

Ten years of ClientEarth 2007–2017



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A word from our chair

Back in 2007, I learned that Europe's green movement needed serious investment in a fundamental tool. There was an urgent need for more lawyers to stand up for nature and the right to a healthy environment – a team to provide legal representation for people and the planet.

My family foundation provided the seed funding to make ClientEarth a reality, and I am thrilled that we have been joined by a growing number of foundations, institutions and generous individuals. With their support, ClientEarth has become a part of the European environmental community and a legal force for nature. We have grown from just a handful of lawyers to a global organisation with over 120 staff and offices in London, Brussels, Warsaw, New York and Beijing. Our work spans four continents and almost 20 countries.

In our tenth anniversary year, ClientEarth was named the most effective environmental organisation in the UK, a testament to the impressive impacts of our work. The law is powerful and, as demonstrated by our mounting wins in recent years, its momentum builds over time, as does ours.

ClientEarth lawyers have challenged and started to eliminate barriers to justice in national and EU courts. They successfully challenged the UK government on illegal air pollution, championing citizens' enforcement and setting precedents with Europe-wide significance. We have shepherded through vital improvements to Europe's fishing laws, with far-reaching impacts for marine biodiversity. We created a first-of-its-kind 'bible' of forest laws in Ghana, and are pushing the boundaries of environmental legal action to make energy and financial markets work for the climate.

ClientEarth believes in the power of the law to catalyse profound and lasting systemic change, and I can see the work gaining momentum and generating interest from around the world. In China and elsewhere, ClientEarth is now pushing to make the environment a global justice priority. I am proud to have been part of building a unique organisation that is beginning to achieve the impossible and create a positive future for our children, grandchildren and for nature. We know there is so much more to do. Now, a decade on, we celebrate our journey towards a courageous future. I hope that this report inspires you to continue this journey with us, just as we were inspired to begin it ten years ago.



Winsome McIntosh
Chair, Board of Trustees

In 2013, the EU included many of our recommendations in its new **Fisheries Law**, following the science to make fishing more sustainable.

Our **London** office launched in 2007 and in 2015 we won our first air pollution case against the UK government.

In 2008, ClientEarth opened its **Brussels** office, suing the UK, Germany and the EU for blocking court access to protect the environment.

In 2016, we launched a **New York** office to work with US NGOs and donors.

In 2016, we started working on energy in **Spain**, and in 2017 we added sustainable seafood work.

Since 2012, we have helped to legally empower people in **West Africa**, so they have a say in the forest laws affecting them.

2007-2017

A decade of achievements

Staff



6

10

25

37

2008

2009

2010

2011

Turnover
£m

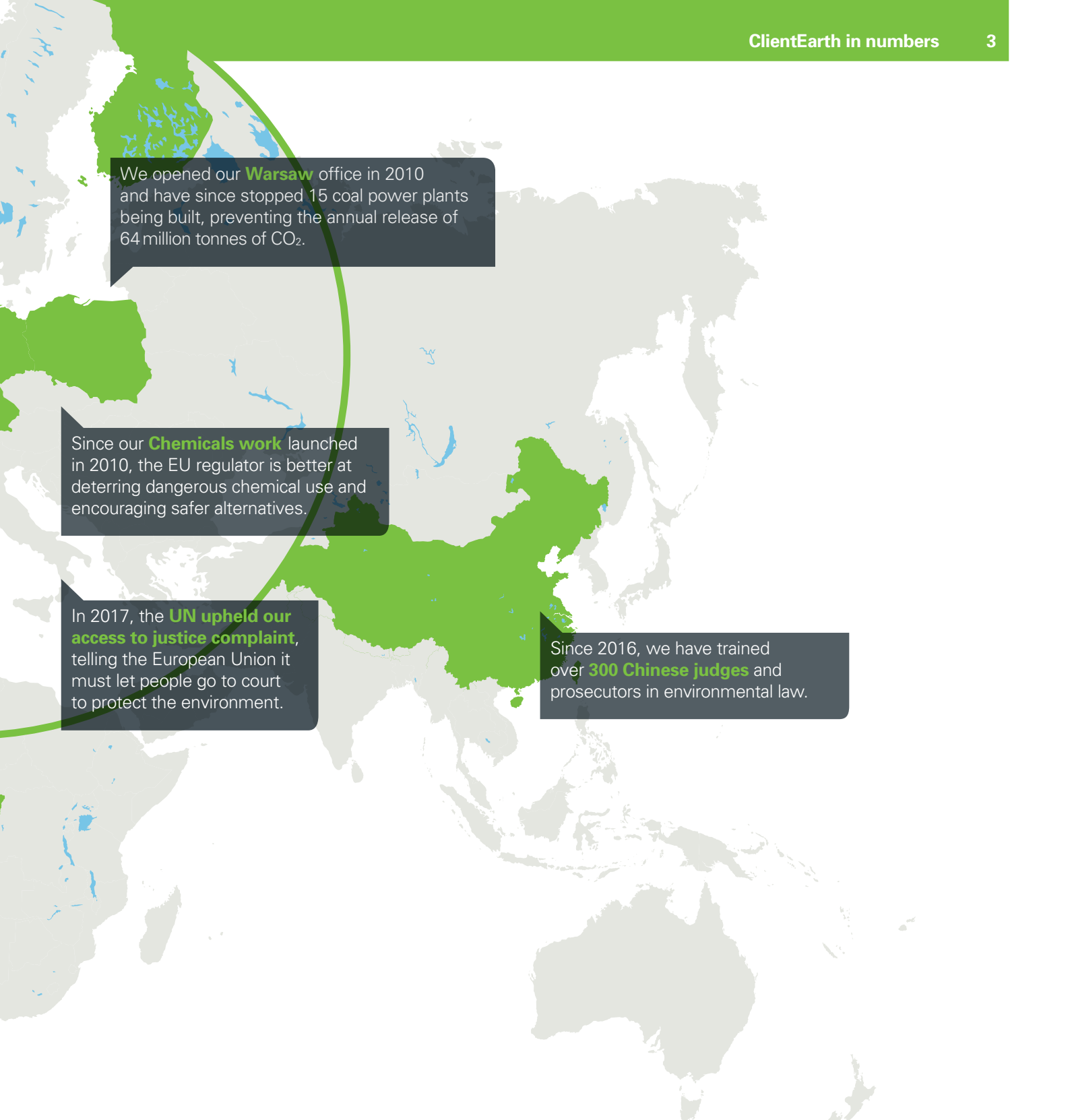


£0.5

£0.9

£1.6

£2.6

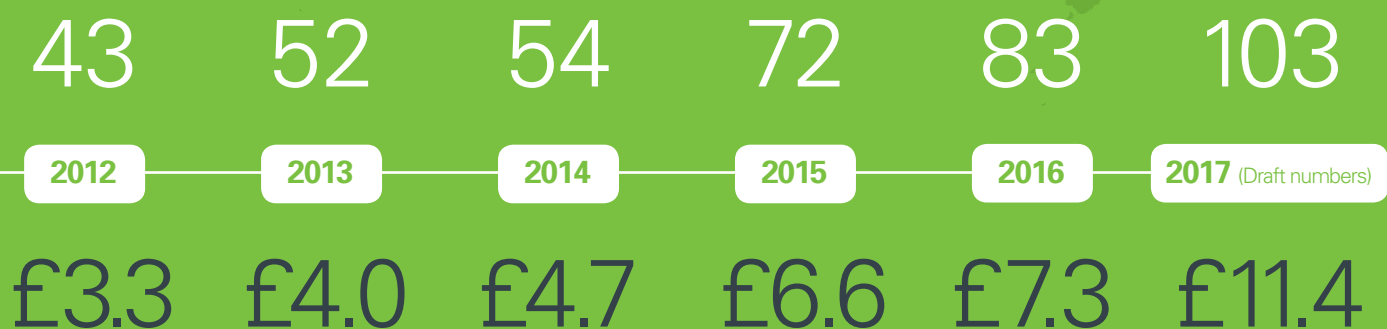


We opened our **Warsaw** office in 2010 and have since stopped 15 coal power plants being built, preventing the annual release of 64 million tonnes of CO₂.

Since our **Chemicals work** launched in 2010, the EU regulator is better at deterring dangerous chemical use and encouraging safer alternatives.

In 2017, the **UN upheld our access to justice complaint**, telling the European Union it must let people go to court to protect the environment.

Since 2016, we have trained over **300 Chinese judges** and prosecutors in environmental law.



Recognition for our work

In the last ten years, we have proved that ClientEarth's approach gets results and increases the impact of other charities. Since 2008, we have been named the most effective NGO by the Environmental Funders Network, and Charity of the Year by the Charity Times.

We have climbed to 35th in the Financial Times Innovative Lawyer Europe rankings and won awards from the City of London, The Lawyer, The Law Society and BusinessGreen, among others.

In 2017, **Małgorzata Smolak** was named one of the most influential women in Poland.



In 2009, **James Thornton** was named by the New Statesman as one of ten people who could change the world.



A funder's view

“Investing in ClientEarth gives us global reach

The Esmée Fairbairn Foundation has supported ClientEarth since the beginning.

Recognising the importance of core funding to small and growing organisations as well as larger and more established grantees, we have invested in ClientEarth's core functions for the past ten years.

This has proved crucial to underpin the organisation's programmatic strategy and impacts, and to getting recognition for ClientEarth within and outside of the sector.”

Caroline Mason
Chief Executive
Esmée Fairbairn
Foundation



The fight for clean air

Air pollution and climate change are public health issues. But ten years ago, governments ignored this because it was not widely understood.

At that time, flagrant breaches of legal standards protecting human health were common across Europe, and the UK's refusal to comply with air quality laws was a dangerous violation that no one spoke about. Our clean air cases have established people's right to enforce environmental law in the UK courts, confirmed clean air as a public health priority, and begun to drive change to create cleaner cities and vehicles.

In 2010, we took the UK government to court over illegal air pollution. After five years of hard work, we won.

The Supreme Court ruled that the UK government must clean up the air pollution that is linked to 40,000 early deaths a year in the UK. Air pollution has become a national conversation, with the government ordered to develop national plans to combat dirty air, and city mayors bringing in local plans for cleaner air. This first mandatory order issued by the Supreme Court in an environmental case also opened new avenues for people to enforce environmental protection in UK courts.

We have exported our success to the continent, bringing cases with partners in Italy, Germany, Belgium, Slovakia and the Czech Republic. Under the pressure of legal action, cities are introducing clean air zones and banning diesel cars. Across Europe, governments have announced the phase-out of combustion engines between 2025 and 2040. With increased public awareness of the diesel problem, sales of new diesel cars are falling throughout Europe. In the UK, 2017 saw demand for diesel vehicles slump 30% year-on-year, while cleaner vehicle demand increased by 37%.

In 2017

37%

Increase in demand for vehicles with cleaner fuels



In 2017

30%

Fall in demand for vehicles running on diesel





Shifting Europe towards clean energy

We began our coal work in 2007, because the science shows that people must stop burning coal if we are to avoid dangerous climate change. But phasing out coal is only part of the picture – we also need to shift the vast sums invested in fossil fuels to green energy.

We need to transform carbon-heavy financial markets like London. And we need to use the regulatory power of the European Union to create a clean energy future.

We have accelerated Europe's coal phase-out by challenging unlawful permits and subsidies, stopping illegal generation and making coal less attractive to investors. In Poland, our cases have delayed or stopped at least 15 coal-fired power plants being built, preventing the release of 64 million tonnes of CO₂ annually. We also secured a ban on the most dangerous home heating fuels in Krakow, with governmental financial guarantees to help people switch to cleaner fuel.

In 2017, Denmark, Italy and the Netherlands took the number of EU countries promising an end to coal to seven. France also brought its coal phase-out forward to 2021. These countries joined 27 national and regional governments as part of the Powering Past Coal Alliance, committed to a future without coal. As part of Europe Beyond Coal, we have joined a movement and a vision for a Europe free of coal by 2030.

At the same time, ClientEarth is going well beyond the realms of conventional environmental law, into energy markets and finance. Our work has already forced carbon majors to report their exposure to climate risk and pushed pension funds to recognise the changing climate as a long-term financial threat. Our work is starting to move global cash flows towards a low-carbon future and is driving energy market reform.

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We believe the law should serve people and the environment, and that it is a powerful tool to protect both. We take a bold idea – that people should be able to use law to defend the natural world – and translate it to practical solutions.

In 2008, we put the first ever environmental NGO lawyer in Brussels. Now, we have 15 lawyers in Brussels, the European Union's seat of environmental law and a hotbed of corporate lobbying. We work in partnership with over a hundred organisations in the green community and beyond, giving free legal support to charities, companies and governments to make sure environmental law is strong and effective.

Without access to information and the courts, NGOs and individuals cannot speak powerfully for the environment. Our greatest impact lies in making sure as many people as possible can use law to protect the planet. Ten years ago, our first act was to bring three cases against Germany, the UK and the EU to ensure access to the courts for people bringing public-interest cases. We won all three cases, forcing these parties to change the way their legal systems work for the environment.

It took almost ten years, but in 2017, the UN condemned the European Union for continuing to block access to justice and demanded that it let people go to court to protect the environment. This battle continues in Brussels and before the European courts.

Furnishing people with information about their environment and ways to get justice demands constant vigilance and stepwise progress. ClientEarth and partners The RSPB and Friends of the Earth went to court in 2017, when the UK government tried to backtrack on gains made in the last ten years, and won.

Another 2017 test case challenges new EU rules that were supposed to correct the failings of car manufacturers after the Volkswagen scandal, but instead allow companies to hide their emissions performance tests. If we win, this case will open a new route for citizens to challenge damaging decisions of the European Union.

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Environmental justice



Transparency on chemicals



Ten years ago, the European Union passed a progressive law on chemicals. However, almost no one except industry engaged with how it would work in the real world.

Without proper implementation, even the best environmental law will fail. This is why we have spent the past eight years pushing for more information, better transparency and the strongest possible interpretation of the law.

We bring legal action to get information on how, where and why chemicals are used, to push companies to develop safe alternatives, and to make authorities think twice about approving toxics.

In reaction to our work, the European Chemical Agency has changed how it deters companies from using the most dangerous substances, and developed a strategy for safer substitutions.

Companies now provide more information on their products, which people can use to keep themselves safe.

Now, the European Chemicals Agency and the EU Commission recognise that they cannot ignore health and the environment when implementing chemicals law. The fight continues, but our wins and ongoing cases mean people have the information and court access they need to protect their world using the most powerful tool possible – the law.

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8 years

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Deforestation is a global problem, but the solutions start locally. We are tackling unsustainable logging from the ground up in West and Central Africa, where serial governance problems mean forests are illegally cut and communities often don't benefit from local natural resources.

At the same time, we are changing laws and markets in Europe. This supports global demand for legal timber, which positively reinforces our legal capacity building in timber-producing countries.

Our work in Africa reduces the environmental and social impacts of logging in some of the world's last remaining rainforests. Over the past eight years, we have helped empower communities, so people have the tools they need to sit at the table when laws are made, implemented and enforced.

In 2016, this led to 26 forest communities in Gabon signing agreements to share revenues from forest harvesting. In 2017, Ghana passed a new forest law, and the Ivory Coast and Republic of Congo are now reforming their forest codes, both with essential input from civil society, supported by ClientEarth.

On the consumer side, we push governments and businesses to uphold the EU law against illegal timber sales. In 2017, we filed a complaint that led the European Commission to launch a case against Belgium for failing to ensure the legality of timber imports. This is the first time the European Commission has brought such a case, sending a clear signal to all other EU countries. Now, the USA, Japan and Australia, which have laws similar to the EU's, are collaborating more to enforce their laws against illegal logging. This is helping to create a global norm.

In Poland, the continent's last remaining primeval forest is being threatened by illegal logging. After Polish authorities ignored ClientEarth's challenge and their citizens' demand to stop logging, we filed a complaint with the EU, which then fast-tracked its own lawsuit. The EU's highest court ordered an immediate halt to the logging and set fines of at least €100,000 a day for non-compliance. The logging has stopped for now, and the court's ruling created a new precedent in EU law.

In 2016

26 forest communities in Gabon signed agreements to share revenues from forest harvesting



To protect oceans, we have changed the law and shifted market demand. In 2007, Europe's fisheries were in crisis and industry sourcing and labelling practices were poor.

We saw a huge opportunity to change the law for the better and to work innovatively with companies to improve practice in seafood markets.

On the consumer side, our world-first Sustainable Seafood Coalition unites over 80% of UK supermarkets in voluntary sourcing and labelling codes that far exceed UK environmental law.

This success has led to similar plans in Hong Kong, and we have exported our model to Spain, one of the EU's largest seafood markets. Supporting international demand for sustainable seafood complements our legal advocacy.

On the legal side, several of our amendments were reflected in the 2013 reform of EU fisheries law, requiring catch limits to be based on science and banning wasteful discards. Getting the new law was the first step. Now, we work with regulators, industry and scientists on effective implementation. The European Commission's proposed 2018 fishing quotas were more consistent with scientific advice, but we still have a long way to go before Europe's fisheries are fully sustainable.

Our Sustainable Seafood Coalition unites over

80%

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Defending
seas



ClientEarth's promotion of the rule of law to protect people and the planet took an exponential leap with the opening of our China office in 2016.

China is committed to building an ecological civilisation, and our role is to provide expertise, training and resources to government authorities and environmental organisations as China undertakes this monumental project.

In the past two years, we have organised trainings for hundreds of Chinese judges and prosecutors, and in 2018 we will host our most significant event yet, bringing together Chinese Supreme Court judges with Supreme Court judges from around the world.

In 2015, China adopted a new environmental protection law that gave Chinese environmental NGOs the right to bring cases and granted new powers to China's environmental courts. We have supported the implementation and enforcement of this new law through the development of regulations with a focus on environmental information disclosure, public participation and access to justice.

We have also contributed to creating funds for NGOs and judges to pay for expert assistance. In 2017, we were one of the first environmental organisations to receive registration from the Ministry of Environmental Protection. Our work in China is expanding rapidly in pursuit of the enormous opportunities to advance environmental protection in the world's second-largest economy and throughout the globe.

In the last

2 years

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ClientEarth in the next ten years

At ten years old, ClientEarth has over 120 staff in offices across five countries, and we work with 160 partners in many more.

2017 was the start of our five-year strategy founded on our values:

Agility
Boldness
Creativity

More than ever, we believe in the rule of law to help societies live in a way that respects nature, and in the power of the law to create a healthy world for our children.

Our strategy combats climate change, cuts pollution and protects nature and environmental rights. We maximise impacts by combining the power of the law with effective communications and campaigns – our own and in partnership with other organisations.

We will work across increasingly global platforms. Our expertise and the power of the law is recognised by partners from many countries, bringing new possibilities for collaboration. The European Union remains a global centre of power, so we will consolidate our European presence by strengthening our Brussels office and opening a Berlin office in 2018.

We are most effective when we collaborate with others in the environmental community and beyond. We will share our ideas and expertise in partnerships, networks and coalitions. Together, we will create the greatest change and will shape, implement and enforce environmental laws around the world, because this is the best way to protect people and the planet.

Support ClientEarth



From the start, ClientEarth's work has been funded by individuals and foundations with the vision to invest in our unique theory of change. They have driven a decade of environmental impact across Europe and around the world, and inspired others to invest in our work.

This funding has catalysed long-term change, seeded innovative legal strategies and secured far-reaching impacts. It has enabled ClientEarth to extend its global impact, expand its reach and deepen its approach. As we look to our next decade, our work is needed more than ever.

We invite you to join us as we create new opportunities to use the law to protect our planet, its people and all its life.

To find out more about our work and how you can invest in our future, visit clientearth.org or contact us on supportus@clientearth.org

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ClientEarth is a non-profit environmental law organisation with offices in three continents.

We are activist lawyers working at the interface of law, science and policy. Using the power of the law, we develop legal strategies and tools to address major environmental issues.

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