

# CRIMINALISATION AND REPRESSION OF CLIMATE AND ENVIRONMENTAL PROTESTS



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## ACKNOWLEDGEMENTS

Most of the data in this report has been assembled and analysed by Tie Franco Brotto. We would further like to thank Amy Westervelt for providing initial data about new laws criminalising protest. Thanks to Evey Damianopoulou for formatting the report and Isis Thomas, for making the front cover, both in the School for Policy Studies. Lastly, thanks to Susanna Siddiqui, Victoria Tagg and Nathalie Goodsir at the University of Bristol for support in the publication and dissemination process.

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### **Citation:**

Berglund, O., Franco Brotto, T., Pantazis, C., Rossdale, C. and Pessoa Cavalcanti, R. (2024) *Criminalisation and Repression of Climate and Environmental Protest*, University of Bristol: Bristol

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# Executive Summary and Recommendations

Criminalisation and repression of climate and environmental activists has received increasing attention. In 2021, the mandate of the UN [Special Rapporteur on Environmental Defenders](#) was established at the Meeting of the Parties to the [Aarhus Convention](#) in Geneva.

The criminalisation and repression of climate and environmental protest is problematic for at least two main reasons. First, it focuses state policy on punishing dissent against inaction on climate and environmental change *instead* of taking adequate action on these issues. In criminalising and repressing climate and environmental activists, states depoliticise them. Second, they represent

authoritarian moves that are not consistent with the ideals of vibrant civil societies in liberal democracies.

We distinguish between environmental protest and climate protest, whilst acknowledging that many activists engage in both types. Environmental protests are aimed at stopping specific environmentally destructive projects. These are most commonly against fossil fuel exploration and extraction, deforestation, dam building or mining. Climate protests are often more urban in their geographies and tend to have greater political demands.

## The study aimed to address the following questions:

1. What are the patterns of criminalisation and repression of climate and environmental protest around the world?
2. What new laws and powers have been introduced and/or used?

The findings are mainly drawn from data from the Armed Conflict Location & Event Data ([ACLED](#)) and [Global Witness](#). We analyse quantitative data capturing repression and criminalisation globally, and look more closely at trends and new legislation from a smaller group of 14 countries in different parts the world.

## Mechanisms of Criminalisation and Repression

We have identified four broad mechanisms through which climate and environmental protests are criminalised and repressed:

- **Anti-Protest Laws** are introduced. These may criminalise groups, introduce new crimes, increase punishment for already existing crimes, increase police powers to restrict protest, and give police impunity when harming activists as part of policing protests.
- Protest is criminalised through **prosecution and courts**. This involves using existing legislation, including anti-terror or anti-organised crime laws, for the new purpose of curbing climate and environmental protest. It involves depoliticising climate protest in the courts, prohibiting mentions of climate change or environmental damage in court proceedings, or otherwise changing court processes in order to decrease the possibility of activists being found not guilty.
- Climate and environmental protests are criminalised through **policing**, carried out by state (police, military) and non-state actors (private security, private military companies, organised crime). This includes preventing protests taking place, stop and search, arrests, physical violence, infiltration of movements, and threats and intimidation.
- **Killings and disappearances** of activists are common in some countries. These are in many ways a continuation of policing, since they are carried out by the same actors and often follow death threats and other forms of intimidation.

## Concerning Trends

- Murders and disappearances of environmental activists are common in many countries. Between 2012 and 2023, there were over 2,000 killings of Environmental Defenders. Of these, 401 cases were reported in Brazil and 298 in the Philippines, 86 cases in India, and 58 cases in Peru.
- Police violence is a common occurrence, with an international average of 3% of climate and environmental protest facing police violence. In some countries the figure is much higher, such as Peru at 6.5%.
- Arrest is a common response with 20% of all climate and environmental protest in Australia, and 17% in the UK, involving arrests. The international average is 6.3%.
- Since 2019, 22 pieces of new Legislation designed to limit people's ability to protest have been introduced in the 14 countries examined in detail for the study. This serves to often undermine existing Human and Civil Rights legislation and conventions including the Aarhus Convention.
- Legislation intended to be used against organised crime has been used against climate and environmental activists in countries like Germany, United States, and Spain.
- Anti-terrorist legislation is frequently used against nonviolent climate and



environmental activists. Recent examples include France and the Philippines.

- Nonviolent protesters are sentenced to lengthy prison sentences designed to act as a deterrence to future activists, such as the five British activists given 4–5-year sentences in July 2024.

## Recommendations

- Governments, legislatures, courts and police forces should operate with a general **presumption against criminalising climate and environmental protests**. Instead, climate and environmental protest should be regarded as a reasonable response to the urgent and existential nature of the climate crisis, and activists engaged as stakeholders in a process of just transition.

To this effect, we recommend:

- Mechanisms of **deliberative democracy** involving the public, civil society and human rights organisations should be implemented to generate **legal and policy definitions** of the meaning of terms such as “serious disruption” or “organised crime” used in protest or civil mobilisation cases.
- Human rights frameworks should be at the forefront of policing considerations ensuring that citizens are able to exercise their **right to protest without impediment or fear**.
- Public authorities must conduct regular evaluations and publish data on the

- Climate and environmental protests are criminalised and repressed by a range of state and non-state actors, often working in conjunction with each other.
- These trends are global in that they span the Global North and Global South, including both more and less democratic countries.

extent to which **safeguarding the right to peaceful assembly and freedom of expression** has been the rule and any restrictions to those rights only strict exceptions.

- The use of **anti-terror and anti-organised crime legislation** against climate and environmental activists **must stop**.
- It is the responsibility of states and governments to ensure that the Right to Life (Article 3, United Nations Human Rights Declaration) is protected and that **environmental activists are not killed** for their work
- A **participatory approach** to the governance of extractivist projects should be implemented. To reduce conflict, criminalisation, and repression, such projects ought to be contingent on buy-in from both **local stakeholders**, and appropriate bodies that take the **climate and environmental risks** into consideration.



# 1. Introduction

This report explores the recent criminalisation and repression of climate and environmental protest in international contexts.

While there is increasing attention paid to the criminalisation of protest in general, and the criminalisation of climate protests specifically amongst many international governmental (IGOs) and non-governmental organisations (INGOs), and in some academic literature, there has been limited focus on understanding the international dimensions of these recent

repressive and criminalisation processes. Where this has been examined, it has been limited to [investigative journalism](#). For IGO and INGO actors who see criminalisation and repression internationally as a threat both to democracy and efforts to address climate change, there is a need for further scholarly engagement and in-depth research. This report thus explores the recent intensification of criminalisation of climate and environmental protest in an international and comparative perspective.

## 1.1 Background

Although concern with the rights and safety of environmental defenders and the rights of climate activists is not new, many IGOs and INGOs, and some academics, have expressed concern about state efforts to criminalise climate and environmental protest in recent years. This includes the United Nations (UN) Secretary-General Antonio Guterres who in 2022 stated: [‘Climate activists are sometimes depicted as dangerous radicals. But the truly dangerous radicals are the countries that are increasing the production of fossil fuels.’](#)

Building on earlier UN frameworks<sup>1</sup>, in 2021, the mandate of the UN [Special Rapporteur on Environmental Defenders](#) was established at the Meeting of the Parties to the [Aarhus Convention](#) in Geneva. Under Article 3 (8) of the Convention “each Party shall ensure that persons exercising their rights in conformity with the provisions of this Convention shall not be penalized, persecuted or harassed in any way for their involvement.” The mandate of the Special Rapporteur is to take measures to protect any person who is either:

- a) Experiencing persecution, penalisation or harassment
- b) At imminent threat of persecution, penalisation or harassment in any way, for seeking to exercise their rights under the Aarhus Convention.

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<sup>1</sup> For example, the [Working Group on Arbitrary Detention](#) established in 1991, the mandate of the [Special Rapporteur on Freedom of Expression and opinion](#) in 1993, and the [Special Rapporteur on human rights defenders](#) in 2000.

By 2022, Amnesty International launched a [global campaign](#) to confront the “unprecedented worldwide threat to the right to protest” which included climate change movements. When news media caught on, their headlines emphasised “how criminalisation is being used to [silence climate activists](#) across the world”. In 2024, the Special Rapporteur on Environmental Defenders, Michel Forst, released a [position paper](#) entitled *State repression of environmental protest and civil disobedience: a major threat to human rights and democracy*. The paper notes that due to the growing urgency of the “triple environmental crisis of pollution, biodiversity loss and climate change” (p. 4) and the failure of States to meet international agreements and targets, there has been an increase in the use of peaceful civil disobedience in environmental activism, with a strong focus on climate issues. However, the paper also notes that “in many countries, the State response to peaceful environmental protest is increasingly to repress, rather than to enable and protect, those seeking to speak up for the environment,” amounting “to violations of article 3(8) of the Aarhus Convention and of other international human rights obligations” (p. 6).

## 1.2 The Problem with Criminalisation and Repressive Acts

The criminalisation and repression of climate and environmental protest is problematic for at least two main reasons. First, and as pointed out by Antonio Guterres, it focuses State policy

on punishing dissent against inaction on climate and environmental change *instead* of taking adequate action on these issues. In criminalising and repressing climate and environmental activists, States depoliticise them, because “if something is properly called criminal, then it’s not really political” (Duff in Cristiano et al., 2023, p. 111). Second, they represent authoritarian moves that are not consistent with the ideals of vibrant civil societies in liberal democracies. Whilst the extent to which liberal democracies have ever been committed to liberal principles of allowing dissent is heavily contested (Watts, 2019), the rapid escalation of recent efforts to criminalise and repress climate and environmental protest is a threat to both the environment and liberal democratic systems.

## 1.3 Defining Environmental and Climate Protests

It is important to distinguish between environmental protest and climate protest, whilst acknowledging that many activists engage in both types. Environmental protests are aimed at stopping specific environmentally destructive projects. These are most commonly against fossil fuel exploration and extraction, deforestation, dam building or mining. Climate protests are often more urban in their geographies and tend to have greater political demands.

Environmental protests are inherent to industrialisation and capitalism, both of which depend on extraction of resources that often generate conflict with people inhabiting affected areas and whose own basic resources

for survival (clean water, arable land, clean air) are impacted by expanded extraction. Environmental protest has been a common feature of the political landscape across both the Global North and South, but has especially affected Indigenous people's land rights. Environmental protest has often been carried out through direct action methods of physically stopping extraction projects by putting human bodies in the way. Protestors involved are often called Environmental Defenders and in some countries are commonly killed by state or industry actors. In 2023 alone, [Global Witness documented](#) that at least 196 land and environmental defenders were killed, bringing the total number of deaths to 2,106 since 2012. These killings were concentrated in the Global South countries, especially in Latin America, with countries such as Colombia, Brazil, Peru, Mexico, Honduras, and the Philippines standing out.

Climate protests, separated from the geographies of extraction, are mainly concentrated in the Global North and a relatively newer phenomenon as the realities of the threats posed by climate change have become more discernible to a greater part of the population. Climate protests grew in the early 2000s but then subsided with the rise of anti-austerity protests in the 2010s. A new wave of climate protests developed in 2018 until the start of pandemic restrictions. From 2021, they have re-emerged to different extents and in different forms in various countries, again mainly in the Global North. Non-violent but disruptive protest has been a key element of these movements.

## 1.4. Criminalising and Repressing Environmental and Climate Protest

Many academics agree that new laws on environmental and climate protest constitute an intensification of what has been the incremental criminalisation of protest (Gilmore in Cristiano et al., 2023).

The criminological concept [‘criminal selectivity’](#) (see Weis, 2021) is useful for highlighting how the ‘over-criminalisation’ of protest activity typically co-exists with the ‘under-criminalisation’ of the behaviours that cause the most climate and environmental destruction. For Weis, ‘over-criminalisation’ encompasses ‘primary’ and ‘secondary’ criminalisation; where ‘primary’ refers to legislation and ‘secondary’ refers to law enforcement and prosecution. ‘Secondary’ criminalisation captures “the enforcement of the law by police officers, the court processes carried out by prosecutors, defence lawyers, judges, and juries, and the administration of punishment by prison officers and parole boards” (p. 1).

In terms of ‘primary’ criminalisation, new laws in countries such as UK, US and Australia (Gulliver et al., 2023) establish new offences and further criminalise protest in various ways. They increase sentence length for non-violent protest and minor acts of sabotage, such as damaging a statue, and they provide the police with further powers to stop protests both during and before they take place. These new laws often come into conflict with existing laws and Human Rights legislation that tend to

allow a role for non-violent, even disruptive, protest in liberal democratic societies.

The ‘secondary’ criminalisation of climate and environmental protest takes various forms. A common feature has been to use existing laws against new targets. This can mean using anti-terrorism powers against non-violent protestors, or using state of emergency powers designed to maintain peace and order to enable extraction to take place. It involves restricting juries and courts in taking some kinds of evidence and defence into account. Criminalisation can also be seen in policing when police use excessive force to stop protest, or arrest and investigate activists on spurious grounds, regardless of whether they really have the legal right to do so.

There is increasing focus too on the relationship between activists and state and corporate repression in the context of the Global North (Dadusc, 2020; Della Porta, 1996; Earl, 2003), and the Global South (Almeida et al., 2020; Carey, 2006). State repression towards activists tends to aim at controlling challenges to an established social order (Ortiz, 2015). But repression can take many forms and emerge from a multitude of social actors beyond the state, including corporate and private actors, sometimes working with repressive governments. For instance, recent studies are shedding light on the role of political lobbyists, wood loggers and ranchers in the persecution of forest and human rights defenders in conflict over Indigenous lands and resources (Menton & Le Billon, 2021).

This report examines recent criminalisation, primary and secondary strategies, and forms of repressions enacted by the state, corporate

and other actors against climate and environmental protest. Both are significant because they seek – to different degrees – to stifle, quash and ultimately eliminate protest through stigmatisation, delegitimisation and threat.

## 1.5. The Current Study and Methods

This report is motivated by a series of new laws emerging in various countries in recent years, not least the [Police, Crime, Sentencing and Courts Act 2022](#) and the [Public Order Act 2023](#) in the UK where the authors are based.

The study aimed to address the following questions:

1. What are the patterns of criminalisation and repression of climate and environmental protest around the world?
2. What new laws and powers have been introduced and/or used?

This study’s findings are drawn from data held by three databases. It makes extensive use of quantitative data from the Armed Conflict Location & Event Data ([ACLED](#)), and supplements this with data from [Global Witness](#), covering disappearance and killing of land and environmental defenders, and the [Climate Protest Tracker](#), funded by the Carnegie Endowment for International Peace, for triangulation purposes.

ACLED is an open-source tool which facilitates international, comparative, and sub-national research on conflict and political violence (Wigmore-Shepherd, 2014). The ACLED database includes several indicators such as the actors reportedly involved in each event,

the city where the event happened, which news organisation reported it, and a short description of the event.

The collection of event data means that researchers can undertake detailed micro-analysis, as well as use aggregated data at country, year, or event level. As the dataset has existed since 1997, changes over time can be examined and causal analyses explored. One strength of ACLED is the detailed categorisation of actors which move beyond state and non-state definitions, and which thus enables analysis of a broader range of actors (Wigmore-Shepherd, 2014). However, because protest data started to be collected in countries at different times, we are not comparing such data between countries over time in this study, but rather using the aggregate available data for each country for the 2012-2023 period, to align with the data coverage period of Global Witness. Annex C shows the available cases per country per year.

Eck (2012) who has reviewed the coverage and data quality of the ACLED dataset describe it as an attractive dataset for researchers for its inclusiveness. This is because comparative datasets may include narrower defined events (e.g. only those which result in fatalities), whereas the ACLED dataset is more encompassing - capturing events leading to fatalities, non-fatal events (injuries, etc.) and non-violent events (arrests, troop movements, demonstrations). As this report examines protests, repressive acts (e.g. killings and violence) and criminalisation processes such as arrests, the ACLED dataset is particularly well-suited to addressing the needs of the current study.

Although Eck (2012) warns against using ACLED for sub-national analyses because of geocoding errors, the focus in this study on national level data and analysis mitigates against this concern. There are however reporting conventions used by ACLED which may overestimate the number of events (i.e. an incident lasting over seven days, will be counted as seven events), whilst its reliance on media sources may serve to underestimate events where the media has not reported the event. This could be in instances where the event was not considered newsworthy – generally protests which are less violent will tend to have less media coverage, for example. Moreover, in some countries (including some of the countries in our study) the media is to varying extents controlled by the state and its independence to report on protests and dissent may be restricted. Eck (2012) also warns of media bias and the political orientation of the source in influencing whether an event is reported on. Notwithstanding these caveats, ACLED is a key data source with information on climate and environmental protests and how these were responded to in different countries.

In order to use the event data in ACLED, it was necessary to undertake a series of procedures to select events which focused on “protest”. This was done using keywords in the short description of the event. Annex B includes the exact regular expression (regex) used for each classification. Regular expressions are used in programming and text processing for matching complex text patterns. For example, certain keywords start with a “\b” to avoid matching unrelated words. For instance, “\bboil” is used to avoid matching words like “turmoil”. Word

roots are used to find variations of the same concept. Certain terms are only matched together, as “roadblock”. To avoid matching descriptions with only one of the two, the regex includes the ‘.\*’ code, which means ‘any string of text’, so that “road.\*block” will match “roadblock” as well as longer sentences like “the road was blocked”. Inverses are used to account for cases such as “protesters blocked the road”. In some cases, keywords were used to exclude matches. For example, the phrase “no arrests were made” would initially match the arrest condition so that a “no arrest” exclusion was used. Considering the entire dataset for all countries contains around a million rows, it is expected that not all matches will be exact. The regex was checked manually and modified several times to minimise classification issues.

From the ACLED dataset we were able to identify the prevalence of “climate” and “environmental” protests through the short descriptors provided for each event by the ACLED reporters. We also identified arrests and police brutality in connection with those protests through the short descriptors of the event. Of course it is possible that some media – especially those sponsored by the state or in support of the state – may downplay the extent of arrests and police brutality but we are unable to verify the extent to which this may be the case.

Protest data from ACLED was analysed using R. In order to see different patterns of criminalisation and repression of climate and environmental protest, we clustered countries according to climate and environmental protest, police violence, and arrests, creating four clusters with differences in

characteristics. Clustering is done using an iterative nearest neighbour method, to generate clusters of equal size. We start by calculating the Euclidean distance between each observation (in this case, each country) in a n-dimensional space - where n is the number of variables considered. In this case, we are considering four variables: the percentages of climate and environmental protests, compared to all protests, and the percentages of events involving arrests and police violence within those climate and environmental protests (e.g. the proportion of events involving arrests across all events that are considered either climate protests or environmental protests). Once we had a matrix with all distances between each possible pair of observations (countries), we selected the country that was farthest from all others. Since the total number of countries with at least 1,000 protest events was 81, and we wanted four clusters, the first cluster had 21 countries. We therefore selected the 20 nearest neighbours to that farthest country to form the first cluster (of size 21). We then excluded those 21 countries and carried out the previous steps another three times (with the only difference being that the remaining clusters had a size 20). A technical comparison between other methods for generating clusters of equal size can be found [here](#).

Data on the disappearance and killing of land and environmental defenders by [Global Witness](#) was also analysed. Global Witness has been reporting on the number of climate and environmental defenders who have been killed since 2012 for each country. It defines land and environmental defenders “as people who take a stand and carry out peaceful action



against the unjust, discriminatory, corrupt or damaging exploitation of natural resources or the environment. Land and environmental defenders are a specific type of human rights defender – and are often the most targeted for their work” ([Global Witness, 2024](#)). The organisation adopts a rigorous methodology with set criteria for a death to be counted as a killing. The Global Witness dataset includes information on the number of people killed, their age and gender, the industry that the killing relates to, and the types of perpetrators involved in the killing (e.g. armed forces, police, hitmen) - although in a large number of cases the perpetrator is unknown. Killings and disappearances of activists generally take place outside of the protest events reported by ACLED. For this reason, in this report we use data on targeted killings from Global Witness rather than ACLED.

Finally, we used the Climate Protest Tracker. This describes itself as a “one-stop source for following global trends in climate policy protests since 2022” ([Carnegie Endowment for International Peace, 2024](#)). The Tracker provides qualitative information about climate protests by country. It details the name of the protest, when it started, the size and group involved (e.g. whether it was a youth or Indigenous group), describes its objectives and explains whether there were any significant

outcomes. The data from this source was used to cross-check other sources.

This report provides an international analysis of climate and environmental protest and responses to them. For the quantitative analysis we draw on the entire ACLED datasets or, more specifically, the 81 countries that had over 1,000 protest events registered for the 2012-2023 period. We then separate the data for 14 countries for a more detailed focus (see Table 1.1). These countries represent all six populated continents and were chosen because they represent a range of different characteristics when it comes to climate and environmental protest, criminalisation, and repression. Most are among the major world economies (i.e. their GDP per capita ranks in the top 50). They exhibit varying levels of ‘freedom’ and democracy, as measured by Freedom House and the Economics Intelligence Unit. They have seen varying levels of climate and environmental protest in recent years.



**Table 1.1 Study Countries and Characteristics**

	GDP per capita \$	Freedom Score	Freedom Category	Democracy Index	Political Regime
Australia	64,712	95	Free	8.66	Liberal Democracy
Brazil	38,373	72	Free	6.68	Electoral Democracy
France	44,461	89	Free	8.07	Liberal Democracy
Germany	52,746	93	Free	8.80	Liberal Democracy
India	2,485	66	Partly free	7.18	Electoral Autocracy
Norway	87,962	98	Free	9.81	Liberal Democracy
Peru	7,790	66	Partly free	5.81	Electoral Autocracy
Philippines	3,726	58	Partly free	6.66	Electoral Autocracy
Russia	14,055	13	Not free	2.22	Electoral Autocracy
South Africa	6,253	79	Not free	7.05	Electoral Democracy
Turkey	12,986	33	Not free	4.33	Electoral Autocracy
Uganda	956	34	Not free	4.49	Electoral Autocracy
United Kingdom	48,867	91	Free	8.28	Liberal Democracy
United States	81,695	83	Free	7.85	Liberal Democracy

Sources: GDP per capita from [worlddata.info](https://worlddata.info); Freedom score and category from [Countries and Territories | Freedom House](#); Democracy index from [Democracy Index 2023 | Economist Intelligence Unit](#); Political regime from [Our World in Data](#).

## 1.6 Summary

In summary, there has been increasing concern amongst UN policy actors, IGOs, INGOs and academics about the criminalisation and repression of climate and environmental protest in recent years. These responses are seen as a threat both to necessary action on climate change and to democratic systems. However, the efforts to study the international and global dimensions

of criminalisation and repression have been limited. This report contributes to such international and global analysis by examining data from key databases and focusing on 14 countries which reflect varying levels of freedom and democracy. The next chapter examines international trends in climate and environmental protest.

## 2. Responses to Climate and Environmental Protest

The number of protests related to environmental and climate issues has been increasing around the world, and along with it the concern with the liberty and safety of environmental defenders and the rights of climate activists as governments and non-state actors have sought to clamp-down on protest activity.

Although environmental protest has long been a feature of protest landscapes in the Global North and South - particularly in the latter- it was not until the 21<sup>st</sup> century that the climate

Our chapter presents findings on all the countries including in the ACLED dataset and examines more detailed patterns and trends and changes in legislation pertaining to the 14 countries discussed in Chapter 1.

### 2.1 Results

Figure 2.1 demonstrates that climate protest across all countries with available data in the ACLED dataset increased toward the end of the 2010s. Figure 2.2 shows that environmental protests have increased slightly over the same period. The red lines represent the average number of climate (Figure 2.1) and environmental (Figure 2.2) protests across all 81 countries per month. We have applied a 5-month smoothing to make it more legible, meaning that each month is an average of that month, the two months preceding it, and the two months following it. However, the increases are in part because ACLED in this period became better at registering protest events (see Annex C). We therefore also counted the average proportion of climate and

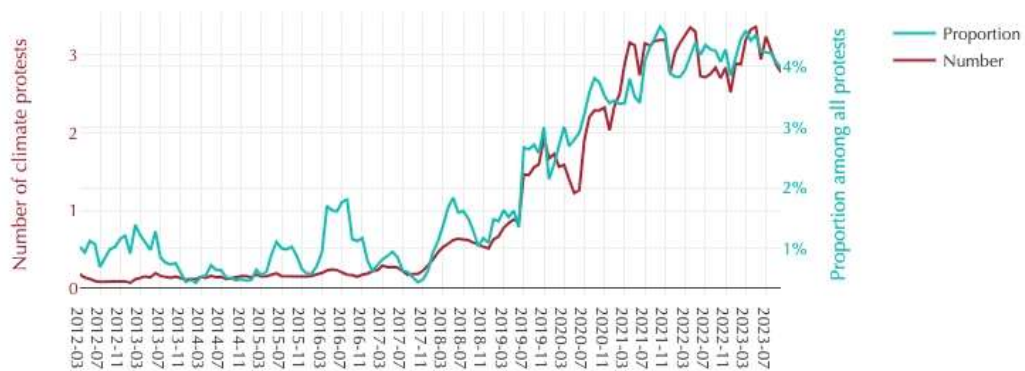
movement in Global North countries managed to organise large protests and began using direct action to pressure their governments into taking action.

This chapter details the findings related to the key questions that our study set to answer:

1. What are the patterns of criminalisation and repression of climate and environmental protest around the world?
2. What new laws and powers have been introduced and/or used?

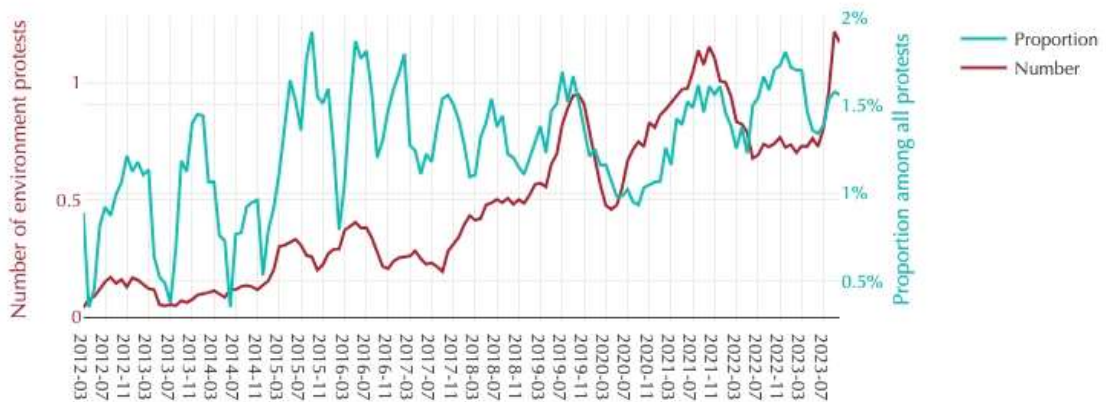
environmental protests of all protests in each country, and then calculated the international average of that proportion. The green lines show that the proportion of climate protest relative to all protests increased to around 4 percent by the end of 2023, with environmental protests averaging about 1.5 percent. Thus, taking the data as given we see that climate protest increased both in absolute terms and relatively as a proportion of all protest as we approached the end of the 2010s. Notwithstanding the reporting limitations of the ACLED data, the sharp increase coincides with the growth of the youth-led Fridays for Future movement, as well as groups like Extinction Rebellion in the UK or the Sunrise Movement in the USA.

**Figure 2.1 Total number and proportion of climate protests 2012-2023**



**Source:** ACLED data; **Note:** 5-month smoothing. Average per country, per month.

**Figure 2.2 Total number and proportion of environmental protest 2012-2023**



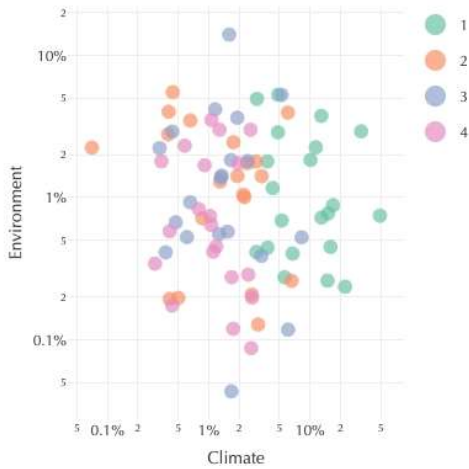
**Source:** ACLED data; **Note:** 5-month smoothing. Average per country, per month.

This study is further interested in examining relationships between different types of protest, and the relationships between protest and the occurrence of arrests, the reported occurrence of police brutality, and the number of killings in different countries. In order to explore these relationships using all 81 countries with at least 1,000 protest events in the ACLED dataset, we used the nearest neighbour clustering method in R. Figure 2.3 and Figure 2.4 illustrate a possible clustering of

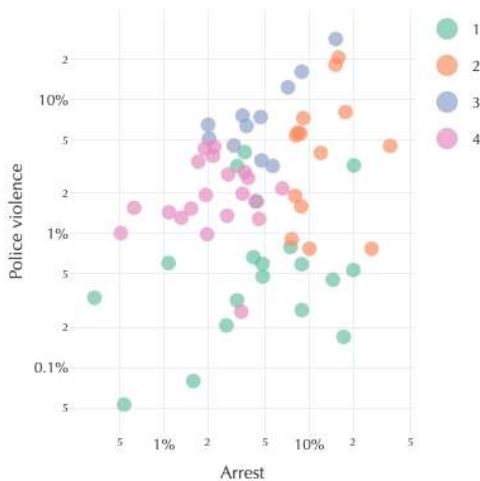
countries. Because ACLED data has grown to include more and more countries, the figures that account for international differences, do not account for changes over time. Whilst we use the full 2012-2023 period, data for many countries only start late in that date range (for details, see Annex C). The figures show the proportions of climate and environmental protests, and the proportion of events

involving arrests and police brutality within those protests. those protests.

**Figure 2.3 Prevalence of climate and environmental protest**



**Figure 2.4 Prevalence of police violence and arrests**



Countries in Group 1 have a higher proportion of climate protest events, when compared to others, and generally have fewer reports of police violence although arrests can be relatively frequent. Group 2 has higher rates of environmental than climate protest, with generally high rates of arrests and also police violence. Group 3 similarly has a higher rate of environmental protest than climate protest,

but reports of arrest are not as high as Group 2. Group 4 countries have higher rates of environmental protest, but generally lower rates of violence and arrests compared to Groups 2 and 3. While there are limitations with using keyword classified secondary data (discussed in section 1.5 above), it should be expected that the complexity and particular dynamics of each country make it difficult to separate them into very distinct groups.

Looking more closely at the 14 countries included in the study for more detailed scrutiny, Table 2.1 shows that there are significant variations in climate protest, environmental protest, and how states and other actors respond to them. Between 13-17% of the protest activity reported by ACLED in the United Kingdom, Norway, Germany, and Australia can be categorised as climate protests, while less than 3% of protests in countries like Brazil, India, Peru, Russia, South Africa, Turkey, Uganda, and the United States have the same framing. This suggests that in the latter countries, specific climate framing of protest is relatively less important than other issues for protesters, although land and environmental protest are certainly often related to climate change. On the other hand, environmental protests featured less prominently overall, with the highest proportions appearing in Peru (4.2%), the Philippines (2.9%), Russia (2.4%), and Brazil (1.7%). France, Germany, India, Norway, South Africa, Turkey, Uganda, the United Kingdom, and the United States each had 1% or fewer protests categorised as environmental. Australia appears to be an exception among all 14 countries included in this study in having a

both a high percentage of both climate (12.9%) and other environmental protests (3.8%).

**Table 2.1 Protest and response type 2012-2023**

Country	Protest Type		Response Type		
	Climate	Environment	Arrests	Police Violence	Killings (Global Witness)
Australia	12.9%	3.8%	20.1%	0.5%	1
Brazil	0.9%	1.7%	0.6%	1.6%	401
France	3.8%	0.4%	3.2%	3.2%	1
Germany	13.0%	0.7%	4.1%	0.7%	0
India	0.4%	0.6%	3.8%	2.6%	86
Norway	15.1%	0.8%	14.5%	0.5%	0
Peru	1.2%	4.2%	2.0%	6.5%	58
Philippines	4.8%	2.9%	4.8%	0.6%	298
Russia	1.8%	2.4%	7.6%	0.9%	4
South Africa	0.7%	0.9%	4.7%	3.5%	6
Turkey	2.2%	1.0%	8.0%	1.9%	2
Uganda	1.2%	0.5%	2.2%	4.4%	5
United Kingdom	16.8%	0.9%	17.2%	0.2%	0
United States	2.7%	0.2%	10.0%	0.8%	2

Climate and Environmental Protest as a Percentage of all Protest and Response rates to such protest. **Source:** Data on climate and environmental protests, and response types was obtained via ACLED. Separate data on killings in absolute numbers was obtained from Global Witness.

Arrests also varied by country with the highest rates affecting Australia (20.1%), the United Kingdom (16.8%) and Norway (15.1%), and the

lowest arrest rates happening in Uganda (2.2%), Peru (2.0%) and Brazil (0.6%), but also France (3.2%). On the other hand, the

countries with the lowest rates of arrest had the highest levels of police violence (Peru at 6.5%; Uganda at 4.4%; France at 3.2%; Brazil at 1.6%), along with South Africa and India (3.5% and 2.6% respectively). Killings were also more common in these countries, particularly Brazil, Philippines, India and Peru.

It is important to understand who the climate and environmental activists are. There seems to be a distinction between climate protests organised by groups like Extinction Rebellion and the work of Indigenous and labour groups that are linked with more specific environmental issues. The first seems to be more common in Global North countries, particularly Europe and Australia, whereas the second has been more evident in the Global South, particularly countries where extractivist companies have a larger presence.

In some countries, such as the UK and Australia, Extinction Rebellion has been the main organisation involved in climate protest. ACLED provide their own classification for key actors involved in each event. This shows that, in the United Kingdom, Extinction Rebellion activists were involved in 46% of all climate protests. In Norway, 33% and in Australia, 29%. Similar groups, including Just Stop Oil in the United Kingdom (14% of reported climate protests), and Greenpeace in Norway (12%), are also known to use more disruptive tactics. In other countries, which also have a similar proportion of climate protests, the situation is slightly different, with student-led Fridays for Future having been present in 41% of all climate protests reported by ACLED in Germany. In France, the situation is even more distinct. Groups like Young Farmers and the National Federation of Farmers Unions have

participated in about a third of all climate protests while Extinction Rebellion, Last Generation, Fridays for Future, and Greenpeace to 8% or less.

These are important differences because organisations like Extinction Rebellion intentionally employ tactics that may result in arrests, to the point that being arrested becomes part of their strategy for change (Berglund & Schmidt, 2020). If we look to Australia, for example, about 20% of all climate protests involve arrests. Considering only the climate protests where Extinction Rebellion participated, about 39% involve arrests.

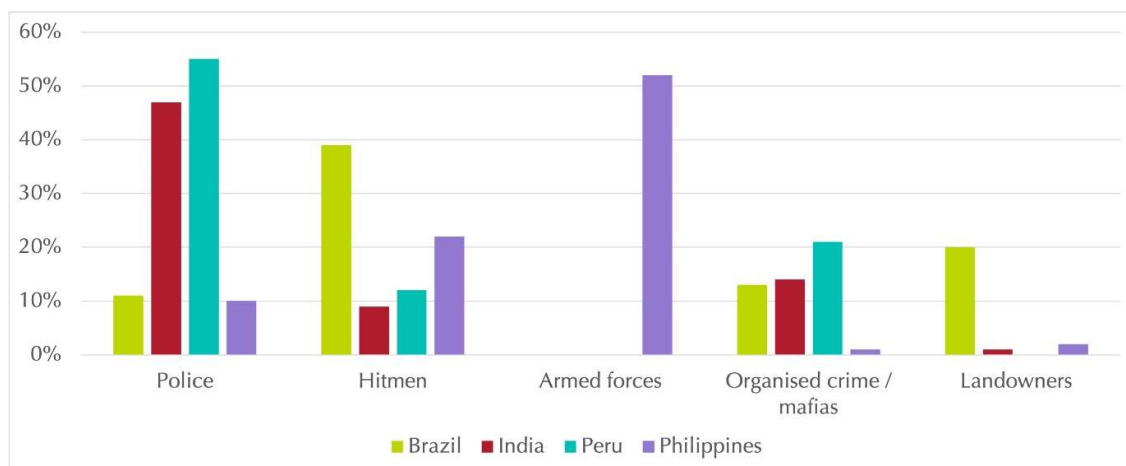
When we look at countries which report a relatively higher proportion of environmental protests, another situation is presented. In Brazil, Indigenous groups participate in about 36% of all reported environmental protests, but the most commonly present group is labour groups which range between 28% in Uganda to 9% in South Africa. Farmers, miners, students, religious groups, government officials and many others participate in relatively few protests. In other countries, we see an intermediate dispersion. There are certain groups that stand out, but overall, we still see enough variation.

Global Witness has 12 years' worth of data on the [violence perpetrated](#) against land and environmental defenders and also provides data on perpetrators. The database reveals that Brazil, the Philippines, India, and Peru – of the countries in this study – have disproportionately higher numbers of violent incidents (see Table 2.1). Between 2012 and 2023, there were 401 cases reported in Brazil,

298 in the Philippines, 86 cases from India, and 58 cases from Peru. Out of the cases, 39% of the killings in Brazil involved hitmen, 52% of the killings in the Philippines involved armed

forces, and in India and Peru, the police were involved in 47% and 55% of the killings respectively, according to reported data (Figure 2.5).

**Figure 2.5 Perpetrators of killings of Environmental Defenders 2012-2023**



Source: Global Witness

## 2.2 Main Legislative Frameworks Governing Environmental and Climate Protest

### 2.2.1 New Legislation Criminalising Climate and Environmental Protest

Many commentators and academics have noted the introduction of new laws which impact on the right of protest in different countries. Table 2.2 details key legislation regulating aspects directly or indirectly related to the freedom of assembly and protest in the 14 countries studied more closely in this report.

**Table 2.2 Recent legislation in the countries included in the study**

Country	State/Province	Year	Name of Law
Australia	Queensland	2019	Summary Offences and Other Legislation Amendment Act
Australia	New South Wales	2022	Roads and Crimes Legislation Amendment Act
Australia	Tasmania	2022	Police Offences Amendment (Workplace Protection) Act
Australia	Victoria	2022	Sustainable Forests Timber Amendment (Timber Harvesting Safety Zones) Act
Australia	South Australia	2023	Summary Offences (Obstruction of Public Places) Amendment Act
Brazil	National	2021	Lei dos Crimes contra o Estado Democrático de Direito
France	National	2019	Loi Anti-Casseurs



<b>France</b>	National	2021	Loi Contre le Séparatisme
<b>Germany</b>	North Rhine-Westphalia	2021	Assembly Law of the State of North Rhine-Westphalia
<b>Germany</b>	Hesse	2022	Assembly Law of the State of Hesse
<b>India</b>	National	2019	Unlawful Activities (Prevention) Act
<b>India</b>	National	2020	Foreign Contributions (Regulations) Act (FCRA)*
<b>Norway</b>	National	2015	Lov om politiet (politiloven)
<b>Peru</b>	National	2020	Ley de Proteccion Policial
<b>Philippines</b>	National	2020	The Anti-Terrorism Act
<b>Russia</b>	National	2015	Law on Undesirable Organizations
<b>Russia</b>	National	2020	Law on Assemblies
<b>South Africa</b>	National	2013	Gatherings Act
<b>Turkey</b>	National	2018	Anti-Terror Law (through Law 7145)
<b>Turkey</b>	National	2020	Law on the Prevention of the Financing of the Proliferation of Weapons of Mass Destruction
<b>Uganda</b>	National	2013	Public Order Management Act
<b>Uganda</b>	National	2016	NGO Act*
<b>U.K.</b>	National	2022	Police, Crime, Sentencing and Courts Act
<b>U.K.</b>	National	2023	Public Order Act
<b>U.S.A.</b>	Mississippi	2020	HB 1243
<b>U.S.A.</b>	Utah	2020	Disorderly Conduct Amendments
<b>U.S.A.</b>	Iowa	2021	Back the Blue
<b>U.S.A.</b>	Florida	2022	Code and Traffic Enforcement

**Source:** Amnesty International’s [Protect the Protest](#) database, [Freedom House](#) data, and the [Right of Assembly](#) and [Policing Law](#) information from the University of Pretoria.

While rarely explicitly naming climate or environmental protest, these laws have been introduced in a context of expanding protest and targeting types of network and tactics used by climate and environmental activists. This legislation tends to focus on three distinct but interconnected areas. First, it may seek to curb the activities of groups organising climate or environmental action, whether by limiting funding, introducing new powers to criminalise conspiracy, or banning groups outright. Second, it may seek to limit protests and other forms of dissent by introducing new

crimes for tactics used by activists, and by increasing sentence length and other punishments for already-criminalised actions. Third, it may extend or introduce new police powers, giving the police more scope to impose restrictions on demonstrations, more scope to surveil movements, and more impunity when dealing with activists.

Notable recent examples of such legislation can be found in the UK, Australia, Brazil and US (see Table 2.2). The June 2020 Mississippi Bill 1243, for example, specifically targets protest

near oil or gas pipelines and other infrastructure facilities, including both existing ones and those under construction. It does so through the offences ‘critical infrastructure trespass’ and ‘impeding critical infrastructure’. A protester found guilty of impeding critical infrastructure may be imprisoned for up to seven years if there is a loss or damage of over 1,000 US Dollars. An organisation that is found to be aiding or abetting such protest can be fined up to 100,000 US Dollars. Another example is the Peruvian 2020 *Ley de Proteccion Policial*, which exempts the police and armed forces from criminal liability if they cause injury or death. It thus, effectively, repeals the principle of proportionality in the use of force.

In the United Kingdom, the Police, Crime, Sentencing and Courts Act 2022 gives the police new powers to place conditions on protests. This includes imposing starting and finishing times and seemingly arbitrary noise limits. There was significant opposition to the act by NGOs, opposition parties and protests on the streets. As a result, certain proposed measures were cut from that bill, but many of these returned in the Public Order Act 2023. This introduced new offences for tactics frequently used by climate activists, such as locking-on, obstruction of major transport works and key national infrastructure, and causing serious disruption by tunnelling. The new law also expands police stop and search powers, and creates something called ‘Serious Disruption Prevention Orders’, which allow the police to ban individuals from associating with certain people, going to certain areas or attending protests. Several climate activists have been sentenced to disproportionately long prison sentences in the UK in 2024, with the longest being five years.

These laws may come into conflict with existing laws and human rights legislation that tends to allow a role for disruptive protest in liberal democratic societies. They are often introduced as a package targeting climate protest alongside other ‘disorderly’ social actors. They often extend provisions or tactics normalised in other contexts – most notable with respect to anti-terrorism legislation.

### **2.2.2 Misuse of Existing Laws to Criminalise Climate and Environmental Protest**

New legislation is complemented by the use and extension of preexisting legislation in the courts and through prosecutions. Of particular note in recent years has been the use of legislation ostensibly designed to target terrorism and organised crime being used against environmental defenders and climate protestors.

The use of anti-terrorism laws in this manner is a global phenomenon. In the Philippines, the state engages in ‘red-tagging’, labelling environmental defenders as either communists, terrorists, or both, regardless of their actual political affiliations. This exposes activists, mostly Indigenous people, to violence from government security forces. The UK’s Anti-Terrorism Act 2020 has a broad definition of terrorism, alongside substantial punishments (up to life imprisonment without parole) and suspension of due process and removal of accountability for law enforcement agents who violate the rights of suspects. In France in 2023, counter-terror agents took several members of the movement *Soulèvements de la Terre* into custody, after the group took part in a demonstration against the construction of new giant water reservoirs; immediately after this, the government issued a decree dissolving the movement, here citing

a controversial 2021 ‘anti-separatism’ bill which was ostensibly targeted at Islamic extremism.

More recently, there has been an increase in states using laws originally designed to target organised crime to criminalise climate protest and environmental defenders. In January 2024, Spanish police detained 22 activists from *Futuro Vegetal* (Vegetarian Future) and charged them with offences including membership of a criminal organisation. Then in May 2024, five members of *Letzte Generation* (Last Generation) in Germany were charged under section 129 of the German criminal code with ‘forming a criminal organisation’. This is the first time this law, more often used against mafia organisations, has been applied to a nonviolent protest group.

The criminalisation of organisations is also a problem in India, Uganda, and Russia. For example, the World Wide Fund for Nature (WWF) has been embroiled in a longstanding dispute with the Russian Government, who have branded the organisation ‘undesirable’ and a ‘foreign agent’.

There are examples of these processes working in conjunction, such as in the criminalisation of activists in Georgia, US, opposing the project to cut down the South River/Weelaunee Forest in order to build ‘Cop City’, a police training campus. In March 2023 police arrested 32 activists for ‘domestic terrorism’, taking advantage of a 2017 amendment to Georgia’s state law, which expanded the definition of domestic terrorism to include property crimes committed with the intent to influence government policy, and exposing activists to up to 35 years in prison. Then in September 2023 Georgia’s Attorney

General Chris Carr obtained indictments against 61 Cop City activists which allege violation of the state’s Racketeer Influenced and Corrupt Organizations (RICO) law, packaging the protests as a criminal conspiracy and turning acts of protest and civil disobedience into felonies.

Criminalising climate protest or environmental defence as terrorism or organised crime has a depoliticising effect; it positions the action as both/either a severe security risk and/or a self-serving racket. A similar effect can also be observed in the efforts by judges in the UK to place restrictions on the evidence that defendants can introduce in courts, and the legal justifications that defendants are able to use. These limit their ability to draw on ‘necessity’ defences that position civil disobedience as a reasonable response to a crisis, and so force them to defend themselves without any reference to the political motivations or implications of their actions; their actions are thereby framed as ‘just crime’.

## 2.3 Summary

In summary, there are clear differences between protest issues and the policing, criminalisation and repression of such protests between countries. Many countries have seen a sharp increase in climate protest. Environmental protest has increased more modestly and is higher in countries with large extractive industries. Countries with higher levels of arrests tend to have lower rates of police violence and vice versa. However, many of the trends and mechanisms of criminalisation and repression have a clear global dimension, with similar types of

criminalisation taking place across the Global North and South.

## 3. Discussion and Recommendations

### 3.1 International Comparison

Our analysis has demonstrated that climate and environmental protest is met by a diverse range of violent and repressive state and non-state responses. There is a significant relationship between the rate of arrests and the presence of direct action groups, such as Extinction Rebellion. In protests where these groups are present, arrests are more frequently mentioned. New legislation introduced in the United Kingdom and Australia, for example, is directly motivated by the perceived need to curb the actions of these groups. In this sense, we can suggest that climate protests are being criminalised in these countries through the developing of new legislation. At the same time, the legislation passed in those countries is in general increasing the penalty for specific types of action, particularly the more disruptive protests of direct action groups.

In countries with more environmental protest, criminalisation of protest through new laws seems to be less prevalent. Considering that these are countries where protesters face more police violence, an explanatory factor may be that police do not need more powers than they already have to repress protest. Even in countries like Brazil and South Africa, where the legislation is relatively generous to protesters, violence is rampant. In countries like the Philippines and Turkey, draconian anti-terrorism laws are used indiscriminately to curb protests, and in countries like Russia,

India, and Uganda, organisations are targeted and sometimes expelled from the country.

One path is illustrated by Australia, Norway, and the United Kingdom. In these countries, climate protests are more common. Since their population enjoys relatively more freedom than other countries, groups that use more radical tactics are more likely to emerge and continue to exist. The response from their governments is introducing new legislation that specifically targets this 'new problem'. A similar path is illustrated by France and Germany, where climate protests are also common. In these cases, however, protests are led by other groups and have a higher involvement of labour groups. Their governments also respond with new legislation but there are proportionally less arrests, possibly because fewer protests involve direct action groups. Out of the countries considered free and fully democratic, France stands out as having a higher rate of police violence.

Another phenomenon is what we can see in Peru, Brazil, South Africa, Uganda, and the Philippines. In those countries, environmental defenders have long been fighting against extractivist industries and facing a high level of violence – often committed or supported by the state. In these countries, there is less need for new specific legislation. Governments can pass legislation that simply concentrate power and allows for the indiscriminate ruling of what can and cannot be done.

## 3.2 Global Mechanisms of Criminalisation and Repression

Our quantitative analysis of international data of protest, protest policing and killings of environmental defenders, along with the closer look at how new and older legislation criminalising protest in our smaller group of countries, shows that there are four broad mechanisms of how climate and environmental protest is criminalised and repressed.

1. A flurry of new anti-protest legislation has been passed in recent years. These may criminalise groups, introduce new crimes, increase punishment for already existing crimes, increase police powers to restrict protest, and give police impunity when dealing with activists.
2. Protest is criminalised through prosecution and courts. This involves using existing legislation, including anti-terrorism or anti-organised crime laws, for the new purpose of curbing climate and environmental protest. It involves depoliticising climate protest in the courts, prohibiting mentions of climate change or environmental damage in court proceedings, or otherwise changing court processes in order to decrease the possibility of activists being found not guilty.
3. Climate and environmental protests are criminalised through policing. We use a broad conception of policing here, in recognising that policing is carried out by a range of state and non-state actors. State actors include police and

armed forces, whilst non-state actors include private security companies, private military companies, corporations involved in extractive industries, or organised crime syndicates. Policing may include preventing protests taking place, stop & search, arrests, physical violence, infiltration of movements, and threats and intimidation.

4. Killings and disappearances are common in some countries. These are in many ways a continuation of policing, since they are carried out (or permitted) by the same actors and often follow death threats and other forms of intimidation.

## 3.3 Study Recommendations

Our most overarching recommendation is that the ongoing criminalisation of climate and environmental protest needs to stop and to some extent be reversed. In that sense, we concur with the UN Secretary General in that countries should focus on acting on climate change and environmental destruction instead of criminalising and repressing actors who call for such action.

This means that governments, legislatures, courts and police forces should operate with a general presumption against criminalising climate and environmental protest. Instead, climate and environmental protest should be regarded as a reasonable response to the urgent and existential nature of the climate crisis, and activists engaged as stakeholders in a process of just transition.

In order to engage activists, and civil society more broadly, in a just transition, we

recommend using mechanisms of deliberative democracy. This should include members of the public, civil society and human rights organisations. Through deliberative democratic processes, robust legal and policy definitions of the meaning of terms like “serious disruption” or “organised crime”, used in protest or civil mobilisation cases, can be developed. In other words, such definitions must be created and implemented in discussion and collaboration with a range of civil society and human rights organisations.

Instead of creating and misusing legislation that contravenes human rights frameworks, such frameworks should be at the forefront of policing considerations, ensuring that citizens are able to exercise their right to protest without impediment or fear. To ensure the right to protest, public authorities must conduct regular evaluations and publish data on the extent to which safeguarding the right to peaceful assembly and freedom of expression has been the rule and any restrictions to those rights only strict exceptions. It follows from this that the alarming use of anti-terror and anti-organised crime legislation against climate and environmental activists must stop.

States and governments have a responsibility to ensure that the Right to Life (Article 3,

United Nations Human Rights Declaration) is protected. This responsibility means that they need to ensure that environmental activists are not killed for their work. That responsibility includes, on the one hand, ensuring that the state’s own police and armed forces do not carry out or partake in the killing of environmental activists. On the other hand, it includes creating a safe environment for environmental activists to operate, free from risk of being killed by corporations, organised crime groups, or private security companies.

Lastly, a participatory approach to the governance of extractivist projects should be implemented. We know that large environmentally destructive projects are prone to cause conflict and face opposition from local people. To reduce conflict, criminalisation, and repression, such projects ought to be contingent on buy-in from both local stakeholders. Considering the grave state of global warming, climate change and biodiversity loss, such projects should also be contingent on proper consultation with appropriate bodies that take the climate and environmental risks into consideration.



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