



Digital intimidation against environmental defenders



L&T



Introduction

Digital technologies are becoming increasingly important to environmental defenders, both in terms of the tools that facilitate speaking and/or campaigning and in terms of the (digital) risks they face because of their involvement.

Increasing concerns have been raised about the use of various forms of online and technology-facilitated forms of harassment or "digital intimidation" against environmental defenders. If left unresearched, this could ultimately curtail the public debate on environmental issues.

This research project seeks to gain insight into the use of such digital intimidation against environmental defenders as well as analyse the existing legal framework in terms of its potential to provide protection against such intimidation.



'Digital intimidation'

#onlinehatespeech

#surveillance

#defamation

#trolling

#cyberstalking

#doxing

#otherforms

- ⚠ No comprehensive definition
- ⚠ No comprehensive list of forms of digital intimidation
- ⚠ Difficult to define due to ever-changing nature of technology

Instead understanding 'digital intimidation' through a number of 'core' characteristics

Actors (public/private)

Impact (nature/gravity)

Technology / Online

Content

Frequency

Preliminary findings



The Aarhus Convention (UN, 1998)

- Empowers citizens and civil society in environmental matters
- Grants the public rights regarding access to information, public participation and access to justice

Article 3(8) – *Each Party shall ensure that persons exercising their rights in conformity with the provisions of this Convention shall not be penalized, persecuted or harassed in any way for their involvement.*

➤ Applicable to 'digital intimidation'? Possible.
(see: Stolle, OSAP, 2022)



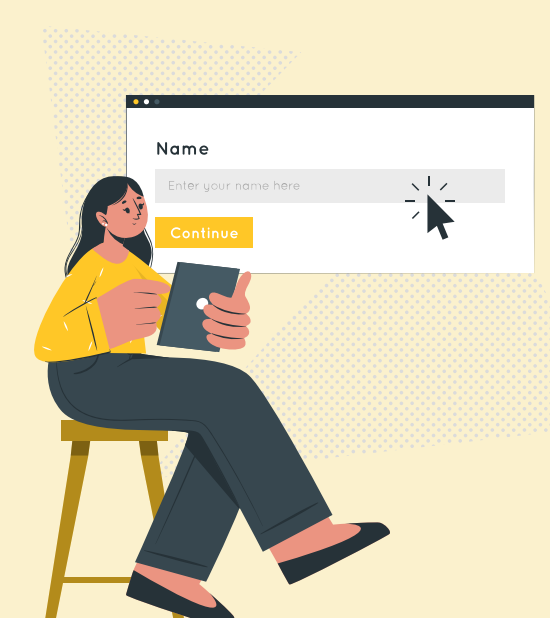
Other relevant legal instruments

- General Data Protection Regulation (GDPR)
- Cyber Security
- Digital Service Act (DSA)
- EU Proposal on Combating Violence against Women (2022)
- EC recommendation on the protection, safety and empowerment of journalist and other media professionals (2021)
- National legislation on stalking, defamation, press offences, etc.
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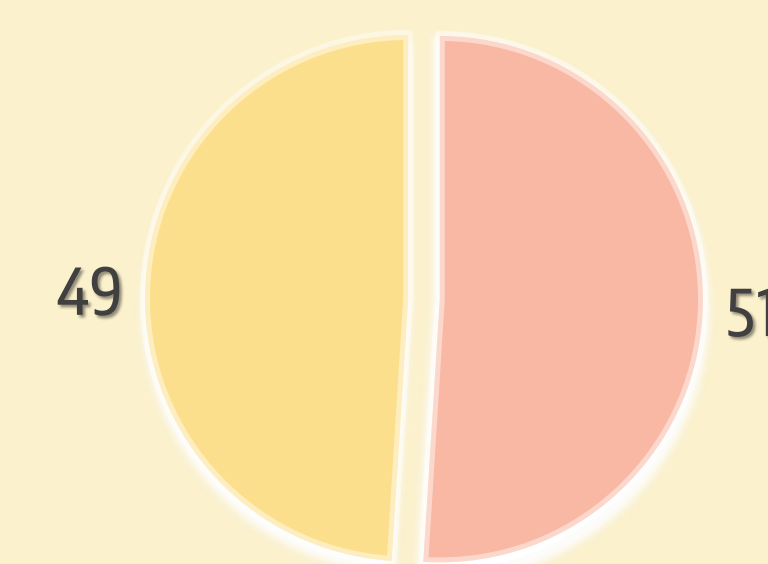
Survey (Nov '22 – Feb '23)

An online survey was sent out in late '22 to gather insights from individuals speaking out or taking action regarding environmental issues (n=100).



- ? Different ways of participating in the environmental debate
- ? Different ways individuals use to hide/protect their identity while participating
- ? Different forms of digital intimidation they faced
- ? The impact of such intimidation and coping mechanisms

In the survey, 51 of the 100 participants indicated they had experienced one or more forms of digital intimidation:



individuals who did experience digital intimidation
individuals who did not experience digital intimidation

Further research



- Further analysis of existing legal framework and literature
 - E.g. What is an 'environmental defender'?
 - E.g. Liability of online intermediaries
 - E.g. Distinction between 'digital intimidation' and 'protected speech'
- Analysing survey data
- Conducting in-depth interviews with environmental defenders



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