic to a standstill in parts over four days in November 2022.

Prosecutors alleged that the protests, organized over a Zoom call, disrupted more than 700,000 drivers, caused economic damage of over £760,000 (\$980,000) and racked up £1 million (\$1.3m) in policing costs.

Now Gethin and three others — Louise Lancaster, Daniel Shaw and Lucia Whittaker-De-Abreu, who planned the disruption on the call — are serving four-year jail terms, while Just Stop Oil co-founder Roger Hallam was given five years. All are appealing.

The sentences are believed to be the longest in the UK’s history for non-violent protest and were delivered under two new controversial laws that supercharged policing powers to crack down on disruptive protests, even when they are peaceful.

They place the act of planning a “public nuisance” event, which carries a maximum sentence of 10 years in prison, on a similar footing as violent crimes like robbery, for which punishments range from community service to 12 years’ jail, or rape, which is four to 19 years.

The judge — who in court referred to the activists as “extremists” — justified the long jail terms because all five activists had previously been convicted of one or more offenses in relation to direct action protest. Each were on bail for another set of proceedings when the Zoom call took place. He also noted people missed important doctor’s visits and funerals because of the protest.

But activists like Gethin say their demonstrations are proportionate to the problem at hand — a rapidly warming world that threatens to transform life as we know it, through deadly extreme weather events and by pushing ecosystems to their brinks. They are now battling the bolstered powers of the police and courts to get their point across.

“A very harsh sentence like this doesn’t make sense morally or legally — but it does make sense politically,” Gethin told CNN in a handwritten letter from HMP Bronzefield, a women’s prison just south of London’s Heathrow Airport.

The laws have drawn criticism from the UN’s special rapporteur on environmental defenders, Michael Forst, who said not only do they criminalize peaceful protest, but they are being enforced in “punitive and repressive” ways.

Big Oil’s donations to the UK government

Big Oil has poured money into think tanks and charities that have had an influence on climate and protest laws. At least two think tanks that have received funding

from fossil fuel companies made campaign donations to the ministers overseeing the legislation. One — the right-wing Policy Exchange — drafted a report that essentially served as a blueprint for one of the laws.

Despite its plans to transition to a net-zero economy by 2050, the previous Conservative government issued hundreds of new permits to further explore the North Sea's oil and gas reserves in 2023, against the recommendations of climate scientists and the International Energy Agency.

The recently elected center-left Labour government has pledged to stop new licenses — but the tough policing laws remain.

“It is a pretty clear message, isn't it?” Gethin said. “You're demanding change that puts our power and profit at risk, so you must be stopped.”



Cressida Gethin being arrested by London police at a Just Stop Oil demonstration in London in November 2023. The then 21-year old was charged with wilfully obstructing a highway and remanded in prison for 23 days. Just Stop Oil

The laws were purpose-built to target protest groups like Just Stop Oil. The UK government explicitly pointed to disruption from the group's predecessor, Extinction Rebellion (XR), in its rationale for formulating the Police, Crime, Sentencing and Courts Act 2022.

The Public Order Act 2023 brought in new criminal offenses and higher fines for protesters, such as "locking-on" — where protesters cling to a place or object — and "disruptive slow marching," usually used to block traffic.

From their inception, the policing laws — which have also been applied to anti-racism and gender-equality protests — have sparked concern among civil society groups of a creep in authoritarianism in British society. Amnesty International said they mark a "dark new era for protest rights," and give police "license to close down almost any protest they wish."

Jodie Beck, head of policy and campaigns at the British human rights organization Liberty, said the laws "underpin inflammatory political rhetoric around the climate movement and racial justice movement," and "strike at the heart of how we protest."

There have been more than 3,000 Just Stop Oil activist arrests since the group formed in 2022, according to the group. Most of those arrests have been for planning or carrying out direct actions, including slow marching. Other activists, who have defaced famous artworks and buildings, were arrested and charged with criminal damage and trespassing. Twenty-one are currently imprisoned.

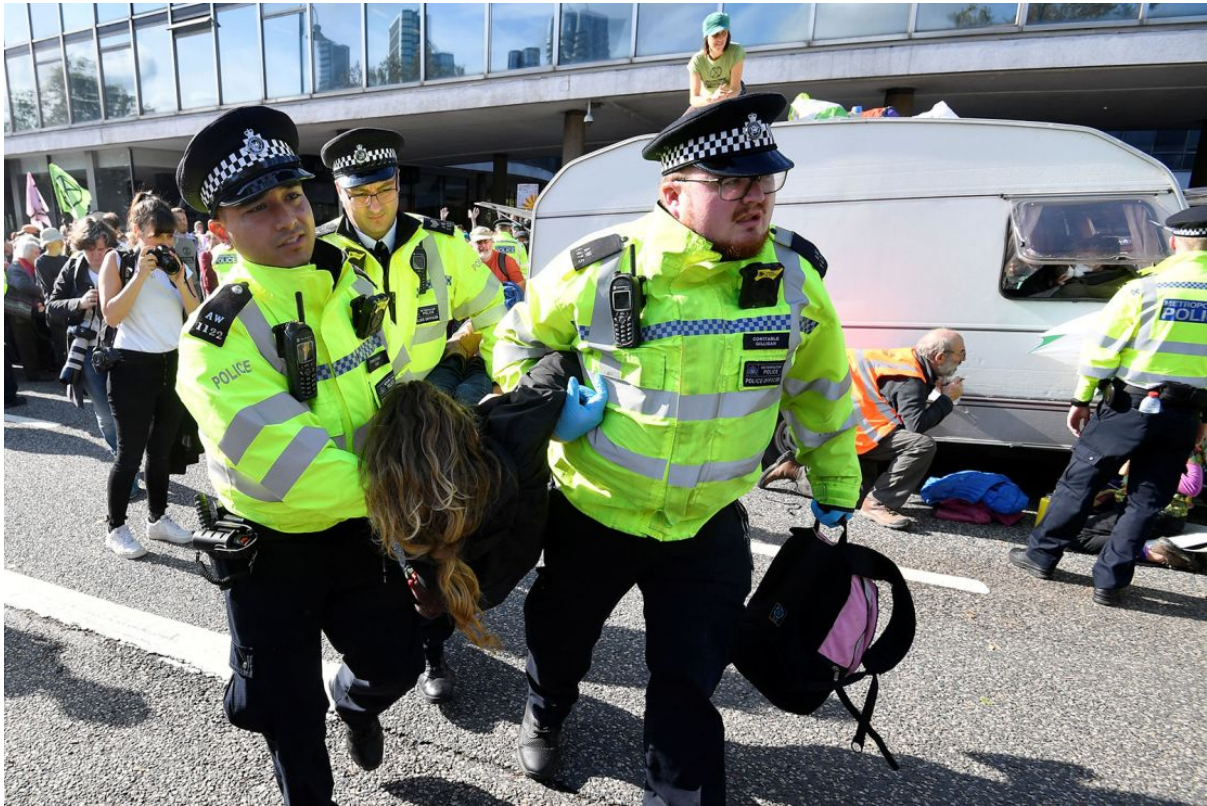
The Home Office did not respond to CNN's questions about whether the new Labour government will reevaluate the laws, but said: "We recognize the democratic right that people must be free to peacefully express their views, but they should do so within the bounds of the law."

A think tank linked to ExxonMobil and the laws

The 2022 policing law was drafted soon after an influential right-wing think tank called Policy Exchange, which has in the past received funding from ExxonMobil, outlined XR's protest tactics and called for the criminalization of the group, in a report that heavily influenced the new laws.

It's unclear how much money ExxonMobil has donated to Policy Exchange over the years as charities in the UK are not required to make their funding public, but in 2017, the oil company gave \$30,000 to the think tank's US branch, according to an ExxonMobil document.

At the time, Policy Exchange was part of the Atlas Network, a US-based non-profit that supports 500 "free market" groups globally, many of which are connected to the fossil fuel industry and the proliferation of anti-protest legislation in other countries. ExxonMobil told CNN that they do not currently fund Policy Exchange or American Friends of Policy Exchange, but did not answer questions about past funding. Policy Exchange did not answer CNN's request for comment.



London Metropolitan Police officers arrest an Extinction Rebellion protest during the group's first mass civil disobedience campaign that brought parts of London to a standstill in October 2019. Over the course of that two week protest, Met Police arrested over 1,800 people. Toby Melville/Reuters/File

While lobbying — and donating to lobby groups — is legal, lobbying itself is poorly regulated in the UK, and lacks transparency. British think tanks are not required to name their donors.

Questions have been raised over the government's closeness to Policy Exchange.

In 2023, as the world marked its hottest year on record, Rishi Sunak — the former prime minister whose government passed the anti-protest laws — thanked Policy Exchange for their contribution to the legislation, calling Just Stop Oil's activists "slow-walking eco-extremists." Sunak himself once worked for Policy Exchange as the head of a research unit on race.

Sunak's government ministers met with fossil fuel representatives once every working day on average last year, according to an analysis of Transparency International data by environmental and human rights watchdog Global Witness.

Even though the UK voted the Conservatives out by a landslide in the last election, the divisive language used by Sunak's government against climate activists remains prominent in the country's tabloid media, and even in its courts.

Gethin said there's a misconception that activists don't care how their demonstrations affect others.

"We are, in fact, in a constant state of moral tension, conflicted about disrupting other members of the public like ourselves, whilst being left with very few alternatives to keep the crisis on the table," she said. "The sad truth is that visible, disruptive action is the main thing that keeps it on the political agenda."

Protests by Just Stop Oil, she said, are "an attempt to stop the mass starvation and loss of life scientifically proven to be the consequence of new oil and gas extraction."

And even if direct action tactics are sometimes unpopular with the public, history shows that they have been key to major victories in many movements, including the US Civil Rights and women's suffrage movements.

The UK's lengthy jail terms stand out globally, but the creeping clampdown on disruptive climate protest is also happening elsewhere.

A report published Tuesday by Climate Rights International criticized the double standards of a number of wealthy nations that promote democracy globally for using tough policing laws, arrests and jail terms against climate protesters at home, including the UK, US, Germany, France and Australia.

In the US, at least 21 states have responded to climate activism by rolling out so-called critical infrastructure laws that criminalize protests near oil and gas pipelines, according to the International Center for Not-for-Profit Law.

Those laws have proliferated since the Standing Rock Protest against the Dakota Access Pipeline. While they vary from state to state, many share language written by the American Legislative Exchange Council (ALEC), a right-wing lobbying group that has received funding from fossil fuel companies, including Chevron and Energy Transfer — the company responsible for the construction of the Dakota Access Pipeline.

ExxonMobil severed ties with ALEC in 2018, but had given more than \$1.7 million to the group between 1998 and 2015, according to Exxon's publicly available disclosures published by the Center for Media and Democracy. Chevron and Energy Transfer have not replied to CNN's request for comment.



Police arrest protesters demonstrating against the Dakota Access Pipeline near the Standing Rock Indian Reservation in Mandan, North Dakota, in November 2016. Since the Dakota Access pipeline protests, multiple US states have cracked down on protests near oil and gas pipelines. [Stephanie Keith/Reuters/File](#)

For Gethin, these links are no surprise.

“Unfortunately, if we expected resistance to the government and their fossil fuel backers to be met with a soft response, we were always kidding ourselves,” she said.

Stripped of the climate defense

Even more concerning to campaigners is how the activists’ trials have played out.

The judge in the Just Stop Oil trial banned using the climate emergency as an admissible defense — meaning jurors were not allowed to take the defendants’ “political and philosophical” motivations into consideration when deliberating.

“Over and over again, he referred to our actions as ‘expressions of opinion and belief’ and our attempts to give evidence about the climate crisis (the only reason the actions happened) he called, ‘political grandstanding,’” Gethin said, speaking of the judge.

The UN's Forst, who attended the proceedings, said the situation the activists were facing "signals that fundamental pillars of a democratic society are right now in grave peril in the United Kingdom."



A Just Stop Oil activist stands on a M25 gantry during the November 10, 2022 protest. This protest was planned over the Zoom call that Gethin and the other Just Stop Oil activists organized -- and what landed them in jail this year. Leon Neal/Getty Images

The Just Stop Oil case amplifies the near erasure of legal defenses available to protesters who take part in disruptive demonstrations.

In a separate case in March, a London court ruled that environmental activists accused of criminal damage could not rely on their political or philosophical beliefs as a "reasonable excuse."

Tim Crosland, a former government lawyer and director of the legal charity Plan B, said the case sets a worrying precedent. Juries are often willing to acquit environmental activists if the reason for their actions is allowed as evidence, he said.



In 160 environmental protest trials from 2019 to March 2024, Plan B found most verdicts resulted in not guilty verdicts or hung juries.

In May, an independent government review on political violence and disruption recommended the judiciary examine the “potential issue” of juries acquitting disruptive protesters from progressive causes, including climate change and anti-racism.

The same report compared Just Stop Oil to “terror groups” and recommended their actions be banned.

The report’s author — Lord Walney, whose name is John Woodcock — serves in the UK’s upper chamber of parliament but is also a paid advisor to lobbying groups that represent fossil fuel companies, as well as arms manufacturers. In his report, he also recommended a ban on the group Palestine Action, which stands against weapons sales to Israel.

Woodcock has not responded to CNN’s request for comment, but at the time he told British media he had “consistently applied an objective standard and sought a wide range of perspectives.”



Just Stop Oil activists slow marching along a road in central London in May 2023. Henry Nicholls/Reuters

Meanwhile, people who rioted across England and Northern Ireland earlier this month were sentenced to two years on average for their participation in the violence. One man received a 3-year, 3-month sentence for throwing bricks and a trash can at police, less than Gethin and her peers.

Beck said that the law had led to uneven policing.

“You’re essentially creating a toxic mix there where the police will essentially intervene in some protests in a particular way and others in a completely different way,” Beck said.

Back at Bronzefield prison, Gethin’s life at just 22 has become devoid of agency and choice. But she’s not feeling sorry for herself, saying that she has enough to eat and can see trees outside her window.

Now, she is looking to the future — no matter how dystopian it feels.

“The terrifying outlook of ecological and social upheaval in the coming decades makes a fantasy out of any material aspirations and dreams I might otherwise have had,” she said. “But being a good person standing up for what is right — that is something I can work for, whatever the future brings.”