

# ANNUAL REPORT 2021 FROM **MOMENTS** TO **MOMENTUM**

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# President's Letter From Moments to Momentum

ON A SINGLE DAY IN MAY 2021, three of the world's biggest oil companies — Exxon, Chevron, and Shell — experienced a series of losses in boardrooms and courtrooms so massive that industry analysts dubbed the day "Black Wednesday for Oil." These losses shared a common denominator: climate change. Corporate management in all three companies were fighting calls for real climate action from citizens, communities, and their own investors, and they lost.

Just a week before Black Wednesday, the International Energy Agency finally admitted that the world must end oil and gas development immediately to have any chance of staying below 1.5 degrees of warming. And just days before, Guyanese citizens brought the first constitutional climate case in the Caribbean arguing that Guyana's approval of Exxon's massive offshore oil developments in the country violates the human and constitutional rights of Guyanese people. Any one of these events would have been significant in its own right. Viewed together, and against the backdrop of similar breakthroughs over the last year, they become more than just moments. They become *momentum*. After decades of struggle by movements around the world, victories against oil, gas, and petrochemical projects, companies and narratives are coming more quickly than ever before.

We have much farther still to go, and building on that momentum is vital to our collec-



tive future. We have less than ten years to cut global greenhouse emissions nearly in half and just thirty years to eliminate them completely in order to avoid irreversible climate chaos. So while change is coming too quickly for the oil industry, it needs to come much quicker still.

But the signs of hope don't end with fossil fuels. As the use of oil and gas for energy and transport faces a necessary and inevitable decline, oil companies are promoting greater use of plastics made from their products to keep the profits flowing. But in the last year, responding to calls from CIEL and civil society partners worldwide, more than 140 countries have endorsed the need for a new global treaty to confront the plastic crisis. That action at the global level is coupled with growing and increasingly connected movements in the frontline and fenceline communities where new plastics and petrochemical plants are being built.

As I was writing this letter, news came that the people of St. James Parish, supported by legal and campaign partners in the plastics movement, won a major victory against Formosa Plastics' massive proposed plastics plant in their community. We are working with Rise St. James and those partners to ensure the Formosa plant (and plants like it in similar communities across the United States) never gets built. And we are working with communities and movements in Louisiana, Texas, Appalachia, and around the world to stem the quickly rising tide of false solutions like carbon capture and storage, which threaten to undermine progress in the fights against climate and plastics alike, while putting fenceline communities at even greater risk.

The true beauty of this moment — and there is beauty in it everywhere — lies in so many movements coming together in common cause precisely because their fights are so interconnected. They are connected by the fossil economy that drives the harms; by environmental and human rights impacts that define those harms; and by the demands for justice — climate justice, environmental justice, racial justice — that are the common and only solution. And people across the world are embracing the urgent reality that this is *their* movement; this is *our* moment, and, together, we have the momentum we need to win. ■



**Carroll Muffett,** President & CEO



### **Vice President's Letter**

In a year of social, political, and economic upheaval, 2021 changed us as we changed the world.

Together and apart, we endured personal and global losses. We grieved and raged at the unequal impact of the pandemic as it disproportionately killed people of color around the globe; at the escalating assassinations of human rights and environmental defenders; at the devastating impacts of climate change-fueled emergencies, from wildfires to hurricanes to floods to droughts to freezing cold; at the increasing toxic burden borne by waterways, wildlife, and frontline communities; at the impacts of past and present forms of colonialism and state violence, particularly those felt by BIPOC communities all around the world.

With ever-increasing clarity, we know that each of these injustices are deeply interconnected

in their root causes: racism, colonialism, systemic inequality, corporate impunity, authoritarianism, rising nationalism, and bigotry. That's why the solutions must be intersectional as well, because justice is all-inclusive. When we fight for environmental justice, we fight for racial justice, for Indigenous sovereignty, for the right to health and a healthy planet.

And when I reflect on the work of CIEL over the last year, I feel a surge of pride and purpose. Despite spending over 20 months physically apart, we fostered new forms of resilience, strength, determination, and connection. As an organization, we found new ways of building relationships and advocating; we built better ways to communicate with one another across offices (and our homes); we designed more strategic legal interventions suited to new settings and technologies; and we made sure our partners around the globe had access to those settings and technologies to reach decision makers directly.

I think of the incredible work of the last twelve months across our three programs: We supported frontline partners — from Uganda and Namibia to Argentina — in a growing and interconnected movement fighting fossil fuel expansion, with recent legal victories in Guyana. We united a thousand organizations from around the world to call for the United Nations to unequivocally recognize the right to a clean, safe, healthy, and sustainable environment. We equipped decisionmakers with novel legal arguments to prevent toxic waste dumping in the Global South. Our analysis led to the European Union adopting landmark new regulations to limit endocrine disrupting chemicals. Our pilot forest protection projects in Malawi and Thailand detailed how to reduce illegal logging. And we expanded access to participation for Indigenous leaders in Panama to be able to advocate on their own behalf. Every day, we showed up for our partners, for democracy, for justice, for human rights, and for the environment, in spite of the unprecedented challenges.

I am more convinced than ever that CIEL is critical in the transformation ahead. We are connecting movements and partners around the globe. We are bridging issues to build more robust, strategic, and unified campaigns. We are developing and deploying innovative legal strategies to test the law and make it stronger and more inclusive. We are using strategic communications to reframe narratives and win the public debate. We are taking our lead from partners on the frontlines and ensuring they can advocate effectively for themselves. And we are transforming moments of progress into true momentum towards the just, sustainable future we are building, together.



**Amanda Kistler,** Vice President

### **Fighting Oil and Gas Expansion:** In Guyana and Beyond

TO CONFRONT the climate emergency and cut global emissions in half by 2030, we must immediately halt expansion of oil and gas production and phase out fossil fuels. In oil and gas frontiers worldwide — from Uganda and Mozambique to Argentina and the Dominican Republic — frontline partners are leading a growing and interconnected movement against the mounting impacts of fossil fuel expansion.

Guyana is a case in point. Among the smallest but biologically richest countries in the Americas, Guyana has no history with oil and gas production. Oil giant ExxonMobil is leading the charge to change that — racing to open new offshore oil and gas wells in ultradeep waters off Guyana's coast at breakneck speed. Oil companies are looking to create a massive new oil and gas frontier spanning the entire northeastern coast of South America, from Guyana to Brazil, and Guyana is their number one priority.

The incredible speed and enormous proposed scale of the Exxon-led buildout poses serious risks to people and ecosystems in Guyana and beyond. Exxon's first well in the country has flared gas almost continuously since it began operating in late 2019. A well blowout or other catastrophic spill would devastate ecosystems, economies, and livelihoods throughout the Caribbean. And opening an enormous new oil field threatens to quickly turn Guyana from a net carbon sink into a carbon bomb.

But the people of Guyana are fighting back against plans to tie the country's future to a failing industry. Rallied together in A Fair Deal for Guyana, A Fair Deal for the Planet, and supported by courageous Guyanese building a movement of lawyers, leaders, and voices, working in many countries, but with a shared vision: a world where people matter more than oil.

lawyer Melinda Janki, they are reshaping the debate over oil in their country. Last year, with assistance from CIEL, Guyanese partners won their first major victory against Exxon: a lawsuit settlement that forced Guyana's government to cut the terms of the environmental permits for the first offshore oil wells in the country from over twenty years down to five. The wells, initially approved through 2040, must now be reauthorized and reopened to public scrutiny in 2022 — giving Guyana's people an informed say in the projects for the first time.

In May 2021, Guyanese citizens filed a case in Guyana's Constitutional Court contending that the approval of offshore oil production violates the right to a healthy environment. This case is the first of its kind in the Caribbean, and another milestone in the accelerating global climate litigation movement. And it triggered growing media interest that is taking their story and their fight to international audiences, and to Exxon investors and shareholders around the world.

Just as critically, our Guyanese partners are getting connected with partners facing or supporting similar fights in countries around the world — to share information, tools, strategies, and successes. Together, they are building a movement of lawyers, leaders, and voices, working in many countries, but with a shared vision: a world where people matter more than oil. That's what turns individual moments into real momentum. ■

# Serious Climate Action Demands Real Climate Accountability

ADDRESSING THE CLIMATE CRISIS at scale and at speed requires not only halting the expansion of oil and gas — but also holding governments and companies alike to higher standards of ambition and action in the face of the climate emergency. CIEL is actively supporting constitutional and human rights cases brought by partners around the world to accelerate climate action and accountability, from litigation in the European Court of Human Rights to suits before national courts in South Korea, Canada, and beyond.

A critical part of this work is exposing the human rights impacts of climate change and of the activities driving it. CIEL has worked within the United Nations human rights system to raise critical questions about how governments are responding to the climate crisis. In the past year alone, CIEL helped secure or strengthen 11 authoritative statements from UN human rights bodies and experts clarifying States' obligations to respect and protect human rights from threats posed by climate change and climate action. In addition to holding governments accountable, CIEL is also exposing and confronting the role of corporate actors in the climate emergency. We continue the critical work of revealing what polluting industries knew about their products' climate impacts, and how their denial and deception about those impacts have compounded the climate crisis and delayed responses to it, even as our past work continues to shape climate accountability efforts around the world. Over the last year, a growing number of states and localities across the US have sued fossil fuel companies for their role in the climate crisis; in case after case, documents unearthed through CIEL's *Smoke and Fumes* research play a key role in detailing the industry's early awareness of climate risks and its decades-long campaigns of denial and obstruction.

But fossil fuel companies were not alone in such campaigns. In late 2020, documents unearthed by CIEL helped expose that major automakers, too, understood climate dangers decades ago yet continued to discourage government action to address those risks. In January, following the release of major new research showing that fine particulate matter (PM2.5) from fossil fuel pollution kills more than 8 million people per year, CIEL worked with an investigative journalist and the Climate Investigations Center to demonstrate that industry actors understood the health risks of PM2.5 a half century ago yet blocked progress on vital public health regulations.

Taken together, the accelerating global opposition to oil and gas, growing demands on governments for ambitious climate action, and the mounting evidence of corporate climate denial and deception are exposing major polluters not only to increasing legal risk, but to rapidly accelerating financial risk. CIEL has been instrumental in highlighting those intersections.

### The Time is Now for Human Rights in Climate Action

Over the past year, evidence continued to accumulate regarding the human rights cost of atmospheric pollution, ecosystem degradation, and climate change. But the United Nations' most authoritative human rights body is not keeping up. The UN Human Rights Council's (HRC) response to these crises remains inadequate and out of step with the urgency required. CIEL is working to challenge this status quo head-on by building campaigns with civil society partners to compel the HRC to take these matters seriously. With over a thousand organizations from around the world, we have stressed that #TheTimeIsNow for the HRC to unequivocally recognize the right to a clean, safe, healthy, and sustainable environment. In parallel, we mobilized international civil society allies to demand that the HRC take action to face the human rights cost of climate change. Doing so, we contributed to building momentum behind the request from the world's most vulnerable countries that the UN establish a Special Rapporteur on Human Rights and Climate Change to support frontline communities and enhance accountability.

# DIVEST FROM FOSSIL FUEL

### **Stopping the Money Pipeline:** The Biggest Fossil Fuel Pipeline of All

WE CANNOT phase out dirty energy without stopping the money pipeline that keeps fossil fuels flowing. That's why we are working to ensure that financing is fossil-free, not only to safeguard communities and the planet, but also to protect the financial futures of people around the world.

A rapidly accelerating number of institutions, from pension funds to university endowments, are shifting their money out of fossil fuels. But too many are still investing in oil and gas companies, tying people's savings to an industry that is at the end of its life and at odds with our collective future. In 2013, ExxonMobil was the most valuable company on the planet. In the summer of 2020, it was kicked off the Dow Jones Industrial Average. Exxon's descent is

emblematic of the industry's broad-CIEL er decline. In the past decade, the oil and gas sector has fallen to the bottom of the S&P 500. As the world warms and pressure mounts to wean economies off fossil fuels, it has become increasingly clear that investing in oil and gas is simply a bad financial bet.

In the last year, we've been working to make that fact plain, profiling the financial frailty of the oil and gas industry and the risks it

presents to public and private investors, as well as frontline communities. Our report, Debt-Driven Dividends & Asset Fire Sales, demonstrates why investing in fossil fuels is throwing good money after bad. Toxic Assets: Making Polluters Pay When the Wells Run Dry and the Bill *Comes Due* confronts the industry's hazardous legacy and outlines urgent action needed to ensure the cleanup costs fall on companies, not communities. Both reports underscore the significant financial risks posed by oil and gas production — from start-up to shutdown. And they offer a stark warning to countries where new drilling is underway: tethering the future to oil and gas courts economic and environmental disaster.

We've also been working to get the rules right, shaping financial regulations in the US that could reshape the future of responsible investing. After months of advocacy and public pushback, the Department of Labor stopped enforcing a Trump-era rule that made it harder for pension plans to pursue sustainable investments. Now, CIEL is educating and engaging partners, regulators, and policymakers working to rewrite the rules and promote climate-safe investment TOXIC ASSETS through new legis-Making Polluters Pay When Wells Run Dry and the Bill Comes Due lation. This includes urging the Securities and Exchange Commission to require companies to disclose

climate risks related to their fossil fuel investments.

Making finance fossil-free is not just about greening private portfolios. It's also about halting public funding for oil and gas. In June, CIEL joined the

Center for Biological Diversity and Friends of the Earth in bringing suit against the US Development Finance Corporation to compel greater transparency in its ongoing funding for fossil fuels and other projects globally. Together with international partners, CIEL is working to ensure governments around the world stop subsidizing fossil fuels and commit to financing the future.

### Plastic and Petrochemicals: Closing an Oil and Gas Industry Escape Hatch

AS THE USE OF OIL AND GAS for energy and transport faces an inevitable and necessary decline, fossil fuel companies are pushing the world to use more of their other products as a way to perpetuate their harmful business model: namely, plastic and petrochemicals. This has prompted proposals for a massive expansion of plastic production facilities that could lock in plastic infrastructure and magnify the plastic crisis for decades to come. CIEL is working with partners across the US and around the world to stop that buildout and support the communities most affected by it.

In 2020, CIEL was a convening partner on the Presidential Plastics Action Plan, joining more than 550 organizations in calling on the US government to take immediate action to address the health, climate, and environmental justice impacts of the plastic crisis. President Biden has since spoken openly of his commitment to environmental justice, including creating the White House Environmental Justice Advisory Council and appointing experienced leaders in the Center for Environmental Quality. But the industry-sponsored attacks on progressive plastic and chemicals policies continue, as plastic producers have exploited the COVID-19 pandemic to claim their products are essential and must be manufactured without interference.

Even as we resist industry influence on policy and advocate for stronger government action on plastic, we must move urgently to stop the buildout of new facilities. Critical to this is equipping partners with the information, tools, and support needed to fight back. CIEL is working across multiple movements to do just that.

ENVIRONMENTAL JUSTICE



Many of these fights are both local and global, like the opposition to Formosa Plastics Group, which spans from Taiwan and central Vietnam to the US Gulf Coast. CIEL supports frontline partners in St. James, Louisiana, where Formosa Plastics is permitted to build what would be one of the world's largest petrochemical plants. CIEL's research, small grants, and local staff have provided much-needed capacity to local leaders and other partners. For example, after our partners and frontline allies brought a breakthrough lawsuit that prompted the suspension of the facility's permit, CIEL provided outreach, education, and organizing support for local groups to raise the profile of the fight. Earlier this year, CIEL supported efforts by a Louisiana law school clinic to obtain a statement from UN human rights experts denouncing environmental racism in Cancer Alley and calling for an end to petrochemical expansion. CIEL has also joined local movements to secure city council resolutions opposing the construction of the Formosa Plastics plant.

With generous support from foundation partners, CIEL created a Petrochem Frontline Fund that helps us move small grants quickly to community partners on the frontline and the fencelines of the fight against plastic infrastructure. Through the fund, we've provided rapid response funding for partners in Appalachia and the Gulf Coast to support organizers, rallies, public education and messaging, and even disaster response.

Through our work with partners in Louisiana, Texas, and Appalachia, we are also shedding light on accelerating plans by industry and governments to target communities already saddled with oil, gas, and petrochemical facilities for the buildout of carbon capture infrastructure — and all the new risks that entails. As these connections between climate, plastic, and human rights become ever more apparent, CIEL continues to connect frontline communities across geographies to push for justice. ■

### **Carbon Capture:** Exposing the True Costs of a False Solution

AS DEMAND FOR RAPID CLIMATE ACTION intensifies, oil, gas, and petrochemical companies are increasingly promoting false climate solutions that enable business-as-usual pollution under the guise of climate action. The most pervasive of these false solutions is carbon capture and storage (CCS). Rather than simply avoiding the carbon dioxide emissions caused by burning fossil fuels, CCS proposes to capture those emissions from the countless sources where they're created, transport the captured carbon dioxide through tens of thousands of miles of new pipelines in the US (and untold thousands more worldwide), and safely "store" it through a dizzying array of risky schemes — most of which end with using the carbon dioxide to produce even more oil.

Industry proponents paint CCS as a magical technology that will allow continued use of fossil fuels and polluting technologies by making greenhouse gas emissions magically disappear. CCS threatens to divert vast amounts of public funds from proven technologies like solar and wind power, and lock in fossil fuel dependence — at a time when the world needs to be managing the decline of dirty energy, not propping it up. While the headlines trumpet the potential of CCS, its failures and the significant environmental, health, and human rights risks it poses have received far less attention and too little scrutiny. In reality, CCS is a costly handout to industry that will lock in new fossil infrastructure for decades to come while endangering fenceline communities and our shared global climate. CIEL is leading civil society partners to debunk false narratives promoting CCS, and cut off this new source of subsidies for the fossil fuel industry. Over the last year, we've given briefings to US legislators and legislative staff, with a focus on the dangers of carbon dioxide pipelines and the particular risks they pose to communities of color already disproportionately burdened by toxic pollution and now targeted for the buildout of CCS infrastructure. We've presented on the costs and risks of CCS at teach-ins and training sessions for local and national leaders. In collaboration with the Environmental Working Group, we released a briefing busting the myth that CCS is a climate solution. In partnership with the Red Black and Green New Deal, the Alliance for Affordable Energy, and the Gulf Coast Center for Law & Policy, we published a Louisiana-specific follow-up briefing, already being used by local coalitions resisting CCS.

Critically, CIEL has worked to build civil society awareness and engagement around these issues. Already over the last year, we have witnessed a growing number of public statements on the risks of CCS and other false solutions, culminating this past July in an open letter to leaders signed by more than 500 US and Canadian organizations, accompanied by full-page spreads in *The Washington Post* and Ottawa's *The Hill Times*.

We don't have time or money to waste on risky, ineffective, and unnecessary technologies that double down on the existing fossil fuel economy. We need to seize upon proven, affordable measures, like rapid electrification with renewables and shrinking emissions-intensive, toxic industries, like petrochemicals. The urgent need to reject CCS as a false solution is only growing, but so is our movement.

### Solar Geoengineering: A Critical Debate on a Dangerous Idea

CCS is not the only false solution that looms on the horizon. As the world begins to grapple with the climate emergency, a host of other measures designed to compensate for inadequate climate action are gaining traction in the headlines. Yet misplaced reliance on the false promise of such technologies threatens to weaken climate ambition while creating significant new risks for human rights and the environment. These risks will fall disproportionately on the Global South, on vulnerable communities in the Global North, and on future generations. Solar radiation modification (SRM) — a geoengineering technique that purports to lower global temperatures by reducing the amount of sunlight the earth absorbs — captured international attention when a controversial experiment known as SCoPEx was proposed over Saami Indigenous territories in Sweden. Together with partners, CIEL organized a high-level virtual event to explore the rising risks of solar geoengineering. The event brought together leading climate and social scientists, Indigenous leaders, youth, and climate activists to share their concerns about SRM and geoengineering. The panels reached hundreds of thousands of people across digital platforms and media outlets, helping build awareness, support, and momentum to confront the rapidly growing threat of geoengineering.

### **Building Momentum for a Treaty on Plastics**

FROM PREVENTING OZONE DEPLETION to stopping illegal wildlife trade, international treaties have played a critical role in responding to global crises throughout modern history. Today, the world is facing new intersecting environmental crises — including a growing one caused by the production, use, and disposal of plastic.

CIEL and partners have been working for years to address the expansion of plastic production in individual countries around the world, but plastic raises a transboundary problem that demands transboundary solutions. We've tried patchwork agreements and voluntary measures, and they have not been enough. It's time for a global plastics treaty. Since 2017, CIEL and partners have been advocating for a legally binding international agreement to govern plastic. For the treaty to be effective, it must take a global, holistic approach that considers impacts of the full lifecycle of plastic, from its beginnings as fossil fuels to its disposal in landfills or as litter in the ocean. The treaty must aim to minimize the production and consumption of new plastic, eliminate and prevent plastic pollution, and facilitate a safe circular economy.



We've tried patchwork agreements and voluntary measures, and they have not been enough. It's time for a global plastics treaty

Working together, we've built a growing movement and growing momentum. So far, more than 140 countries have expressed their support, representing every region of the globe. We have focused our efforts on regional blocks. This includes collaborating with Pacific Island countries, among the nations most severely affected by plastic, to provide expert advice on responding to the unique challenges they face.

With global meetings canceled, postponed, or moved online, our work has taken on new dimensions in the last year, but our advocacy has not let up. We've collaborated with organizations around the world in an expert working group, maintained and strengthened relationships with diplomatic representatives and United Nations delegates, and hosted preparatory meetings to align partners on priorities ahead of major global gatherings.

Critically, we've amplified the drumbeat for a treaty within the United Nations Environment

Assembly (UNEA), which met virtually in February and will meet again in person in 2022. At the virtual event, we saw substantial progress: the president of the Assembly acknowledged the push for a legally binding agreement, and at least 40 countries spoke out in support of it. And we worked with Indigenous partners to secure a recommendation by the UN Permanent Forum on Indigenous Peoples urging UNEA to include Indigenous Peoples in a fully meaningful and effective manner in the future negotiations on plastics.

Our coalition of NGOs has grown larger and more robust over the last year, and CIEL continues to serve as an organizational and informational touchpoint in the global plastics policy space. This positions us for the next big UNEA moment in early 2022, where we are working to secure the creation of an Intergovernmental Negotiating Committee to make the treaty a reality. ■



### The Basel Plastic Amendments: Confronting a Toxic Trade and Toxic Trade Policy

FOR YEARS, wealthy nations have been dumping their waste on far-off shores under the guise of recycling exports. The accelerating flow of waste from Global North countries is a new form of colonialism, exacerbating inequality and environmental injustice by saddling countries in the Global South with toxic pollution and health risks.

CIEL has been actively pushing back against waste colonialism, using the power of international law to prevent the countries that produce and consume the most plastic from outsourcing their pollution to those countries without the means to manage it safely. One of the most critical arenas for this work is the Basel Convention, an international treaty designed to address this very issue. In 2019, parties to the convention adopted key amendments that empower countries to refuse unwanted or unmanageable plastic waste, through the Prior Informed Consent procedure and other controls. The amendments entered into force in January 2021, and the true impact of the amendments will depend on how governments translate them into law and into action. And it will require heading off efforts by some exporting countries to use secretive trade agreements to subvert global controls on toxic waste. After failing to stop the Basel Plastic Amendments from passing, the United States attempted to thwart the implementation of the amendments in the Organisation for Economic Cooperation and Development (OECD). When that failed, the US turned to a back-door negotiation with Canada to keep the waste trade going illegally. CIEL released an in-depth legal analysis that called both the US and Canada to account. As more regions seek exemptions, we're equipping partners and governments with the tools to leverage legal arguments and advocacy to stop waste colonialism in its tracks.

Last summer, CIEL provided critical insight for a major *New York Times* investigation exposing how the Trump Administration and the chemicals industry were using the power of US trade policy to coerce Kenya to skirt the Basel amendments and weaken its plastics policies and chemical safety regulations in the name of free trade. In the wake of the investigation, we collaborated with partners in the Global South to provide legal support to raise awareness of what was at stake and to build a movement — #AfricalsNotADumpster — to stop compromised negotiations.

For too long, industry has used trade policy to subvert legitimate laws and democratic choices to protect human health and the environment around the world. CIEL is committed to diligently monitoring the global trade landscape as it evolves and to preserving the integrity of the Basel Convention and all environmental agreements, now and in the future, for the greater benefit and health of communities around the world. ■



### **Taking on Toxic Threats:** A Milestone, a Strategy, and a Warning

STANDING IN A SUPERMARKET aisle today, a health-conscious consumer could spend hours reading labels and comparing products. But it's not just the nutrition facts or the ingredients that we should consider. The packaging that surrounds the food we eat can have just as much of an impact on our health as *what* we're actually eating.

That's because food packaging is an alphabet soup of toxic chemicals, from BPA (bisphenol A) to PFAS (per- and polyfluoroalkyl substances). These chemicals can leach out of the packaging and into our food, and they persist in our bodies and in the environment for years. Even in small doses, many of these chemicals have been linked to cancer, reproductive and immune system harm, and other health effects, giving them the name endocrine-disrupting chemicals (EDCs). And these chemicals are not just in food packaging. They're often in personal care products, children's toys, and household goods. So, whether you're grocery shopping or buying a new sofa, avoiding these chemicals is nearly impossible. But it shouldn't be your responsibility to avoid toxic harm in the first place. Instead, the companies making and distributing these chemicals should be responsible for preventing harm to human health and the environment. For decades,



CIEL and partners have been advocating for a preventive and precautionary approach — ensuring that chemicals are safe before they're put on the market.

CIEL and partners have been advocating for a preventive and precautionary approach — ensuring that chemicals are safe *before* they're put on the market. In the last year, we've seen significant progress in regulating toxic risks, including these major moments:

Following decades of advocacy by CIEL and partners, the European Commission published a groundbreaking strategy to regulate toxic chemicals: The **Chemicals Strategy for Sustainability**. The Strategy itself is a critical victory, with ambitious commitments to ban EDCs and PFAS, prevent the recycling of toxic materials to create a safe circular economy, and stop the global export of substances banned in the EU. Now, we must hold the EU to those commitments. Pushing for implementation will be a long road, but if the EU can deliver on its promises, the Strategy will set a new standard for chemicals policy around the world.

In partnership with the International Pollutants Elimination Network, CIEL unveiled a proposal that would generate the funds needed to **manage chemicals and waste**  **globally.** Currently, the chemical industry makes trillions of dollars in annual sales, but does not shoulder the associated health and environmental costs. The proposal invokes the polluter pays principle by instating a fee of 0.5% on the production value of basic chemicals. Even a small fee has the potential to cover the costs of management and infrastructure required to protect people and the planet from the production, use, and disposal of chemicals.

As the need for personal protective equipment soared during the pandemic, masks containing an antibacterial coating began to appear in markets around the world. The coating was intended to be an added layer of protection against the spread of COVID-19. Still, health authorities quickly became concerned that the nanoparticles used in the coating could be harmful to human health. Together with international NGOs, we leveraged the moment to raise awareness about the **uncertainty surrounding nanomaterials** and advocate for a full, thorough risk analysis on an international scale.

### **Amplifying Indigenous Voices in Panama:** In the Midst of the Pandemic

HUNDREDS OF KILOMETERS from the urban center of Panama, Indigenous *Ngäbe* and *Buglé* communities live in some of the world's last intact tropical forests, a place they have called home for generations. This past year, with development projects threatening their ancestral lands and the COVID-19 pandemic limiting their ability to attend in-person meetings, Indigenous leaders recognized that protecting their communities' rights required them to find new ways to participate in an increasingly virtual world.

The Movement for the Defense of the Territories and Ecosystems of Bocas del Toro (MODETEAB) has been actively organizing to stop a proposed electrical transmission line (Line IV) along Panama's Atlantic coast; its construction threatens the rights of Indigenous communities and could destroy the country's biodiverse tropical forests. As a critical part of their fight against Line IV, CIEL is supporting MODETEAB to engage with international bodies at the United Nations and the World Bank to highlight the threat the project poses and to demand that Indigenous Peoples' right to free, prior, and informed consent be respected before it goes forward.

In order to communicate with these bodies in the early stages of the pandemic, MODE-TEAB leaders had to choose between relying on unstable cellular phone data that often cut out during key conversations or making long trips to the city just to access the internet. It was clear that this would not be a sustainable solution, so CIEL aided MODETEAB in obtaining equipment and improving their connectivity.



Now, the communities' spokesperson is equipped with a computer and reliable internet, and he can safely and effectively participate in key events, meet with international officials, present on webinars, and attend human rights trainings. To ensure these interventions made a difference in real participation, CIEL worked closely with the community to coordinate logistics, craft clear and strategic messages, and ensure that our partners using the technology were well-versed in each virtual platform.

In Panama, we were able to help our partners overcome the challenges during this fragile time and even expand participation during the pandemic. However, many communities around the world have not been as fortunate. Despite the illusion of greater access in the virtual context, we have seen true public participation contract, with civil society being edged out of engagement in international fora for a variety of reasons, from time zone differences and unreliable internet access, to bottlenecks in communication caused by heavy video conference platforms.

To help break down these barriers, CIEL developed a checklist of guiding questions to enhance public participation in international negotiating and meeting spaces in a COVID-19 world. This publication shares best practices and lessons learned from our partners' experiences throughout the pandemic, and it will help meeting organizers and civil society advocates improve policies for future virtual or hybrid gatherings.

In addition to creating new obstacles for engaging in international fora, the pandemic has also exacerbated existing challenges for communities facing the impacts of development projects. Reprisals against environmental defenders have dramatically increased; fast-tracked funding under the guise of COVID-19 relief has allowed institutions to cut corners in public consultation processes; and violence has worsened in countries with already fragile political situations. Despite these challenges, our partners continue to speak out in defense of their families, their communities, and their rights. And CIEL will work in solidarity with them to protect public participation and ensure environmental democracy everywhere we can. ■

### A Victory for Indigenous Peoples at Panama's Supreme Court

For generations, Panama's Indigenous Naso people, like Indigenous Peoples around the world, have defended their rights to their ancestral territories. These territories are central to preserving their cultural identities, surrounding environment, and spiritual relationship with the lands that they have inhabited for millennia. Late last year, the Naso people achieved a key victory when Panama's highest court sided with them in a ruling to uphold their communal right to their ancestral land. The ruling emphasized the critical role of Indigenous Peoples in protecting biodiversity, natural resources, and the climate. And it is part of a growing chorus of similar cases aimed at upholding Indigenous Peoples' rights around the world. This precedent will carry significant weight for the Indigenous communities CIEL is accompanying around the world as they defend their rights and the environment.



### **Roșia Montană:** Romanians Defend Human Rights and a World Heritage

IN ROMANIA'S APUSENI MOUNTAINS, an archaeological treasure hides beneath picturesque crests and valleys. The ancient site, Roșia Montană Mining Landscape, is the most significant, extensive, and technically diverse underground ancient Roman gold mining complex. And for decades, the site — and the surrounding community — have been threatened by the return of modern-day mining operations.

During the 1990s, mining company Gabriel Resources announced plans to construct Europe's largest open-pit gold mine in the region, which would level four mountains, destroy the archaeological site, displace thousands of people, and use hundreds of thousands of tons of cyanide. In the ensuing years, Alburnus Maior, a community organization based in Roşia Montană, and the people of Romania advocated to prevent the mine from being constructed in order to preserve the region and the site. Romanian defenders have faced harassment, libel cases, and criminal accusations in their efforts to protect their land, environment, and culture. Community members faced forced relocation attempts by the company. But they have remained steadfast. CIEL has worked with local communities to protect the area since 2016. When the company filed suit against the Romanian government in a secretive investment tribunal, CIEL filed an amicus curiae brief on behalf of the communities to ensure their voices were heard in the case. Since 2010, environmental defenders in Romania have been pushing for Rosia Montană to be designated as a World Heritage site by the United Nations Educational, Scientific and Cultural Organization (UNESCO). When the process at UNESCO stalled under political pressure, CIEL collaborated with partners to identify an innovative new strategy to escalate the fight: seeking a specialized classification as a World Heritage site in danger.

This year, the community won both designations. In July, the Roşia Montană Mining Landscape was simultaneously inscribed into UNESCO's World Heritage List and the List of World Heritage in Danger. The dual recognition is especially critical because it emphasizes not only the cultural significance of the site, but also the continued threats it faces.

This is a tremendous victory for the people of Romania, but we can't let up yet. CIEL and partners are committed to ensuring that the World Heritage designation is respected and that plans for the future preservation of the area are carried out in consultation with local communities. ■

In July, the Roșia Montană Mining Landscape was simultaneously inscribed into UNESCO's World Heritage List and the List of World Heritage in Danger.

# To Stop Illegal Timber Trade:

### First Stop Hiding it in "Legal" Shipments

HEALTHY, INTACT FORESTS are essential for biodiversity, the global climate, and Indigenous Peoples and forest-dependent communities around the world that rely on them for their lives, livelihoods, and cultural survival. Tropical forests are particularly vital as habitats for species, territories for Indigenous Peoples, and immense (and vulnerable) storehouses of carbon. But the onslaught of illegal logging, agricultural deforestation, and climate-fueled wildfires is turning tropical forests from carbon sinks into carbon bombs.

> CIEL has been active in the movement to prevent deforestation of tropical forests for nearly three decades. A critical avenue for this work is the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). CITES is one of the earliest and most effective multilateral environmental agreements, and over the years, CIEL has worked with partners and governments to further strengthen it.

As a result of our movement's advocacy, a landmark resolution to CITES was approved in 2019 the biggest step since the Convention was signed nearly half a century ago, to address a gap in how countries verify legality of their exports of endangered species. Now, CIEL is working to translate that resolution into meaningful action to protect forests and halt the trade of illegally harvested timber.

This year, in partnership with Forest Trends, CIEL launched two pilot projects to put the legal acquisition findings resolution into pracCIEL is working to translate that resolution into meaningful action to protect forests and halt the trade of illegally harvested timber.

tice in regions with critical tropical forests. Working with local consultants and national authorities, we undertook detailed analyses of the current legal framework in both Thailand and Malawi, and made recommendations to ensure that they were fully aligned with CITES requirements.

The process of applying for permits to export endangered species in many countries is opaque and informal, allowing illegal practices to go undetected. Our pilot projects focused on improving the transparency, accessibility, and legal strength of export requirements and procedures so that companies fully understand their legal obligations before harvesting endangered species — and so that governments can enforce those obligations.

Our work in Thailand and Malawi has provided a vital example of how countries can align domestic laws with CITES requirements. In tandem, we also created a detailed, practical handbook to provide a roadmap for other governments to create similar frameworks. In the year ahead, we will build on this progress and support partners in enacting national best practices that will protect endangered species and forests.





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NOTE: Aubrey Manahan started in August 2021.

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NOTE: Conniel was added in 2020, while Katie and Tatiana were term-limited out in Fall 2020.

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# **Financial Statements**

#### Statement of Financial Position For Fiscal Years Ending June 30th

ASSETS	FY 2021
Current Assets	
Cash & Cash Equivalents	\$ 3,141,224
Contributions Receivable	1,270,021
U.S. Government Grants and Contracts Receivable	0
Foreign Government Grants and Contracts Receivable	0
Contracts Receivable	48,474
Miscellaneous Receivables	1,662
Prepaid Expenses	31,821
Total Current Assets	\$ 4,493,202
Other Assets	
Foundation Pledges Receivable (Long-Term)	\$ -
Property & Equipment, Net	39,913
Rental Security Deposits	2,401
Long-Term Investments	611,159
Total Assets	\$ 5,146,675

#### LIABILITIES AND NET ASSETS

#### **Current Liabilities**

Accounts Payable	\$ 317,787
Accrued Payroll & Benefits Payable	79,928
Deferred Contract Revenue	284,236
Deferred Lease Liability	8,190
Total Liabilities	\$ 690,141

#### **Net Assets**

Without Donor Restrictions	\$ 1,573,981
With Donor Restrictions	2,882,553
Total Net Assets	\$ 4,456,534

\$ 5,146,675

TOTAL LIABILITIES AND NET ASSETS Comparative Statement of Activities and Change in Net Assets For Fiscal Years Ending June 30th

REVENUE	FY 2021
Grants	\$ 3,848,957
Contracts	911,679
Salaries In-Kind	12,785
Contributions	161,454
Interest & Investment Income	63,126
Miscellaneous Income	335,688
Total Revenue	\$ 5,333,689
Expenses:	
Program Services:	
Climate and Energy	\$ 1,811,427
Environmental Health	822,830
People, Land And Resources	476,522
IPEN Secretariat and UNEP	
Funded Projects	444,276
Total Program Services	\$ 3,555,055
Supporting Services:	
Management & General	\$ 365,784
Fundraising	161,531
Total Expenses	\$ 4,082,370
CHANGES IN NET ASSETS	\$ 1,251,319
Beginning Net Assets	\$ 3,205,215
Ending Net Assets	\$ 4,456,534
CIEL's audited financial statements and	IRS Form

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 Mongomery Avenue, Suite 800 North Bethesda, Maryland 20814

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### Looking Forward Turning Moments Into Momentum, Together

There can be no doubt: The human rights and environmental challenges we face have never been greater. The rising impacts of the climate crisis are touching every part of the world with rising frequency and intensity — and the burdens of those impacts are as inequitable as the system that created the climate crisis itself. Meanwhile, the ongoing pandemic has made the struggle for environmental democracy both more challenging and more urgent.

But if the past 12 months have shown us anything, it's that, together, we have the power to meet these challenges. The wins highlighted in this annual impact report are each significant in their own right. But taken together, they become more than mere moments. They become momentum.

We know what it takes to win: real corporate accountability, environmental and human rights laws that are strong and effectively enforced, environmental democracy, and financial flows that prioritize human rights and the environment. In short, we are working to make justice the engine that drives environmental decisionmaking, from local government to the global economy. Already, our legal and advocacy strategies are making critical progress. Victories are coming more quickly than ever before in the fight for climate justice, environmental justice, and racial justice.

We are turning these moments of victory into long-term momentum for transformation, and we couldn't do it without you.



### Your donation is an investment in CIEL's impact and a more just future. Your gift supports:

- Developing innovative legal strategies to protect people and the planet;
- Deploying novel arguments and cutting edge research to make the law stronger and more inclusive;
- Building incisive, high impact campaigns that connect movements around the globe and create more robust, strategic, and unified movement partners;
- Using strategic communications to reframe narratives and win the public debate; and
- Equipping and supporting frontline partners to effectively advocate on their own behalf.

CIEL's work is critical to the transformation ahead. And you are a critical part of CIEL. Your donation to CIEL powers our movement, transforming moments of progress into true momentum.

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