

**Towards Environmental Democracy:
Amplifying and Legitimizing the Voices of
Climate Justice Defenders**

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Abstract

This paper discusses how the tenets of environmental democracy can be upheld in climate action by amplifying and legitimizing the voices of climate justice defenders. The paper observes that climate justice defenders play a pertinent role in strengthening the response to climate change at all levels. Despite their vital contribution towards confronting climate change, the paper observes that climate justice defenders all over the world face several threats undermining progress towards environmental democracy. It explores some of the major challenges faced by climate justice defenders all over the world. In light of these challenges, the paper notes that it is vital to protect climate justice defenders in order to attain sound climate action for people and planet. It discusses how the voices of climate justice defenders can be amplified and legitimized towards environmental democracy for people and planet.

1.0 Introduction

Fostering environmental democracy is vital towards protecting people and planet in light of a mounting climate crisis. Climate change is a major threat to Sustainable Development with its adverse impacts including intense droughts, water scarcity, rising temperatures, severe wildfires, rising sea levels, flooding, melting polar ice, catastrophic storms and declining biodiversity devastating individuals, communities, nations, nature and ecosystems all over the world¹. The United Nations 2030 Agenda for Sustainable

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¹ United Nations., 'What is Climate Change?' Available at <https://www.un.org/en/climatechange/what-is-climate-change> (Accessed on 03/03/2026)

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*Development*² acknowledges that climate change is one of the greatest challenges of our time whose adverse effects undermine the ability of all countries to achieve Sustainable Development³. The Agenda urges all states to take urgent action to combat climate change and its impacts in order to ensure Sustainable Development for people and planet⁴.

Environmental democracy is at the heart of effective climate action. Environmental democracy envisages that environmental and natural resource decisions must involve all citizens and should adequately and equitably address the needs and interests of all stakeholders⁵. According to environmental democracy, meaningful participation by the public is critical to ensuring that decisions related to the environment and natural resources adequately and equitably address the interests of all citizens towards sound environmental governance and Sustainable Development⁶. It has been observed that environmental democracy covers three fundamental rights and obligations in respect of the environment⁷. These include the ability for people to freely access environmental information⁸; to participate meaningfully in decision-making relating to the environment⁹; and to seek enforcement of environmental laws or compensation in respect of environmental harms¹⁰.

² United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf> (Accessed on 03/03/2026)

³ Ibid

⁴ Ibid

⁵ Center for International Environmental Law., 'Environmental Democracy and Access Rights' Available at <https://www.ciel.org/issue/environmental-democracy-access-rights/> (Accessed on 03/03/2026)

⁶ Worker. J., & Ratte. S., 'What Does Environmental Democracy Look Like?' Available at <https://www.wri.org/insights/what-does-environmental-democracy-look> (Accessed on 03/03/2026)

⁷ Center for International Environmental Law., 'Environmental Democracy and Access Rights' Op Cit

⁸ Ibid

⁹ Ibid

¹⁰ Ibid

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It has been observed that upholding the tenets of environmental democracy is key in bolstering climate action at all levels by ensuring that citizens have access to climate information, participate in decision-making processes on climate change, and can access justice in respect of human right violations caused by the climate crisis¹¹. Environmental democracy which is built on the principles of participation, transparency, and justice, is therefore necessary for effective responses on climate change¹². Environmental democracy bolsters climate action through free flow of climate information, transparency and accountability in climate action, public participation in decision-making processes, rule of law and avenues for legal redress, and legitimacy of policy choices¹³. Strengthening environmental democracy is therefore key towards designing and implementing effective climate solutions for people and planet.

This paper discusses how the tenets of environmental democracy can be upheld in climate action by amplifying and legitimizing the voices of climate justice defenders. The paper observes that climate justice defenders play a pertinent role in strengthening the response to climate change at all levels. Despite their vital contribution towards confronting climate change, the paper observes that climate justice defenders all over the world face several threats undermining progress towards environmental democracy. It explores some of the major challenges faced by climate justice defenders all over the world. In light of these challenges, the paper notes that it is vital to protect climate justice defenders in order to attain sound climate action for people and planet. It discusses how

¹¹ Open Government Partnership., 'Climate and Environment: Environmental Democracy' Available at <https://www.opengovpartnership.org/open-gov-guide/climate-and-environment-environmental-democracy/> (Accessed on 03/03/2026)

¹² Democratic practices in climate change adaptation., Available at <https://demofinland.org/en/democratic-practices-in-climate-change-adaptation/> (Accessed on 03/03/2026)

¹³ Office of the United Nations High Commissioner for Human Rights., 'Democracy and climate change: focusing on solutions' Available at <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/forums/forum-democracy-ruleoflaw/2025/subm-5-session-forum-othe-inte-orga-31-intern-idea-idea.pdf> (Accessed on 03/03/2026)

the voices of climate justice defenders can be amplified and legitimized towards environmental democracy for people and planet.

2.0 Climate Justice Defenders and Environmental Democracy: Opportunities and Challenges

Climate justice defenders and environmental defenders in general play an important role in the quest towards environmental democracy. The United Nations Environment Programme (UNEP) defines environmental defenders as individuals and groups who, in their personal or professional capacity and in a peaceful manner, strive to protect and promote human rights relating to the environment¹⁴. It has been observed that environmental defenders are characterized through their actions which aim to protect and uphold environmental rights including the right to a clean, healthy and sustainable environment¹⁵. Environmental defenders play an important role in protecting people and planet from adverse impacts of pollution, biodiversity loss, climate change, unsustainable industrial development, logging and unsustainable extractive projects¹⁶. It has been observed that as the world struggles with a mounting triple crisis of biodiversity loss, pollution and climate change, environmental defenders have been at the forefront in advocating for effective solutions that protect humanity and nature while also challenging ecologically destructive practices¹⁷.

In particular, climate justice defenders are an important asset for people and planet in pursuit of environmental democracy. It has been observed that throughout the world, climate justice defenders are the forefront of climate action advocating for solutions that

¹⁴ United Nations Environment Programme., 'Who are Environmental Defenders?' Available at <https://www.unep.org/topics/environmental-law-and-governance/who-are-environmental-defenders> (Accessed on 03/03/2026)

¹⁵ Ibid

¹⁶ Ibid

¹⁷ Stockholm Environment Institute., 'Defending the Environmental Defenders in the Global South' Available at <https://www.sei.org/events/defending-the-environmental-defenders-in-the-global-south/> (Accessed on 03/03/2026)

protect people and planet often at a great personal risk¹⁸. Climate justice defenders are utilising strategies such as ecosystem restoration, public assemblies and demonstrations, and climate litigation to shape policies and responses on climate change¹⁹. In particular, it has been observed that women environmental defenders are at the forefront of climate justice²⁰. For example, they protect and restore key ecosystems including forests and other landscapes, advocate for equity and inclusivity in decision-making processes, challenge unsustainable practices by extractive industries and push for policies and investments that protect people and planet²¹. Further, indigenous human rights defenders play a key role in the pursuit of environmental and climate justice by opposing land grabbing, unsustainable natural resource extraction, mega projects and deforestation among other activities that undermine the environmental rights of indigenous peoples all over the world²².

Climate justice defenders are therefore at the heart of environmental democracy. They play an important role in promoting the tenets of environmental democracy including through advocating for greater transparency and access to information in the climate discourse, pushing for inclusive and participatory decision-making processes, and fostering access to justice in the midst of climate change including through climate litigation²³. However, climate justice defenders are facing mounting threats undermining their role as agents of change. For example, it has been observed that environmental and climate justice defenders are often assaulted and killed²⁴. It is estimated that attacks

¹⁸ Center for International Environmental Law., 'COP30: Why Protecting Defenders Is Central to Climate Justice' Available at <https://www.ciel.org/cop30-protecting-defenders-climate-justice/> (Accessed on 03/03/2026)

¹⁹ United Nations Environment Programme., 'Who are Environmental Defenders?' Op Cit

²⁰ United Nations Development Programme., 'Women human rights defenders powering climate justice' Available at <https://www.undp.org/stories/women-human-rights-defenders-powering-climate-justice> (Accessed on 03/03/2026)

²¹ Ibid

²² Indigenous Human Rights Defenders., Available at <https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2016/08/Indigenous-Human-Rights-Defenders.pdf> (Accessed on 03/03/2026)

²³ United Nations Environment Programme., 'Who are Environmental Defenders?' Op Cit

²⁴ Ibid

against environmental and climate justice defenders are on the rise globally with thousands being attacked, murdered, threatened and unlawfully detained²⁵. Further, it has been pointed out that climate justice defenders and organizations are facing fierce repression through laws criminalizing expression and assembly, exclusion from policy-making, and punitive lawsuits in order to deter their activities²⁶.

The challenges faced by climate justice defenders are especially severe against women and indigenous human rights defenders. For instance, it has been observed that women environmental defenders are often subject of digital violence, exclusion from decision-making processes, and inadequate access to finances needed to advance their activities²⁷. In addition, indigenous human right defenders who are at the forefront of fighting for the environmental rights of indigenous peoples are being attacked, tortured, intimidated and murdered in some cases²⁸. In light of these threats, there is need to adequately climate justice defenders in order to foster environmental democracy for people and planet.

3.0 Amplifying and Legitimizing the Voices of Climate Justice Defenders towards Environmental Democracy

Climate justice defenders play an important role in advocating for solutions that protect people and planet from the worsening impacts of climate change. It has been observed that without the voices of climate justice defenders, climate solutions risk perpetuating inequalities and injustices²⁹. However, in light of mounting threats including attacks,

²⁵ Geneva Environment Network., 'Environmental Human Rights Defenders and the Role of Geneva' Available at <https://www.genevaenvironmentnetwork.org/resources/updates/environmental-human-rights-defenders/> (Accessed on 03/03/2026)

²⁶ De-Risking Dissent: Climate justice defenders and the expanding reach of counter-terrorism financing regulation., Available at <https://fatfplatform.org/stories/de-risking-dissent-climate-justice-defenders-and-the-expanding-reach-of-counter-terrorism-financing-regulation/> (Accessed on 03/03/2026)

²⁷ United Nations Development Programme., 'Women human rights defenders powering climate justice' Op Cit

²⁸ Amnesty International., 'Indigenous Peoples' Rights' Available at <https://www.amnesty.org/en/what-we-do/indigenous-peoples/> (Accessed on 03/03/2026)

²⁹ United Nations Development Programme., 'Women human rights defenders powering climate justice' Op Cit

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murders, criminalization of their activities, intimidation, and financial restrictions, it is necessary to protect climate justice defenders towards environmental democracy.

It is therefore necessary for all states to put in place effective measures towards amplifying and legitimizing the voices of climate justice defenders. It has been argued that protection of environmental and climate justice defenders is not a matter of political discretion but it is a legal duty grounded in international human rights law³⁰. The United Nations *Declaration on Human Rights Defenders*³¹ requires all states to respect and uphold the role of human rights defenders to peace, sustainable development and human rights. In particular, it requires states to protect human rights defenders against any arbitrary action as a consequence of the legitimate exercise of their rights, and ensure access to effective remedies in the case of violations and prompt and impartial investigations of alleged violations³². Further, it requires states to create enabling environments, through legislative, institutional and administrative measures towards protecting human right defenders³³.

In order to amplify and legitimize the voices of climate justice defenders, there is need to denounce attacks, torture, intimidation and murders of environmental and climate justice defenders³⁴. There is also need for states to put in place enabling legal frameworks that allow environmental and climate justice defenders to exercise their rights including the rights to expression, peaceful assembly, access to information and association without threats and intimidation³⁵. Further, there is need to strengthen justice systems in order to

³⁰ Center for International Environmental Law., 'COP30: Why Protecting Defenders Is Central to Climate Justice' Op Cit

³¹ United Nations General Assembly., 'Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: A/RES/53/144' Available at <https://docs.un.org/en/A/RES/53/144> (Accessed on 03/03/2026)

³² Ibid

³³ Ibid

³⁴ United Nations Environment Programme., 'Who are Environmental Defenders?' Op Cit

³⁵ Ibid

allow climate justice defenders to effectively spearhead climate action by holding states and corporations accountable through climate litigation³⁶.

Protecting vulnerable climate justice defenders is also key in the pursuit of environmental democracy. In particular, it has been observed that there is need to protect women environmental defenders by denouncing and curbing digital violence, supporting resilient civic spaces where women environmental defenders can act without fear and intimidation, and fostering gender equality in all spaces including climate action³⁷. Further, there is need to protect indigenous environmental and climate justice defenders including through building safe and enabling civic spaces at national levels, ensuring their meaningful participation in climate decision-making processes, enhancing access to information and access to climate finance in order to support their activities³⁸.

Through the foregoing, it is possible to effectively amplify and legitimize the voices of climate justice defenders all over the world for environmental democracy.

4.0 Conclusion

With the world witnessing a mounting climate crisis, climate justice defenders have become key stakeholders in the pursuit of environmental democracy for people and planet. Their activities including climate advocacy, ecosystem restoration, participation in decision-making processes, and climate litigation are shaping the climate discourse by providing valuable solutions towards protecting humanity and nature from climate change³⁹. However, they are also facing threats such as assaults, murder, criminalization of their activities, exclusion from decision-making processes, and inadequate access to

³⁶ Center for International Environmental Law., 'COP30: Why Protecting Defenders Is Central to Climate Justice' Op Cit

³⁷ United Nations Development Programme., 'Women human rights defenders powering climate justice' Op Cit

³⁸ Center for International Environmental Law., 'COP30: Why Protecting Defenders Is Central to Climate Justice' Op Cit

³⁹ Center for International Environmental Law., 'COP30: Why Protecting Defenders Is Central to Climate Justice' Op Cit

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resources needed to spearhead their activities⁴⁰. In light of these concerns, it is necessary to amplify and legitimize the voices of climate justice defenders in order to achieve environmental democracy. Achieving this goal involves denouncing attacks, assault and murder of climate justice defenders, building safe and resilient civic spaces, curbing digital violence against women environmental defenders, strengthen access to justice, and supporting the activities of climate justice defenders through access to information and climate finance⁴¹.

Amplifying and legitimizing the voices of climate justice defenders is an important agenda that needs to be pursued all over the world towards environmental democracy.

⁴⁰ Ibid

⁴¹ United Nations Environment Programme., 'Who are Environmental Defenders?' Op Cit

References

Amnesty International., 'Indigenous Peoples' Rights' Available at <https://www.amnesty.org/en/what-we-do/indigenous-peoples/>

Center for International Environmental Law., 'COP30: Why Protecting Defenders Is Central to Climate Justice' Available at <https://www.ciel.org/cop30-protecting-defenders-climate-justice/>

Center for International Environmental Law., 'Environmental Democracy and Access Rights' Available at <https://www.ciel.org/issue/environmental-democracy-access-rights/>

Democratic practices in climate change adaptation., Available at <https://demofinland.org/en/democratic-practices-in-climate-change-adaptation/>

De-Risking Dissent: Climate justice defenders and the expanding reach of counter-terrorism financing regulation., Available at <https://fatfplatform.org/stories/de-risking-dissent-climate-justice-defenders-and-the-expanding-reach-of-counter-terrorism-financing-regulation/>

Geneva Environment Network., 'Environmental Human Rights Defenders and the Role of Geneva' Available at <https://www.genevaenvironmentnetwork.org/resources/updates/environmental-human-rights-defenders/>

Indigenous Human Rights Defenders., Available at <https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2016/08/Indigenous-Human-Rights-Defenders.pdf>

Office of the United Nations High Commissioner for Human Rights., 'Democracy and climate change: focusing on solutions' Available at <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/forums/forum-democracy-ruleoflaw/2025/subm-5-session-forum-othe-inte-orga-31-intern-idea-idea.pdf>

Open Government Partnership., 'Climate and Environment: Environmental Democracy' Available at <https://www.opengovpartnership.org/open-gov-guide/climate-and-environment-environmental-democracy/>

Stockholm Environment Institute., 'Defending the Environmental Defenders in the Global South' Available at <https://www.sei.org/events/defending-the-environmental-defenders-in-the-global-south/>

Towards Environmental Democracy: Amplifying and Legitimizing the Voices of Climate Justice Defenders

United Nations Development Programme., 'Women human rights defenders powering climate justice' Available at <https://www.undp.org/stories/women-human-rights-defenders-powering-climate-justice>

United Nations Environment Programme., 'Who are Environmental Defenders?' Available at <https://www.unep.org/topics/environmental-law-and-governance/who-are-environmental-defenders>

United Nations General Assembly., 'Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: A/RES/53/144' Available at <https://docs.un.org/en/A/RES/53/144>

United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>

United Nations., 'What is Climate Change?' Available at <https://www.un.org/en/climatechange/what-is-climate-change>

Worker. J., & Ratte. S., 'What Does Environmental Democracy Look Like?' Available at <https://www.wri.org/insights/what-does-environmental-democracy-look>