

ENVIRONMENTAL HUMAN RIGHTS DEFENDERS: VITAL VOICES FACE ATTACKS AND LACK PROTECTION

SUBMISSION TO THE UN SPECIAL RAPPORTEUR ON THE
HUMAN RIGHT TO A HEALTHY ENVIRONMENT



SUMMARY

Amnesty International welcomes the opportunity by the UN Special Rapporteur on the Human Right to a Healthy Environment to provide information in response to the call for input for the upcoming report on environmental human rights defenders.

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1. INTRODUCTION

Amnesty International welcomes the opportunity by the UN Special Rapporteur on the Human Right to a Healthy Environment to provide information in response to the call for input for the upcoming report on environmental human rights defenders.¹

2. SITUATION OF ENVIRONMENTAL HUMAN RIGHTS DEFENDERS

Environmental human rights defenders (EHRDs) face a range of attacks, including: physical attacks (killings and enforced disappearances, brutality repression at the hands of police and non-state actors), verbal attacks (including threats, harassment and smear campaigns online and offline), and physical and digital surveillance. High levels of killings are a particular concern for **Latin America**, for example:

- In **Colombia**, members of organizations such as the Federation of Artisanal Fisherfolk of the Department of Santander (FEDEPESAN) have suffered a number of attacks and death threats, one of many communities under threat.
- In **Brazil**, the trials for the 2022 killings of Bruno Pereira and Dom Phillips remain pending. Some of those responsible for the 2023 killing of Quilombola leader Yalorixá Maria Bernadete Pacifico have been brought to justice but her son continued to receive threats. In 2025 Antônia Ferreira dos Santos and Marly Viana Barroso, were killed just before COP30 in a context of territorial disputes and defence of their traditional way of life. This shows a worrying pattern of violence, judicial delay, continued victimization, and lack of effective protection.
- In **Honduras**, despite attracting world attention with the killing of Berta Caceres in 2016, deadly attacks against EHRDs continue. Juan López, who fought to protect the Montaña de Botaderos Carlos Escaleras Mejía National Park from an open pit iron oxide mine and processing plant, was killed in 2024. He was part of a group of defenders who faced years of criminalization and detention, threats, and intimidation.
- In March 2026, Rubén Irala's car was stopped and shot at by four gunmen in Caazapá Department, **Paraguay**. The case was treated by police as “common robbery”, but the attack is highly likely linked to his work protecting communities affected by environmental degradation.

Despite this, these and other countries in the region are still not party to the Escazu Agreement, demonstrating little if any commitment to protect EHRDs from these attacks.² Killings often take place after a pattern of criminalization, stigmatization and threats. Many of these killings could be averted if effective preventative protection measures were in place.

EHRDs face criminalization, including prosecution, arrest, and prolonged arbitrary detention:

- In **Vietnam**, Dang Dinh Bach was arbitrarily detained, sentenced to five years imprisonment in 2021 as he campaigned against the country's heavy reliance on coal, and was only released after serving his full sentence.
- In **Cambodia**, 10 activists with Mother Nature Cambodia were sentenced to between six and eight years in 2024. Their appeal has been denied.
- In **Indonesia**, Ilham Mahmudi and Taufik, were unjustly criminalized in 2024 for trying to save their village from rising sea levels. In 2023, Heri Budiawan, known as Budi Pego, had his sentence for “crimes against state security” increased from 10 months to 4 years, for protesting against a gold mine.
- In **Tunisia**, the authorities cracked down on individuals from marginalized and impoverished communities in 2025 for peacefully protesting or striking over socio-economic and environmental issues.

¹ OHCHR | Call for Input: Environmental human rights defenders and the human right to a clean, healthy and sustainable environment

² See also Global Witness's analysis on the plight of EHRDs here: Land and Environmental Defenders | Global Witness

- In **Mexico**, the authorities have made a disproportionate use of the justice system to deter, punish and prevent EHRDs from protesting and demanding their rights in relation to collective struggles in Colonia Maya, San Cristóbal de las Casas, Chiapas; Zacatepec, Puebla; Chilón, Chiapas; Sitilpech, Yucatán.
- In **Türkiye**, Esra Işık was convicted in July 2026 of “resisting a public official to prevent them from performing their duty” and “insulting a public official” for her participation in a peaceful protest against an expropriation decision affecting villages near Akbelen forest. She is at liberty pending an appeal.

Governments and corporate actors are also increasingly turning to defamation and Strategic Lawsuits against Public Participation (SLAPPs) to stifle criticism and prevent justice and transparency on environmental and other public interest issue. For example:

- In the **USA**, a jury in North Dakota ordered Greenpeace in 2025 to pay at least US\$660m to the fossil fuel company Energy Transfer, having found the organization responsible for defamation and the actions of protestors opposed to the Dakota Access pipeline. This verdict could also have a chilling effect on the Standing Rock Sioux Tribe and other Indigenous Peoples who protested against the pipeline’s construction on their territory.
- In recent years, Amnesty International has documented SLAPPs against EHRDs in Europe such as in Bosnia, Greece, Albania and Kosovo.

Rising authoritarianism and a global trend of shrinking civic space, which restricts the rights to freedom of expression, association and assembly, are being actively used to stop EHRDs from organizing, communicating and sustaining their activism and protests. In the past few years, restrictive “NGO laws” are being introduced in many regions of the world³ to weaken, control, and dismantle civil society organizations, including those fighting for the environment and the climate. For example, 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. Part of this trend is legislation introduced to deter environmental and social justice protests. In Europe, laws 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, are on the rise. This is affecting peaceful protesters, including EHRDs. Crackdowns have taken place amid a stigmatising and delegitimising discourse in which environmental and climate defenders and protesters (especially those taking peaceful civil disobedience actions) have been smeared and discredited by as “extremists”, “criminals” 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. For example:

- In the **UK**, between 2019 and mid-2025, around 7,000 climate protesters have been arrested, many received lengthy jail sentences, while the government proposed four different pieces of anti-protest legislation in the last few years, introducing draconian powers to increasingly restrict the right to demonstrate peacefully.
- In **Italy** a 2024 law — dubbed by some political figures as the “law against eco-vandals” — has been used to deter EHRDs from protesting. In 2025, a government decree further restricted the right to peaceful protest and increased penalties for offences associated with civil disobedience tactics. The new public security law adopted in 2026 has been criticized for expanding state and law enforcement powers in ways that undermine human rights and rule of law, and limiting the ability of individuals, including human rights defenders, to peacefully protest and express dissent. Administrative measures such as ‘orders banning presence’ against activists have increased.
- in **France** groups opposing the construction of Highway A69 counted hundreds of arrests, prosecutions and detentions, carried out between 2023 and 2024, and use of excessive and unnecessary force against activists during protests. In 2023, organization *Soulevements de la Terre*, who was accused of “eco-terrorism” for their actions against mega-projects was dissolved by decree but the dissolution was later suspended by the Council of State.

³ Numerous examples of NGO laws are listed in these documents:
<https://www.amnesty.org/en/documents/ior40/0498/2025/en/>,
<https://www.amnesty.org/en/documents/act30/9647/2019/en/>,
<https://www.amnesty.org/en/latest/news/2026/03/americas-estados-intensifican-ofensiva-contra-la-sociedad-civil-mediante-leyes-anti-ong/>

According to data analysis by the Business and Human Rights Centre nearly three-quarters of attacks are linked to business activities. The Centre found that Indigenous Peoples are particularly affected, reflecting the concentration of extractive and infrastructure projects on or near Indigenous territories and resources. Recently, the accelerated expansion of so-called “critical minerals” extraction and renewable energy projects, often pursued without adequate human rights and environmental safeguards, is a growing driver of risk. Business interests and non-state actors have been identified in the killing of Berta Caceres in **Honduras**; the surveillance and intimidation of Indigenous activists opposing the Thacker Pass lithium mine in Nevada, **USA**; and in the surveillance, intimidation and harassment of Indigenous Wet’suwet’en land defenders opposing the construction of the Coastal GasLink pipeline in **Canada**. In some cases, violence, harassment and division happen when communities are not properly informed, or are manipulated or bribed, as in the case of coal mining in Somkhele, **South Africa**, or nickel mining in the **Philippines**. In **Madagascar**, protesters and members of the LUSUD grassroots environmental rights movement Rasolonirina Francia, Dome Fitoera, Andriamamonjy Jean-Salomon, were killed in 2023.⁴ This was the result of brutal repression by security forces of hundreds of protesters from six villages in the southeastern Anosy region, who had blocked a road used to transport minerals from a nearby mine. The roadblock was an act of civil disobedience aimed at drawing attention to the criminalization of the leaders of LUSUD and environmental concerns.

Silencing and exclusion of EHRDs happens in places where their participation should be protected and considered central, such as in UN climate or biodiversity forums. At numerous UN Climate Change Conferences, including COP24 in **Poland**, COP25 in **Spain**, COP26 in the **UK**, COP27 in **Egypt**, COP28 in the **UAE**, COP29 in **Azerbaijan**, and COP30 in **Brazil**, and other meetings, activists have struggled accessing the conference (including due to difficulties with visa issues, high costs involved, and being crowded out by fossil fuel lobbyists). Some have been “debadged”, and faced heavy handed policing and misuse of “stop and searches” powers, illegal surveillance, and repression, with chilling effect on participants.

EHRDs involved in campaigning have suffered retaliation for their advocacy efforts. In **Azerbaijan** Anar Mammadli was arrested on trumped up charges after launching the Climate of Justice Initiative in 2024 and in 2025 and is due to be sentenced in September 2026. After participating in COP30 in 2025, Indigenous human rights defender Daria Egereva’s home in **Russia** was raided and she was arrested for her alleged participation in “Aborigen Forum” - a platform of the experts on Indigenous People declared by the Russian authorities as an “extremist” and “terrorist” organization in 2024. Activists Natalia Leongardt, Eduard Baltykov and Konstantin Borobiyeve were also arrested and detained on remand, their detention extended in June 2026. Several more who had left Russia were issued detention orders.

Many EHRDs face additional impacts because they are marginalized and experience intersecting forms of discrimination based on gender, age, race, Indigeneity, ethnicity, disability, those discriminated on the grounds of work and descent, class and location, which is often compounded by cultural, economic and social exclusion. Indigenous Peoples, rural and marginalized communities often reside on or near lands targeted for extractive, infrastructure and energy-transition projects, while also facing structural discrimination. Thus, they are more exposed to environmental harm and more likely to come into conflict with powerful state and corporate interests when defending their lands, water, environment and livelihoods.

Women and gender-diverse EHRDs, can be targeted both for their activism and as punishment for defying discriminatory societal gender norms, including through gender-specific threats, violence, harassment, defamation campaigns and other forms of gender-based intimidation (offline/online). In some cases, they also face stigmatization, isolation or retaliation from their own family members, communities and social movements. Being based in a rural, remote or isolated areas can further compound risks as EHRDs in these contexts often lack access to protection mechanisms, reliable transport, media coverage, internet connectivity, and appropriate legal, health or support services. Thus, attacks against them cannot be understood in isolation from broader systems of inequality and marginalization.

Climate change and environmental degradation are threat multipliers. Whether individuals or whole communities, EHRDs are often forced to live with daily violations of their right to enjoy a clean, healthy

⁴ This was documented by Amnesty International but the report is as yet unpublished. Further details can be shared separately.

and sustainable environment as they face threats to their health and livelihoods and often live in areas where their access to land and territory is contested or taken away, facing forced evictions, the denial of the right to be consulted over projects that affect them, including the failure to obtain their free prior and informed consent for Indigenous People:

- In **Kenya**, thousands of the Sengwer People in the Embobut Forest have been evicted, despite court rulings in their favour.
- In **Tanzania**, the Maasai People have been forcibly and violently evicted from their land 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 **USA**, the government is moving ahead with new lithium mines across Nevada without the free, prior, informed consent of affected Indigenous Peoples, threatening their culture, health, water and environment.
- In **Argentina**, Indigenous defenders, who say they did not give their free, prior and informed consent to lithium mining in Jujuy and Salta have been leading protests and filed legal actions. The authorities have obstructed peaceful protest by enacting restrictions and arbitrarily arresting protesters and defenders, including lawyer Alberto Nallar. In Jujuy, the response of security forces to protests have violated human rights and left at least three people with permanent eye injuries.
- In **Madagascar**, where colonial policies increased vulnerability to climate-exacerbated droughts, Antandroy people have been forcibly displaced from their lands by famine since 2017 and thousands are not being given the protection and humanitarian assistance they need.

Other marginalized communities impacted and displaced by the climate and environmental crisis and with severe humanitarian needs (in places such as Mexico, Honduras, South Africa, Brazil) are not getting the necessary adaptation and reparations measures and are having to rely on themselves. This is no accident. Marginalization and discrimination increase the likelihood of being repressed and ignored and hinders access to remedy and justice. This is well exemplified by the case of Shell's pollution in the Niger Delta, where activists and communities have had to endure long fights for justice, frustrated by continued violations and the lack of satisfactory remedies. In the absence of state action, they bring their own solutions to the challenges they face as exemplified by these cases in Colombia, Canada, Ecuador, Brazil.

3. STRATEGIES AND TOOLS FOR PROTECTION

Essential to EHRDs' protection is a legal and policy framework that:

- Effectively protects the climate, the environment and access to land;
- Recognizes the key role played by human rights defenders in the protection of all human rights including the right to a clean, healthy and sustainable environment, ensuring that there is wide recognition of their diversity, the way they operate (as individuals, groups, movements and communities), the barriers and discrimination they face as grassroots activists, land and Indigenous defenders, women human rights defenders, children and youth climate activists, people with disabilities, human rights defenders from rural or marginalized groups who are protecting their homes and ecosystems, or as scientists, health workers, lawyers, journalists, and others who use their professional roles to speak out in defence of a healthy environment.
- Provides a safe and enabling environment for all human rights defenders, implementing the 1998 Declaration on HRDs as well as the cumulative progress that has taken place since (including relevant regional and international jurisprudential developments) to interpret and realize the right to defend rights and the obligation to protect defenders, as summarized in the Declaration+25.
- Protects EHRDs from criminalization and other disproportionate sanctions whenever they collectively mobilize to protect the right to a healthy environment, including when they engage in acts of civil disobedience.

Key international law and standards to support the EHRDs' protection include the Aarhus Convention and the Escazú Agreement (both of which explicitly recognize EHRDs's role) as well as the ASEAN Declaration. Other important tools are the advisory opinions by international courts such as the ICJ – recently welcomed by the UNGA, and the Inter-American Court, which recognized that states have an enhanced due diligence obligation to prevent, investigate, and respond to attacks against EHRDs. The African Court opinion is pending but submissions have referred both to the importance of protecting

EHRDs and the role of colonialism in today's environmental and climate impacts. Other potentially key steps are the initiative by the ICC to advance accountability for environmental crimes under the Rome Statute as was the EU's Corporate Sustainability Due Diligence Directive (though partially rolled back in 2025).

EHRDs are already using these international tools and processes in their activism, advocacy and litigation and it is often thanks to EHRDs' persistence that we have them at all. They have also repeatedly shown in court that their activism can achieve real impact. National level litigation on climate justice and the environment has been pursued in **South Korea, USA, Switzerland, Portugal, France, Pakistan, Australia**. In **Ecuador**, a group of girls and young women successfully sued the State for the harm caused by gas flaring amid stigmatization and intimidation. Alongside the Union of People Affected by Chevron-Texaco and the collective "*Eliminate the Flares, Ignite Life*", they achieved a regional court ruling ordering full reparation for health and environmental damages, and the progressive elimination of the gas flares. Their campaign continues. In the **Democratic Republic of Congo**, civil society organizations including *Initiative pour la Bonne Gouvernance et les Droits Humains* and residents of Kolwezi, have been challenging forced evictions and demanding redress in the context of expanding cobalt and copper mining. Litigation has been key in protecting EHRDs from criminalization as illustrated in a recent Amnesty International report highlighting legal strategies to counter the criminalization of activism, nonviolent protests and civil disobedience in the defence of environmental and social justice causes. This report emphasizes that the reasons of conscience motivating EHRDs to engage in civil disobedience should be considered by courts by recognizing public interest defences that would protect them from criminal liability or excessive sanctions.

Amnesty International welcomes the Special Rapporteur on Environmental Defenders's publication of 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 also played a role in improving the implementation of the Aarhus Convention's provisions on public participation. Implementation, resourcing and consultation, and holistic approaches remain major issues for state-led HRD protection mechanisms. **Colombia** has one of the most robust mechanisms in Latin America, yet it remains insufficient, as killings remain stubbornly high and defenders remain unsafe. The outgoing government published in August 2026 a new comprehensive protection policy. Other policies were previously published without being properly implemented, so the new government should focus on the urgent implementation of this policy. In **Mexico**, the protection mechanism in place since 2012 is reactive, often just focuses on physical protection measures, is slow and cumbersome in its admission and follow up procedures. There is a shortage of trained personnel, and authorities often fail to coordinate. It should adopt a comprehensive protection strategy, including preventative measures, recognizing defenders, addressing the root causes of aggressions, and combating impunity - this is key, since public officials are responsible for a large portion of attacks. In **Brazil**, the National Plan for the Protection of Human Rights Defenders was finally adopted during COP30 in November 2025. The programme is chronically underfunded, lacks qualified personnel, and sufficient effective protection measures. Changes in government can also put protection programmes at risk. In **Honduras**, human rights organizations have stated that the National Mechanism for the Protection of Defenders is ineffective.

Effective comprehensive protection measures, as suggested by the Inter American Commission, should cover both individual and collective threats and needs. Collective protection is essential for defenders embedded in rural and Indigenous communities. This revolves around the mitigation of the root causes of the violence and the introduction of holistic measures that consider the needs of EHRDs facing intersectional discrimination. Protection International and the Centre for Justice and International Law have proposed a non-exhaustive list of the strategies for collective protection including: increasing connectivity between defenders; prevention by deterring potential perpetrators; individual protection measures applied collectively by allocating protection measures to specific roles rather than to individuals; relationship building, contacts and visits by central authorities to the territories; criminal investigations taking into account the collective dimension of attacks; provision of legal advice to communities; resourcing preparedness; and regularly monitoring risk.

When it comes to non-state actors, the UN Guiding Principles on Business and Human Rights (UNGPs) establish that all companies have a responsibility to respect human rights. This includes carrying out human rights due diligence to identify, prevent and mitigate actual and potential adverse impacts on EHRDs, and to account for how they address those impacts, where connected to their

operations, products or business relationships. Where a company causes or contributes to harm, it must take steps to prevent or stop the harm, or its contribution to it. States should adopt and enforce laws requiring businesses to respect human rights, consistent with the UNGPs and states' duty to protect human rights. The updated OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (OECD Guidelines), drawing from the UNGPs, recommend that companies conduct human rights due diligence to identify, prevent and mitigate risks of reprisals against human rights defenders, including by creating a safe and enabling environment for raising concerns. They also recommend that companies refrain from reprisals and take steps to prevent them. Where a company causes or contributes to reprisals, it should take steps to cease or prevent the harm or its contribution to it and provide for or cooperate in remediation. Where it contributes to, or is directly linked to, reprisals involving another actor, it should also use its leverage to prevent or mitigate the remaining harm.

4. RECOMMENDATIONS

States should:

- Publicly recognize the legitimate work of all HRDs who contribute to protecting the right to a clean, healthy and sustainable environment and to combatting climate injustice, particularly those who are most discriminated and marginalized, whether they are individuals, collectives or communities and stop all stigmatization and smearing of EHRDs demanding action;
- Respect, protect and guarantee the right to defend human rights in the context of the environmental and climate crisis, including through comprehensive protection policies aimed at preventing attacks, considering their specific needs and wishes, and the collective dimension of their work;
- Guarantee access to land and legal security of tenure for all, especially Indigenous Peoples, Afro-descendants and other racialized groups and discriminated communities. Support and promote, through policies, laws and resources, any activities they undertake to improve their living conditions and their adaptation strategies and have access to reparations;
- Respect, protect and guarantee the rights to freedom of expression, peaceful assembly and association, including the right to seek, receive and use resources from domestic, foreign and international sources.
- Guarantee access to information, including to the best available science, on the environmental and climate impacts of public and private activities without discrimination, and ensure that those adversely affected by such activities have access to justice and redress, and refrain from spreading mis- and disinformation;
- Both states and bodies organizing regional and international conferences and other processes relevant to environmental and climate processes must allow and facilitate the full and effective participation of EHRDs in decision-making at all levels.
- Protect EHRDs by enacting laws that establish safeguards to ensure they are not criminalized when deliberately breaking the law to defend the right to a clean, healthy and sustainable environment, particularly when such actions involve minor nonviolent offences. Ensure that the necessity defense is available to defendants in criminal proceedings because of their involvement in acts that deliberately broke the law for reasons of conscience;
- Enact effective anti-SLAPPs legislation with a scope sufficiently broad to protect all those potentially targeted by both state and non-state actors. This should include comprehensive definitions and establish an accelerated early dismissal mechanism that places the burden of proof on claimants and stays the main proceedings.
- Ensure that businesses act consistently with existing standards, such as the UNGPs and OECD Guidelines, including by carrying out human rights due diligence to identify, prevent and mitigate actual and potential adverse impacts on EHRDs and account for how they address them. Where businesses cause or contribute to harm against EHRDs, they should take steps to prevent or cease the harm or their contribution to it.
- Adopt and enforce laws obliging all business enterprises to respect human rights and conduct human rights and environmental due diligence, including respect for Indigenous rights and FPIC, on all their operations, value chains and business relationships, in line with international standards. These must include liability clauses (including criminal liability) that ensure corporate accountability, guarantees of non-repetition, and remedy for those affected.