

Shadows of Strife: The role of Environmental Law in Safeguarding People and the Environment in Times of Conflict

X Tarragona International Environmental Law Colloquium (TIEC)

29 and 30 May 2025

www.tiecolloquium.com



ABSTRACT

Analysis of the Pressure on the Climate Movement in the Czech Republic

Dr. Eva Balounova, Institute of State and Law of the Czech Academy of Sciences

Civil society operates under persistent, albeit variable, pressure. The intensity of this pressure fluctuates, as exemplified by the case of Poland and the erosion of the rule of law. One domain that has become increasingly prominent in the Anthropocene—marked by a triple planetary crisis—is environmental and climate protection. In this domain, civil society is simultaneously relied upon (e.g., the phenomenon of climate litigation) and subjected to dual pressures. On one hand, there is pressure from proponents of ecological measures, who often exhibit a tendency to weaken democratic processes in pursuit of expedited environmental action. On the other hand, there is resistance from opponents of ecological measures—a resistance that may stem from private corporations as well as ruling political elites.

Michel Forst, Special Rapporteur on Environmental Defenders under the Aarhus Convention, identifies five ways the State itself creates this pressure: the media and political discourse, legislation and policy, policing and prosecution, and courts. However, his report does not focus on the Czech Republic and on other forms of pressure. Some analysis might be found in the Aarhus National Implementation Report, yet it is also not exhaustive.

This contribution therefore analyzes the pressure on climate activists in the Czech Republic in detail. To do so, it categorizes three groups: pressure from the State (following the methodology in the report from M. Forst), pressure from private entities (SLAPPs, etc.), and pressure stemming from pro-climate measures. The aim is to create an exhaustive overview and categorization of the current pressure that could be used to identify problems in other countries as well.