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ENVIRONMENTAL LAW

CLIMATE
CHANGE
IS NOT THE
CHANGE
WE ARE
LOOKING FOR

**Annual Impact Report
2023**

Our Mission

Since 1989, CIEL has used the power of law to protect the environment, promote human rights, and ensure a just and sustainable society.

Our Strategy

Promoting Environmental Democracy

Strengthening environmental democracy — the rights to information, participation, and justice — ensures that people have a meaningful say in environmental decisions that affect them and effective ways to protect their rights.

Counter-Balancing Corporate Power

By counter-balancing corporate power and finding new ways to hold corporations accountable for human rights and environmental harms, we change the incentives that lead to bad behavior and move us toward a more just and sustainable society.

Ensuring Finance Serves People and the Planet

Confronting problems at their financial source and redirecting the money away from harmful investments and towards more positive outcomes for all is a critical way to effect change more rapidly than through policy alone.

Strengthening International Environmental and Human Rights Law

Global challenges demand global solutions. To address them, we must ensure that international law is effective: responding to existing needs, continually adapting to changing realities, and above all, leading to real changes in policy, human behavior, and environmental outcomes.

Key Result Areas

Reducing Toxic Risks

Accelerating the Transition Away from Fossil Fuels

Protecting Forests & Intact Ecosystems

Making Trade Safer for People and Environment

Ensuring Human Rights Drive Development

Exposing the Hidden Costs of a Plastic Planet

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President's Letter



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For most of my life — and all of my career — I have held firm to the belief that the arc of history bends towards justice.

But recent years show us that this statement is incomplete. The arc of history does not simply bend of its own accord. Every shift in that arc is the result of active, unrelenting effort by people like us — like you. The arc of history can be bent, but only when we are working to bend it. And that work never stops. The moment it does, we risk sliding backward.

Recent years have shown us that the progress we have made can be undone if we become complacent, if we slow down, or if we treat milestones merely as laurels — rather than as anchors for the next bend, and the one after that.

We face a moment of converging and accelerating planetary crises, with an endless succession of record-breaking climate disasters, biodiversity collapse, and toxic pollution impacting every corner of the world. We face this moment against the backdrop of real or potential democratic rollbacks in countries around the world, even in places where democracy was long taken for granted. And so, we keep working. We keep bending, and defending against efforts to pull us backward.

The stories that we share in this Annual Report reflect how we are bending the arc. They reflect the years, and sometimes decades, of sustained effort. In the past year, we celebrated extraordinary milestones. We contributed

to moments of profound power. And we witnessed again and again that change is not only possible and essential, it is inevitable if we continue our course. This progress is possible — and increasingly inevitable — because more and more movements around the world are acting together, recognizing and aligning their shared causes, amplifying leaders on the front lines and fence lines, and more importantly, following their leadership. Prioritizing justice is crucial for true shared progress, and it is the only way we transform the systems across which the arc of history is traced.

Importantly, after two decades during which the world was turning its back on international solutions, we are witnessing a resurgence in the importance of international law and the need for international governance. Whether it is securing the right to a healthy environment or drafting a new global treaty to end plastic pollution, launching principles to safeguard the rights of future generations, or building momentum for a fossil fuel non-proliferation treaty, we understand that human rights and environmental crises cannot be solved within national borders. It is now clearer than ever that international law and governance play a vital role in confronting the intersecting planetary crises we face. Equally clear is that the law itself is one of the systems we must transform to do so.

The stories in this report are only snapshots of those moments and milestones. The work of bending history towards justice goes on; it never stops. It needs you, just like it needs all of us.

Carroll Muffet
President & CEO

A handwritten signature in blue ink, appearing to read 'Carroll Muffet', written over a white background.

Chair of the Board's Letter

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In this Chair letter, I am delighted to highlight the volunteer side of CIEL.

My board colleagues hold a wide range of environmental and human rights expertise and experiences, but every one of us has a passion for the mission and vision that CIEL brings to the most challenging issues facing communities and organizations. From hands-on, ground-level fenceline and frontline activists to Indigenous leaders, environmental justice elders, academicians, policy framers, authors, and even a former prime minister and Nobel Laureate, our historic advisory board members have invested our zest and resources to guarantee that CIEL thrives.

I was recently looking through CIEL's 2010 Annual Report. It was a year of milestones. We celebrated CIEL's first twenty years. Daniel Magraw, who in 1989 was CIEL's very first individual donor, completed his eight-year tenure as CIEL's leader and Carroll Muffett, himself a former CIEL intern, had just become President and CEO. In the ensuing thirteen years, Carroll's leadership can be measured in impact, innovation, and excellence — and in growth. Our impact is praised and recognized, but most importantly, we have made a difference in people's lives.

It is sobering to realize that I have been on the board for over twenty years (while still complying with term-limits!). But then, our work and the relationships we foster are a lifelong commitment. I call CIEL a “sticky” place; through the decades, interns, staff, and board have returned to CIEL — both directly in different roles and positions, as well as indirectly as we continue to cross paths, collaborate, and build a more just future within the international spaces where we work together. In this way, CIEL is building a kind of global family, with its seeds of impact spreading roots and growing branches to advance environmental justice and human rights around the world.

I believe that we at CIEL are the 21st century midwives to a sustainable future. We will and must build on the thirty-year victory of the right to a healthy environment and our role in its delivery. Join us as we ensure that the next thirty-five years are as rewarding and high-impact as these first thirty-five have been.

Thank you for the honor and privilege to (twice) help steer and serve our future as Chair.

Dianne Dillon Ridgely
Chair, Board of Trustees

Bending the Arc of History

The Right to a Healthy Environment
& the Rights of Future Generations

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In July, the United Nations awarded its highest human rights prize to the Global Coalition of civil society organizations, Indigenous Peoples, social movements, and local communities that led the successful campaign for “the universal recognition of the right to a clean, healthy and sustainable environment.” The prize is the culmination of decades of movement building, legal advocacy, and policy diplomacy that CIEL has fostered, supported, and when necessary, coordinated. Given once every five years, this award recognizes the coalition’s vital role in securing the UN General Assembly’s universal recognition of the right to a healthy environment in 2022. This is the first time the prize was awarded to a global coalition.

The historic recognition of this right is already informing legal precedent and advancing accountability around the globe. It is informing advisory proceedings of the International Tribunal on the Law of the Sea, the Inter-American Court of Human Rights, and the International Court of Justice that will guide decision making; drive accountability; and support people, communities, and movements demanding their rights to a safe climate and a livable future. And it is a touchstone for integrating human rights into the global plastics treaty negotiations.

In a moment of serendipity, we learned of the UN Human Rights Prize just days before the public launch of the Maastricht Principles on the rights of future generations. At the heart of these Principles is the recognition that protecting the rights of future generations means simply according to those who will follow us the same human rights that each of us already enjoy. It means recognizing that we must avoid discrimination not only within generations, but across them, and safeguarding against that discrimination in the decisions and actions we take today. This critical conceptual breakthrough has opened the door to a growing community of experts and practitioners who are embracing the Principles as a legal tool to advance their work.

The development of the Principles themselves, like the recognition of the right to a healthy environment before them, demanded years of painstaking groundwork — including research, consultations, and synthesis — that drew on the expertise and experience of more than 200 human rights and legal experts, social movement representatives, and regional convenings. In the short time since their release, the Principles have been incorporated into amicus briefs for lawsuits and legal bodies, and welcomed by governments, human rights organizations, and human rights mandate holders. The Principles have also been highlighted as a critical input for the UN’s upcoming Summit for the Future, which aims to create a process to define and protect the rights of future generations.

The Principles are significant not only for what they have accomplished in their first few months, but for what they reflect: the next step toward developing a more holistic legal system that acknowledges — as cultures and peoples around the world have long done — the profound interconnections between humans and the environment. They recognize that we only have one Earth to live on, and that we must live within its limits if we are to survive and thrive as a species.

Running throughout the Maastricht Principles on the rights of future generations is the recognition of the rights of Indigenous Peoples, the need to address intra-generational justice as a step to address intergenerational justice, and the importance of integrating progress from other areas of law, including the rights of nature. For that reason, the Maastricht Principles, alongside the right to a healthy environment, are helping lay foundations for the legal change that we seek — not just over the next few years, but for the coming decades. Because thinking on those timelines is how we change history.

Climate Justice Demands

“

If big polluters refuse to face up to the facts that fossil fuels are today's weapons of mass destruction, and to urgently step up their actions to phase out all oil, gas, and coal — without loopholes or limitations — then they better lawyer up. They will be called to account not just in the court of public opinion, but in the courts of law.

- *Nikki Reisch*



Ambitious Climate Action

If we are to keep global temperature rise below 1.5°C and avoid the most catastrophic impacts of climate change, by 2030 we must cut emissions in half - and eliminate them entirely by 2050.

How we define a problem determines how we identify its solutions. From its inception, the international climate negotiating platform — the UN Framework Convention on Climate Change (UNFCCC) — failed to acknowledge fossil fuels as the primary driver of the climate crisis. That glaring omission was no accident: Those profiting from business-as-usual have actively influenced the narrative, obscured facts, and manipulated information to perpetuate our reliance on fossil fuels.

At the latest global climate talks in Egypt (COP27), CIEL and our partners succeeded in putting fossil fuels squarely on the agenda of the UNFCCC. But the fossil fuel industry has a new ploy to deflect attention

from the urgent need to phase out oil, gas, and coal: “net zero.” Under the guise of carbon offsets, carbon capture, and geoengineering technologies, net zero creates a misleading diversion and promotes a dangerous distraction. It suggests that, instead of reducing emissions outright by stopping them at their source, we can manipulate the math.

The science is clear: We must cut global emissions in half by 2030. Carbon offsets and carbon removal technologies cannot replace real emissions reductions. Net zero greenwashing delays crucial climate action and places a burden on communities already bearing the brunt of the climate crisis. Last year, CIEL and partners helped secure key recommendations from a UN High-Level Expert Group, which affirmed that real zero emissions requires commitments to phase out and discontinue support for ALL fossil fuels — coal, oil, and gas.

Advancing Real Solutions

Fossil Fuel Non-Proliferation Treaty

Fossil Fuel Divestment

No New Oil and Gas Projects

Protect the Ocean from Oil and Gas

Avoiding Dangerous Distractions

Carbon Capture and Storage

Solar Radiation Management

Net Zero Greenwashing

Offsets and Carbon Markets



Fostering Science-Driven Climate Action

This year, the Intergovernmental Panel on Climate Change (IPCC) released its latest report, synthesizing the best available science on climate change gathered from its six prior reports published since 2014. The 6th Assessment Report warns that exceeding 1.5°C warming (“overshoot”) would have dangerous and irreversible consequences. It reinforces the fact that every fraction of a degree matters to avoid climate “tipping points” and self-reinforcing feedback loops, such as permafrost thawing and the collapse of forest ecosystems. What is undeniably evident is that we are not doing enough to avoid a 1.5°C overshoot. We urgently require substantial emission reductions across all sectors, starting with an immediate phaseout of coal, oil, and gas.

CIEL’s team dedicated a week in Interlaken, Switzerland, engaging with representatives of the IPCC’s 195

member governments and the scientists who drafted the Synthesis Report as they reached consensus on every aspect of the final text of its Summary for Policymakers — a document intended to guide political action. CIEL and partners engaged with delegates to ensure that political pressure did not compromise the scientific integrity of the IPCC’s reports. Their objective was to ensure the report’s focus remain rooted in human rights-based approaches and real solutions, not speculative, dangerous, and mostly ineffective technofixes like carbon capture, carbon removal, and solar geoengineering.

CIEL’s work around the IPCC secured significant media coverage, ensuring that journalists, policymakers, and the public understand the science, focus on immediate solutions and a rapid fossil fuel phaseout, and are not distracted by dangerous false solutions.



Removing Legal Barriers to Ambitious Climate Action



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The Energy Charter Treaty (ECT) is an outdated investment agreement originally created to enable energy sector cooperation after the Cold War. However, today, its inclusion of investor-State dispute settlement (ISDS) is an obstacle to necessary climate action.

Fossil fuel investors have used the ECT to sue States over their climate measures, claiming a right to substantial economic compensation for alleged expenses or investment losses. Unless States curb investor access to arbitration in such “secret courts,” this trend is likely to intensify in the coming years as governments must take unprecedented steps to address the climate crisis. States could be squeezed from both sides: sued by communities for their climate inaction with ever greater frequency, and sued by investors under ISDS if and when they do act to phase out the fossil fuel drivers of the climate crisis and accelerate the energy transition.

CIEL has long worked to dismantle ISDS and ensure that the perspectives of communities inform ongoing arbitration. This year, CIEL worked tirelessly to educate European decision makers about the dangers of ISDS in the ECT, demonstrating how the treaty undermines effective climate action and is fundamentally incompatible with EU law. In an unprecedented win, the European Commission proposed a coordinated withdrawal of the EU and all of its Member States from the ECT. Now, we are leveraging this momentum for other States and clearing the way for effective climate action around the world.

Stopping Two Emblematic Oil Pipelines

At a time when fossil fuel phaseout is paramount, oil and gas pipelines exacerbate the climate crisis and directly threaten local communities and ecosystems. CIEL supports local partners to defend their rights, develops legal strategies to hold companies accountable, and works to stop money from flowing into polluting projects.



Defending the Defenders Confronting the East Africa Crude Oil Pipeline



In Uganda and Tanzania, oil companies are rushing to construct a new 1,400-kilometer heated oil pipeline — the world’s longest — through Eastern Africa.

The proposed East Africa Crude Oil Pipeline (EACOP) has already harmed local populations through physical and economic displacement. If constructed, it would permanently deprive thousands of families of their lands and livelihoods, jeopardize water sources, and endanger protected habitats from Uganda to Tanzania. It would also generate millions of tons of greenhouse gas emissions.

Together with local partners like the African Institute for Energy Governance (AFIEGO) and the global coalition to #StopEACOP, CIEL is amplifying concerns about the project’s impacts with UN human rights bodies, increasing international attention to human rights violations, environmental damages, and climate threats. This coalition is also pressuring financiers not to bankroll the destructive development. The global campaign has exposed the legal and financial risks of investing in EACOP, prompting over twenty-seven major banks and twenty-four insurers to rule out support for the project.

Amidst escalating retaliation against environmental and human rights defenders, including intimidation and criminalization, CIEL has provided rapid response communications to raise awareness of breaking developments, alert members of the diplomatic corps, and ensure safety for individuals under attack.

Protecting Indigenous Sovereignty Against Line 5

In Anishinaabe territories surrounding the Great Lakes, a seventy-year-old pipeline carries oil and gas originating in Canada through Wisconsin, Michigan, and Ontario. Owned and operated by Enbridge, Line 5 was originally designed to last only fifty years. Its operation in the Great Lakes region has resulted in more than thirty documented spills to date, releasing an estimated 1.1 million gallons of petroleum into the environment.

Indigenous communities have long demanded the shutdown of Line 5. Every day that this pipeline remains operational increases the likelihood of further catastrophic oil spills, endangering Indigenous territories and cultures, the Great Lakes, and other essential sources of freshwater. While a US court has found that Line 5 is trespassing on Indigenous land — and Michigan’s governor revoked the company’s permission to run the pipeline — Canada continues to support its operation.

CIEL has been working with partners and affected Indigenous communities to demonstrate that Canada’s support for the Line 5 pipeline violates Indigenous Peoples’ territorial sovereignty and their right to a healthy environment, among other rights. With CIEL’s assistance, they secured a strong recommendation from the UN Permanent Forum on Indigenous Issues, urging Canada and the US to uphold their human rights obligations and decommission Line 5. This recommendation was echoed by the UN Special Rapporteur on the rights of Indigenous Peoples, who also pointed out that Canada’s efforts to extend the operation of the Line 5 oil pipeline contradicts its international commitment to phase out fossil fuels to mitigate climate change.

Tackling the Roots of the Fossil Economy

Evolving Challenges, Evolving CIEL

Just as the burning of fossil fuels for energy and transport accelerates the climate crisis, the use of oil and gas feedstocks in plastics, fertilizers, and other petrochemicals threatens human rights and ecosystems around the world while accelerating the climate emergency. To meet this challenge, CIEL opened a new program dedicated to uprooting the fossil economy. This new program works to transform the fossil economy by fighting the expansion of petrochemical production, confronting the overuse of plastics, synthetic fertilizers and pesticides (agrochemicals), and exposing false solutions like carbon capture and storage, carbon dioxide removal, and other geoengineering approaches.



By tackling the shared threats of fossil fuels, plastics, and agrochemicals, and by unmasking the speculative nature of unproven technofixes, we are accelerating the implementation of real solutions to the triple planetary crises of climate change, biodiversity collapse, and toxic pollution.

- Lili Fuhr



Exposing Fossil-Fueled Agriculture

CIEL's research exposed that synthetic fertilizers and pesticides are derived from fossil fuels. Yet, their role in driving the climate crisis has largely gone unnoticed. Agrochemicals not only create significant greenhouse gas emissions, but also pose considerable risks to human health, wildlife, and the environment through the food we eat, soil runoff, and intentionally added microplastics in seeds, pesticides, and fertilizers.

Addressing this issue directly is crucial: The production and use of fertilizers currently contributes more to the climate crisis than commercial aviation, and this contribution is projected to grow another 50 percent by 2050. At a time of surging fossil fuel, fertilizer,

and food prices — against the backdrop of escalating climate, biodiversity, and pollution crises — the case for transitioning away from fossil fertilizers and fossil fuels altogether has never been clearer.

CIEL is helping to build an integrated global movement to confront the intersecting risks of fossil fuels and agrochemicals. This work includes filling specific research and knowledge gaps; facilitating connections and education to develop cross-movement strategies; crafting legal analyses, arguments, and campaigns; and raising media awareness about the links between agrochemicals and fossil fuels.

Stopping Petrochemical Expansion



On February 3, 2023, a massive smoke plume darkened the sky when a Norfolk Southern train derailed near East Palestine, Ohio, spilling some of its toxic contents — including carcinogenic vinyl chloride — which were then intentionally set aflame. People living as far away as western Pennsylvania reported chemical smells and health issues. As the toxins spread into the land, air, and water, local residents had to fight for environmental monitoring, and officials are still only beginning to understand the impacts of this disaster.

The East Palestine disaster is not an isolated incident — it is one of dozens of such major occurrences so far in 2023. According to some estimates, the US is currently averaging a “chemical accident” in production and transportation every two days. Petrochemicals are largely made from fossil fuels, and they serve as

the building blocks of many products, like plastics, pesticides, and fertilizers. In the US alone, there are plans for the construction of more than 120 new petrochemical plants, predominantly near communities of color and economically disadvantaged areas, particularly in the Gulf Coast and Appalachia. CIEL is proudly partnering to stop this buildout with groups like Beyond Petrochemicals, the People Over Petro and Permian Gulf Coast Coalitions, and the Break Free From Plastic movement.

We are also working to connect the dots to reveal a full picture of the harms to frontline communities. Together, we are exposing the human and environmental impacts of industrial addition to petrochemicals — especially how risky and toxic they are. Our campaigners are also building tools and resources with frontline communities to protect their rights and futures by halting this planned expansion in its tracks.



Exposing the Risks of Carbon Capture and Storage

Advancing Environmental Justice in Louisiana



In the humid bayous of Louisiana, where cypress trees sway and brown pelicans fly, amid the aromas of gumbo and the rhythm of jazz, people are facing increased toxic emissions required for the production of even more petrochemicals and plastics.

Promoting a deceptive narrative that greenhouse gas emissions can simply be filtered, piped, and then injected underground — known as carbon capture and storage (CCS) — this buildout across the Gulf South threatens to worsen environmental racism and increase the toxic burden on communities. This perpetuates a generations-old pattern: The fossil economy in Louisiana is deeply connected to the old plantation economy, vestiges of which still plague today's policies and investments. Indeed, the buildout is primarily planned in close proximity to Black communities de-

scended from people previously enslaved, often situated on or near ancestral burial grounds.

CIEL works with local communities and partners to build the analysis, research, and legal strategies deployed to defend communities against the plastics and chemicals buildout. Our reports, factsheets, and press releases have been used by local partners in the Louisiana Against False Solutions coalition in their efforts to resist carbon pipelines and injection wells in their communities — and anywhere. CIEL has partnered with local advocates to build grassroots power for community meetings, journalists' workshops on the risks of CCS, meetings with local elected officials to advocate against carbon expansion, and the submission of public comments to regulators.

This year, CIEL facilitated the submission of over 20,000 public comments to the Environmental Protection Agency to prevent Louisiana from fast-tracking CCS permits. Not only did we expand understanding of the dangers and risks of carbon pipelines and wells, but Louisiana's application to control carbon dioxide waste injection is currently delayed by nearly a year. This progress came on the heels of the nullification of permits for the Formosa Plastics Group in September 2022 after a lawsuit brought by one of CIEL's partners, which halted construction of its planned plastics and petrochemical complex in St. James Parish, Louisiana.

Curtailing Carbon Markets



Article 6 of the Paris Agreement establishes a carbon market mechanism, among other approaches, for countries to cooperate to reach their climate goals. Carbon markets are trading systems where credits issued for greenhouse gas emissions reduced or avoided in one place can be bought or sold to “offset” ongoing

emissions elsewhere. Such schemes enable widespread greenwashing through mathematical manipulation, allowing countries and companies to claim to be mitigating their climate impacts by paying for another’s climate actions, without genuinely reducing their own emissions. But the concept of offsets rests on a false premise that all tons of carbon are equal, and that we can trade reductions ‘here’ for emissions ‘there,’ when what we truly need is transformation everywhere.

Since the adoption of the Paris Agreement, CIEL has worked to ensure that Article 6 does not undermine real, necessary, human rights-compatible climate action. With partners, CIEL has educated negotiators on the flaws in carbon trading schemes, the growing credibility crisis plaguing carbon credits, and their history of harming people and ecosystems, as in the case of the Alto Maipo and Barro Blanco hydroelectric projects in Chile and Panama, respectively. In a significant win this year, Parties at COP27 rejected an initial proposal to include carbon “removals” in the carbon market, which could open the door to dangerous technological interventions, like geoengineering, jeopardizing climate action and human rights.

Avoiding Dangerous Climate Technofixes

As the climate emergency intensifies, geoengineering technologies are increasingly being promoted as necessary to supplement mitigation to counteract some of the worst effects of climate change.

CIEL and a global coalition of partners are working to ensure there is robust, international governance to restrict these dangerous technofixes. Ranging from ineffective and untested to profoundly dangerous and potentially catastrophic, geoengineering threatens

people, Indigenous rights, wildlife, ecosystems, the global climate, and peace. Worryingly, calls for research into and governance of solar geoengineering are already diverting attention away from real solutions.

After a private, US-based start-up began unauthorized experimental solar geoengineering flights in Mexico this year, CIEL and partners from the Hands Off Mother Earth alliance raised the alarm in the media. The Mexican government then announced it would ban solar geoengineering experiments and deployment on its national territory. This step is supported by a de-facto global moratorium in place at the UN Convention on Biological Diversity (CBD) since 2010. CIEL supports the call from leading academics for a solar geoengineering non-use agreement that would forbid governments from financing the dangerous development of solar geoengineering technologies with public funds, and ban all outdoor experiments, patenting, and deployment.

Making Oceans Off-Limits for Oil and Gas



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CIEL works to protect oceans, marine ecosystems, and local communities from the impacts of offshore oil and gas activities. The increasing presence of offshore oil and gas operations, including coastal infrastructure and deepwater drilling, subsea pipelines, massive tankers, and widespread waste disposal, is putting more pressure on the world's already-stressed oceans.

Oceans are the final frontier of the global campaign to “Keep It In the Ground.” As the risks associated with fossil fuel extraction become ever more apparent, and as resistance from frontline communities on land grows, oil and gas companies are increasingly moving their operations to deeper and more remote waters. To have any chance of keeping global temperature increase below 1.5°C, all expansion of oil and gas extraction must cease immediately.

Offshore oil and gas operations are dangerous and difficult to monitor and manage. A single offshore project can put multiple countries, communities, and ecosystems at risk throughout its life cycle — from exploration and drilling to transport and waste disposal. The dangers of offshore activity extend beyond

leaks and blowouts. Everyday operations cause lasting harm through routine contamination and disturbances to habitats and livelihoods. These adverse impacts pose a heightened threat in areas with limited capacity to oversee activities or respond to incidents.

In addition to oil and gas extraction in the oceans, companies are now setting their sights on the seabed as a place to stash their carbon dioxide waste, based on the flawed premise that we can continue using fossil fuels indefinitely if we just “manage” their emissions. Offshore CCS — injecting carbon dioxide under the seabed — is being pushed at a never-before-seen scale, yet it presents uncalculated risks and untested monitoring challenges.

By bringing together communities engaged in the fight against offshore oil and gas expansion in their respective corners of the globe, CIEL connects movements, develops shared legal strategies, facilitates cross-regional knowledge exchange, and builds collective campaigns to amplify individual efforts. Together with partners around the world, we seek to make oceans everywhere off-limits to oil and gas activities.

Where we are building power to confront offshore oil and gas expansion:



**Northeastern South America
Gulf of Mexico**



**Western and Southern Africa
Caribbean**



Funding for Climate Loss and Damage



From massive wildfires in Canada and devastating floods in Pakistan, to persistent drought in the Horn of Africa and intense heat in Asia and Europe, the climate crisis is already taking a deadly and costly toll. Unfortunately, the countries and communities that have done the very least to contribute to global temperature rise are the ones facing the most serious impacts on their rights, lives, and livelihoods.

As the impacts of the climate crisis accelerate, States and businesses have human rights obligations to provide reparation and remedy to the communities most affected. Led by small island States, COP27 made historic progress by establishing the Loss and Damage Fund. This fund is designed to provide financial assistance to nations most vulnerable to and impacted by the effects of the climate crisis.

Now, countries are discussing how the fund will operate. Drawing on decades-long efforts to push financial institutions to deliver meaningful remedy for harms to which they contribute, CIEL is working to integrate environmental democracy into this new fund. This entails ensuring that the fund respects, promotes, and protects human rights and embeds the principles of environmental democracy (including access to information, participation, and remedy) within its governance structure. Doing so will ensure civil society, Indigenous Peoples, fenceline and frontline communities, and marginalized groups (such as women, persons living with disabilities, and youth) can actively participate at every stage of the negotiation, design, and implementation of the Loss and Damage Fund.

Fossil Fuel Non-Proliferation Treaty Gains Momentum

Drawing inspiration from the International Campaign to Ban Landmines — which spurred 164 nations to sign an international treaty banning the production, use, and stockpiling of landmines — and the Treaty on the Prohibition of Nuclear Weapons, the Fossil Fuel Non-Proliferation Treaty Initiative seeks to foster international cooperation. Its goal is to halt the expansion of oil, gas, and coal, phase out their existing production, and accelerate a fair and equitable transition to a fossil-free future. CIEL is a founding member

and serves on the steering committee for the treaty. This initiative has gained tremendous support worldwide from a growing number of governments, parliamentarians, health professionals, Nobel Laureates, civil society organizations, and individuals. They all recognize the urgency of ending the fossil fuel era rapidly and equitably, while ensuring the well-being of workers, communities, and countries that rely on fossil fuels to create secure and healthy livelihoods.

A Treaty to End Plastic Pollution

Global problems demand global solutions



© IISD/ENB - Mike Muzurakis



When CIEL and partners began advocating for a global plastics treaty in 2016, many thought it was ambitious — too ambitious, even impossible.

In 2022, the UN adopted a mandate to negotiate a global plastics treaty “to end plastic pollution.” This achievement reflects the tremendous work by CIEL and Break Free From Plastic movement partners to broaden our understanding of the plastics crisis from marine litter to the entire polluting footprint of plastic production, use, and disposal.

The timeline for these negotiations is ambitious, and so are our goals for country advocacy and the treaty’s outcomes. The plan is to finalize the entire agreement by the end of 2024, with signature and adoption in 2025. CIEL participated in the first two negotiating sessions this year in Uruguay and France, where we engaged with country delegates, provided innovative policy research and technical and legal analysis, ensured effective par-

ticipation for civil society, and coordinated a powerful cross-constituency coalition to counter-balance the influence of industry.

One early fight was ensuring the negotiation process is transparent, participatory, and inclusive. The second fight was defending against a few countries seeking to reopen an earlier decision to demand full consensus decision making, which would effectively give any single country veto power. Drawing on CIEL’s extensive experience in other international negotiating fora, we supported negotiators in not succumbing to this pitfall. Nevertheless, some countries aiming to protect business-as-usual continue to try to derail the negotiation with procedural strategies.

The zero draft of the treaty, which serves as the starting point of negotiations, has been recently released. Now, CIEL is working relentlessly to ensure the treaty is legally binding, so countries can’t opt out. Our goal is to secure a treaty with global targets for reducing plastic pollution, global standards for phasing out toxins from plastic products, and a mechanism for financial remedy and support. If we succeed, the treaty will fundamentally change how we produce, use, and dispose of plastics and enable a just transition to a non-toxic circular economy regionally, nationally, and locally.

Retiring Fossil Fuels



One of the largest public retirement funds in the US — best known by its acronym “TIAA” — holds over a trillion dollars in assets and represents nearly 5 million active and retired teachers. It’s also one of the largest institutional investors in fossil fuels.

CIEL supported the flagship TIAA-Divest! campaign urging TIAA to drop its fossil fuel holdings and assets. Leveraging CIEL’s legal analysis, 300 professors and scientists brought a climate-washing complaint against the \$1.2 trillion retirement giant. The complaint alleged that TIAA’s substantial investments in fossil fuels and activities driving deforestation violate its climate pledges, responsible investment principles, and its duties to look out for the long-term interests of employees and retirees. The complainants called on the UN Principles for Responsible Investment (PRI), of which TIAA is a signatory, to investigate and take action. When PRI refused to act, CIEL secured global media coverage criticizing its inaction. Since the complaint was introduced, PRI restarted a review of its minimum requirements.

Outside the TIAA campaign, CIEL pushed for stronger regulations requiring financial actors to disclose climate-related risks through submissions to several US and international financial regulatory bodies. These efforts have helped elevate and mainstream concerns about reliance on CCS and carbon offsets, among other key dimensions of fossil fuel-related climate risk.

Supporting Indigenous Rights in Panama



In the lush Panamanian jungle, local communities are organizing to protect one of the country's last intact rainforests from a 330-kilometer long electrical transmission line.

This transmission line, known as “Line IV,” passes through the ancestral lands and territories of the Indigenous Ngäbe-Buglé communities in Bocas del Toro. It not only threatens the rights of local communities and the environment in a country vulnerable to climate change, but also threatens to open the region to further unwanted development — from new roads to massive mining projects.

CIEL has been supporting the Movement for the Defense of the Territories and Ecosystems of Bocas del Toro (MODETEAB) to protect Indigenous rights affected by Line IV. This year, CIEL supported MODETEAB in speaking directly to the UN about their fight. We won a major victory when two UN treaty bodies, the committees responsible for monitoring States’ compliance with human rights law, warned that Panama is failing to respect Indigenous Peoples’ rights in the context of development projects such as Line IV.

In a landmark victory for MODETEAB and CIEL last year, the independent accountability mechanism of the International Finance Corporation (IFC) found that the IFC violated its own environmental and social sustainability policy when it failed to respect Indigenous People’s rights. Now, the State-owned company must secure the free, prior, and informed consent of impacted Indigenous communities before construction proceeds. CIEL met with MODETEAB in Bocas del Toro to build their capacity to demand an effective consultation process going forward and to ensure they have access to information about Line IV’s impacts before deciding whether to give their consent to the project.

Securing Remedy in International Finance

International development institutions like the World Bank aim to “do no harm” to people and the environment, but far too often, bank-financed development projects — dams, electricity expansions, infrastructure, and extractive projects — do more harm than good, especially for local communities.

Thirty years ago, CIEL helped create the first independent accountability mechanism at the World Bank,

Goal

Secure policy proposals within two banks for holistic and effective remedy

Strategy

Lead global coalition to advocate for robust remedy with institutional decision makers

Mapping CIEL's Support of Remedy

● **Guatemala**
Indigenous Mayan Mam from San Miguel Ixtahuacán
Goldcorp Marlin Mine (2005)

● **Honduras**
Aguan campesino communities
Dinant Palm Oil Plantation (2012)

● **Nicaragua**
Sugarcane workers and families
Nicaragua Sugar Estates Limited (2008)

Sugarcane workers and families
Ingenio Montelimar sugar mill (2015)

Community land and water rights
Condor Gold Mine (2018)

● **Panama**
Indigenous Ngäbe, Buglé, and Campesino Peoples
Transmission Line IV (2018)

● **Colombia**
Cauca River community movements
Ituango Hydroelectric Project (2018)

Páramo Santurbán communities
Eco Oro Minerals' Mining Project (2012)

● **Peru**
Andean campesino communities from Celendín, Cajamarca
Yanacocha Gold Mine (2001)

● **Chile**
Maipo River community movement
Alto Maipo Hydroelectric Project (2017)

Indigenous Mapuche/Pehuenche Peoples
Pangue/Ralco Hydroelectric Project (1995)



and we have spurred the creation of many others at development banks worldwide. However, development banks are still falling far short of their obligation to take responsibility when harms occur and to deliver remedy to project-affected communities. CIEL set out to change that last year.

Whether remedy takes an economic, physical, social, cultural, or moral form, ensuring effective, inclusive, and

participatory policies, as well as the resources to deliver remedy within international development institutions, is critical to prioritize communities' wishes when development projects harm their lives, livelihoods, and environment. When the initial draft proposals from the World Bank Group were insufficient, CIEL mobilized hundreds of organizations and thousands of individuals, and will continue focusing on impactful, aligned advocacy in the year ahead.

Targets

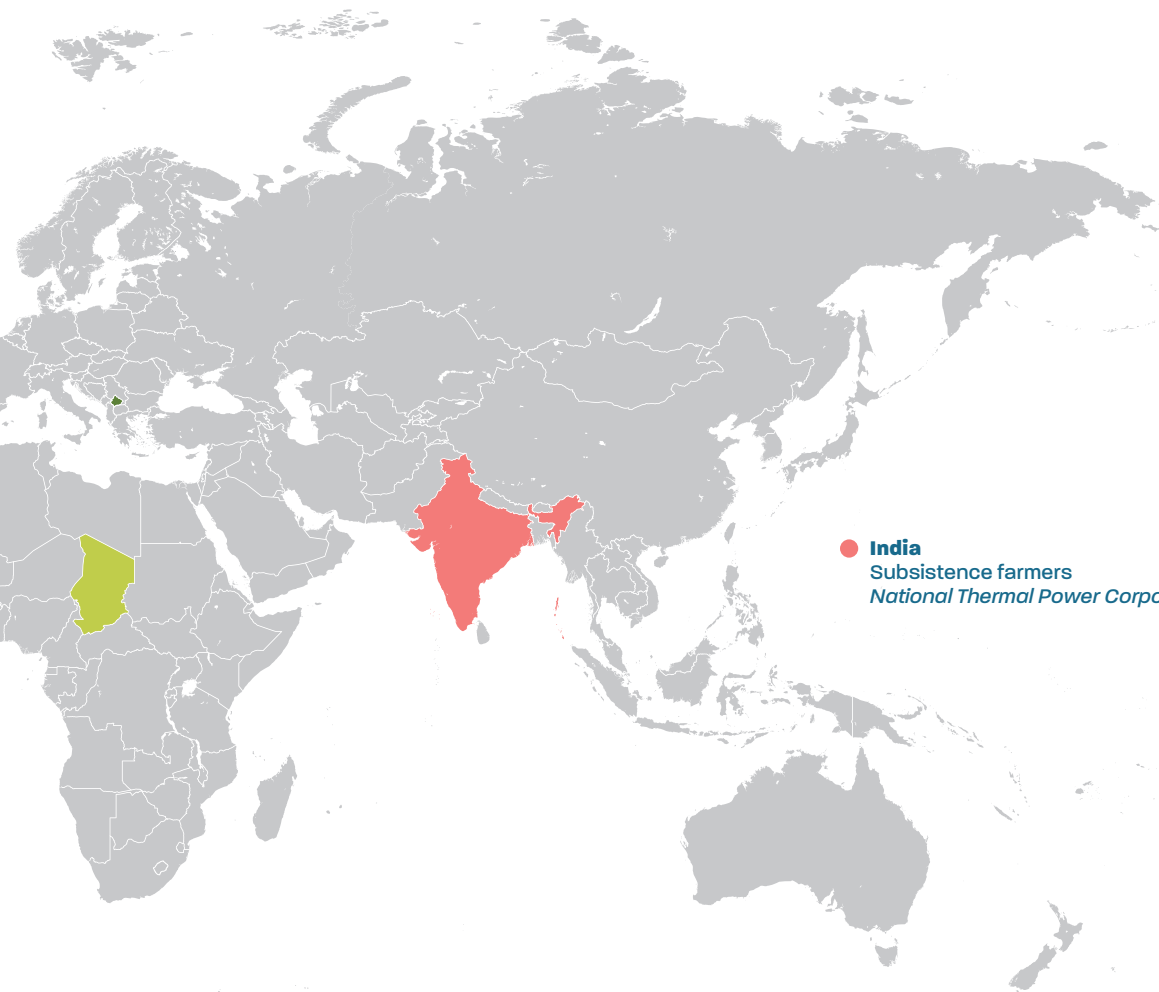
International Finance Corporation (IFC) and
Multilateral Investment Guarantee Agency (MIGA)

Timeline

2022 - 2023

● **Kosovo**
Obiliq community
Kosovo Power Project Eskom Coal Plant (2012)

● **Chad**
Community leaders and activists
Chad-Cameroon Oil Pipeline (2001)



● **India**
Subsistence farmers
National Thermal Power Corporation Singrauli Coal Plant (1997)

● **Argentina/Paraguay**
Parana River communities
Yacretá Hydroelectric Project (1996)

Reducing Toxic Chemicals



Basel, Rotterdam, Stockholm Conventions (BRS)

- States banned three forever chemicals: methoxychlor (a pesticide), Dechlorane Plus (a chemical flame retardant found in the blood of waste recyclers), and UV-328 (a UV-stabilizer dispersed by plastics debris and seabirds). The recognition of plastics debris as an effective, long-range transboundary carrier of persistent organic chemicals (POPs) is particularly significant and historic. As CIEL highlighted in new research, 'Breathing Plastics,' microplastics are ubiquitous in the environment and circulate around the world.
- Plastic waste amendments are being implemented at the national level, ensuring the reduction of plastic waste export to countries that don't have the capacity to safely and sustainably manage them.
- CIEL and advocacy partners placed waste containing nanomaterials on the BRS agenda.



Strategic Approach to International Chemicals Management (SAICM)

- Through active engagement with government delegations and our NGO partners, CIEL continued to push for an agreement on issues of concern, including endocrine-disrupting chemicals (EDCs), nanomaterials, women and gender, and more.
- CIEL supported a broad NGO coalition's effort to ban Highly Hazardous Pesticides.
- We are actively driving momentum behind a globally coordinated tax on chemicals that would make polluters pay and ensure there is just, sustainable, and predictable funding for managing toxic chemicals.

Using key regional and international fora, CIEL works to **protect both current and future generations** from exposure to toxic substances by creating *greater* chemical transparency, *stronger* regulations, and *phasing out* “forever chemicals.”



EU's Chemicals Strategy for Sustainability

- The EU introduced EDCs in the rules on how it classifies and communicates about the hazardous properties of chemicals, setting a precedent for global adoption.
- The Chemicals Strategy for Sustainability promised legislation to end the double standard of producing pesticides and chemicals banned in Europe for export to countries with weaker regulations. A coordinated campaign, grounded in CIEL's legal analysis, is ongoing to hold the EU accountable to its promises.



United Nations Environment Assembly (UNEA)

- With the International Pollutants Elimination Network (IPEN) and key scientists, CIEL actively engages in the negotiation of the Science-Policy Panel on chemicals, waste, and pollution prevention to ensure that it supports action on chemicals and is protected from conflicts of interest.
- First negotiating sessions of the plastics treaty conducted (see page 17).

Globally, the chemicals industry is poised to **double by 2030**, and the rate of regulation is *far outpaced* by the number and diversity of chemicals coming onto the market.

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What's Next

The work begins with each of us

The historic recognition of the right to a healthy environment is proof that we can — that we are — bending the arc of history towards justice.



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Such wins demand not only intense effort at the culminating moments, but also decades of slow, steady work from people across movements and around the world. Once achieved, such legal victories can have an immediate impact if we harness the momentum and seize the opportunity. Because we must keep bending the arc.

To meet the challenges we face — as a movement, as a species, as a planet — we must redouble our efforts in the year ahead. We must recognize that humanity is a part of the world not apart from it. We must stop the expansion of fossil fuels, and begin phasing them out to accelerate a just transition. 2024 is the critical year for the global plastics treaty negotiations, and we enter that year with everything we need both still on the table and very much at risk.

With your help, CIEL has been scaling to meet the immense, evolving, and intensifying crises of climate catastrophe, biodiversity collapse, and toxic pollution. Together, we are building a CIEL that is not only changing the world, but also working to increase justice, diversity, inclusion, and equity internally. Because uprooting intersecting systems of oppression demands our effort and dedication in every space we inhabit.

Yet even as we gain momentum, the push for false solutions to the converging planetary crises is accelerating in ways that could compound not only climate change, but also the plastic and pollution crisis and biodiversity loss. The year ahead will demand even greater energy and focus in pushing back against CCS, carbon offsets, and geoengineering. But there is hope. Where once we were

a voice in the wilderness warning of the dangers of false solutions, now the overwhelming majority of civil society, and increasingly, human rights institutions, are echoing our calls, which is a sign of profoundly rapid change.

But we still have far to go and far too little time. Bending the arc of history towards justice demands that we convert the momentum of the past year into lasting, systemic change that protects our right to a healthy planet, the rights of future generations, the rights of Indigenous Peoples, and the rights of nature — all of which transcend borders and demand real political courage. Indeed, it has never been clearer that to achieve our mission — to protect the environment, promote human rights, and ensure a just and sustainable society — we must decolonize the law itself. We do that in the courtroom, in the halls of power, in the streets, and in our communities. The work begins with each of us.

Join us in the year ahead to do just that. This moment, and the arc of history, demands nothing less of us.

Amanda Kistler
Vice President

To make a donation to CIEL, visit act.ciel.org/give2023 or mail a check to 1101 15th St NW, Washington DC 20005. Thank you.

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Finances

Statement of Financial Position for Fiscal Year Ending June 30, 2023

Assets:		FY 2023
Current Assets		
Cash & Cash Equivalents	\$	5,655,913
Contributions Receivable	\$	4,979,232
Contracts Receivable	\$	121,492
Miscellaneous Receivables	\$	35,818
Prepaid Expenses	\$	68,411
Total Current Assets	\$	10,860,866
Other Assets:		
Property & Equipment, Net	\$	52,078
Rental Security Deposits	\$	41,338
Long Term Investments	\$	1,665,763
Total Other Assets	\$	1,759,179
Total Assets	\$	12,620,045
Liabilities and Net Assets:		
Current Liabilities		
Accounts Payable	\$	662,070
Accrued Payroll & Benefits Payable	\$	141,251
Deferred Contract Revenue	\$	124,211
Subrental Security Deposits	\$	600
Total Liabilities	\$	928,132
Net Assets:		
Without Donor Restrictions	\$	2,904,186
With Donor Restrictions	\$	6,197,274
Total Net Assets	\$	9,101,460
Total Liabilities and Net Assets	\$	12,620,045

Statement of Activities and Change in Net Assets for Fiscal Year Ending June 30, 2023

Revenue:		FY 2023
Grants	\$	8,719,141
Contracts	\$	1,155,380
Salaries In-Kind	\$	5,606
Contributions	\$	275,621
Interest & Investment Income	\$	113,476
Miscellaneous Income	\$	11,895
Total Revenue	\$	10,281,119
Expenses:		
Program Services		
Climate & Energy	\$	2,406,258
Environmental Health	\$	1,003,320
People Land & Resources	\$	677,852
IPEN Secretariat and UNEP Funded Projects	\$	726,520
Total Program Services	\$	4,813,950
Supporting Services:		
Management & General	\$	746,223
Fundraising	\$	154,903
Total Expenses	\$	7,690,666
Changes in Net Assets	\$	2,590,453
Beginning Net Assets	\$	9,101,460
Ending Net Assets	\$	11,691,913

CIEL's audited financial statements and IRS Form 990s are available on our website (ciel.org) or upon request. Auditors/Certified Public Accountants: GRF CPAs & Advisors, 4550 Montgomery Avenue, Suite 800, North Bethesda, Maryland, 20814, USA.

Expenses Chart



- **Fundraising**
\$154,903
- **Management & Administration**
\$746,223
- **Programs**
\$4,813,950

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