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Key Findings

Addressing the global climate and environmental crisis requires accurate, independent, and accessible journalism that can inform the public debate, clearly highlight the public interest, and protect those most affected by this crisis.

Environmental and climate journalists shed light on corrupt practices and illegal activities linked to environmentally harmful businesses and disclose the vested interests that support polluting industries. They report on state authorities who enable or tolerate these practices. And they expose those who sow disinformation and doubt about the science behind climate change and profit from the resulting polarization, among other topics.

Yet this crucial journalism is at risk. This report – part of the International Press Institute (IPI)'s initiative to defend and strengthen environmental journalism – is the newest and most extensive overview of attacks on environmental and climate journalists. It reveals the alarming degree to which these attacks are threatening press freedom and impeding efforts to protect the environment and climate.

The report is the result of interviews with nearly 40 environmental and climate journalists in 21 countries in the Americas, Europe, Africa, and Asia. It identifies inherent risks environmental journalists face because of the stories they pursue, explores the specific challenges that freelancers and local journalists face on this beat, and examines how failure of the rule of law, public-sector corruption, and economic pressure create a hostile climate for environmental journalists.

The report also examines strategies for countering these attacks and pressures placed on journalists, including through collaboration, safety measures, and legal support structures. It includes recommendations for states, news outlets, and states, journalism support networks, and donors.

These are some of the report's key findings and conclusions:

- 1. As a result of their crucial and sensitive work, journalists who cover environmental and climate stories face a range of serious threats and attacks. These include physical attacks; arrest and detention; legal harassment; online harassment and hate campaigns; restrictions on freedom of movement; and challenges accessing information.
- 2. Certain stories which vary from region to region are effectively off-limits for journalists due to the dangers associated with covering them. This censorship silences vital public-interest information and endangers the fight to protect the environment and address the climate crisis.
- While the level of risk faced by climate/environmental journalists broadly correlates with the overall press freedom situation in the country or region in which they operate, they face the following additional risk factors:
 - O Powerful players that are linked to pollutive and environmentally harmful activities have enormous economic interests and strong political connections.
 - Environmental destruction often takes place in remote locations that are dangerous to access and where the rule of law is weak or non-existent.
 - Local journalists who investigate environmental crimes are especially vulnerable, including to attacks from members of their own community who are either involved in or benefit from illegal activities.
 - Many environmental journalists are freelancers, thus not having the layers of protection offered by large news organizations.
 - O Journalists covering environmental disasters and the climate crisis are often first responders and face risks for which they may not be trained or equipped.
 - O Polarization around climate and environmental issues generates enormous hostility against journalists, who are often accused of taking sides.
- 4. The risks to environmental journalists are compounded by cooperation between private companies engaged in environmentally harmful businesses and organized crime groups. These risks are increased when state actors work in collusion with illegal actors.

- 5. Impunity for attacks on environmental journalists is rife, fueling further attacks. When authorities adopt a hostile attitude towards independent journalism or send a signal that journalists will not be protected, the risk of attacks significantly increases.
- 6. In cases where attacking a journalist is likely to attract unwanted attention, those seeking to silence the story are likely to target sources instead to prevent them from passing on information.
- 7. Carrying out risk assessments and adopting safety protocols and safety equipment is key to reducing risk. However, relatively few journalists and news organizations make use of them, in part because they are resource-intensive, and many freelance journalists and small news outlets cannot afford them.
- 8. Greater visibility of a journalist or news organization can contribute to limiting attacks. Membership in journalism associations, networks, can increase visibility and should be encouraged.
- **9.** Legal harassment, including SLAPPs, is widespread and contributes to self-censorship and the consequent loss of vital information on climate and environmental issues. States should urgently adopt anti-SLAPP legislation.
- 10. While (pro-bono or donor funded) legal support can reduce the risk or impact of vexatious lawsuits, in particular for freelance journalists and small news outlets, too few journalists have access to it.
- 11. Economic pressure resulting from links between media owners and polluting industries or media dependence on state funding limits coverage of environmental topics in many countries.
- 12. Restrictions on freedom of movement are a serious obstacle for environmental journalists, who often need to travel to remote regions to cover stories on environmental degradation and climate change.

- 13. Journalists covering environmental and climate stories often face restrictions or extensive challenges in accessing data that is key to accurate, fact-based coverage of environmental topics. Authorities need to ensure efficient FOI laws and procedures to facilitate this access.
- 14. Climate change is a divisive topic and journalists covering climate and the environment are very often caught in the crossfire, exposing them to a range of online attacks and threats. Authorities at all levels need to clearly communicate and demonstrate support for environmental and climate journalists.
- 15. States must fulfill their domestic and international obligations to protect and promote the rights of journalists, including environmental journalists. This must include ending impunity for attacks on the press, protecting the safety of journalists at risk, and stopping abuse of the legal and administrative systems to retaliate against environmental journalists.
- 16. There is a need for stronger support for local media, which tend to enjoy greater trust among the community they serve, making the impact of environmental coverage even more relevant, but which are especially vulnerable to attacks and retaliation.

Introduction

As concerns about climate change and environmental degradation occupy an evergrowing space in the public discourse and in our private lives, journalism faces the challenge of bringing readers and viewers the information they need to make informed decisions.

In the 2023 IPI report "The change we need: Strategies to support climate and environmental journalism", we analyzed the struggle that newsrooms face to mobilize the necessary resources to cover climate and environmental stories as well as develop new strategies to make sure those stories reach audiences. But the availability of resources only tells part of the story. Around the world, journalists covering climate and environmental topics face another set of challenges: serious physical, digital, and legal attacks aimed at silencing their work. This report focuses on exposing the scope of these attacks and the threat they pose to press freedom and the public's right to information on one of the most pressing crises of our times.

This study is based on in-depth interviews with nearly 40 freelance and staff journalists who have been covering environmental and climate stories across 21 countries in the Americas, Europe, Africa, and Asia, and who represent a range of types of news outlets, including print, broadcast, and online media as well as local news outlets, mainstream outlets, international media, and smaller specialized outlets. Interviewees included both journalists who investigate environmental degradation and those who cover climate change more specifically. The majority of journalists interviewed said that they had been targets of physical or legal attacks aimed at limiting their coverage of certain stories.

The journalists we interviewed said that the likelihood of attacks on reporters covering environmental and climate stories generally reflected the wider press freedom situation in the country: the more repressive the overall environment for the media, the greater the risks. However, they also agreed that journalists investigating environmental issues – and especially those investigating businesses and industries causing environmental harm – face particularly serious risks because their stories challenge the sizable economic interests of powerful actors, including private companies, organized crime groups, and (corrupt) state actors, all of whom may go to great lengths to protect those interests.

The types of attacks that journalists face when covering climate and environmental stories vary depending on the political situation in the country or region and the degree of respect for the rule of law.

Physical attacks and threats of physical attacks are common in regions where the businesses that journalists investigate are in the hands of organized crime groups that control the territory and enjoy complete impunity. In some cases, private companies also rely on criminal actors to protect their interests.

Detentions and arrests can be an indication that local authorities are working in collusion with illegal actors or are protecting the interests of private companies active in environmentally harmful businesses.

Legal harassment, mostly in the form of vexatious lawsuits, is widespread, including in countries with better press freedom records. These lawsuits often take the form of SLAPPs, or strategic lawsuits against public participation, which are very effective in encouraging self-censorship among journalists and news outlets that cannot afford the costs of lengthy litigation, even when they are likely to win the case in court. Occasionally, journalists also face criminal charges for offenses such as criminal defamation, terrorism, insulting state officials, or trespassing.

Finally, **online harassment** is a growing challenge, in particular for journalists focused on climate change, who face vitriol and slander from climate change deniers. This harassment, which often takes the shape of organized campaigns, challenges journalists' credibility and generates safety concerns and psychological stress.

Environmental journalists often face low levels of protection from the state. Indeed, corrupt practices that see public institutions being directly involved in illegal activities that contribute to environmental degradation or local officials participating in or condoning environmental crime place journalists in a very lonely and vulnerable position. In many countries, a high level of impunity for environmental crimes is directly connected to a **high level of impunity for crimes against environmental journalists.** This impunity encourages further attacks on journalists for which the perpetrators face little to no punishment and leads journalists to distrust state mechanisms ostensibly aimed at protecting them when they serve the public interest by exposing environmental crimes.

While climate and environmental journalists tend to be strongly mission-driven, and this often translates into great resilience, the level of risk that they face is such that it can discourage even the bravest journalists and newsrooms from investigating environmental crimes. Furthermore, the constant pressure of being caught in the crossfire of ever-growing polarization around the anthropogenic nature of climate change and solutions to it sometimes leads to self-censorship on climate-change topics.

Not all journalists face the same level of risk, and the journalists interviewed for this study agreed that those who work for large commercial media enjoy greater protection, while freelancers, local journalists, and those working with small news outlets are the most exposed.

One freelance journalist in South Asia who covers environmental stories said:

"Small independent media are more aggressive in their investigations, more independent, but also less protected."

She also said that, because large mainstream media often partner with companies involved in environmentally damaging businesses, or receive financial support from them, their ability to carry out environmental investigations may be limited.

The failure of many states to fulfill their obligations to create a climate where environmental journalists can operate freely and without fear of retaliation requires journalists to adopt resource-intensive strategies to reduce the risk, such as strict adherence to safety protocols, including preliminary risk-assessment studies, and safety equipment. These risk-reduction strategies are effective in specific circumstances, but offer no guarantee of safety and greatly increase the costs of covering certain environmental stories. The adoption of comprehensive safety protocols is fundamentally unaffordable for most freelancers and small newsrooms, and makes environmental journalism more expensive and hence less attractive for large news organizations, in particular when combined with concerns about news avoidance of climate and environmental stories.

Naturally, the risk of physical and legal harassment leads to **self-censorship** among environmental journalists and many of the journalists interviewed for this study pointed to certain topics or certain regions that they would choose not to cover as the risk is just too high.

All this contributes to a **loss of information** that is vital to global efforts to address the causes of climate change and environmental degradation and identify sustainable adaptation strategies.

It is therefore clear that the failure to protect environmental and climate journalists from attacks, harassment, and threats – and to defend their right to disseminate news and information freely and without fear of retaliation – not only threatens media freedom as a fundamental human right but also greatly compromises efforts to combat climate change as well as expose environmental crimes and hold the perpetrators to account.

Risk Factors Specific to Journalists Covering Climate and Environmental Stories

The challenges that journalists covering environmental and climate topics face reflect both the overall safety and press freedom situation in the countries or regions in which they operate, as well as additional risk factors specific to environmental reporting.

The type of attacks also differ for journalists who investigate environmental stories – covering topics such as pollution, extractive industries, illegal logging or fishing, land and water grabbing, and other environmentally harming activities – and those who cover climate change. Although in many cases the two subjects are interconnected and covered in the same stories, they tend to generate different types of hostile reactions.

A key risk factor for environmental journalists is that many environment-related stories take place in **remote places**, and investigating them requires journalists to travel to rural areas or smaller towns or villages where police protection and respect for the rule of law are more likely to be compromised.

Nepalese environmental journalist Bhrikuti Rai, co-founder of the media start-up Boju Bajai, noted:

"Environmental stories often bring journalists to remote places. If you go to places where the rivers are being mined, far away from the highways and from residential areas, these are mostly unregulated establishments, several of them illegal."

Colombian journalist Andrés Bermúdez Liévano, who focuses on environmental stories at the Latin American Center for Investigative Journalism (CLIP), highlighted the danger posed by "illegal actors" who often hold unchecked power in remote areas. "Attacks normally come from criminals, either directly engaged in illegal activities or protecting corporate actors engaged in illegal activities," he said. "Recently, we have also seen some form of harassment from state actors colluding with the illegal actors."

Understanding the constantly changing relationships of power between organized crime groups and local authorities is key for journalists in order not to be perceived as a threat when entering a region to carry out an investigation. This generally requires preliminary

work with local communities to build relationships of trust based on the understanding that the journalists' work will benefit the community.

Nigerian investigative journalist Elfredah Kevin Alerechi, who focuses on environmental crimes perpetrated by large European companies, said that she always calls community members before traveling to their area, and tries to get as much information as possible from them. This approach helped her complete a story on pollution caused by TotalEnergies, which forced local communities to illegally mine for crude oil. She noted that she chooses carefully whom she works with locally, and who her "fixer" is. In addition to being a local guide, the fixer (a member of the community) can provide some protection, for example, by suggesting a lesser-known, and therefore less risky, route to reach a specific place. In addition, Kevin Alerechi said that it helps to collaborate with colleagues who are fluent in the language spoken in the specific area in which she reports, amid Nigeria's linguistic diversity.

Kevin Alerechi said that some of the danger comes from reporting from what she described as "no-go" zones: for example, areas with illegal refineries. By talking to the local community ahead of a reporting trip, she is able to determine which zones are too dangerous or which can be accessed only when accompanied by certain people. "If journalists understand their terrain, they can avoid many issues," she noted.

Establishing relationships of trust with local communities, however, can be difficult when the economic interests of the community are connected with the environmentally harmful activities of companies or illegal actors – for example, when community members are given jobs or other benefits by such companies. In these cases, the community itself may refuse access to journalists.

Moreover, members of local communities may also be at risk if they are seen speaking to journalists, as investigative journalist Dora Montero Carvajal, an editor at Mongabay Latam, based in Bogotá, noted. "There are parts of the Amazon where journalists cannot go at all, where there is no coverage whatsoever, for example at the border with Peru. If journalists went there, they would also put the local communities in danger, as it is a problem for them to be seen talking to journalists," she said.

More broadly, she added:

"The biggest safety problem is caused by the fact that it is unclear how the different groups of organized crime are currently repositioning themselves. It is difficult to go to the forest and some remote locations because there are fights between different organized crime groups and it is unclear who rules where." Preliminary risk assessment studies can shed light on power structures and help identify trusted actors for journalists. However, in addition to the costs of such studies, it is not always possible to identify a consultant with the necessary expertise and sufficient insight to carry out this type of assessment.

Some of the journalists interviewed for this study noted that, in some situations, the only possibility to access certain regions, or premises, is by going undercover, which not only brings added risks in case their journalistic identity is revealed, but also raises questions in terms of journalistic ethics.

Kevin Alerechi, in Nigeria, said that, in some cases, when she wasn't able to access a specific area as a journalist, she would have to hide her material and go as a civilian, making up an excuse for going there, for example, to visit family members. Several other journalists working in sub-Saharan Africa mentioned undercover work as a way to mitigate risk.

Amos Abba, an investigative journalist with the International Center for Investigative Reporting (ICIR) in Abuja, Nigeria, recalled having to go undercover in order to access a sugar refinery that he was investigating for pollution. "I first introduced myself as a journalist and the multinational didn't let me in. Also, residents in the area are afraid to speak to journalists. I was eventually able to access the factory undercover," he said.

Because most environmental stories take place in rural areas, **local journalists** would, in principle, be in the best position to cover them, thanks to their thorough understanding of the context and effects on local communities. Local media also tend to enjoy greater trust among the community they serve, which makes the impact of environmental coverage even more relevant.

Unfortunately, however, the risks that local journalists would face in embarking on particularly sensitive environmental investigations, such as exposing wrongdoing on the part of powerful local actors, are often prohibitive. The threats to which they, and their families, are exposed when investigating local environmental crime can be simply unbearable. And unlike national or international journalists, they may not have the ability to leave the region once the story is published.

Brazilian journalist and filmmaker Joana Moncau, who recently covered the indigenous Munduruku people's resistance to destruction and deforestation in the Brazilian Amazon, said: "I live in the south of Bajia, in a small village that is a hotspot of Atlantic forest. For journalists, it is difficult to carry out investigations, because as a local journalist you are very exposed. We never do it, we always pass the story on to other journalists from outside. It's easier for journalists who come from São Paulo or Brasília or other countries."

Dora Montero, speaking about environmental journalism in Colombia, agreed: "Local journalists are at even greater risk; they cannot carry out investigations."

Covering climate and environmental news at the local level is difficult even for journalists working in countries where attacks on the press are less common. U.S. environmental journalist Georgina Giustin worked with reporters covering climate and agriculture for regional news outlets in the Mississippi River Basin as part of her cooperation with the Missouri School of Journalism's Mississippi River Basin Ag & Water Desk project. She described the hostile attitude of many farmers toward climate journalists. "You don't feel threatened, you just feel ignored, or that what you try to get at is insignificant. There is a kind of dismissiveness about it, so you run into trouble finding the voices that you want," she said.

Another element of vulnerability is that numerous journalists covering climate and environmental topics are **freelancers**, which is the result of a dearth of staff environmental reporter jobs at media outlets. There are several reasons for this lack: on the one hand, many news organizations can't afford to hire environmental reporters on staff due to economic weakness and conflicting priorities; on the other, some news organizations are reluctant to give space to climate and environmental stories due to pressure from owners, stakeholders, or advertisers who have economic interests in polluting industries. Journalists who want to cover the environment are therefore often compelled to go the freelance route.

An Indian environmental journalist, who asked to remain anonymous, said that in India, "large news organizations have moved away from investigative coverage; they don't like it if you do investigations. They may not say 'no', but they don't hire investigative journalists and find ways to discourage this, because editors come under pressure from the owners." She added:

"Freelance journalism is not sustainable, but nobody gives you a fulltime job doing environmental and science journalism."

Another Indian journalist echoed these concerns:

"Mainstream media don't encourage the coverage of environmental stories because 70-80 percent of newspapers' income (in India) comes from government ads." She said that even for freelance journalists who receive grants to cover the environment, "it is also difficult to place stories in newspapers for free, which is why I publish many stories anonymously on some blogs."

Journalists in Indonesia and Italy expressed similar concerns. In North America, Meaghan Parker, senior advisor at the Society of Environmental Journalists (SEJ), said, "We have seen a dramatic increase in freelancers after the 2008 recession. Environmental and science reporters were the first ones to go, because environment is perceived as an 'extra', not as 'core'."

As a result of this situation, much of environmental coverage is carried out by specialized freelancers, who not only cannot count on a fixed income, but also do not benefit from the type of protection that large news organizations offer (only) to staff reporters. This includes measures to protect against physical attacks, such as safety training, safety protocols, equipment, risk assessment, tools that track a journalist's movements, and high-level contacts to reach out to in case of emergency. In many cases, freelancers also do not have access to legal protection, such as pre-publication legal review and legal aid in the case of a lawsuit.

Even when working on an assignment for large news organizations, freelance journalists often have to plan and carry out environmental investigations independently, leaving them exposed to risks with little newsroom support.

An investigative journalist who covers environmental stories in Latin America said:

"Even when I have been freelancing for big media, it has been a shitshow in terms of their security protocols for freelancers. It's not common to have a security protocol."

Climate and environmental journalists also face increased risk whenever they become **first responders** after natural catastrophes and ecological disasters, alongside emergency professionals. Reporting on floods, hurricanes, wildfires, or oil spills, to mention a few examples, is inherently risky both for local journalists who find themselves having to cover unexpected events with little to no preparation, as well as for international journalists, who are too often parachuted into a reality with which they are insufficiently familiar so as to adequately assess their risks.

Proper training and preparation is key to limit this risk, but both are seldom available to freelance environmental journalists or those working for resource-strapped newsrooms.

An additional element that makes environmental and climate journalists particularly vulnerable is the widespread and growing **hostility against climate and environmental activists**, which affects journalists in two ways: first of all, it is broadly understood that risk in journalism is often inherited from sources, which climate activists are in view of the research they carry out. As a consequence, journalists become the targets of those who want to silence the activists in the first place. Secondly, journalists are too often perceived as activists themselves, often in spite of their independence and adherence to best journalistic practices.

Many journalists interviewed for this study, in particular but not exclusively those in Europe and North America, said that the polarizing effect of climate topics increases the risk of attacks against journalists, who are perceived as taking sides merely by presenting scientific data.

Finally, **obstacles to access to information and data** both from public institutions and private companies forces journalists either to rely on risky practices to collect information, or to base investigations on data that are not officially confirmed.

Many journalists complained about the failure of authorities to implement freedom of information (FOI) laws, or the difficulty in putting forward FOI requests, in particular with regard to sensitive data on pollution and environmentally harmful projects and policies. In other cases, the lack of information is a result of when academic research on sensitive topics is discouraged either through harassment or withholding of funds.

Environmental journalists find themselves having to gather information directly through whistleblowers or by concealing their journalistic identity, which carries legal risks whenever an overwhelming public interest can't be proven or, as it is often the case, in the absence of independent judicial systems. Furthermore, the fact that the information wasn't obtained through official channels increases the risk of lawsuits once published, either due to unforeseeable inaccuracies or because journalists can't present sufficient proof about the authenticity of the information or document published.

Nigerian investigative journalist Amos Abba said of his efforts to access data on pollution:

"Often FOI requests don't work. Therefore, journalists have to meet the persons in charge of collecting the data and ask them for the information out of sympathy, and cannot count on the fact that they have a duty to release this information."

All these elements of vulnerability make the coverage of environmental and climate stories particularly challenging. Combined with an underlying lack of funds and often scarce interest in this coverage on the side of editors, these risks and dangers contribute to a loss of vital information about policies and practices responsible for environmental degradation and the current climate crisis.

Off-Limits: Stories Too Dangerous to Cover

In each country, and each region, environmental and climate journalists face covering issues that are especially sensitive. Awareness of these topics is vital to limit the risk of retaliation. But in some cases, it can be too dangerous to approach these topics at all. The result of this self-censorship is a significant loss of public-interest information.

In Nigeria, for example, **illegal oil refineries** tend to be in the hands of criminal gangs that manage dozens of refining sites and are willing to go to great lengths to protect their businesses, which makes coverage much too risky for any journalist.

Another pressing issue in Nigeria needing greater coverage is the immense amount of waste that lands in the waterways between Nigeria and Cameroon, and the consequences for the environment and people living in the area. But it's too dangerous for journalists to go to the area to cover it, Nigerian editor Ini Ekott said.

In Nepal and India, reporting on the **sand-mining industry** tends to prompt retaliation, according to journalists in the region, due to a high level of corruption in the industry and the involvement of both politicians and mafias.

Indian journalist Sandhya Ravishankar, for instance, was the target of a campaign of online harassment and threats after news outlet The Wire published her <u>four-part series</u> on Tamil Nadu's sand mafia and related political collusion.

In Indonesia, the **nickel-mining industry** is expanding fast – with serious environmental consequences. But because the industry is mostly controlled by the military, reporters "think twice before covering it", an environmental journalist in Indonesia explained. It's a problem that's not confined to the nickel industry, however: "Any place where the military is present is difficult to cover. The military is involved in shady businesses, such as land grabbing, wildlife trafficking, and illegal logging," the journalist said.

In Brazil, journalists reported that covering the **Amazon** became much more dangerous under the administration of President Bolsonaro, who was seen to promote deforestation by supporting the agribusiness industry. "With Bolsonaro the attacks against journalists were normalized," Andrés Bermúdez said.

While the situation in Brazil at the federal level has improved with the presidency of Lula da Silva, Bolsonaro's footprint remains in place across the country, and law enforcement is unreliable. As journalist Bram Ebrus explained: "In the Amazon there are six regions with six Bolsonaro governors, the law enforcement agency in the field is the military police, which is not federal, they are working with the criminals, they are the gold traffickers, the drug traffickers." Across Latin America, "most attacks happen when you touch the economic interests of a company or an individual", Andrés Bermúdez said.

He highlighted reporting that exposes wrongdoing in the **carbon-market system**, such as irregularities in carbon offset projects, as an example. This exposure, he said, "is likely to have immediate impact and generate huge economic losses to the companies as a consequence of the fact that they will lose clients."

In Turkey, coverage of **misconduct in land use or building permits** immediately attracts lawsuits, as politicians tend to be involved, making the issue highly sensitive.

In France's Brittany region, over 450 journalists and media organizations signed an open letter asking to "end the law of silence" amid a situation in which coverage of pollution and wrongdoing linked to **agribusiness** is regularly met with lawsuits and intimidation, local investigative journalist Morgan Large said.

Attacks against Environmental Journalists

Physical attacks

Physical attacks – including assaults and killings, as well as threats of physical attacks – pose one of the greatest risks for journalists covering the environment and climate.

The killing of British journalist Dom Phillips in the Amazon, alongside the Brazilian indigenous expert Bruno Pereira, left the community of environmental journalists in deep shock and had strong repercussions around the world. An experienced journalist who contributed to leading news outlets in the world, Phillips was familiar with the Amazon after covering illegal deforestation there for many years. Phillips and Pereira were killed on June 5, 2022, while traveling by boat to the Javari Valley, a lawless territory controlled by criminal gangs involved in illegal logging. The international outcry that followed forced the government of then-President Bolsonaro, known for turning a blind eye to the activities of organized crime groups that have been driving environmental devastation in the Amazon region, to start an investigation. Brazilian police eventually charged three men involved in illegal fishing with carrying out the murder, and the leader of a transnational illegal fishing network as masterminding it.

IPI and other press freedom groups have recorded many other cases of physical assaults against journalists covering environmental crimes.

In May 2022, three journalists in Cox's Bazar, Bangladesh, were <u>assaulted and beaten</u> by the brother of a local shark oil factory owner while filming outside of the factory as part of their investigation into the alleged smuggling of shark products.

In a separate <u>incident</u> in December 2022, Abu Azad, a journalist covering environmental stories for The Business Standard in Bangladesh, was abducted at gunpoint, beaten, threatened, and robbed while he was photographing brick kilns that were allegedly operating illegally. The journalist said that two of the assaulters were members of the local government who have interests in the kilns. Eventually, the manager of a brick kiln was jailed for assaulting the journalist, while the two public officials remain free.

In Serbia, a TV crew for Bulgarian National Television was <u>attacked</u> in June 2022 when they approached a mine while working on a story about environmental pollution in the border area. The mine director was reportedly identified as one of the attackers.

As noted above in this report, the risk of physical attacks for environmental journalists is compounded by the fact that many work in remote or rural areas where law enforcement is less present or where central state authorities have less control.

From Latin America to Africa and Asia, all journalists interviewed for this study said that it is almost impossible for **local journalists** to carry out environmental investigations without facing inordinate, unbearable risks.

The <u>threats</u> against John Unzima, a reporter for Uganda's leading English-language daily, New Vision, are a good example. Unzima's coverage has drawn attention to the destructive impacts of illegal logging and deforestation in the Zoka rainforest, in northwestern Uganda's Adjumani district, where he is from. After receiving threats from two local politicians, and failing to get the local police to intervene, Unzima was forced to leave his home town and go into hiding.

"If you are attached to a big media house and based in a big city, you have more access, more visibility and more power," an Indian journalist said, commenting on why local journalists are more vulnerable. "Also, people are used to journalists in big cities and there are press associations that defend journalists. It is very different if you are from a small town."

The situation is similar in Latin America. Colombian investigative journalist Andres Bermúdez said:

"Local journalists in Latin America don't usually cover environmental investigations, and when they do, they are often intimidated, which can also come in the form of bribes and money, because local outlets have no resources at all."

Amos Abba, in Nigeria, added: "Small newsrooms are prone to intimidation because they depend on ads from local government and local companies. If you attack the interests of a local company giving you ads, they will cut funding."

The lack of visibility of attacks on the local press is also a problem, Abba said. He added:

"In some cases, local journalists also get arrested for covering the local mining. Their arrest is not reported, it is not amplified by national news outlets. In rural areas, they can be beaten and assaulted, but nobody knows about it."

The risk-related limitations on local journalists are especially problematic because most environmental stories take place in rural areas, outside of big cities, and local journalists are more likely to have in-depth knowledge and understanding of the effects of environmentally harmful practices on the community.

In most cases, local journalists lack the training and equipment that would be necessary to reduce the risk to their safety. They also don't have access to a support network, including journalist associations typically based in larger cities, that could amplify and give visibility to attacks and in this way provide some protection. Some journalists interviewed for this report also suggested that public officials and private individuals in larger cities were more used to dealing with journalists than their counterparts in rural areas. Finally, journalists who come from outside to investigate an environmental story will be able to leave an area if the situation becomes too tense, while local journalists and their families remain embedded in the community and have to face the pressure.

Nepalese journalist Bhrikuti Rai said:

"Local journalists who report on environmental wrongdoings regularly are much more under pressure than journalists who come from the capital city. I know I am privileged in this, being based in Kathmandu. Local journalists normally do not cover environmental stories involving corruption, because the reward is likely to be less than the risk."

In some cases, companies that are responsible for environmental degradation also give jobs to community members, which puts pressure on journalists who are members of these communities not to criticize these companies' operations.

Some of the locally based journalists interviewed for this study said that **cooperating with international journalists** – or with journalists who work with large national news outlets – can offer some protection due both to the exposure that any attack would receive and, occasionally, the use of safety protocols for all journalists participating in collaborative projects.

However, others pointed out that even with this cooperation, the reporting remains too dangerous, because in a small community the local journalist will inevitably be identified and potentially face retaliation for the investigation. "If my name is there, it's dangerous anyway. I have kids and family, and in a small town people can find you very easily," Brazilian environmental journalist and filmmaker Joana Moncau said.

Moreover, when an investigation is published in a large or international media outlet, the topic receives more attention, which can increase the risk of retaliation against journalists who contributed to the story. "Sometimes a topic is trivialized in local media. When an investigation about this topic is published in national or international media, the actors cited in it can feel like their reputation has been tarnished at the international level," Cameroonian journalist Madeleine Ngeunga noted. And this, she said, can be dangerous.

Asked whether journalists who come from bigger cities or even **foreign journalists** face fewer risks when covering local stories, some journalists said that they tend to be better connected, either because they work for large news organizations or because they are part of networks of journalists. Any attack against them is likely to "be amplified", give rise to public and direct interventions, and potentially create problems for the attackers.

"Foreign journalists are more protected, because even the criminal actors don't want to pick a fight with a foreign country, as it is going to backfire," Colombian journalist Andrés Bermúdez said.

Along similar lines, Dutch journalist Bram Ebus, who has been covering Latin America for many years, said: "For a foreign journalist, it's unlikely that criminal networks will threaten you because it's bad for business. If you harass a journalist there will be a reaction by states and it's not good for business, because there will be increased attention to your illegal activities."

There can be a flip side here, though. "Journalists who come from outside to cover a corruption story are likely to be met with resistance because they are not known locally," Bhrikuti Rai said, who stressed the limitations – mentioned elsewhere in this report – of relying on outsiders to cover sensitive environmental stories.

So while international cooperation can, in some cases, offer protection, ultimately it is essential to ensure that local journalists can investigate environmental wrongdoings freely and without fear of retaliation.

An added concern is that, whenever it is difficult to silence the journalists themselves, for example, because of the increased attention that any attack would receive, those interested in killing the story turn to **targeting and harassing sources**. As a result, sources themselves or members of the community may seek to keep journalists out because they fear retaliation against them for having passed information to the journalists.

"It is more likely that illegal actors harass the sources, rather than the journalists. There is a sense that if you target a journalist you are going to have more problems," Bermúdez said.

Nigerian journalist Amos Abba added:

"There is a form of repression that is subtle, it's not very loud but it's there. It (involves) creating fear to talk to journalists, and leads to silencing critical voices."

A journalist from Burkina Faso, who asked to remain anonymous out of safety concerns, recounted her experience working on an animal trafficking story together with journalists from Mali, Niger, and Benin. The park where animal trafficking was alleged to be taking place was inside what she called a "red zone", a part of the country where the government is not present, and is currently controlled by armed groups. The people who work in the park were reluctant to talk to her as they had to ask for permission before speaking to journalists. "I had a clear topic and story angle, but I couldn't travel to the area or get access to reliable sources or data", the journalist said. "The areas have become no-man's land, we cannot access them." Eventually, she had to give up on the story.

Bram Ebus also expressed concerns about attacks against sources. "The sources are harassed all the time," he said. "We work with anonymous sources, but often they don't even want to be seen with journalists and they are probably right."

Ebus even went as far as to note that journalists approaching members of local communities pursuing investigative stories must be aware of the risk to which they are exposing them.

"We have a philosophy of working with local investigative outlets, which is important because they are often excluded," Ebus said. "However, the problem is that we put the local journalists at risk because they are entrenched in the community, they stay in the region. It helps them to work with large media, but is this enough to protect them when we work on stories about organized crime? Maybe it is best to work with local journalists on not-so-sensitive stories."

Reporting on environmental abuses in Cameroon

Journalists covering environmental crimes in sub-Saharan Africa have reported a range of attacks. Threats, insecurity, and a lack of access to remote areas are some of the most significant barriers to environmental journalism in the region, according to investigative journalist Madeleine Ngeunga, who is based in Cameroon.

Madeleine Ngeunga is an investigative journalist based in Cameroon. She reports on environmental and human rights abuses in the Congo basin for digital outlet InfoCongo and the Pulitzer Centre for Crisis Reporting, among others.

Ngeunga has faced intimidation, threats, and harassment as a result of her work on the agribusiness industry in Cameroon, as well as when reporting on illegal wood exploitation. "Environmental journalism is a sensitive issue in our region", she said.

Accessing the remote areas where environmental harm takes place can be especially difficult. International companies often control large swaths of land, sometimes even surrounding whole villages and communities. "When you enter [these areas], you feel like it is the company's territory", she said. "You are under surveillance. There are cameras and police officers. You feel like you are encircled and cannot go out."

When reporting in these areas, Ngeunga said she seeks to stay as discreet as possible and avoid local authorities. "I don't give them the opportunity to ask me why I'm there", she said. "I try to be invisible".

Ngeunga advised other journalists facing similar challenges to thoroughly prepare their trip before travelling. Spending time finding trustworthy local contacts and thinking about potential risk scenarios is key, she said. Risk assessments – as well as any measures to take in case of emergency – should be reviewed by editors.

Unfortunately, journalists in Cameroon cannot rely on the police or judiciary for their protection, Ngeunga said. For example, she and her team were once arrested by a local police officer while visiting a pollution site near a large agribusiness factory. The officer tried to intimidate them and ultimately managed to prevent them from reporting further at the site. In these conditions, asking for support from the police can prove counterproductive.

Similarly, journalists need to be cautious when reaching out to experts. "Someone can present themselves as an expert or a civil society actor, but at the same time they work as consultants for international companies," Ngeunga warned. She recommended that journalists do not give too much information at the beginning of the conversation with new sources, and instead ask topic-specific questions to first build trust.

Finally, Ngeunga said that journalists should try to collaborate as much as possible with other national, regional, or international outlets. While collaborating with international media outlets can increase some of the risk by raising a journalist's profile, it also helps to generate a broader "community of support" in case of attacks. "Isolated, we don't stand strong", she said. "It's better to build a community of media and organizations that can support us when we face security threats."

Arrests and detention

Detention by police or military forces is another risk that journalists face, in particular whenever law enforcement authorities, due to corruption and/or weak respect for the rule of law, are working to protect the interests of illegal actors, criminal groups, or public officials and politicians involved in environmentally harmful businesses.

In some cases, a lack of understanding on the side of law enforcement authorities about the role and rights of journalists can also lead to arrests and detentions of journalists.

In September 2023, Venezuelan journalist Luis Alejandro Acosta was <u>detained</u> by police close to an illegal mining site in Yapacana National Park, in southern Venezuela near the border with Brazil and Colombia. Yapacana National Park has become one of the largest illegal gold mining sites in the Amazon. Venezuelan authorities, who have <u>reportedly</u> been profiting from the gold mining, allow illegal miners and armed groups to control the territory.

Harassment of environmental journalists is common across Latin America, Bram Ebrus said, noting that such harassment is difficult to avoid, in particular when state authorities have an interest in stopping the coverage. "In Venezuela, I was arrested by the national guard; in Brazil, we were threatened by military police; in Suriname, the director of a state agency yelled at me and wanted me to delete my recordings," Ebrus recounted.

In Cambodia, five journalists with local outlet VOD were <u>detained</u> in August 2022 in the Phnom Tamao area by men in civilian clothes who claimed to be part of the bodyguard unit of Prime Minister Hun Sen. The journalists were covering the planting of trees in a part of the forest that had been cleared after the prime minister had issued an order allowing four private companies to develop 1,500 hectares of land in the Phnom Tamao sanctuary. After a public outcry, the prime minister reversed his decision.

In June 2023, at least six journalists were <u>detained</u>, <u>beaten</u>, <u>and threatened</u> by Azerbaijani police while attempting to cover an environmental protest in the village of Soyudlu. Police blocked access to Soyudlu, allowing only pro-government outlets in, and detained other journalists who attempted to access the area.

Meanwhile, amid increasing hostility against climate activists, journalists in several countries have been detained or otherwise obstructed by police while **covering climate** and environmental protests.

In Spain, two journalists were <u>detained</u> in November 2022 for covering an act of civil disobedience by two climate activists in the Prado museum. That same month, several journalists were <u>detained</u> in the UK while covering protests by the group Just Stop Oil, in spite of standing at some distance from the protesters and showing officers valid press IDs.

In separate events, journalists were also recently detained by police or forcefully removed from the area while covering protests in <u>Germany</u>, <u>Netherlands</u>, <u>Serbia</u>, and <u>Poland</u>. These incidents suggest a lack of understanding by police about the role of journalists and a lack of respect for their rights.

Who is responsible for the attacks?

In many cases, the significant financial interests linked to fossil fuel extraction, mining, logging, and other activities with environmental implications are such that the individuals and companies that profit from them will go to great lengths to silence anyone who threatens those interests.

Environmental journalists interviewed for this study described a nexus of corporate actors, criminal groups, and corrupt or ineffective state authorities as responsible for the threat to their physical safety. All of these groups may benefit from the environmental degradation and therefore oppose efforts to expose it. In many countries, it is common for criminal groups to work in a symbiotic relationship with both private and state-run companies.

These groups profit from protecting the interests of these companies and are often responsible for carrying out attacks on journalists directly.

Meanwhile, state authorities in remote areas may be ineffective or nonexistent, or they may be colluding with illicit interests themselves and turn a blind eye to attacks on journalists or even perpetrate them.

An example from Nigerian editor Ini Ekott, who has extensive experience covering environmental stories, illustrates some of the forces at work. Ekott recalled a report he wrote on illegal mining, which revealed that Chinese companies, who often partner with local companies, paid bandits to scare the local community. "As a consequence of the report, one journalist got seriously threatened," Ekott said. "So the police got involved, but instead of protecting the journalist, the policeman was in fact one of those who called the journalist and his family to threaten him."

The picture is similar in Guatemala, according to journalist Nelton Rivera. There, mining companies often collude with armed forces and the military, which are present in the area either because they have been contracted as private security forces or because they are supposed to protect the local population but are instead bought off by the companies. Rivera said that private security companies are frequent in Guatemala as their activities are not regulated by the state. For example, there is no control over the number or actions of private police forces engaged by companies, which generates impunity. In addition, extractive activities often enjoy the support of powerful actors - political and economic who benefit from their activities. By paying powerful local figures, companies ensure a certain degree of impunity, while also creating division in the communities. This division means that some members of the local population genuinely defend the mines - which are sometimes the source of their livelihood - and often through violence. When violence between pro- and anti-mine factions escalates, the mining companies can count on the support of state forces, including police and the army. Journalists at Prensa Comunitaria, a community-based media outlet in Guatemala, have seen these patterns being repeated with different types of projects, from nickel mines to hydroelectric dams, palm plantations, large landowners, etc.

A journalist who frequently covers environmental stories in Côte d'Ivoire and asked to remain anonymous, spoke about an investigation into illegal timber trade in a protected forest area in the west of the country. The police that are active in the region, and that were supposed to protect him, were in fact accomplices of the illegal timber traders and represented an additional threat for him.

Madeleine Ngeuga, an investigative journalist based in Cameroon and who focuses on environmental crimes in the Congo basin, said that police and the judicial system are not seen as a resource in Cameroon either. Often, local authorities actually surveil journalists, via the police – so asking the police for support would be counterproductive. "When I go on field work, especially for an investigation, I do everything not to be seen by local authorities. I try to work as discreetly as possible," Ngeuga said, who stressed the importance of being well prepared and seeking support in advance from local people that she knows. "I don't give [police] the opportunity to ask me why I'm there. I'm doing my work, I'm free to move here and I do it discreetly. I try to be invisible." She often prepares an "excuse" or cover story for traveling to specific areas.

The risk of attacks inevitably increases whenever the **central government adopts a hostile attitude** towards independent journalism or sends a clear signal that journalists will not be protected if they are attacked.

Joana Moncau, in Brazil, said:

"It made a big difference when Bolsonaro came to power, because criminals felt empowered. I am not sure if it is better now, whether the local businesses now are willing to give up the privileges they received under Bolsonaro."

Although attacks against foreign journalists occur more seldomly. Bram Ebus said that the murder of journalist Phillips and Pereira was facilitated by the fact that "the Bolsonaro government sent a clear message that they don't care, they condoned the violence. The criminal networks learned from this."

"The first reaction by the government was to ignore the case," Ebus added. "Eventually, they had to investigate it because of the massive response from civil society that forced a response by the government."

It's also worth highlighting here the efforts to ensure that the work of Phillips and Pereira lives on. While their killers wanted to silence the story, what the pair had to say was so important that, after their murder, a consortium of over 50 journalists from 16 newsrooms, coordinated by Forbidden Stories, "came together to pursue their work in order to ensure that their work will not die with them".

Guatemala: Arrested for covering environmental protests

Carlos Choc Chub and Jerson Xitumul Morales, two journalists for Prensa Comunitaria, an indigenous investigative outlet in Guatemala, have suffered multiple attacks since 2017. Both journalists faced arrest warrants as a result of their reporting. Ximutul was held in pre-trial detention for five weeks, then put under house arrest. Choc had to move to a safe house. Despite the challenges of operating in Guatemala, journalists at Prensa Comunitaria are determined to continue reporting on environmental wrongdoing in the country, with the support of international media outlets and NGOs.

In 2017, Choc and Xitumul started reporting on a large red stain that appeared in the proximity of the Fenix nickel mine owned by Solway in El Estor, along the shores of Lake Izabal, in the Guatemalan Caribbean. Local fishermen were protesting against the mine, which they said was releasing toxic chemicals in the lake.

On May 27, 2017, Choc recorded the death of Carlos Maaz Coc, a fisherman killed as the police were firing bullets at protesters. Despite evidence of the crime, the Guatemalan state did not open any investigation into the case. Instead, in August 2017, it issued arrest warrants for Choc and Xitumul for incitement to commit crimes, illegal protests, and illegal detention during protests.

In November 2017, authorities <u>arrested</u> Xitumul. The journalist spent five weeks in pre-trial detention, before being released under house arrest. A court finally <u>dismissed</u> the charges against Xitumul in July 2018. Following the dropping of charges, Xitumul decided to stop working as a journalist.

Choc's case, on the other hand, has dragged on for years. After initially presenting himself to a judge in early 2018, Choc had to move to a safe house. He lived in hiding, separated from his children and had to sell some of his belongings. He had to move houses several times for his security.

In 2019, a judge <u>imposed</u> preventative measures on Choc, including the obligation to present himself to the Public Prosecutor's Office every month. He was also prohibited from approaching the mine and its workers. In 2022, the National Civil Police and the Public

Prosecutor's Office filed another criminal complaint for incitement to commit crimes against Choc, this time related to another protest against the nickel plant in 2021.

"Extractivism is the issue that has brought us the greatest threats", said Nelton Rivera, a journalist at Prensa Comunitaria and one of the outlet's co-founders.

Since 2017, the hearing of Choc's case has been <u>rescheduled</u> six times. The last time was in December 2023. As a result of these repeated postponements, Choc "must endure the emotional, economic, and professional costs that come with resisting an unfounded legal process against him for more than six years", according to a press release from Robert F. Kennedy Human Rights, an American NGO. "This has plunged Choc into a continuous state of anguish and uncertainty."

According to Rivera, the criminalization of journalistic work is frequent when covering environmental issues in Guatemala. "These large companies repeat the same patterns, be they mines, hydroelectric firms, palm oil monoculture, large landowners, etc. They seem to follow the same recipe," he said.

Organizations tasked with protecting journalists in Guatemala have little resources, Rivera said. At the same time, the judicial and political systems often share interests with large extractive companies, meaning that journalists cannot rely on the state for justice and security. To remedy this situation, Prensa Comunitaria has developed its own program of protection for journalists, which includes risk assessments, security protocols, and legal support.

External NGOs and media outlets have also helped. In 2019, for instance, 30 news outlets jointly worked on the <u>Green Blood</u> investigation, which raised awareness on Choc's story and on the behaviour of Solway and the Guatemalan state. In 2020, more than 20 media – including Prensa Comunitaria – took part in the <u>Mining Secrets</u> investigation, which revealed that the mine was aware of toxic releases into the lake. The investigation also highlighted the system of surveillance put in place by the company against local and international journalists, including Carlos Choc.

These international collaborations help to increase the audience of specific pieces of news, as well as to break through local censorship, according to Rivera. Having many journalists and media working on a story also dilutes the risk that local journalists face, while providing a support network for each journalist.

"In the Guatemalan context, we are facing a scenario where almost all constitutional guarantees for citizens are about to be lost," said Rivera. "Freedom of expression continues to face many risks here."

How to reduce the risk of physical attacks, arrest, and detention

As in other journalism fields, there are steps that environmental journalists and news organizations can take to reduce the risk of physical attacks. But there are limitations. On the one hand, these strategies require resources that are not available to most journalists and news outlets. On the other, any prevention or mitigation strategy that journalists and news organizations can adopt is only partially helpful in contexts in which crimes against journalists are condoned by the state or where the justice system lacks the independence or the capacity it needs to prosecute those responsible. And, unfortunately, this context is the reality in many countries, including some of those most affected by climate change and environmental degradation.

Describing the Nigerian context, investigative journalist Amos Abba said: "There is no trust in the government, police, or military to protect citizens, because attacks in the past have not been resolved." Madeleine Ngeunga expressed a similar sentiment, saying, "I'm not sure that the police is a resource for journalists in Cameroon, even if in principle it should be".

An Ivorian journalist said he'd never even heard of a case where a journalist was able to hold anyone accountable for attacks or threats. As an example, he pointed to an incident in which the offices of his newsroom were broken into, after which journalists with the outlet were threatened. They reported the incident to the authorities, but nothing resulted from it. "Authorities might listen to you, but I've never seen an investigation about crime against journalists resulting in sentences in this country," the journalist said.

Many of the journalists interviewed for this study and who operate in countries with serious safety concerns spoke about the importance of **risk assessments** and **safety protocols** to limit the risk.

Nigerian editor Ini Ekott said:

"Safety protocols help very much, alongside risk analyses and plans on how to respond. However, this is not common practice and many news organizations don't have the capacity to do this, or even lack the newsroom culture to put in place safety protocols."

In spite of the importance of safety protocols, journalists across the world said that only very few journalists operating in dangerous environments adopt them, either because there

aren't sufficient resources available or, more commonly, because such a culture of safety among journalists and news organizations doesn't exist.

Nepalese environmental journalist Bhrikuti Rai said that "in general, journalists are not provided with the tools, skills, and resources to reduce the risk. Also for online attacks, there is no support system. Safety protocols are very helpful. I wish they were more common in newsrooms in Nepal."

Bram Ebus stressed how seldomly safety protocols are adopted by journalists. The brutal murder of Phillips and Pereira represented a wake-up call for journalists working in the Amazon region, he said, and journalists felt the need to "double their efforts to work responsibly and strengthen the security protocols. We had to hire an external consultant to carry out a security manual for the Amazon region. Journalists also had a special garment to track where they are," Ebus said.

And it bears repeating: While safety mechanisms are important and can contribute to protecting the lives of journalists, they are not a replacement for the responsibility of states to protect the press and ensure that those responsible for attacks are brought to justice.

Journalists' **visibility** – i.e., when they or their news organization are well known and have the possibility to amplify potential attacks – can contribute to limiting attacks in the first place, according to many journalists interviewed for this study, as perpetrators typically don't want their actions to be exposed. In addition to concerns about being charged for their crimes (which, however, is sadly unlikely in many countries), representatives of criminal organizations may be concerned about increased attention on their illegal activities as a consequence of the exposure of attacks against journalists. Meanwhile, private companies may be worried about the bad publicity generated by news linking them with attacks against journalists, and state officials may worry that such links could affect their position of power.

Many journalists also mentioned the importance of being part of **journalist associations** and **networks** as a means to give visibility to attacks against them as well as a support network that can offer immediate and effective action whenever they are in danger.

Brazilian journalist Joana Moncau said:

"It is very important that journalists are part of a network or an association. It helps a lot because it gives visibility to the attacks. It gives protection."

An Indian journalist interviewed for this study recalled an incident where a colleague was picked up by police while covering the demolition of slums in Mumbai. Because she was part of a network of women journalists, the press club in Mumbai immediately sent somebody to get her out of detention.

Similarly, Cameroonian journalist Madeleine Ngeunga gave the example of a colleague who was arrested while working on an environmental issue, and then released after the local journalist trade union issued a press release about the case.

Bram Ebus described his experience being picked up by the military police in Brazil. "They didn't talk to us as military police. They talked to us as mercenaries," he said. "They took our memory cards and told us that they could do anything they want with us and nobody would know. We activated the security protocol and immediately called the embassies, the police and ABRAJI (Brazilian Association of Investigative Journalism). By coincidence, ABRAJI's director was just meeting [President] Lula's justice minister. So the minister escalated the call to release us. Eventually, the next day the police stopped us again to return our equipment."

On a separate occasion, Ebus was arrested in Venezuela. On that occasion, he said, "when they gave me the opportunity to make a phone call, I called my friend and asked her to raise awareness. She reached out to all embassies and the EU and my arrest became a scandal in the media. This forced the state to set me free because of the pressure. A local journalist, who is less connected, would have just disappeared."

Other journalists also spoke about the increased level of safety resulting from being part of **collaborative projects,** in particular if they are supported by a donor that expects all participants to adopt safety protocols and is willing to cover any additional cost.

Bhrikuti Rai said that when working on an environmental journalism project as part of an international fellowship, she had "a very strict security check. I had to report to my editor where I was going, where I was staying and only use safe communication channels. That's something that was new for me, to follow a security protocol."

Furthermore, when more people and media outlets work on a story, it decreases the risk that each journalist faces, while also increasing the support network for each of them.

Legal Harassment

Legal harassment is, alongside physical threats, a very common way to hamper journalistic investigations or to retaliate against journalists for critical coverage. In particular, the risk of lawsuits is a major concern for environmental journalists, whose investigations and coverage are likely to hurt the economic interests of powerful actors involved in environmentally harmful and/or illegal activities. These often take the form of SLAPPs, or strategic lawsuits against public participation, a form of abusive litigation used by powerful actors to harass journalists and other actors working in the public interest.

Indeed, many journalists interviewed for this study highlighted that the threat of a lawsuit has become a very common strategy to intimidate journalists and request retraction or modification of stories. Companies are likely to threaten a suit even for very minor perceived mistakes simply as a means of intimidation and to create a constant sense of pressure, thereby inducing self-censorship.

Examples of threats of vexatious litigation against environmental journalists are numerous.

U.S. environmental journalist and science writer John Cannon was threatened with a lawsuit in connection with a story for Mongabay on a cacao plantation in Peru that purported to be selling sustainable cacao but had in fact cleared high-quality Amazonian forest, which Cannon's story was able to show with satellite imagery. "Mongabay's leadership pushed back, and apparently, the law firm that had been representing the company dropped them as clients when they saw the evidence we had to back up our story," Cannon said.

The editor of an international environmental media outlet recalled the threat of a lawsuit in connection with a story about green hydrogen in an African country, where a small company was benefitting from large amounts of investment from the local government. After the media outlet reached out to the company to offer them a right of reply, they received a warning that the company was going to sue them for defamation. This development caused a delay in publication and additional legal costs, but eventually the story was published and the company did not sue. "All projects for which we received legal threats were related to strong financial interest and where someone – typically a man – was trying to protect their reputation," the editor said.

Italian environmental journalists also expressed concern about the widespread use of lawsuits, or the threats of lawsuits, which leads to self-censorship both in terms of which subjects they cover as well as how in-depth they cover them.

Freelance journalist Stefano Valentino said that the daily Il Fatto Quotidiano was threatened with a lawsuit by a fishing company based in Sicily in connection with an article Valentino wrote about fishing in a restricted area. The company claimed the article damaged the interests of the company, which had been marketing its fish as coming from "sustainable fisheries". The newspaper didn't give in and the company eventually did not sue.

Italian environmental and science freelance journalist Rudi Bressa said:

"Defamation laws are often used by the big companies and corporations. Only the large news organizations can afford to go more in-depth in certain investigations, which is very limiting.
[...] Even when all the facts had been checked, some news outlets asked me to remove the names of certain individuals in order to avoid lawsuits."

Brendan DeMelle, executive director of DeSmog, a U.S.- and UK-based outlet focusing on climate, spoke about being sued by the right-wing outlet Rebel News in connection with an article criticizing Rebel News journalists' aggressive treatment of climate activist Greta Thunberg and her parents. The legal proceedings lasted over four years and, although DeMelle won the case, the lawsuit took a lot of his time and resources. "If I had had to deal with this as an individual freelancer, it would have been cost prohibitive," DeMelle said.

DeMelle stressed the importance for environmental journalists to be prepared to weather the sometimes prohibitive costs of lawsuits, in particular when they are not covered by their news outlets.

Even when a journalist or media outlet wins a lawsuit in court, not all costs are reimbursed, which makes a plan to cover legal defense even more important in order to not dry up the funds dedicated to run the news outlet.

The **lack of access to pro-bono legal support** was mentioned by journalists across the world. "There are no pro-bono lawyers, only occasionally friends of the editors or of the journalists will help out, but there is no structured system," Nigerian editor Ini Ekott said. DeMelle added: "There are very few pro-bono services for SLAPP suits. I certainly looked and couldn't find any. I'd love to see more pro-bono and legal clinics from universities."

In Italy, too, Bressa said, there is no structure offering pro-bono services, so most journalists turn to friends, which is not a sustainable approach. "I can't afford to be sued, so I need to be extra careful," Bressa said.

The risk of legal intimidation tends to be greater for stories that are likely to have a stronger impact. A Colombian journalist mentioned that in Latin America, for example, a story on a carbon market project is likely to have more impact than a story on a mining project, due to the high level of international scrutiny that the former tends to receive. In this case, exposure of wrongdoings is likely to affect prices or even scare away governments that invest in the carbon market as part of their climate policies. "Out of 10 investigations that we published on the carbon market, for three of them we received legal threats," the journalist, Andrés Bermúdez, said.

Threats of lawsuits are a strong deterrent for journalists, who in most cases cannot afford to carry the costs of a long legal battle, even when the accuracy of their stories is bulletproof.

Bermúdez said that every time they started investigating certain companies, they immediately received letters from lawyers specialized in criminal litigation, "as a way to show me that they were monitoring my moves," he said. "They want to make you believe that they will take you to court and scare you into changing what you have written. This is emotionally draining for journalists. Some of our media partners were scared by this. They said, 'this is the last time I'll ever write on this issue', which is exactly what they want to achieve."

Journalists in India interviewed for this study noted that any piece of news painting Asia's two richest men, Mukesh Ambani and Gautam Adani, owners of conglomerates that include coal, oil, mining, real estate as well as other highly polluting industries, in a negative light will almost certainly lead to a lawsuit, which would be unsustainable for freelancers and small news outlets. "Whenever their name is mentioned critically, they'll slap a suit," one journalist said, adding that this inevitably leads to self-censorship. "Mainstream media won't write anything negative about these big corporations, unless it's already out there. If it is, then you can follow the news of the day and cover it, but you can't investigate it yourself."

Similarly, Turkish environmental journalist Hazal Ocak, who is facing several court cases in connection with her coverage of land-use misconduct, city planning issues, and building-permit misallocation, said that reporting on the small group of large businesses that keep

receiving public procurement or benefiting from public projects, will inevitably attract lawsuits. "Lawsuits take a lot of time and effort," Ocak said. "I have to spend time preparing for my defense, which (is time) I cannot spend investigating". Furthermore, she has also had to cover her legal defense costs. Most of her colleagues working on urban and environmental issues have either changed their beat or quit journalism, she said.

Other journalists mentioned the question of time as well. "The time it takes to respond to attacks even when we have our work in order takes away from other reporting, whether on that specific subject or other important issues," John Cannon said.

The threat of lawsuits is particularly problematic for freelance journalists and those working for smaller outlets, who may not have easy access to legal counsel before publication and their outlets may not be able or willing to cover the costs of lawsuits.

Nigerian journalist Amos Abba said:

"I have been sued by some international companies. If a story affects their interests and their international perception, they will react with a lawsuit. In some cases newsrooms take over the lawsuits also for their freelancers, but normally not. It is very tough for freelancers."

Dutch journalist Bram Ebus, who works in Latin America, added: "A local journalist in Suriname told me that local journalists, if they get sued, they don't have any legal backing from their media organization. For a foreign journalist, if I am threatened with a lawsuit, my media outlet would tell me to stand by my story and give me legal support. So local journalists who work for foreign media outlets feel they have some backing. But for local outlets, they cannot do the same investigations because there is no legal back up."

Fighting legal harassment with the help of anti-SLAPP laws

Faced with a SLAPP suit, climate news site DeSmog fought back using Canada's new anti-SLAPP legislation. DeSmog won the case at every court level – all the way up to the Supreme Court of Canada.

DeSmog is a U.S. and UK-based digital outlet founded in 2006 to "clear the PR pollution" in climate science and policies. Journalists at DeSmog conduct investigations and in-depth research on environment-related misinformation campaigns. The outlet also maintains a research database of "over 800 organizations and individuals responsible for spreading misinformation on a range of energy and science topics".

In 2019, DeSmog Executive Director Brendan DeMelle faced a SLAPP suit from right-wing outlet Rebel News and its owner, Ezra Levant. The lawsuit targeted an <u>article</u> published in October 2019, which reported on an incident that took place during Greta Thunberg's visit to Alberta, Canada: Keean Bexte, a reporter for Rebel News, had aggressively confronted Thunberg and her parents, following them in their hotel until they had ultimately threatened to call the police. Bexte had posted a <u>video</u> of the "interview", in which he had also revealed potentially dangerous information, such as the name of the hotel where the teenager was staying and the car she was using to travel.

Shortly after publication, DeMelle received a complaint from lawyers representing Levant, in which they demanded monetary compensation and asked for the article to be removed. DeSmog did not take down the article, although the outlet did modify parts of the article as a result of Levant's lawyers' complaint.

Despite these edits, DeMelle was personally sued by Levant and Rebel News under the Ontario jurisdiction, in Canada. "One sentence in my article became the lightning rod of a four year SLAPP battle," DeMelle said. "And it was not the lead, it wasn't the headline and it wasn't even the main point that I was making in the article, [...] it was a context line."

Rebel News also sued the Canadian outlet The Narwhal, which was previously associated with DeSmog but had no role in the article's publication. In 2020, the news site Canadaland reported that Levant and Rebel News had filed a <u>series of lawsuits</u> against other organizations – including media outlets such as Canada's National Observer, Al Jazeera and Press Progress.

DeMelle immediately filed an anti-SLAPP motion – anti-SLAPP laws had recently been passed in Ontario but had not been tested at the time, according to DeMelle. The court considered both DeMelle's and Al Jazeera's cases at the same time, and ultimately <u>ruled</u> in the defendants' favour. Levant appealed the court's ruling, but both the <u>Ontario Court of Appeal</u> (in 2022) and the <u>Supreme Court of Canada</u> (in 2023) confirmed the decision. Rebel News and Levant were sentenced to pay indemnity fees.

"It was a very time consuming process from the beginning," DeMelle said. In addition to forcing his attention away from journalism, the lawsuit prevented DeMelle from reporting on Levant and Rebel News for the duration of the litigation. "I was on the sideline for a couple of years," he said.

DeMelle also warned of the financial costs that such lawsuits can carry, saying:

"Luckily, my organization had my back. If I had had to deal with this as an individual freelancer, it would have been cost prohibitive."

While Rebel News and Levant ultimately paid for part of DeMelle's legal cost as part of the indemnity fees, not all his expenses were reimbursed. In addition, DeMelle and DeSmog had to cover the costs of their attorney throughout the lawsuit, and only received compensation after the final ruling.

"It's exactly why they do it: to intimidate, to harass, to throw you off your beat, to make you less confident, to drain resources...," DeMelle said. "And unfortunately a lot of that can be really effective."

How to limit the risk of legal harassment

Dealing with the threat of lawsuits is complex and resource-intensive, which explains why many journalists see no alternative to resorting to self-censorship on sensitive topics. It requires preventive measures to limit the possibility of a lawsuit's being filed; a strategy to access legal defense in case a lawsuit is filed; the possibility to refer to a self-regulatory accountability system to settle any dispute outside of the courts; and, most importantly, a legal and justice system that ensures respect for the rights of journalists and uncompromising protection of the public interest.

Preventing lawsuits requires rigorous processes to ensure journalistic accuracy and due diligence. Stories need to be thoroughly fact-checked. Ideally, a legal expert should look at any term that could trigger a lawsuit. Giving all parties the possibility to comment on any allegation brought forward in the story is also effective in reducing the risk of lawsuits.

Many of the journalists contacted for this study said that, whenever they received threats of lawsuits before publication, they doubled down on their efforts to ensure that they would be able to prove the accuracy of all information published, or at least their due diligence in collecting and verifying such information.

"There have been a few other instances when companies have been upset by what I've reported, but we've always had the records, notes, emails, etc. – in short, the paper trail – to show we had done our homework, given them right of reply, etc.," John Cannon said.

Some journalists said that **collaborative journalistic projects**, in which the information is published in many news outlets, possibly also cross-border, can provide some protection from the threat of defamation lawsuits, as potential claimants may be discouraged by the idea of having to sue many different outlets in different countries.

In spite of a news outlet or journalist's best efforts to thoroughly fact-check stories before publication, the possibility of being sued after publication remains. Indeed, SLAPP suits are specifically intended to intimidate journalists and news outlets who cannot afford the burden of a lengthy court case – regardless of the accuracy of the publication and the validity of the claims.

As noted above, **access to pro-bono lawyers** is very limited and most journalists contacted for this study said that they try to reach out to friends or acquaintances who would be willing to offer them pro-bono or low-bono legal defense. Some journalists also recommended taking out insurance to cover legal defense costs. However, they also

warned that insurance companies may put pressure on their clients to settle their legal disputes rather than fight the lawsuit in court.

In this regard, Brendan DeMelle, in the U.S., stressed the importance of taking complaints seriously and addressing them fairly, but not giving in to demands for de-publishing articles or requests for financial compensation. Fighting lawsuits in court, and winning them rather than settling just to stop the legal harassment, creates a strong precedent that can, hopefully, reduce the use of lawsuits to silence journalists, he said.

This theory of deterrence is also the principle behind Reporters Shield, a membership programme developed by investigative journalists at the Organized Crime and Corruption Reporting Project (OCCRP) and lawyers from the Cyrus R. Vance Center for International Justice that offers pro-bono legal defense to investigative journalists around the world. The idea is that, in countries where the rule of law is respected, journalists normally would win SLAPP lawsuits in court if they had good legal representation. Reporters Shield therefore offers just such legal representation pro bono to journalists who would otherwise not be able to afford it.

Any strategy to reduce the risk of lawsuits and/or support journalists in court will only be effective within a **legal system that duly protects the rights of journalists** and a judicial system that ensures respect for the rule of law. More specifically, libel and defamation laws must be limited in scope and must be used solely to remedy harm caused by false and malicious statements – and must not be abused to retaliate against journalists and news outlets who work to serve the public interest. Furthermore, the widespread use of SLAPPs to silence journalists underscores the urgency to implement proper anti-SLAPP legislation. Elements of such legislation can include mechanisms for early dismissal of manifestly vexatious lawsuits, penalties for plaintiffs who bring such lawsuits, and rules blocking the enforcement of SLAPP suits in other foreign jurisdictions. The EU's planned anti-SLAPP directive offers guidance in this area.

Meaghan Parker, senior adviser at the Society of Environmental Journalists, noted that anti-SLAPP legislation in the U.S. has made a big difference and, alongside the strong constitutional protection in the U.S. for press freedom, has helped limit the effects of SLAPP suits on journalists. Brendan DeMelle, too, said that Canada's recently passed anti-SLAPP laws contributed to securing his victory in court when he was sued by the right-wing outlet Rebel News Network for criticizing their journalists' aggressive behavior towards Greta Thunberg.

Colombian journalist Andrés Bermúdez also pointed to the value of well-functioning **self-regulatory accountability systems** to limit lawsuits. "In Colombia, there is a law that forces

claimants to ask for a correction or a retraction before filing a lawsuit, which is a good protection for journalists because when they requested a retraction, we were able to provide additional information and to prove that we were right. In the end, through this entire journalistic process we were able to avoid a lawsuit, but it clearly showed that there was an intention to silence us," Bermúdez said.

DeMelle also stressed the importance of pursuing all available self-regulatory accountability mechanisms. When he was sued for libel, he addressed some of the claimant's complaints by modifying parts of the article. Doing so didn't prevent a lawsuit, which was clearly a form of SLAPP meant to intimidate him, but the fact that he had shown good will in seeking to meet the claimant's requests was seen favorably by the judge and likely contributed to his victory in court, he said. "Don't acquiesce to ridiculous demands for money or apologies that are not warranted, but do review and see if there is a clarification or a correction warranted. We did that, and that showed good faith [to the court]," DeMelle said. "The court discussed that as they were reviewing my case. I was seen to be reasonable, fair, responsive to the attacks. I do think this is good practice."

Commenting on the value of self-regulation to avoid SLAPPs, Prof. Tarlach McGonagle, a leading expert on freedom of expression and media law, noted that, if the claimant refuses to go through the self-regulatory system, the court should take this as an indication that it's likely to be a SLAPP suit. However, it is difficult to make the use of self-regulatory mechanisms a legal requirement because they may not exist, or function properly, in some countries.

France: Reporting on agribusiness in the Brittany region

From SLAPP suits to financial retaliation, death threats, harassments, and physical attacks, environmental journalists covering the human and environmental impact of agriculture in Brittany face a range of attacks. Since 2020, a group of environmental journalists have been joining forces to "end the law of silence" in the French region.

In May 2020, a newly formed collective of environmental journalists active in Brittany, France, sent an open <u>letter</u> to the president of the region. The letter calls for officials "to guarantee freedom of speech and information on issues related to the agribusiness in Brittany" and to "end the law of silence". More than 450 journalists and media organizations signed the letter.

Morgan Large, a local independent investigative journalist, is among them. Large has faced several threats as a result of her work. The doors of the radio station where she worked were forced, her outlet lost subsidies from local towns, her dog was poisoned. She also received incendiary messages and threats on social media.

Then, in March 2020, after contributing to a TV <u>documentary</u> on the local impacts of the agro-industry, Large found one of her car wheels <u>unscrewed</u>. She reported the incident, but the police did not find sufficient evidence to pursue the case. Large requested physical protection, which was not granted.

In March 2023, almost exactly three years after this first attack, Large found another of her car wheels <u>unscrewed</u>. "We consider this sabotage to be yet another attempt to undermine the life and investigative work of our colleague," several media outlets reacted in a joint <u>press release</u>.

"By instilling fear in the profession, it contributes to the climate of threats to press freedom and whistle-blowers." But physical attacks are not the only threat environmental journalists face in Brittany.

Inès Léraud is another independent investigative journalist active in Brittany. She coauthored an investigation on <u>toxic seaweed</u> proliferating on the region's beaches as a result of nitrate emissions from the agricultural industry.

In her investigation, Léraud describes the role of Christian Buson, a controversial scientist who claimed that agriculture and nitrates are not responsible for the proliferation of the algae, against a large body of evidence collected by renowned French institutions. After publication, Buson personally sued the journalist. Buson ultimately dropped his case just days before the hearing.

In 2019, Jean Chéritel – the CEO of a local agriculture company – filed another defamation lawsuit against Léraud, following an <u>investigation</u> into the company's management and business practices. Chéritel <u>dropped</u> his case against Lériaud just days before the hearing as well.

Léraud said in an <u>interview</u> with media outlet France 3 that freelance journalists can feel especially vulnerable to legal threats. "These lawsuits are attempts to silence me and any witnesses who dare to confide in me."

Online Harassment

Online harassment is another form of pressure on environmental and climate journalists, including those covering climate change specifically and the debates around it. The divisiveness around climate change leads to journalists getting caught in the crossfire.

U.S. environmental journalist Georgina Gustin, who writes for Inside Climate Now, said: "At least initially, when the publication started 15 years ago, just the very premise of the publication was provocative and perceived as biased, because the starting point was the acceptance that climate change is human-caused and real," Gustin said, noting that online attacks and email harassment have been common since the beginning. "I get them to this day, people are railing against you because they think that you are overstating the problem."

Even if today there is much greater consensus about the fact that climate change is humancaused and real, and that we need to do something to stop it, now the polarization is about climate solutions and who needs to do what.

"Online harassment is not only on social media, but also in the form of threatening emails and voice messages," Meaghan Parker, former executive director of the Society of Environmental Journalists (SEJ) in the U.S., said, adding that the climate-skeptic movement has been harassing journalists for over 20 years. She added that the constant online hate combined with the frustration that comes from the fact that, no matter how much journalists warn people about the catastrophic consequences of climate change, people don't listen, "all this takes a toll on people, we see a lot of burn-out among science and environmental journalists."

Many of the journalists interviewed for this study mentioned frequent online harassment campaigns against them, or online threats in connection with specific stories.

In Germany, Özden Terli, a meteorologist and weather presenter on the German public service broadcaster ZDF, has often been the target of hate campaigns by climate deniers because of his weather coverage.

An Italian journalist said, "Online harassment is very present and heavy. In particular for climate deniers. They seem to be bots, as they have no followers, but the attacks seem to be coordinated. The main purpose is to compromise your credibility as a journalist, in particular when you challenge the big energy companies."

Cameroonian journalist Madeleine Ngeuga shared her experience of having been threatened and harassed through various online channels after contacting the director of a company allegedly involved in illegal wood exploitation. After she contacted the company to offer him a right of reply on the allegation, the director threatened her and her team. After publication, the online harassment continued at the hands of an unofficial collaborator of the company director.

Journalists in countries as diverse as Costa Rica, India, and Canada said that online harassment and troll attacks, which are broadly considered by journalists to be "mild" forms of attacks, can still generate significant impact for the journalist's mental well-being. A journalist in Colombia said that she and many of her colleagues tend to stay away from social media to avoid having to deal with online attacks. Ghanean environmental journalist Marian Ansah mentioned a dilemma that she faces regularly: choosing whether or not to include her byline on an article. On one hand, including her byline is likely to generate significant online attacks and threats and increases the fear of physical attacks. On the other hand, as a freelancer, she needs the visibility to be able to work, develop her activity, and remain financially secure.

Access to Information

An important part of climate and environmental journalism is based on the analysis of data measuring levels of pollution and examining changes in the natural environment and in the climate and the corresponding impact on communities, species, and biodiversity. Most importantly, in a solutions-oriented approach to climate coverage, a data-based forecast of how certain behavioral changes or policies can limit climate change can provide much-needed answers. Environmental journalism that is able to transform complex data into narratives can help audiences understand how certain changes will affect them and, eventually, encourage action. However, if large corporations or states are not transparent about their emissions levels and other forms of pollution that they cause, it becomes very difficult for journalists to fulfill their role of holding them accountable.

Access to good data is therefore a core element of climate and environmental journalism. Unfortunately, almost all journalists interviewed for this study mentioned obstacles in accessing data and information on climate and environment, even information that should be released on the basis of freedom of information (FOI) legislation.

"For environmental journalists it has been really hard to get data and get government clearance reports and environmental report assessments," an Indian journalist said. "A lot of things are online. But it's difficult to get a lot of information that is not online. Sometimes the data is not there because nobody has collected the data. In some cases the data has not been put online, in some cases it's intentional, in others it's just a weakness of the system."

The journalist also noted that, while the Indian government has been promoting greater transparency through digitization, sensitive information is not made available online. "There is more data overall, but critical pieces of information are often not available and it takes a lot of time to collect this information," she said. "This is a subtle way of making things difficult (for climate and environmental journalists), because only a few journalists are going to have the time to dig out information that should be publicly available in the first place."

This journalist spoke about her recent reporting on a redevelopment project involving the clearance of acres of land to build large towers. "I was trying to find the environmental impact of this government-led project, as new buildings are supposed to adhere to climate resilience guidelines, related to waste, water, heat, energy efficiency, etc. They had applied for a particular certification and obtained it. But when I asked for the report to prove that their certification was cleared, they refused to give it to me," she said.

In many jurisdictions, freedom of information laws are applied subjectively, depending on the level of sensitivity of the information, the public official in charge, and the person requesting the information.

Nepalese journalist Bhrikuti Rai said:

"I have mostly reported on the stone- and sand-mining industry in Nepal, which is quite lucrative and a lot of local politicians have some stake in it, so in some cases the local bureaucrats find ways to go around the FOI law and not release the full data on environmental impact."

Colombian journalist Dora Montero noted that changes in the central government may lead to changes in the general attitude towards transparency and hence the application of FOI laws. "Access to information is very subjective, it depends on the public official in charge. The current government is promoting a culture of no transparency," Montero said.

Georgina Gustin spoke to similar dynamics in the U.S. "Under the Trump administration they just took down entire websites [from regulatory or government agencies] and their communication people were not as responsive as they were under other administrations", she said. "The problem is really in the division: it's not even a lack of access, but they don't think it's an issue so they are not going to treat it as such."

Often, the documents released through FOI requests are extensively redacted, or the copies are so bad that the information can't be read. In many countries, a lot of environmental information is not digitized. Even recently collected data may not be uploaded online, which forces journalists to travel personally to certain locations in order to access it, often having to wait for several days for the release of the information. This represents an additional financial burden that many journalists can't afford.

A South Asian journalist said.

"It takes time to get government data, and the data is often not clean, normally it is not even digitized, so I have to go get them in person. Often I do not tell the government officials that I am a journalist in order to get the data."

An Indonesia-based journalist spoke about a project to generate biomass that they have started investigating because there is evidence that the project does this by clearing the rainforest. "We are currently trying to figure out what permits this project has", the journalist said. "But accessing this requires going around, talking to villagers, and it's very complicated." The journalist added that reporters in Indonesia seldom put forward FOI/FOIA requests, because it is difficult and resource-intensive. "Some NGO have used the FOIA, but they often land in court seeking to enforce their rights and we don't have the resources for this type of legal battles."

In addition to the weakness of FOI laws, in many cases the data isn't available because it isn't being collected by the institutions in charge. In other cases, a lack of funds for research institutions as well as attacks and restrictions on activists and scientists further reduce the availability of environmental data.

Many journalists stressed the importance of having access to open-source databases on environmental data, as the risks connected with having to resort to illegal strategies to collect data, including going undercover, are often too big.

A journalist based in Burkina Faso said that she is learning to use open-source methods in order to compensate for the difficulties of reporting on the ground in large parts of the country. In spite of the challenges presented by low connectivity and limited internet access, open source allows her to access information that she would not be able to gather otherwise.

Turkey: Covering urban development and the environment

Covering the intersection of urban development and environmental issues in Turkey is no easy task, as independent journalist Hazal Ocak can attest. In her twelve years as a journalist, she has faced six lawsuits. Most of the other journalists working on the topic have either changed beats or left journalism.

Hazal Ocak is an investigative journalist based in Turkey. She focuses on the intersection between urban development issues and the environment, and has conducted investigations related to land-use misconduct, city planning issues, and building permit misallocations, etc. While Ocak has not received any direct physical threat to date, she has faced several lawsuits as a result of her work.

"Lawsuits take a lot of time and effort," Ocak said. "I have to spend time preparing for my defence that I cannot spend investigating."

In April 2020, Ocak <u>revealed</u> that the Istanbul Metropolitan Municipality had demolished a small piece of construction on land leased by Fahrettin Altun, communications director of the Turkish presidency. Altun had failed to secure a building permit for the piece of construction, situated on land owned by a public organization and located along the Bosphorus Strait – a world heritage site with restrictive building policies.

Altun sued Ocak and her outlet Cumhuriyet, <u>claiming</u> that the report "violated Altun's honor and dignity". Altun demanded financial compensation of roughly USD 3,000. A "terror investigation" was <u>launched</u> against Ocak, on the ground that the pictures illustrating her article had violated Altun's privacy. The indictment also charged Ocak with "turning a counterterrorism official into a target", a claim Ocak has disputed in court. An access ban was <u>imposed</u> on the article.

The lawsuit lasted for three years and the court ruled in Ocak's favour in the first instance. Altun appealed the decision and the case is ongoing.

Ocak faces another lawsuit from Berat Albayrak, President Erdoğan's son-in-law and former finance and treasury minister, over an article <u>published</u> in January 2020. Ocak's investigation revealed that Albayrak had purchased several plots of land along the Istanbul

Canal, in an area where a controversial development project is planned that could <u>destroy</u> large swathes of agricultural land in the area.

Ocak observed that Albayrak had bought the land before the official announcement of the project's route. The value of Albayrak's recently purchased land – which is ideally located within the borders of the "residential area" in the plan – rose significantly after the announcement, according to Ocak.

Albayrak <u>sued</u> Ocak for "insulting a public official" and demanded financial compensation. Access to the online news report was <u>banned</u> by the court.

Ocak was acquitted on the first and second instance, but Albayrak appealed the decision. The case will now be settled in front of the country's supreme court.

Ocak recommends that other environmental journalists do what she does: thoroughly fact check their stories and give the subject of their article sufficient time for replying to any allegations before publishing.

Legal attacks are a frequent threat for environmental journalists in Turkey – especially those reporting on changes in land status, according to the journalist. "When there are violations of environmental areas in Turkey, it's often because of a large economic project", Ocak said. "Usually, in my opinion, there is a business person behind the project and a politician behind the business person, so the issue becomes political and as a result, the journalist becomes a target."

Restrictions on Freedom of Movement

As noted earlier in this report, covering climate and environmental stories often involves traveling to remote places to analyze the causes of environmental degradation or the consequences of climate change on communities. In some cases, so-called "remote sensing tools", including satellite images, GIS data, and other <u>digital tools</u>, have been used by journalists to access valuable environmental data about certain regions even without requiring them to be present on the ground.

However, in most cases, the scarcity of publicly available information requires journalists to be present on the ground in order to investigate, observe, gather data, talk to people and so be able to report the facts first hand.

Some of the journalists interviewed mentioned administrative obstacles to traveling to certain regions. Restrictive visa policies represent the most challenging obstacle for journalists, with some countries even requiring specific visas for journalists that are often impossible to receive. As a result, foreign journalists may be forced to travel on a different type of visa – business or even tourist – in order to carry out journalistic investigations, which exposes them to additional risks.

Indonesia offers an example. One foreign journalist who reports there said that it can be impossible for many qualified foreigners to get a journalist visa and that those who get caught with the wrong type of visa risk getting deported, or worse. He recalled three cases in the past 10 years in which foreign journalists were imprisoned and criminally charged for not having a visa, each of which became an international news story. The visa issue, this journalist said, has in some cases offered state authorities a pretext to silence those journalists who are investigating sensitive issues. "All three cases of journalists imprisoned because of their visa were reporting on highly sensitive subjects – corruption in the military, Papuan separatism, or Indonesia's forest fires," the journalist said. In two of the cases, the journalists were jailed for several months and then deported; in the third, international outcry led to the journalists being released after a week, before being deported as well.

Journalist visas for India have been increasingly difficult to get, too, a reporter in India said. "Foreign journalists are not getting visas, and this is new. A journalist from Science magazine couldn't get a visa for a story on heat, so a climate change story, (which was) not even an investigative story."

In addition to visa restrictions, journalists who cover the environment also face restrictions in accessing certain regions. A journalist operating in Côte d'Ivoire said that journalists there are supposed to get official authorization for covering environmental issues in certain remote areas. However, the process to obtain this permission is slow and often it doesn't work, so he decided to go undercover. Doing so inevitably carried additional risks.

Some of the journalists interviewed for this study also mentioned the challenges posed by the fact that some environmental investigations led them to regions that are dangerous because they are controlled by criminal groups, or because state security forces are not present. For example, two journalists spoke about the danger of traveling to Papua New Guinea, with one of them recounting being attacked by a gang of criminals there. Cameroonian journalist Madeleine Ngeunga also spoke about the difficulties of accessing remote regions where environmental harm happens, as international companies often control large swaths of land, sometimes even surrounding whole villages and communities. "When you enter [these areas], you feel like it is the company's territory", she said. "You are under surveillance. There are cameras and police officers. You feel like you are encircled and cannot go out."

Economic Pressure

Journalists from Italy to South Asia to Southeast Asia to Latin America said that many media outlets greatly limit their coverage of environmental subjects due to economic pressure. This pressure either comes from companies that provide financial support to the news outlets and don't want to see their economic interests hurt by environmental investigations, or is a consequence of news outlets' dependence on government ads, which prevent them from criticizing government policies and projects negatively affecting the environment.

Because of the close links of mainstream media in some countries with companies dealing in fossil fuels or mining or construction projects with negative environmental impact, their hands are tied when it comes to coverage of environmental stories, lamented several of the journalists interviewed.

A journalist said that, in Indonesia, there are more attacks on environmental activists than against journalists because most investigations into environmental crimes are actually done by activists. This situation results from the fact, this journalist said, that most mainstream media in Indonesia are owned by conglomerates, and editors are under pressure from the owner to refrain from publishing environmental investigations.

A typical approach when companies wish to silence environmental investigations is to contact the members of the board of a news outlet to express complaints about a certain article and ask for it to be retracted or changed. Editors, when confronted with these complaints, try to hold the line, but board members, who are not sufficiently familiar with the content of the article, are more likely to give in to pressure. "It happened to us for a carbon offset story," a journalist in Latin America said. "Four companies involved had refused to talk to us. But one of the companies contacted a board member saying that the story was very unfair because the journalists didn't allow them to present their perspective. Normally, one could quickly show that it's not true, but in a class-conscious society like Latin America it is very effective to go to the boss."

Hazal Ocak described a similar dynamic in Turkey. "When covering the mining industry in Turkey, what happens is that, maybe you don't get physical threats or court cases, but the owner of these mines reaches out to the media bosses – who tend to be business people themselves – and they end up censoring the news," she said.

Journalists also said that support provided by journalism grants and fellowships to support coverage of environmental and climate stories is key to ensuring the dissemination of important public-interest information. "During the Bolsonaro time, the foreign grants and funds for journalism were vital to keep investigative journalism on the Amazon alive," Joana Moncau said.

However, rules restricting access to foreign funds in some countries, such as India, hinder journalists' ability to pursue such funding.

Recommendations

For journalists and news organizations:

- Environmental and climate stories often bring journalists to remote and dangerous locations. Journalists and news organizations should **prepare thorough risk assessments** ahead of travel to identify potential risks and strategies to manage them.
- O Journalists should **seek the advice of local reporters, fixers, and trusted local contacts**, who are most likely to be familiar with the situation on the ground, in particular any emerging risk.
- O Journalists covering environmental and climate stories that carry high levels of risk should **employ strict security protocols** based on thorough risk assessment analyses. As part of these protocols, journalists should always be able to communicate their location, their expected travel route, and the people they expect to meet to an editor, a colleague, or another trusted person who is able to intervene in case of emergency.
- The possibility to **give visibility to attacks on journalists** may serve as a deterrent to potential aggressors. Journalists and news organizations should pursue opportunities to create networks of high-level contacts and persons who may have leverage over those responsible for attacks. Participation in journalist associations and networks can help generate further visibility for attacks.
- Where feasible, **pursue collaboration.** For local journalists, collaboration with national or international outlets may help to shield them from retaliation. Similarly, collaborative, cross-border projects may help limit the risk of legal harassment by raising the cost for plaintiffs.
- Follow good journalistic and editorial practices to reduce the risk of harassment, especially legal harassment. These practices include offering a right of reply to those who are the subject of significant criticism or allegations of wrongdoing. In addition, journalists should take complaints seriously, addressing questions and correcting their stories as needed, and should pursue all available self-regulatory accountability mechanisms.

O Journalists covering climate and environmental stories are often confronted with online attacks and harassment campaigns that take a heavy toll on them. News organizations should make available mechanisms for professional or peer support for journalists targeted with online attacks.

For states:

- O Coverage of wrongdoings and illegal activities that affect the environment carries a strong public interest. States must uphold their domestic and international human-rights obligations and ensure that journalists can cover environmental and climate stories freely, safely, and without fear of retaliation. Mechanisms to protect journalists at risk must be created and/or made proactive, effective, and credible.
- Impunity is a strong incentive for continued attacks against the press. States must end impunity for environmental crimes as well as all forms of attacks against environmental journalists. All those responsible for such attacks, including the masterminds, must be held to account.
- Authorities at all levels need to clearly communicate and demonstrate support for environmental and climate journalists.
- O States must ensure that the legal framework protects journalists and that laws are not abused to retaliate against journalists for their public-interest work. Legislation related to freedom of expression must be brought in line with international obligations and standards. Among other things, states should repeal criminal libel laws. Civil defamation laws must be limited in scope and serve solely to remedy harm caused by false and malicious statements.
- Anti-SLAPP legislation has proven effective in limiting the use of vexatious lawsuits to silence journalists. States should **pass effective anti-SLAPP laws** based on international best practices.
- Access to quality information and data is key to journalistic accuracy. States should eliminate obstacles to journalists' ability to access information about pollution, climate, and any projects affecting the environment. This includes ensuring proper implementation of freedom of information laws.

- O Journalists covering environmental and climate stories often need to travel to remote locations in order to investigate environmentally harmful activities or assess their consequences on local communities. States must uphold journalists' freedom of movement, including allowing access to natural parks, reserves, and other locations.
- States should stop using visa restrictions as a means to limit journalists' access.

For donors and journalism support groups:

- Provide support for safety training of environmental journalists, in particular those who cover dangerous assignments as well as those who find themselves in the role of first responders when covering natural catastrophes.
- O Provide support for the development and implementation of risk assessment reports and safety protocols. Whenever providing financial support to journalism projects, encourage journalists to assess the need to carry out a risk assessment and implement safety protocols.
- O Support the development of collaborative journalism projects on environment and climate topics, as collaboration can offer some protection against attacks.
- O Promote the creation of networks and other support structures that can provide assistance to environmental and climate journalists in case of emergency through advocacy and high-level contacts with people who are likely to have leverage over those responsible for attacks.
- O **Support access to legal defense** for environmental and climate journalists and news organizations, including the creation of pro-bono support programmes.
- O Data journalism is a core aspect of environmental and climate journalism and access to accurate and comprehensive data is one of the foundations of public-interest environmental and climate journalism. Philanthropic and journalism support organizations should support projects aimed at producing environmental- and climate-related data that journalists can reference in their coverage. This includes:
 - o Promoting academic research in this area and promoting closer cooperation between journalists and academic institutions.
 - Supporting the creation of open-source databases related to climate and environment.
 - o Facilitating training programmes for open-source newsgathering practices.

- The lack of comprehensive data about efforts to silence journalists covering stories about the environment and climate change hinders efforts to develop strategies to counter such efforts. **Ensure systematic monitoring of attacks** and press freedom violations alongside the development of coordinated advocacy efforts to stop such violations.
- Create opportunities for environmental and climate journalists to come together and discuss concerns about safety and press freedom and exchange experiences, best practices, and information about available resources.
- O Create dedicated programmes to focus on the specific risks that climate and environmental journalists face and develop strategies to address them as a means to ensure accurate, independent, and accessible journalistic coverage of environmental and climate stories.