



# CELEBRATING VICTORIES

The Fight for Environmental Justice

Environmental Law Alliance Worldwide

“Of all celestial bodies within reach or view,  
as far as we can see, out to the edge,  
the most wonderful and marvelous and mysterious  
is turning out to be our own planet earth.  
There is nothing to match it anywhere.”

Lewis Thomas  
PHYSICIAN-PHILOSOPHER



**ELAW**

The **Environmental Law Alliance Worldwide (ELAW)** helps communities speak out for clean air, clean water, and a healthy planet. We are a global alliance of attorneys, scientists and other advocates collaborating across borders to build a sustainable, just future.

Many thanks to **Susan Palmer** for interviewing  
ELAW partners and sharing their stories through the following essays.

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# Victories for People, Victories for Place

More than 25 years ago, a handful of environmental lawyers from around the world realized they could be more powerful if they worked together, but communications options were limited. The internet as we know it was only just beginning to exist. Email was a concept but not a daily fact of life. Information was available in newspapers, magazines, journals, and books. Sharing documents around the world was just a twinkle in academic eyes.

These attorneys, attending gatherings like the University of Oregon's annual Public Interest Environmental Law Conference, understood that communities and ecosystems faced similar threats globally, but environmental advocates lacked the ability to learn from each other, share strategies, collaborate, and tap the best science to protect fragile ecosystems and communities. And they also lacked the capacity to help protect each other from harassment and imprisonment.

Attorneys from 10 countries came together with a plan: create a network to keep these public interest environmental lawyers connected. Thanks to start-up funding from the W. Alton Jones Foundation, the Environmental Law Alliance Worldwide (ELAW) was born.

Today, ELAW links advocates in more than 80 countries. They communicate seamlessly through live video links and share critical scientific and legal resources through electronic pathways.

But the goals of the organization haven't changed: protecting the environment and marginalized communities around the globe. ELAW puts legal and scientific tools into the hands of grassroots advocates to level the playing field and head off environmental abuses.

It takes passion, hard work, and a deep commitment to justice. Since 1991, ELAW has collaborated with the world's leading grassroots advocates to win stunning victories for communities and the natural environment.

"Celebrating Victories" is a collection of photo essays about the people and the communities behind some of our most inspired victories.

In each essay, we tell the human story of an ELAW partner winning a battle to make the world a better place.

This work is not for the faint of heart. As corporations extend their reach around the globe, many communities bear unjust burdens. These communities must be able to speak out to protect their environment, public health, and human rights. Advocates need to protect themselves from powerful forces that want to silence opposition.

ELAW partners play a key role in securing environmental justice. Working together, we have helped our partners defend wild places, keep coal in the ground, protect communities from toxics, prevent environmental disasters, and secure lasting justice.

We hope these stories of hard-fought wins give real hope to communities and grassroots advocates everywhere seeking a clean and healthy environment for our children, and our children's children.

### **Bern Johnson**

Executive Director  
Environmental Law Alliance Worldwide







## BANGLADESH

# Protecting People and the World's Largest Delta

The largest river delta on planet Earth arcs across Bangladesh, a small nation tucked between India and Myanmar and bordering the Bay of Bengal. Roughly 700 rivers stretch 15,000 miles in tangled braids leading to great biodiversity and rich soils for agriculture. One of those rivers, the Buriganga, flows along the outskirts of Dhaka, the nation's capital and home to 14 million people. For hundreds of years, residents ate fish from the Buriganga. Today, it is among the world's most polluted waterways. One of the reasons: an immense hide-tanning industry on the river's shores has dumped toxic chemicals into it for decades.

Government officials estimate that in 2016, more than 5.7 million gallons of pollutants flowed into the river every day.

Those toxic chemicals come from one of the poorest neighborhoods in Dhaka. Hazaribagh has been home to hundreds of tanneries processing leather bound for textile manufacturers in Europe, China, and the United States.

For more than 20 years, the Bangladesh Environmental Lawyers Association has been working doggedly to prevent tanning industry abuses. Attorney Syeda Rizwana Hasan, Chief Executive of BELA, took the lead in these cases, systematically turning to the courts to require the industry to follow environmental and health regulations. ELAW supported BELA's efforts.

In 2001, the court ordered the tanneries to install pollution control devices. Industry was slow to respond and in 2009, BELA won a court order directing tannery owners to relocate to a newly developed industrial area in Savar, farther from the river, and with waste diversion set up to manage chemical runoff. But tanneries were slow to make the move and in March 2017, the court directed authorities to close the tanneries at Hazaribagh that had not relocated, even requiring that their utility connections be severed.

It's a strategic victory that will help bring the Buriganga back to life, one of many for BELA.

Bangladesh, with its long shallow port and ready labor force at Chittagong, is where the world's dilapidated vessels go to be broken up, their valuable steel and other metals reclaimed for reuse. Massive ships are broken apart by hand by low-paid workers.

The people breaking down the ships, and the coast, suffers. Workers face dangerous conditions and exposure to a variety of pollutants – asbestos, lead, arsenic, polychlorinated biphenyls – that leach onto beaches and into the water.

BELA sought court orders to prevent ships from entering the port unless they were certified free of contaminants, and moved to block entrance of specific ships listed as hazardous. Rizwana's efforts led to the first case in the country's history of a polluter being fined for failing to follow the law.

Rizwana's work has not gone unrecognized. In 2009, she received a Goldman Environmental Prize, the equivalent of a Nobel Prize in the environmental protection world. It is awarded to six grassroots activists annually.

Rizwana and the attorneys who work for BELA have collaborated with ELAW for more than 20 years, turning to ELAW for both scientific data about the impacts of pollutants and legal strategy.



**Syeda Rizwana Hasan**  
Chief Executive  
Bangladesh Environmental  
Lawyers Association





## CANADA

### Bringing the Jordan River Back to Life

When salmon have been missing from a river for more than 40 years, the first few dozen fish returning to it can seem like a miracle, a signal that the river will once again hold thousands of wild fish.

Three years ago, salmon returned to the Jordan River, which tumbles through the steep forested hills of Vancouver Island before spilling into the Strait of Juan de Fuca off the coast of British Colombia.

Until the 1960s, a copper and gold mine leached toxic tailings into the Jordan, while a hydropower dam lowered flows and concentrated contaminants. When the mine closed its doors, it left behind a toxic legacy. With no responsible party tasked with cleanup, the future looked as bleak as the past.

And that's where students and staff at the University of Victoria's Environmental Law Centre (ELC) stepped in. The public interest law program operates in partnership with the university's law faculty. ELC offers free services to community organizations, conservation groups, and first nations. ELC also produces educational materials, citizen handbooks, and legal research, all part of its effort to educate students.

So when a community member interested in salmon restoration came to ELC for help, staff and students jumped on the case, says Calvin Sandborn, ELC Legal Director.

For years, ELC has taken a profound interest in the environmental impacts of mining. Sandborn and his students dedicated themselves to gathering information about mining laws around the world, and the students used that information to create their own guide to best mining practices. As longtime ELAW partners, they got plenty of help from ELAW's worldwide network of environmental attorneys.

"ELAW colleagues and staff provided a great deal of helpful information about mining rules in their jurisdictions," Sandborn said. The result: publication of a 420-page code proposal titled "Fair Mining Practices: A New Mining Code for British Columbia," published in 2013. The code book has already been adopted by several first nations in British Columbia.

The help flows both directions. Many Canadian mining firms work internationally and ELC has shared information about those companies with ELAW partners focused on mining issues in their countries, Sandborn said.

The Jordan River benefited when ELC students successfully identified the current owners of the old mine site along its banks, and helped lobby the BC government to require a remediation plan for the chemicals still leaching into the waterway. With increased water flow from the dam, the river has begun to heal. Three years ago, salmon from nearby streams returned to spawn in the Jordan River.

Experts anticipate future salmon runs of 5,000 to 10,000, Sandborn said.

Ken Farquharson, the BC resident who first approached ELC for help, said, "I believe that improvements to the Jordan River are at last underway, but without the effective involvement of the ELC, no progress would have been made."



**Calvin Sandborn**  
Legal Director  
University of Victoria  
Environmental Law Centre





## INDIA

### Mercury Poisoning and a Win for Dignity

Sometimes it takes a viral video to get the attention of a big corporation. Shweta Narayan, an environmental advocate in Chennai, a coastal city of 7 million on the Bay of Bengal in East India, says the one-two punch of publicity and piles of data brought a company to the table.

The small city of Kodaikanal sits in the forested hills northwest of Chennai, and was home to a thermometer-making plant for global corporation Unilever for 15 years. Workers there handled mercury in unsafe conditions, and mercury was dumped near populated areas of the town of 36,000.

Concern over illegal dumping prompted the government to shut down the factory in 2001, but that didn't help the more than 1,000 workers who were sickened by prolonged contact with the toxic metal.

And that's where environmental activists like Shweta stepped in. Shweta is Coordinator for Community Environmental Monitoring at The Other Media, whose goal is to empower local communities to advocate on their own behalf.

"Our program primarily provides support to grassroots communities," Shweta says. "We should not speak for the communities. They should speak for themselves."

Whether it involves helping residents identify the health impacts — tremors and kidney failure in the case of mercury poisoning — or collect samples showing environmental contamination, the effort is the same, she says.

"The underlying problem is the fight for dignity," she says. "People living next to polluting facilities are often from marginalized communities." The Other Media gives community members the tools to engage on their own behalf.

And that's where ELAW comes in. Every sampling effort The Other Media has helped communities undertake — and they've done hundreds across a range of issues from fly ash and its heavy metals that are the byproducts of coal-fired power plants to mercury pollution — has linked back to ELAW, Shweta says.

"I don't think there's been a single sample where Staff Scientist Mark Chernaik hasn't been involved," she says.

In the case of the former mercury factory workers, 10 years of data still needed a push and that came when a musician wrote a rap and produced a video about Kodaikanal titled "Kodaikanal Won't." Published on YouTube in 2015, it quickly went viral and prompted news stories, not just in India, but globally. The video has been seen more than 4 million times. Even the Washington Post covered the video, which features a chorus showing community members chanting "Kodaikanal won't step down until you make amends now," and "Unilever, clean up your mess."

In 2016, Unilever announced a settlement with 590 workers. While the terms of the agreement are confidential, community members have said they are satisfied that the sum will help former workers with health care costs.

"We had a huge social media campaign" Shweta says, "but we had 10 years of data collected."



**Shweta Narayan**

Coordinator  
Community Environmental  
Monitoring at The Other Media





## JAMAICA

### Goat Islands: Saved by a Tweet

The Jamaican iguana, one of the world's rarest lizards, has blue-gray legs, blackish-red eyes, and calls only a small swatch of land in Jamaica home. *Cyclura collei*, now found only in the Hellshire Hills on the island's south coast was once widely distributed, but disappeared from the landscape thanks to poaching, predation, and habitat loss. The lumbering lizard was believed extinct until the 1990s when a Hellshire pig hunter retrieved a wild iguana from his dogs. An intensive recovery program was set in motion by local scientists, regulators, international donors, and two US zoos. The breeding population of iguanas in the Hellshire Hills has increased over six-fold. The international scientific community hailed this as a tremendous conservation success story.

The Hellshire Hills are part of the Portland Bight Protected area, 724 square miles of mangrove forests, coral reefs, seagrass beds, dry limestone forest, and the two Goat Islands. The next step in the efforts to save the Jamaican iguana was to establish a wildlife sanctuary on Great Goat Island and support efforts to rebuild a viable Jamaican iguana population. But in August 2013, the Jamaican government announced it was considering a proposal by Chinese investors to construct a logistics hub and transshipment port in the vicinity of the Goat Islands.

The Jamaica Environment Trust (JET) turned to ELAW for help. This wasn't the first time the two groups had worked together. Long-standing allies, ELAW and JET have collaborated on many issues over many years — strengthening fisheries management laws, filing Jamaica's first environmental public interest lawsuit, advocating against a proposed coal-fired power plant,

and helping citizens participate in decisions about development projects that threaten sensitive ecosystems.

JET's main contention about the proposed port near the Goat Islands was the lack of transparency about the project. Efforts to get more information using the Access to Information Act had all been denied. With ELAW's help, JET took legal action to challenge the denial in 2014. Preliminary hearings were held, then there was a change of government in February 2016, and in September that same year, the Jamaican Government announced, over Twitter, that while the logistics hub would go ahead, it would not be at the Goat Islands due to the environmental damage that would be caused.

"I was overjoyed to get the news that the Government of Jamaica is proceeding with the logistics hub, but NOT at Goat Islands," said JET's Chief Executive Officer, Diana McCaulay. "It was the first time in my experience that an extraordinary natural place was saved by a tweet."

JET continues to advocate for the declaration of a wildlife sanctuary on Great Goat Island and support efforts to save the Jamaican iguana.



**Diana McCaulay**  
Founder & Chief Executive Officer  
Jamaica Environment Trust

"The only way forward, if we are going to improve the quality of the environment, is to get everybody involved."

Richard Rogers





## MEXICO

### Saying “No” To a Mega-Mall in a Protected Area

When people talk about Cancun, Mexico, high-rise hotels along pristine white-sand beaches and college students on spring break come to mind. It's easy to forget that the Yucatan Peninsula is a unique landscape — with underwater caves that hold crystalline waterways, the country's largest tropical forest, and just offshore in the Caribbean Sea, the Mesoamerican Reef with its exotic corals and colorful aquatic life.

On a peninsula the size of Rhode Island, the 10 million tourists who visit annually may be loving it to death. Still, the Yucatan has lovely little enclaves, like Puerto Morelos, a village with a small working fishing port and famous lighthouse that draws visitors who crave a local experience.

But even this small haven came under threat when a Chinese firm sought to create a 1,400-acre mega-mall, one of the largest in the western hemisphere.

In 2012, initial work on the mall destroyed hundreds of acres of wetlands, mangroves, and other protected areas near Puerto Morelos. What's more, its small port was threatened with massive expansion to accommodate the container ships slated to bring in the Chinese goods.

But Alejandra Serrano, a lawyer with the Centro Mexicano de Derecho Ambiental and a longtime ELAW partner, filed suit against the project, arguing that the lack of public participation in the environmental impact assessment (EIA) and planning process violated Mexico's laws.

A review of the assessment by ELAW Staff Scientist Meche Lu showed the EIA lacked essential information, including details about the location of coastal wetlands within the project area and the impact of paving on the water quality of these wetlands.

Serrano's efforts led the Mexican government to halt the project and fine project developers close to US \$1.5 million for building roads without proper permits.

Like many ELAW partners, Alejandra's work put her at personal risk. Her car tires were deflated during a meeting, her home invaded, her digital security compromised, and she was almost run off the road by another car.

But her efforts eventually paid off. In spring 2017, the Chinese mall project was permanently canceled when the company abandoned the project.

On Mexico's Pacific Coast, another organization, Defensa Ambiental del Noroeste, worked with ELAW to block a badly designed open-pit gold mine in Baja California.

In Guadalajara, the Instituto de Derecho Ambiental (IDEA) has been a fierce advocate for the environment, halting a massive dam project on Lake Chapala, the state's largest freshwater lake. Those efforts also proved dangerous for IDEA advocates. Staff attorney Eduardo Mosqueda Sánchez was imprisoned without charges for 9 months, simply because he was with protesters drawing attention to a land dispute between indigenous people and an iron mining company in Jalisco State.

Eduardo is free now, once again joining many Mexican colleagues collaborating with ELAW to chart a greener future for Mexico.



**Alejandra Serrano**

Former Director  
Southeast Regional Office  
Centro Mexicano de Dercho Ambiental





## NICARAGUA

### Nexus of Human Rights and Land Rights for Indigenous Peoples

Awás Tingni means “Pine Creek” in the language of the Mayangna, an indigenous

group on Nicaragua’s Caribbean Coast. But the name has become synonymous with a landmark case in the Inter-American Court of Human Rights in 2001 that confirmed the Mayangna had the right to collective ownership of several thousand acres of land they traditionally inhabited.

Community members brought that case to contest a Nicaraguan government deal to allow logging on Mayangna land. Lottie Cunningham Wren, an attorney and member of the Miskito peoples who also live along the coast, was the legal representative and an expert witness at that trial.

Today, more than 15 years later, the Mayangna, Rama, and Miskito peoples are still waiting for the government to obey the court order to demarcate and title community lands. Meanwhile, Miskito land is being occupied by nonnatives, and disputes over who owns what has led to extreme violence and killings.

Turning that court win into an on-the-ground reality has been slow going.

Lottie didn’t start out working as an environmental attorney. She became a nurse during the civil war of the 1980s. But despite her care for others, she felt that she wasn’t making a meaningful difference. She recognized that the oral traditions she grew up with wouldn’t protect her community in the 21st century. So she went to law school, became an attorney, and founded Centro por la Justicia y Derechos Humanos de la Costa Atlántica de Nicaragua (CEJUDHCAN). Today, she is at the center of the work to restore and protect the lowland savannah and forests of the north coast.

Her work represents a unique nexus of human rights defense and natural resource protection, and that fits well with indigenous culture. “We see the land as a mother, something integral,” she says.

ELAW has been working with Lottie for many years.

“One of the most important things with ELAW is the help that we get, the technical, legal area, the scientific area, and information about how to approach our cases,” she says. ELAW has also been useful in helping her organization develop communication strategies.

“We didn’t know about that at all,” she says. “How to use media, how to use radio. Why to use the media. How to create public opinion with the media. Those are things that we have been learning.”

The expertise flows both ways. Lottie has also shared strategies with Native American tribes working to protect their land in the United States.

Her work at home continues: “We want to obligate Nicaragua to implement the mechanism to demarcate and title indigenous peoples’ land,” she says.

That work comes with risk. Lottie is one of a handful of ELAW partners whose lives have been threatened because of their outspoken work on behalf of communities. ELAW is working to help Lottie and many more ELAW partners assess and manage risk, and stay safe.



**Lottie Cunningham Wren**

Founder & President  
Centro por la Justicia y Derechos  
Humanos de la Costa Atlántica  
de Nicaragua





## PHILIPPINES

### Safeguarding a Marine Reserve From Oil Exploration

Does a dolphin have standing to sue to preserve its habitat? That question came up in court in the Philippines when community members sought to protect a narrow strait in the multi-island nation. Acrobatic spinner dolphins ply Tanoñ Strait, as do 13 other species of whales, dolphins, and sharks. But the charismatic megafauna of the strait represent just a handful of the remarkable natural diversity in the country.

Imagine a nation of 7,600 islands, with more than 22,000 miles of coastline and mountains covered in tropical rain forest. That's the Philippines. Flung like a handful of jewels between the South China and Philippine Seas, the islands are so rich in biodiversity that new species are still being discovered.

Close to the center of the country, Tanoñ Strait runs between the islands of Cebu and Negros, a 100-mile stretch of ocean protected as a marine reserve, where you'll find thousands of acres of mangroves, extensive coral reefs, and unique creatures such as dwarf sperm whales and melon-headed whales, which are among the mammals using the strait as breeding, nursery, and feeding grounds. Rich in fish, the strait also provides a living for the fisher folk of the nearby islands.

Tourists aren't the only people attracted to the strait, which was named a protected seascape in 1998. The marine reserve has also attracted the oil industry.

When a Japanese oil exploration firm drilled an exploratory well and performed seismic surveys, concerned residents took action, filing suits to enforce the law and halt oil extraction activity in the environmentally rich strait.

The suit, on behalf of dolphins and whales, was filed by their self-appointed guardians, Gloria Ramos, now Vice President of the nonprofit Oceana's Philippines Executive Committee, and Liza Eisma Osorio, a law professor at the

University of Cebu. Both are co-founders of Philippines Earth Justice Center Inc. An additional suit, seeking to protect local individual fisher folk also went forward. While the oil drilling exploration ended when the Japanese firm decided to leave the area, the cases continued because answering the questions raised by the Center matters now, and for future generations.

In 2016, the nation's Supreme Court ruled that while animals don't have standing to sue, ordinary citizens may do so "as stewards of nature." The court also found that the government should have required an environmental impact assessment prior to survey work in the strait, and that procedures for approving such a contract under the Constitution had not been followed.

ELAW helped the Philippines Earth Justice Center demonstrate the impacts of oil on marine mammals. That's not the only project where the two groups have collaborated. ELAW also provided scientific expertise in a case attorneys filed to stop the indiscriminate dumping of coal ash in host communities in Naga City and Toledo City, Gloria said.

"As the Philippines is notorious for being data deficient and not exactly using science as basis for decision-making especially in the last decade, the assistance of ELAW, especially on the science and legal expertise, is invaluable," she said.



**Gloria Ramos**

Vice President  
The Philippines Executive Committee  
Oceana





## SOUTH AFRICA

### Keeping Coal in the Ground

South Africa's northernmost province, Limpopo, is 36,000 square miles of savannah and woodlands, home to three national parks. The province also supports agriculture, growing some of the nation's key crops: mangoes, papayas, avocados, and tomatoes. Many of Limpopo's rural residents rely on subsistence farming. That makes the province – South Africa's poorest – particularly vulnerable to drought. Three years of a withering lack of rainfall have hit residents hard.

Limpopo is also home to active coal mines that put the province in a double bind. Burning coal releases greenhouse gasses (GHG) that blanket the planet, trapping heat that leads to higher temperatures, less rain, and more extreme weather.

Limpopo's coal mines have attracted energy companies looking to construct coal-fired power plants nearby. In 2015, the government authorized building the proposed Thabametsi power plant at Lephalale, a small mining town that already has two coal-fired power plants.

That's when the Centre for Environmental Rights stepped in, assisting Earthlife Africa Johannesburg in challenging the environmental authorization. This led to a suit, arguing that the government had failed to consider the climate change impacts of the power plant during the environmental impact assessment (EIA) – and these impacts needed to be considered before a decision could have been made to authorize the power station.

Like most countries, South Africa requires EIAs for such projects. But until this case, EIAs have only narrowly considered the impacts of climate change – if at all. And the government's Department of Environmental Affairs had previously held that there was no legal basis in South Africa's EIA framework for climate change impact assessments. Looking at the bigger picture – such as impacts to the climate over time, and the impacts of

climate change on a particular project and the surrounding area – has not typically been included in EIAs in South Africa or in other countries, like the United States.

CER said that the government must now study the climate impacts of the Thabametsi coal-fired power plant before deciding whether to allow the plant to go ahead. CER turned to ELAW Staff Scientist Mark Chernaik for help.

"Particularly useful was Mark's calculation of the cost of Thabametsi's future GHG emissions, which assisted us in making a strong media statement regarding the plant's anticipated impacts," says Nicole Loser, CER Attorney.

"South Africa continues to plan significant investments in coal. CER and our clients felt it critical to obtain legal precedent confirming that the contributions of such activities to climate change – in this instance, coal-fired power stations – must be assessed comprehensively before a decision can be made to authorize such projects."

The court agreed, and in March 2017 halted the project until climate change impacts are properly assessed and considered by the government. In his decision, Judge John Murphy noted: "Short-term needs must be evaluated and weighed against long-term consequences."

This case sets a powerful global precedent – proponents of coal-fired power plants must study the climate impacts of those plants, including how the plants will contribute to damaging the climate – before getting a permit to go ahead.



**Nicole Loser**  
Attorney  
Centre for Environmental Rights





## TANZANIA

# Growing Grassroots Organizations Across Africa

Rugemeleza Nshala shakes his head in wonder when he recalls the first ELAW Annual Meeting and Public Interest Environmental Law Conference he attended back in 1995. One year before, as a young graduate of the University of Dar es Salaam, the capital of Tanzania, he had been inspired by an encounter with environmental attorneys to create a public interest law firm to protect Tanzania's natural resources. He expected to learn a lot at the gatherings. He didn't expect to get noticed.

Tanzania, the East African nation between Kenya and Mozambique, can't be described without superlatives. Twice the size of California, it is home to Mount Kilimanjaro, the tallest peak in Africa. It is bordered by the second largest lake in the world and the second deepest lake, Victoria and Tanganyika, respectively. Its central plains grassland — the renowned Serengeti — supports the largest mammal migration on the planet.

Wildebeest, zebra, gazelles, lions, and elephants traverse Tanzania.

Tanzania's wealth of species, both plant and animal, have led to its designation as a biodiversity hotspot, one of 25 places in the world where the multiplicity of living things is particularly at risk of extinction because of the loss of habitat. The country also has a wealth of mineral resources — copper, gold, silver, diamonds, gemstones, and natural gas.

Back in 1994, Tanzania had no attorneys focused on environmental issues, Rugemeleza says. In fact, no countries in East Africa had a nongovernmental organization working to enforce environmental laws. So, Rugemeleza and two colleagues organized the Lawyers' Environmental Action Team. They had no money; they had time, energy, and concern.

Rugemeleza had learned about ELAW from a Peace Corps Volunteer with Oregon connections. ELAW Staff Attorney Jennifer Gleason visited Tanzania in 1994 and invited Rugemeleza to attend the ELAW Annual Meeting and University of Oregon Public Interest Environmental Law Conference in Eugene. During a PIELC session run by ELAW co-founder John Bonine, a University of Oregon law professor whose passion for the environment has driven decades of work, Rugemeleza was surprised to hear himself introduced. John spoke of Tanzania's unique environmental challenges — increased mining, ongoing pollution of its waterways, poaching, loss of habitat, extreme poverty. And then he passed the hat.

Rugemeleza went home with \$1,600 in startup money.

"We also got funding from the Ford Foundation and we took it from there. Our formation inspired the formation of similar organizations in Uganda, Zimbabwe, Liberia, and Kenya," he says. "The seed that was planted in Tanzania germinated in so many other places."

LEAT has scored lasting victories, but perhaps its greatest contribution is its work on the nation's first environmental protection laws, passed by its parliament in 2004. Among its key provisions:

Every person living in Tanzania shall have a right to clean, safe and healthy environment.



**Rugemeleza Nshala**  
Co-founder & Executive Director  
Lawyers' Environmental Action Team





## UGANDA

### Tackling an Invasive in Lake Victoria

Everybody agreed that the water hyacinth had to go. A flowering plant native to South America, it has become an invasive nuisance, threatening local species in more than 50 countries. In Uganda's Lake Victoria, the deceptively benign purple flower with its bright green leaves outran all efforts to contain it.

Under the right conditions, water hyacinth mats can grow at the phenomenal rate of 12 acres a day. The dense growth blocks boat and beach access, smothering out other plants and reducing nutrients that young fish need to grow and thrive. It blocks supply intakes for power plants and has even shut down city grids. The plants also enhance insect habitat, increasing the incidence of mosquito-born conditions like malaria. More than 30 million people live in proximity to Lake Victoria.

In Uganda, mats of water hyacinth threatened the creatures that call Lake Victoria home. Consider the cichlids, a species of freshwater fish that has developed hundreds of unique adaptations in Lake Victoria. And then, of course, the local people fishing the lake to sustain their families were losing access.

So it's understandable that the Ugandan government might want to bring out the big herbicidal poison to battle this invasive. Officials proposed using 2,4-D to control the weed and that's when Greenwatch stepped in.

Greenwatch, an environmental advocacy NGO in East Africa, rallied public opinion against the use of 2,4-D and provided information about the negative impacts of the chemical.

Kenneth Kakuru, the organization's founder and Executive Director at the time, wanted better information on the impacts of 2,4-D to present at a public hearing. He contacted a friend at the World Resources Institute who sent the information Greenwatch needed.

"He had got it all from ELAW," Kenneth said.

With better information and public support, Greenwatch helped convince the government to use a combination of mechanical and insect controls.

Greenwatch has also been part of a long-running effort to eradicate the use of plastic bags in Uganda. Unlike paper, plastic bags don't decompose. The micro-organisms that break down things like paper and cardboard don't interact with plastic in the same way. Greenwatch started a campaign in 2002 that led to a plastic bag ban in 2012, with rules enforcing the ban in 2016.

"They were tremendously helpful to us," Kenneth said of ELAW staff. The Greenwatch founder is now bringing his influence to bear from another angle. He was recently appointed by Uganda's President Museveni as a judge on the country's appeals court.

His daughter, Samantha Atukunda, grew up in the organization's offices and ended up attending the University of Oregon, getting her own law degree. She now leads Greenwatch.

Her top issue? "Right now I am working on climate change litigation."



**Samantha Atukunda Kakuru**  
Legal Officer  
Greenwatch Uganda





## UKRAINE

### Protecting an International Waterway

Ukraine's Danube Delta — a watery paradise of rivers, estuaries, lakes, and wetlands —showcases the interconnectedness of ecosystems. The delta mingles fresh and saltwater, soil, and floating reed beds across its 1 million square miles. More than a million birds — converging from Mongolia, Russia, and the Arctic — winter here.

Nestled between Ukraine and Romania on the Black Sea, the delta has been recognized internationally for its ecological importance, selected by the World Wildlife Fund as among the planet's most important for species diversity and by the United Nations as a biosphere reserve.

The Danube Delta serves as a key transportation waterway for both Romania and Ukraine. A desire to improve shipping opportunities prompted Ukraine to begin construction of a channel through the delta in 2004. But proponents failed to evaluate the project's environmental, national, and transboundary impacts, as required by Ukrainian law and international conventions, before construction began.

And that's when Olya Melen spoke up. A young attorney, Olya had attended an ELAW Annual Meeting and been inspired by the shared stories of attorneys describing their first experiences defending the environment in court cases in their respective countries.

Olya went back to Ukraine, determined to do the same. Working for Ukraine's public interest law NGO Environment People Law, Olya argued that the country had not followed its own laws on environmental impact assessment in allowing canal construction.

Because of her efforts, dredging was halted during the fish spawning period. Courts also recognized the rights of the public to challenge environmental impact assessments and the obligation of Ukraine to follow international conventions.

In 2006, Olya's work was recognized when she received the prestigious Goldman Environmental Prize. Each year, the Goldman Prize honors one environmental hero from each of the world's six inhabited continents. Olya is one of 12 ELAW members whose work has been honored by the prize.

But, Environment People Law in Ukraine has not been resting on these laurels. In 2017, the NGO brought together the nation's attorneys at a conference to discuss the impacts of climate change. In 2016, the group shed light on the nation's failure to clean up chemical spills in Kalush that threaten drinking water sources for 10 million people. And energy continues to be a key concern, not the least because of Chernobyl, the world's most disastrous nuclear power plant accident.

This 1986 catastrophe is personal for at least one staffer at Environment People Law. Five days after the incident, when radioactive particles were raining down across the region, a young schoolgirl, Olena Kravchenko was one of hundreds of children in Kiev marching in a May Day parade.

Government officials, who knew of the accident and the danger, made no effort to cancel the parade or warn the children and their families.

"Many in my generation have died of thyroid cancer. We had no idea there was any danger," says Olena, the current director of Environment People Law.

Environment People Law has been a strong ELAW partner for more than 20 years..



**Olya Melen-Zabramna**  
Head of Legal Department  
Environment People Law





## AROUND THE GLOBE

### Defending Defenders

A death threat via instant message? Lottie Cunningham Wren gets these now. Her work as an attorney protecting the land rights of indigenous people in Nicaragua has drawn the anger of powerful, lawless interests.

Alfred Brownell, a Liberian attorney, barely escaped an armed raging militia while working to curtail palm oil farming that was pushing villagers off their traditional agricultural lands.

In Mexico, Eduardo Mosqueda Sanchez, an attorney representing indigenous community members concerned with the environmental impacts of a mining operation, was beaten, arrested and jailed for 10 months on trumped up charges, later dismissed by a judge.

For close to 30 years, ELAW's global network has linked brave, pioneering advocates. Across the world, ELAW's partners risk their lives when they step up to challenge corporations or governments that violate human rights and environmental laws.

When these advocates are attacked, ELAW responds. When Lottie received the death threat while attending ELAW's 2017 Annual International Meeting in Eugene, Alfred quickly organized a letter to the Nicaraguan government on her behalf, signed by attorneys from around the world. The letter was published in La Prensa, a Nicaraguan newspaper. It sent a clear message: lawyers around the world are standing with Lottie.

When Eduardo was jailed, ELAW reached out to allies, including the Mexican Human Rights Commission and the UN Special Rapporteur on human rights and the environment, ensuring that Mexican officials knew a global spotlight was shining on Eduardo and his treatment.

ELAW works to protect advocates, spotlight bad actors, and deter further attacks. In addition to sharing critical legal and scientific information, ELAW advocates protect each other.

Now, ELAW is doubling down on this critical work. ELAW is helping advocates to protect data and people, and build community resilience.

With help from digital and personal security experts, ELAW is collaborating with advocates recognize and respond to threats. Protective tactics might be as simple as installing a camera, hiring security staff, or learning to protect digital assets. Each advocate faces unique threats, so security solutions must be tailored to fit the need. Recently, ELAW worked to strengthen a threatened community by boosting food security and improving educational opportunities for marginalized, indigenous youth.

ELAW's global network engages quickly to protect advocates and communities, deter attacks, and build strength and resilience. When a partner is threatened, ELAW can quickly draw global attention, not only from media, but from allies with common goals of keeping community members safe.

"ELAW stands with our courageous grassroots partners around the globe," says Executive Director Bern Johnson. "We will use all legal tools at the domestic and international levels to fight back against attacks on civil society."

Powerful interests try to silence ELAW partners. ELAW is dedicated to protecting public interest attorneys, so they can continue their vital work. ELAW is learning, collaborating, and sharing best practices to defend environmental defenders.

"Plans to protect air and water, wilderness and wildlife are in fact plans to protect man."

Stewart Udall



## THANK YOU

This publication would not have been possible without the generous support of **John Allcott** and **Beth Hunt**.  
Many thanks John and Beth for your confidence in our work.

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### PHOTO CREDITS

COVER | Bantayan Island, Philippines. Photo by Tonee Despojo, Cebu Daily News.

PROLOGUE | ELAW Partners from around the world gathered at Cape Perpetua, Oregon Coast.

BANGLADESH | A waterway in Hazaribagh. Photo by The Daily Star. Rizwana's photo by Goldman Environmental Prize.

CANADA | Pink salmon. Photo by the National Park Service.

INDIA | Sofia Ashraf stars in "Kodaikanal Won't," a video by filmmaker Rathindran Prasad that went viral on YouTube.

JAMAICA | Jamaican iguana. Photo by Robin Moore.

MEXICO | Puerto Morelos lighthouse. Photo by Nataliya Hora.

NICARAGUA | Children in Waspmam. Photo by Brock Dolman, Occidental Arts & Ecology Center.

PHILIPPINES | A fisherman installs a vessel monitoring device in his outrigger fishing boat in Binalbagan, Negros Occidental.  
Photo by Candeze Mongaya, Oceana.

SOUTH AFRICA | Community members protest in front of Pretoria High Court.  
Photo by James Oatway, Centre for Environmental Rights.

TANZANIA | Staff at the Lawyers' Environmental Action Team, Dar es Salaam.

UGANDA | Lake Victoria. Photo by Andrew Pacutho.

UKRAINE | Pelicans in the Danube Delta. Photo by Iliuta Goean. Olya's photo by Goldman Environmental Prize.

DEFENDING DEFENDERS | Left to right: Alfred Brownell, Green Advocates, Liberia, and Eduardo Mosqueda Sánchez, Instituto de Derecho Ambiental (IDEA), Mexico. Photo by Todd Cooper, Eugene Weekly.

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