

MAGALIESBURG,
SOUTH AFRICA

MAY 16TH - 17TH, 2025

Climate
LITIGATION
LAB

A Focus on Legal Advocacy for
Campaigners in Relation to SLAPP Suits

Climate Litigation Lab

HOSTED BY



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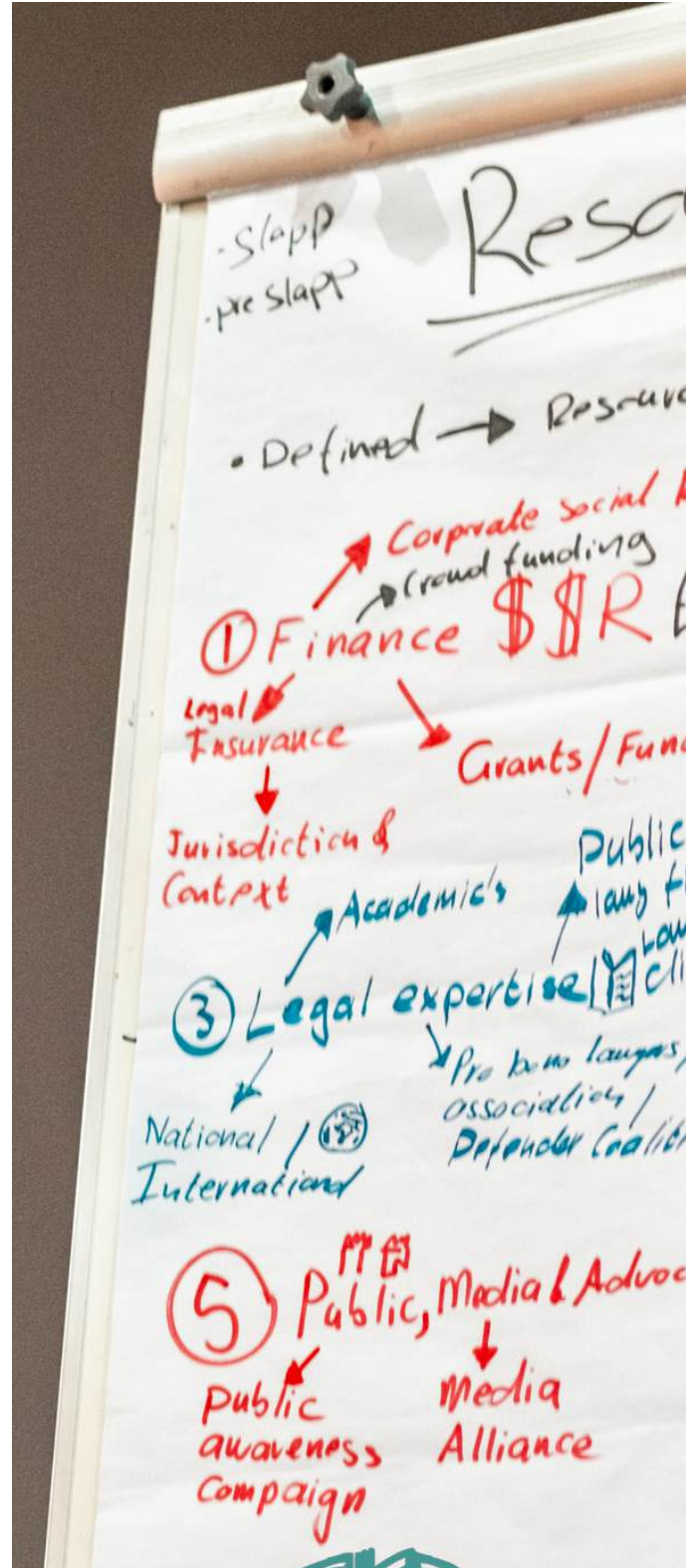
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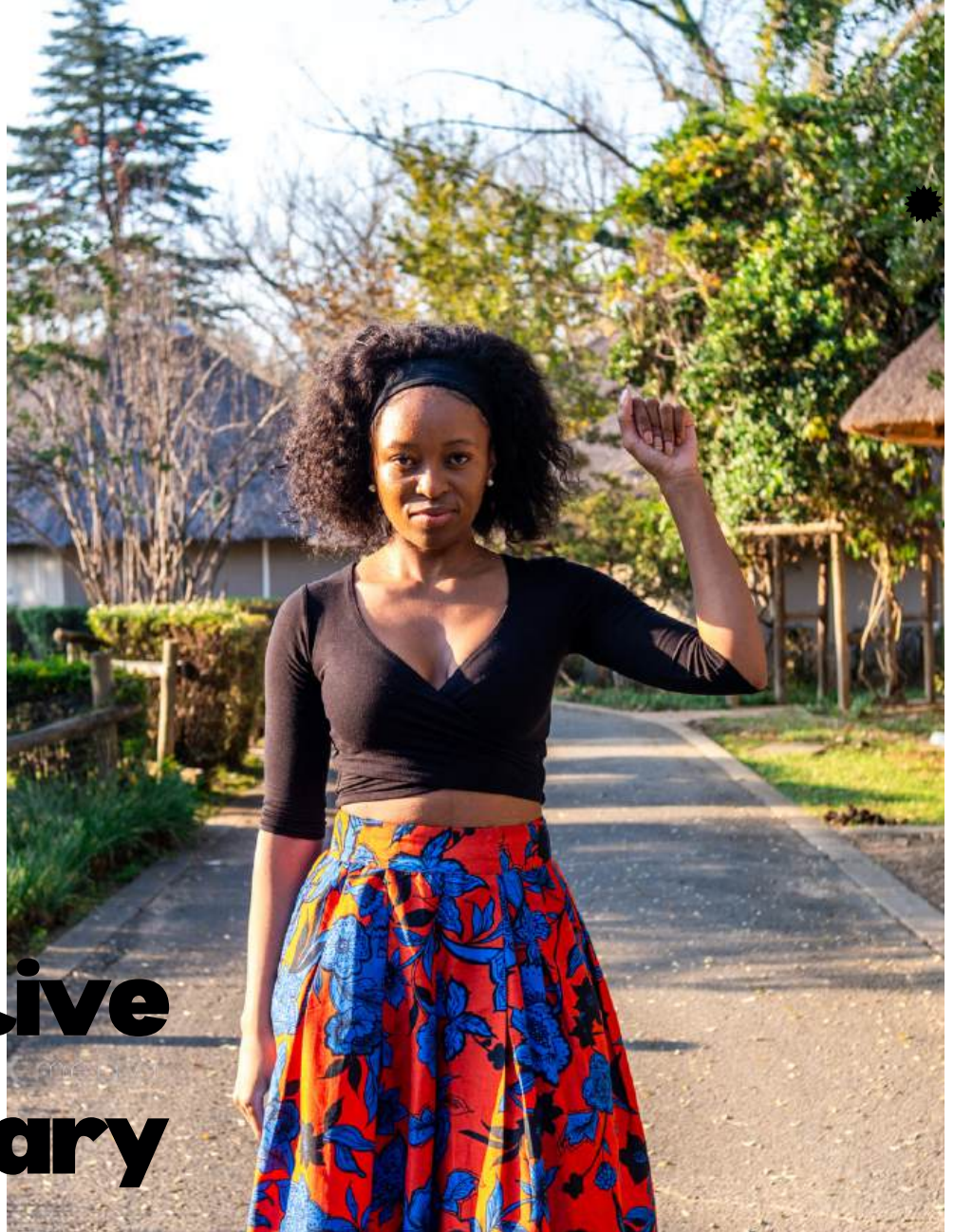




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Executive Summary

This report synthesizes key discussions, legal frameworks, and advocacy strategies from the 2025 Climate Litigation Lab in Magaliesburg South Africa. The lab centered discussions on Strategic Litigation Against Public Participation (SLAPPs) and the systemic challenges faced by environmental defenders in Africa. It highlights the intersection of corporate power, governmental complicity, and legal repression undermining climate justice. Case studies from Uganda, Nigeria, Kenya, and South Africa illustrate patterns of intimidation, judicial weaponization, and land exploitation, with actionable recommendations that emphasize a much needed legal reform, and in strengthening transnational solidarity among practitioners.

The lab took a hybrid format, featuring panel discussions, presentations, and case study analyses. It hosted about 30 participants, flown from over seven countries in Africa, including Kenya, Uganda, Egypt, Madagascar, Tanzania, Nigeria and the host country, South Africa. The cohort explored strategies for building public and political support for anti-SLAPP legislation, ways to engage lawmakers, and reflections from successful international campaigns. Scenario-based power mapping exercises helped to identify key stakeholders and gatekeepers within various national contexts. The Lab through numerous sessions and break-out groups further examined tactics for deterring the misuse of SLAPPs by governments and corporations, emphasizing the importance of legal advocacy, strategic communication, and coalition-building. Flexible session formats allowed for in-depth exploration of key issues, ensuring broad participation and the collation of practical action points.

EXECUTIVE SUMMARY

The Climate Litigation Lab was designed not only as a forum for rigorous legal and advocacy discussions, but also as a holistic experience that fostered community, well-being, and reflection among participants. With a series of extra-curricular activities that complemented the formal sessions and contributed significantly to the event's atmosphere and impact – such as the evening Bon Fire and Care Lab. The Lab commenced with a welcome dinner for participants to meet, reconnect, and build rapport before the start of the intensive sessions. Participants from across the continent shared firsthand experiences and practical strategies, revealing both the diversity of legal landscapes and the common patterns of repression that transcends national boundaries. The Lab's collaborative approach; integrating legal expertise, advocacy, wellness, and movement-building demonstrated the necessity of holistic, cross-sectoral responses to these challenges.

A key output of the Climate Litigation Lab was the launch of the SLAPP Toolkit, which stands as a tangible outcome, providing defenders, lawyers, and grassroots campaigners with practical resources to identify, resist, and recover from SLAPPs, tailored to the realities of African jurisdictions. The comprehensive toolkit was designed to empower environmental defenders, legal practitioners, journalists, and grassroots campaigners facing the growing threat of Strategic Litigation Against Public Participation (SLAPPs) and related forms of legal repression. The rationale behind the Toolkit's development is rooted in the recognition that activists, communities, and their allies are increasingly targeted by powerful interests such as state and corporate actors, who deploy legal mechanisms to intimidate, silence, or exhaust those who challenge environmentally destructive projects. The Toolkit responds to the urgent need for practical, context-specific guidance that can be readily adapted and applied across different jurisdictions.

The Climate Litigation Lab was more than just a convening of legal minds and activists; it was a testament to the unwavering commitment of Surge Africa to the cause of climate justice across the continent. This was evident in the thoughtful curation of sessions, the inclusive design of activities, and the creation of a safe space for honest dialogue and mutual learning. The host organizations ensured that the Lab was not just theoretical but deeply practical and responsive to real-world needs. A cornerstone of this success was the enduring partnership with Oil Change International as convening partners, Powershift Africa as program partners, shaping the session framework, with Natural Justice as a program and technical partners, their contributions enriched the lab's content, guided the development of the Climate Litigation Toolkit, and provided participants with concrete strategies for legal defense and movement building. These partnerships ensured that the Lab was not only a forum for exchanging ideas but a launchpad for coordinated action. The journey toward climate justice in Africa is long and complex, however Surge Africa remains committed to leading the way, strengthening the movement, reinforcing resilience, and unity than ever before.

DAY 1: LITIGATION & STRATEGIES



WELCOME ADDRESS

Nasreen Al-Amin Ahmad, Founder and Director at Surge Africa Organisation, warmly welcomed participants and partners to the Climate Litigation Lab meeting, reflecting on the origin and success of the Climate Litigation Lab. She explained that the first lab, held last year in Addis Ababa with the same partners Oil Change International and PowerShift Africa, focused on advocacy and common narratives around climate litigation, bringing together practitioners to explore factors influencing movement building, with a specific emphasis on litigation and campaigning.

Due to the success of the initial lab, the decision was made to expand partnerships and hold a second edition, which birthed the current meeting in Johannesburg. This year's focus is on Strategic Lawsuits Against Public Participation (SLAPPs), highlighting the growing concern over legal frameworks being misused to intimidate, harass, or silence activists, journalists, lawyers, and judiciary members who play crucial roles in upholding democracy and accountability.

Nasreen outlined the agenda for the meeting, noting that the sessions would delve into legal and advocacy issues, examining constitutional and statutory laws related to rights such as participation, access to justice, freedom of expression, assembly, and protest. The discussion would include judicial decisions that either empower or disempower environmental defenders and campaigners. She also previewed the commitment of the team and partners in creating a safe and holistic space for expressions and explorations. Nasreen encouraged active participation and invited attendees to enjoy the environment throughout the event.

STATE OF PLAY — OIL & GAS VS MOVEMENTS

The opening plenary provided a critical contextual background on the escalating conflict between the Oil & Gas (O&G) industry and environmental movements across Africa. The session examined the entrenched power dynamics among governments, investors, corporations, and campaigners, focusing on how SLAPP suits are weaponized to suppress environmental defenders. It highlighted the strategies of resistance employed by Indigenous communities, civil society, and legal advocates, while also exposing the harsh realities of repression, misinformation, and legal intimidation.

The session was facilitated by Brighton Aryampa, CEO Youth at Green Communities, who opened the session by drawing a parallel between the interconnectedness of ecosystems and the vital roles played by activists, journalists, lawyers, and the judiciary. Brighton emphasized the importance of checks and balances in upholding democracy and accountability. Briefly commenting on the criminalization of activists protesting EACOP's ecological and social harms in Uganda, He posed critical questions for reflections, such as: What happens when these defenders are intimidated, harassed, or lose their livelihoods? Why are those protecting the environment being sued and criminalized?

James Gondi, Africa Director at Stop Ecocide International provided an incisive overview of the entrenched relationships between multinational corporations, governments, and investors driving fossil fuel expansion. He highlighted governments and corporations are deeply intertwined, with elites benefiting from the profits of fossil fuel projects at the expense of communities and ecosystems. Despite international climate commitments, the fossil fuel industry remains highly profitable, incentivizing both governments and corporations to prioritize oil and gas over sustainable alternatives. He noted how multinational corporations use their resources to hire top legal teams, keeping activists and communities tied up in lengthy, expensive litigation. These are not aimed at achieving justice but at demobilizing climate movements by draining their capacity and intimidating participants. James referenced the arrest of 11 Ugandan activists in March 2025, detained for protesting the EACOP project and denied bail. Their only "crime" was standing against environmental destruction and displacement caused by the pipeline, a clear demonstration of how legal systems are manipulated to protect fossil fuel interests.

We face a lot of risk, being in the legal space, being in corporate and climate space with a lot of arbitrary arrest, unfortunately the legal system in Africa is not the best, are they going to follow the rule of law or be bought over?

Samira Ali, Energy Coordinator at Powershift Africa



Samira Ali, Energy Coordinator at Powershift Africa speaking on Activism and Resistance, outlined PowerShift's multifaceted strategies used by environmental defenders, indigenous communities, and civil society groups to resist fossil fuel projects; including mobilizing communities, raising public awareness, organizing protests, social media advocacy, forming alliances across borders and sectors to amplify resistance. She highlighted that campaigners face criminalization, harassment, and resource-draining lawsuits while the governments enact laws that make it easier to dispossess communities and suppress dissent. Using Kenya's Carbon Market Act (2025) as a case study, she emphasized how the law enabled county governors to bypass community consent. The Act sidesteps the National Land Commission, granting county governors the authority to allocate communal land to private companies for carbon offset projects, often without public participation or consent. This undermines land rights and exacerbates corruption.

The session set a powerful tone for the Lab, illuminating the complex and often dangerous landscape faced by environmental defenders in Africa. It underscored the importance of solidarity, legal innovation, and persistent advocacy in the fight against fossil fuel-driven injustice. The insights and lived experiences shared in this session will inform the Lab's ongoing work to develop practical tools, strengthen legal defenses, and build resilient movements for climate justice.



LEGAL FRAMEWORKS AND SLAPP SUITS IN AFRICA

Interactive exchange regarding role of community interest groups in addressing threats or influence of powerful corporate entities'



“Setting fair engagement terms and ensuring majority consent is the foremost and most importance aspect when operating in any resource-rich community”



The session explored SLAPP-related legislation in Africa by assessing national protections for fundamental rights such as freedom of expression, access to justice, right to protest, and participation in public affairs. It critically examined legal frameworks in Kenya and South Africa analyzing whether they provide effective safeguards against abusive lawsuits aimed at silencing environmental defenders. Nomasango Masiye-Moyo, Coordinator at Natural Justice opened the session with a compelling introduction on the importance of anti-SLAPP protections in Africa. She highlighted the growing concern over the misuse of legal systems to intimidate and silence activists, journalists, campaigners, and lawyers. Nomasango emphasized that, just as diverse species are vital for a healthy ecosystem, so too are defenders essential for democracy and accountability.

Mazi Choshane, Attorney at Centre for Applied Legal Studies comment on the South Africa SLAPP Landscape, recounts that South Africa has witnessed a surge in SLAPP suits targeting activists and organizations challenging extractive industries. The courts have begun to recognize SLAPPs as an abuse of process. Mazi Choshane advocated for the adoption of a model anti-SLAPP law, which would provide explicit legal grounds for early dismissal of SLAPPs, protect the right to protest, and ensure that defendants are not financially ruined by protracted litigation. However, despite positive court decisions, the absence of dedicated legislation leaves activists vulnerable to new forms of legal harassment.

Anneke Meerkoteer, Executive Director at Southern Africa Litigation Centre, speaking on the cases the Southern Africa Legal Center has catered to across Southern Africa, says SLAPPs are increasingly used by corporations to suppress dissent, particularly in the mining and energy sectors. Anneke highlighted the Legal Center has supported several landmark cases where courts have both strengthened and weakened protections for activists.

Governments and corporations benefit from fossil fuel profits at the expense of communities, at the expense of the environment, and at the expense of people.

James Gondi, African Coordinator of Stop Ecocide International

She elaborated on plights lawyers representing activists increasingly face, such as intimidation, harassment, and even SLAPPs themselves. Collective protection mechanisms and professional solidarity are needed. Anneke revealed that there is a troubling trend of governments and corporations colluding to file criminal and civil suits against defenders, often under the guise of defamation or economic harm. She noted that regional courts and bodies (e.g. SADC Tribunal, African Commission) can be leveraged for cross-border advocacy and to set regional standards.

Nora Mbagathi, Executive Director at Katiba Institute noted that Kenya's 2010 Constitution enshrines freedom of expression, assembly, and access to justice. But despite strong constitutional language, recent cases show courts are inconsistent in defending activists. Nora noted that while some courts have shown willingness to push back against abusive litigation, others have sided with powerful interests, citing technicalities. She highlighted weak enforcement, lack of legal aid, and the complexity of land tenure systems has left communities exposed to SLAPPs and land dispossession. Both speakers noted that SLAPP suits have become more sophisticated, often disguised as defamation or economic sabotage claims. In South Africa and Kenya, the frequency and complexity of SLAPPs have increased, with corporations exploiting legal loopholes and procedural delays.

The speaker concluded that beyond the courtroom public advocacy, media engagement, and coalition-building are vital for shifting narratives and countering the chilling effect of SLAPPs. The dialogue revealed both progress and persistent challenges, underscoring the urgent need for Anti-SLAPP Legislation, judicial awareness, and regional solidarity. The insights shared will inform ongoing efforts to build resilient legal and advocacy strategies for environmental defenders across the continent.

HEARING DIRECTLY FROM DEFENDERS AND ACTIVISTS WHO HAVE PERSONALLY BEEN TARGETS OF SLAPPS

The session, and the last interactive panel of the day before we moved to our design thinking workshop, saw the launch of the Anti-SLAPP toolkit – which was developed by Natural Justice in partnership with Surge Africa. The session focus created a safe space for environmental defenders and legal practitioners to tell their stories, successfully combining the formal introduction of a practical resource with the human stories behind the statistics, making a compelling case for urgent action against SLAPP suits.

Lucien Limacher, Head of Defending Rights and Litigation at Natural Justice opened the session by contextualizing the urgent need for the SLAPP Toolkits. Lucien emphasized that, as SLAPP suits proliferate across Africa, defenders, activists, and their legal teams often lack accessible, practical resources to respond effectively. The toolkit is a direct response to this gap, aiming to demystify legal processes, offering step-by-step guidance, and equipping users with strategies for resilience and defense. Lucien emphasized the key components of the toolkits: a clear explanation of what constitutes a SLAPP suit, including checklists for early identification and response, extending to procedural templates that include sample legal documents, affidavits, and motions tailored to various African jurisdictions. The toolkit also provided guidance on media engagement, coalition-building, and numerous public awareness campaigns to counteract the chilling effects of SLAPPs. And lastly, recommendations for maintaining physical, digital, and psychological safety for defenders and their allies.

The toolkit encompasses real-world examples, showcasing how defenders in different contexts have successfully navigated or resisted SLAPP suits. The toolkit is designed to be user-friendly and adaptable, recognizing the diversity of legal systems and languages across the continent. We called on participants to use, share, and continuously improve these resources, positioning them as a living document for the African climate justice movement. The heart of the session was the personal testimonies from those who have faced SLAPP suits. Each speaker offered a unique perspective on the emotional, financial, and professional impacts of legal harassment, as well as reflections on the urgent need for legal reform and solidarity.



Tarisai Mugunyani, Mining Programme Head at Centre for Environmental Rights recounted her experience as an environmental lawyer defending communities against extractive industry projects. She described facing multiple lawsuits designed to exhaust her organization's resources and deter them from taking further action. The anxiety and uncertainty of being named in legal actions, the strain on family and professional relationships, and the constant fear of arrest or financial ruin. Tarisai highlighted how the Toolkit could have provided her with immediate guidance and reassurance, and called for stronger statutory protections for defenders. She praised the toolkit for offering practical guidance that could empower other defenders to navigate similar challenges.

Kristin Kallesen, Environmentalist and Chairperson at Greater Kyalami Conservancy shared her journey as a grassroots activist targeted by a multinational corporation after leading a campaign against a controversial fossil fuel project. She emphasized the sense of isolation as legal battles dragged on, and the stigma attached to being labeled a "troublemaker" or "saboteur". She revealed the professional implication such as loss of job opportunities, professional networks shrinking, and the chilling effect on others in her movement. Kristin underscored the importance of the Toolkit's sections on wellness and peer support, noting that legal battles are as much psychological as procedural.

Cynthia Moyo, Climate&Energy Campaigner at GreenPeace Africa, spoke about the intersection of SLAPP suits and media freedom. Cynthia shared her story of being sued by a powerful agribusiness firm after organizing community protests against deforestation. She described facing defamation suits and criminal charges after reporting on environmental abuses. Mounting legal costs and the risk of bankruptcy forced her to rely on crowdfunding and pro bono legal support. Cynthia advocated for collective action and the use of the Toolkit's advocacy templates to mobilize public support and shift narratives.

Cynthia Moyo, and Eugene Perumal, Governance Coordinator and Legal Counsel, both from Greenpeace Africa, delivered a presentation on the escalating legal threats facing environmental organizations. The lawsuits against Greenpeace are SLAPPs—legal actions by major corporations aimed at silencing its environmental activism by draining resources and intimidating the movement. Their discussion covered the global context, the specific case against Greenpeace, the legal and advocacy responses, and broader implications for civil society.

Cynthia further emphasized the volatile and tense environment in which Greenpeace and similar organizations operate, highlighting a growing trend: as global resistance to the environmental destruction caused by major oil companies intensifies, these corporations have become increasingly aggressive in their efforts to protect profits. This aggression manifests in meritless SLAPP suits intended to intimidate, silence, and financially cripple activists, indigenous communities, NGOs, and journalists who stand up for environmental justice.

Cynthia noted a trend Greenpeace has been experiencing on an unprecedented scale; in the last two years alone, Shell, TotalEnergies, Perenco, and Energy Transfer have all filed lawsuits against Greenpeace globally ([source](#)). The most significant of these is the \$660 million suit by Energy Transfer in the United States, which threatens the very existence of Greenpeace US.



DEFENDERS & ANTI-SLAPP TOOLKIT

One of the Lab's proudest achievements was the launch of the SLAPP Toolkit, a comprehensive, Africa-specific resource designed to help defenders, lawyers, and grassroots campaigners identify, resist, and recover from SLAPPs. The Toolkit is packed with practical guidance, legal templates, and case studies, all tailored to the unique legal landscapes of African countries. It's a lifeline for those who find themselves facing down a hostile courtroom, often with little support and even less funding.

This toolkit assesses the strength of any relevant legislative provisions related to Strategic Lawsuits Against Public Participation (SLAPP suits) in specific countries, South Africa, Namibia, Kenya, Zimbabwe, Zambia and Uganda. It focuses on key SLAPP cases that have informed Africa's jurisprudence in this novel area. The rationale behind the Toolkit is as urgent as it is obvious: activists and communities are being targeted by state and corporate actors who use the law as a cudgel. The Toolkit gives them the tools to fight back, adapt strategies across jurisdictions, and build collective resilience.

Contributors; Alex Yator; Brigadier Siachitema; Claire Martins; David Mtshali; Jacqueline Rukanda; Linda Sansisco, Lucien Limacher, Nomasango Masiye-Moyo; Nomyezo Mqhele and Tawonga Chihana

This toolkit is developed by the Lab's host partners, Natural Justice in partnership with ELCA, SALC and Surge Africa.

Why This Matters: Beyond the Courtroom

Perhaps the most powerful moments of the Lab came when frontline defenders took the floor. They spoke of arrests, intimidation, and the slow grind of litigation designed to sap their will. But they also shared stories of resistance: communities mobilising, alliances forming across borders, and small legal victories that ripple outwards, inspiring others to stand firm.

The Lab's message was clear: the fight against SLAPPs isn't just legal, it's political, cultural, and deeply human. Laws can be changed, but only if there's public pressure, media attention, and a movement that refuses to be silenced. Coalition-building, strategic communication, and relentless advocacy are as vital as any legal brief.

The partnership between Surge Africa and Natural Justice ensured that the Lab was more than a talk shop. It was a launchpad for coordinated action, a safe space for honest dialogue, and a testament to the power of solidarity.

Access the SLAPP Toolkit

ENERGY TRANSFER VS GREENPEACE – TIMELINE & INCIDENTS

| Timeline | Incident / Development |
|----------|---|
| 2014 | Dakota Access Pipeline (DAPL) proposed by Energy Transfer and partners, crossing Standing Rock Sioux tribal lands. |
| 2016 | Major protests led by Indigenous groups and environmentalists, including Greenpeace US; supported by 300+ tribes and the UN. The Obama administration temporarily suspended the project. |
| 2017 | The Trump administration resumes the project. Energy Transfer files lawsuit against Greenpeace US and Greenpeace International. |
| Feb 2025 | Trial commences in North Dakota. |
| Mar 2025 | Jury finds Greenpeace liable; awards Energy Transfer ~\$660 million in damages. |

Cynthia quoted Mads Christensen, Executive Director of Greenpeace International
“We’ve been slapped, but we haven’t been silenced. This is a historic storm, and we are in its eye. The last time the system came after us like this, it blew wind in our sails and made our movement stronger. You still can’t sink a rainbow.” [Source](#)

Eugene Perumal, Governance Coordinator and Legal Counsel at Greenpeace Africa provided an update on the aftermath and ongoing legal strategy stating that the \$660 million jury award is not final; the judge retains discretion to adjust the amount. As of May 15, 2025, submissions were ongoing to potentially reduce the order. To oppose the order, Greenpeace must post a bond (security) in the US, but is negotiating whether this is necessary given their appeal in the Netherlands, where Greenpeace International is headquartered and where anti-SLAPP protections are strongest. Greenpeace has applied for a stay of enforcement pending the Dutch appeal, which will be a landmark test for European anti-SLAPP laws.

Eugene highlighted the patchwork nature of anti-SLAPP protections in the US where 33 states have such laws, but 17 do not—including Morton County, the jurisdiction for the Greenpeace case. He stressed the need for ongoing advocacy to strengthen legal protections and to adapt organizational strategies for resilience. Eugene noted that, ironically, the lawsuit may have increased public awareness and support for Greenpeace, potentially boosting fundraising and engagement. He detailed the claims made by Energy Transfer, which included alleged loss of revenue, share price fluctuations, damage to public perception, and the assertion that Greenpeace’s actions impoverished the indigenous community it was supporting. He emphasized the dangerous precedent such claims set; if corporations can weaponize the courts to target protest and advocacy, then all political speech is vulnerable, especially under a confrontational political climate.

Cynthia and Eugene closed with a call to action stating that the fight is far from over; Greenpeace will continue to stand for free speech, peaceful protest, and environmental justice. The organization is investing in legal defense, public awareness, and leadership development, mindful that today’s youth will shape tomorrow’s corporate and civil society landscapes. They urged the movement to remain resilient, creative, and united, emphasizing that every challenge is also an opportunity to grow stronger and more impactful. In summary, the presentation underscored the existential threat posed by SLAPP suits to environmental advocacy, detailed Greenpeace’s legal and strategic responses, and highlighted the importance of solidarity, resilience, and public engagement in defending the right to protest and protect the environment. In the words of Cynthia Moyo: “Polluters must pay, not the people who call them out”

Snapshots from interactive exchanges and break-out groups



DESIGN THINKING: COLLECTIVE ACTIONS TO STRENGTHEN LEGAL PROTECTIONS AGAINST SLAPP SUITS ACROSS AFRICA

This session was designed as a facilitated presentation aimed at identifying and mapping out the critical components necessary to drive forward a continent-wide initiative against SLAPP suits. The session brought the participants together to collectively brainstorm and strategize on how to build stronger legal protections and advocacy mechanisms against these abusive lawsuits and creativity to chart actionable pathways that safeguard freedom of expression and civic engagement. The topics covered include: Campaign Strategies, Legal Advocacy, Regional Commitments, Resource Mobilization.

CAMPAIGN STRATEGIES

In this session, attention will be given to designing impactful public awareness campaigns and advocacy approaches to build widespread momentum for legal reforms. Group discussion was centered around utilizing media, community engagement, and digital platforms to inform, sensitize, and rally public support around the harms of SLAPP suits and the urgent need for protective legislation.

The presentation on Campaign Strategies within the broader context of combating SLAPP suits across Africa was made by Thandalie Diza, Digital Communications Officer at Sustain267, on behalf of the group. Thandalie emphasized that protecting campaigns and advocates from legal retaliation begins with equipping them with knowledge. Key strategies include providing workshops or crash courses that explain how the law relates to activism, protest, public statements, and community organizing.

These sessions help individuals understand their rights, the risks of being sued or silenced, and how to handle legal threats. Conducting legal risk assessments before any campaign or event is essential to identify potential flashpoints where legal action might arise, such as protests, publications, or social media posts. Additionally, the presentation from the group highlighted the need for proactive media training for activists and spokespeople to communicate clearly while avoiding defamatory or legally risky statements. Often, teams focus on their core tasks, and media or legal training is overlooked until crises emerge. She suggested simplifying existing resources like “know your rights” guides into short, shareable videos, social media posts, and meme-style content that can engage rural and under-resourced communities effectively. Establishing a central, accessible repository for these resources—shared via popular local platforms such as WhatsApp groups, community radio, clinics, and schools—is crucial. Materials should be created and disseminated by community members to ensure cultural relevance and accurate messaging. Addressing the complex tactic of publicly naming and shaming SLAPP actors, Thandalie noted that the effectiveness depends on who does the naming. While small or unknown activists may be ignored, larger organizations or influential individuals can hold wrongdoers accountable but face greater risks of lawsuits due to reputational damage.

Thandalie also outlined the significant, long-term negative impacts of SLAPPs on campaigns and communities. Fear of retaliation leads people to hide their identities, weakening storytelling and emotional connection. Communities often hesitate to protest or speak out, limiting their right to dissent. Offers of hush money, jobs, or other incentives further divide communities, perpetuating environmental degradation, health issues, corruption, and eroding community trust. Her presentation concluded with valuable insights into empowering activists with knowledge, fostering safer communication, and encouraging collaboration. This session laid the groundwork for a more resilient and impactful movement to protect public participation and environmental justice across Africa.



LEGAL ADVOCACY

The session centered on equipping participants to engage meaningfully with courts, lawmakers, and legal institutions to promote stronger anti-SLAPP protections. It covered building legal arguments, presenting evidence, and fostering judicial and legislative appreciation for freedom of expression and activist protections. Strengthening legal advocacy skills as key to achieving enforceable policy changes and judicial precedent.

Nomasango Masiye-Moyo, Coordinator at Natural Justice presented on behalf of the group on Legal Advocacy addressed critical questions related to strategic responses against SLAPP suits, focusing on practical legal tactics, necessary reforms, and the importance of solidarity networks. Her insights provided a nuanced understanding of how organizations and activists can navigate legal threats, pursue reforms, and build sustainable alliances to strengthen environmental and public interest litigation across Africa. Nomasango emphasized the importance of internal risk assessments before responding to any legal threat or letter of demand. Organizations must evaluate: Whether they have the legal capacity and resilience to fight back. It might be more strategic to ignore or “call the bluff” of state actors or organizations that often use legal threats as intimidation tactics without intending to proceed to litigation. She noted “It might actually be wiser not to take the bait and to just calmly wait and watch, as some letters of demand are simply meant to feel you out.” Regarding communications and advocacy, Nomasango highlighted the power of public campaigns to counter intimidation. Drawing from Greenpeace’s example, she recommended: developing campaign strategies that publicly expose SLAPP suits disguised as legitimate legal actions. Using public outrage and advocacy to shift the narrative and show resilience. She also discussed settlements as a strategic tool, comparing them to strategic litigation: “You can lose a specific defamation suit, but in the long run, you could win the war by raising public awareness of underlying issues.”

Nomasango stressed sensitivity to the diverse legal contexts across African jurisdictions. Key reform suggestions included increasing judicial independence, particularly in contexts like Zimbabwe, to counter judicial capture and ensure fair adjudication. Judicial training to enhance understanding of environmental and public interest litigation, while avoiding undue influence that could undermine judicial impartiality. Establishing specialized environmental courts and tribunals to expedite cases, reducing the emotional and financial toll of prolonged litigation. Implementing anti-SLAPP legislation where feasible, especially in jurisdictions like South Africa. Enhancing capacity and funding mechanisms to support legal defenses against SLAPP suits, including considerations around litigation costs.

Nomasango acknowledged the availability of pro bono legal assistance but emphasized the need for broader movement and network support. While it may not be possible to mandate a certain number of environmental cases as pro bono, combining pro bono efforts with specialized courts could increase access to justice. She stressed the importance of solidarity and collective action, proposing the creation or strengthening of an Africa-wide network dedicated to tackling SLAPP suits. This network could: share information via newsletters detailing ongoing legal challenges and build platforms for mutual support and coordinated advocacy. Her recommendations underscore that legal threats require careful, strategic responses grounded in risk assessment. This approach not only protects individual organizations but also contributes to a stronger, united front to defend public participation and environmental justice across Africa.



REGIONAL COMMITMENTS

Fostering cross-border collaboration is the focus of this session, where attendees explored ways to align anti-SLAPP efforts across African jurisdictions. Discussions included harmonizing legal frameworks, sharing best practices, and establishing regional networks to amplify impact.

Coordinated regional commitments enhance collective resilience and create an enabling environment for activists across Africa

David Mtshali, Senior Program Officer at Natural Justice presenting behalf of the group emphasized that SLAPP suits operate beyond national boundaries, requiring responses that similarly transcend borders. His powerful observation that "SLAPP suits do not respect borders, and neither should our response" set the tone for discussions on how strengthening regional commitments could ensure a coordinated and unified front capable of leveraging shared resources and influence. Participants discussed mechanisms to align anti-SLAPP laws and policies across African jurisdictions, recognizing the disparities in legal protections that currently exist. The importance of fostering cooperation between countries, regional economic communities, and pan-African institutions was highlighted as essential to creating a united front against SLAPP suits. Closing the session, they identified how perpetrators exploit weaker protections in certain jurisdictions to file SLAPP suits, emphasizing that regional collaboration is vital to closing these gaps. As illustrated in the broader discussions, there exists a powerful nexus between multinational corporations and governments that often works against climate activism.

RESOURCE MOBILIZATION

The session focused on identifying and securing the crucial financial and technical resources needed to effectively support anti-SLAPP initiatives across the continent. It explored strategies to mobilize funds, build partnerships, and leverage expertise that empower campaigners and legal defenders to withstand and counter SLAPP suits. Securing sustainable resources is fundamental to maintaining long-term advocacy and defense efforts.

Jazzy Rasolojaona, Program Manager at Natural Justice gave the presentation on behalf of the group by highlighting the overwhelming financial and narrative power of multinational corporations and their government allies. These actors use their vast resources to shape public discourse, hire top legal teams, and sustain prolonged litigation, which demobilizes climate movements and silences dissent. Jazzy stated in his presentation how activists and communities face significant disadvantages, as corporations and governments can leverage their resources to keep defenders tied up in court, draining their limited capacities.

Jazzy suggested that there is a recognized need for activists to develop their own media strategies and to build alliances with independent journalists and communicators who can amplify their stories and expose injustices. He further amplified the effect of weak land governance frameworks and opaque deals, that allows for the unchecked transfer of community resources to private interests, further underscoring the need for robust resource mobilization for legal and advocacy interventions.

Jacqueline Rukanda, Senior Program Manager at Natural Justice, emphasized the importance of strategically engaging with the media and the public as a critical resource in resource mobilization. She noted that large corporations often dominate narratives by leveraging their financial power to amplify or suppress stories. Civil society organizations, therefore, must be deliberate in how they use media to strengthen their position, while carefully balancing visibility with safety considerations. Rukanda highlighted the need for clear strategy, actionable plans, and effective use of social media as tools of influence and empowerment. She highlighted the importance of timing and strategy in releasing information. The goal is to "splash out the information at a particular or at any one point" to strengthen the movement's position without exposing activists to unnecessary risk. She also noted the need for reiteration and collaboration, reminding participants that the lab format is about experimentation, learning, and sharing resources and strategies in real-time.

Q & A

The day ended with a series of questions and answers posed to the panel by Nomasango Masiye-Moyo, Coordinator at Natural Justice to Kristin Kallesen, Environmentalist and Chairperson at Greater Kyalami Conservancy and Tarisai Mugunyani, Mining Programme Head at Centre for Environmental Rights.

Question: You mentioned insurance companies as a mechanism for protecting civil society organizations. When facing large payouts, such as up to 200 million, how willing are insurance companies to stand by you if your coverage doesn't reach that amount?

Answer: Our experience was that we played open cards with the insurance company, disclosing our pro bono counsel and the support we received. When it came to paying costs for further discovery orders, the insurer made excuses about risk assessment and necessity, ultimately refusing to pay until we involved the insurance ombudsman. While insurance is important and has helped us in cases of direct attacks and defamation, companies often find ways to avoid payment. Therefore, we have developed a litigation reserve for additional support, especially for costs not covered by insurance. It's a catch-22: insurance is useful, but companies may still try to avoid payouts.

Question: Having experienced legal attacks, is there an appetite among people in your position to countersue for emotional damages, or do you feel too deflated to engage further with the courts?

Answer: In our case, the decision to countersue depended on the appetite of our pro bono attorneys. Ultimately, they advised negotiating so that each party paid their own costs, which led to the other party withdrawing. Although we wanted the developer to pay costs or face consequences, the attorneys wanted to move on to other matters. Regarding defamation, while we considered suing (especially since defamatory content still circulates online), proving defamation in South Africa is difficult. The process would be lengthy and potentially detract from our core work. While I would like compensation, the effort and uncertain outcome make it a difficult choice.

Question: Did you ever investigate the source of intimidating emails or messages? More broadly, do you see government or corporate actions dividing communities and polarizing people, and how do you address this?

Answer: Polarization is a consistent challenge. While it's impossible to fully prevent companies from using divide-and-conquer tactics, providing communities with clear, accessible information about developments helps. We break down complex documents and promises (like social endeavor plans for mining rights) to show communities the real benefits and empower them to ask for more from developers. Education and peer learning are crucial to reduce the impact of corporate manipulation and foster community agency.

Question: Did your organization ever consider suing developers for environmental damages or setting aside funds to rehabilitate affected areas after a project begins?

Answer: We lacked the funds to pursue such litigation independently, and our pro bono attorneys advised against it, suggesting a negotiated settlement instead. While we would have liked to hold developers accountable, the legal and financial barriers were too high. Proving defamation or damages is difficult and often not worth the resources it would require, especially when it could distract from our main work.

CARE ACTIVITIES AT CLIMATE LITIGATION LAB



Morning Trail Walk, Yoga and Meditation, Welcome Dinner and Bonfire Night.



Care practices are embedded in Surge Africa's core program delivery, ensuring that our community is built on care and shared values of health and mental wellness. At the Climate Litigation Lab: A focus on Legal Advocacy for Campaigners in Relation to SLAPP Suits, these practices were not an after-thought, they were central to the experience. By integrating wellness activities such as yoga, meditation, trail walks, and communal dinners, the Lab created a nurturing environment where activists and legal practitioners could recharge, connect, and strengthen their resolve for the demanding work ahead.

WELCOME DINNER

Upon arrival, participants were greeted with thoughtful souvenirs placed in their rooms, followed by an invitation to the lodge restaurant for a welcome dinner. The evening unfolded in a warm, relaxed atmosphere. Conversations flowed easily, punctuated by laughter and clinking glasses of wine. This informal gathering allowed participants to unwind, build personal connections, and set the tone for the intellectually demanding days ahead. It was a celebration of community, hospitality, and shared purpose.

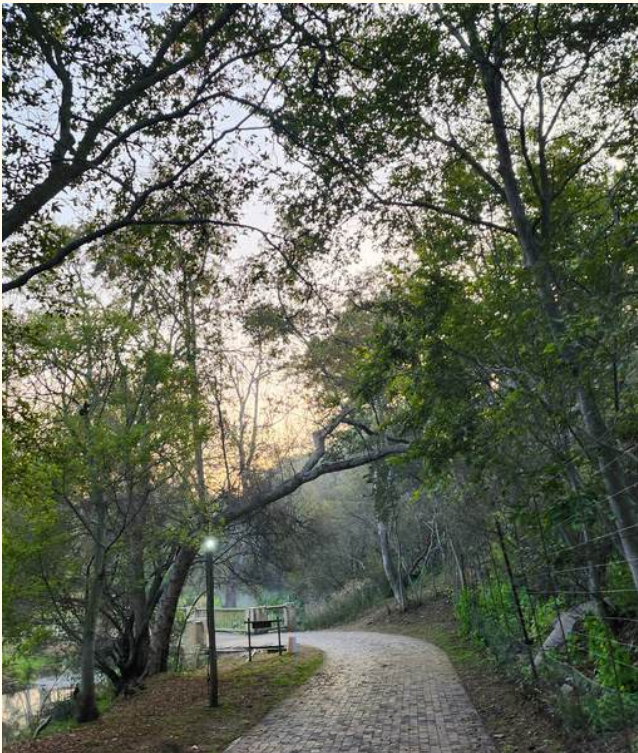
MORNING TRAIL WALK

Each morning began with a guided trail walk through the cold greenery of the Valley Lodge. Participants stepped into the cold air, greeted by birdsong, and surrounded by beautiful animals. The paths revealed streams and the walks were more than exercise, they were a chance to breathe deeply, reflect quietly, and reconnect with the ecosystems at the heart of climate litigation. The natural surroundings offered a restorative pause, reminding participants of the beauty they were striving to protect.





Steenkoppie's trail is a 3.5M trail that takes joggers and walkers alike deep within the resort's nature and biodiversity entrench.





DAY 2: LITIGATION & STRATEGIC CAMPAIGNING

REFLECTIONS

The second day of the Climate Litigation Lab: Legal Advocacy for Campaigners in Relation to SLAPP Suits opened with Jacqueline Rukanda, Senior Program Manager at Natural Justice, who coordinated the session by reflecting on key lessons from the previous day. She emphasized the importance of acknowledging both successful and unsuccessful strategies in defending against SLAPP suits, setting the tone for a candid and constructive dialogue. The agenda was outlined, featuring a two-part session dedicated to exploring proactive campaigning and deterrence tactics that movements can utilize to combat SLAPP suits. Participants initially had the option to join either a session on campaigning for anti-SLAPP laws or one on deterring governments and corporations from misusing SLAPP suits. Ultimately, the group decided to address both topics together in a plenary format to maximize collective contributions and learning.

The opening reflections encouraged broader engagement from participants, Fatima Ibrahim, Operations Manager, Surge Africa Organization stressed that lawyers cannot work in isolation and must collaborate with experts in strategic communications and campaign advocacy. Despite coming from different professional backgrounds (law, science, economics, research), participants share a common passion and goal, which strengthens collective action. She recommended an ecosystem approach—where all stakeholders work together—makes the group stronger and better equipped to face challenges.

Jazzy Rasolojaona, Program Manager at Natural Justice reflected on the sense of connection and solidarity gained from the lab, especially coming from a region that often feels isolated. He mentioned that the session served as a platform to connect Madagascar with the broader East African and African advocacy community, fostering hope for future collaboration and support. The concept of SLAPPs was new to many, but expressed hope that the lab would help build solidarity and resilience against such legal intimidation.

Bomi Bukali, Operations Director at Mobilize Agency in her contribution highlighted storytelling as a key tool for normalizing climate action and encouraging sustainable lifestyles. There is a need to craft communication that is easy to understand and relatable, bridging the gap between technical information and community impact. She called for actionable, practical collaboration among participants, aiming for quick wins and impactful mobilization.

Brighton Ariyampa, Chief Executive Officer at Youth for Green Communities highlighted the scale and intent of SLAPP suits, which are often used to corrupt and demobilize opponents of destructive projects. Despite the wealth and influence of adversaries, the collective resolve of activists enables continued resistance and advocacy.

Jacqueline concluded by sharing that every experience, whether positive or negative, is an opportunity to learn and adapt strategies. Success in climate litigation and advocacy requires an ecosystem approach, leveraging diverse expertise and building strong networks. The session reinforced the importance of not giving up and the strength that comes from working together.

ANTI-SLAPP SUITS CAMPAIGNING – DUAL TRACK SESSIONS



This session provided a dual perspective and explored how social movements can proactively combat (SLAPPs) through proactive campaigning and deterrence tactics. As the session commenced, Nasreen Al-Amin Ahmed, Founder and Director, Surge Africa provided clarity on the process and objectives. During this introduction, Tarisai Placedes Mugunyani, Mining Programme Head at Centre for Environmental Rights contributed observations that prompted a reconsideration of the format. Participants noted that running the tracks separately risked duplicating discussions and diluting outcomes.

In response, a unified approach was proposed rather than splitting into parallel groups, the session was restructured into a single plenary format, allowing all participants to engage collectively. The revised structure allocated equal time to each theme: The first half focused on building public and political support for anti-SLAPP legislation, including scenario-based power mapping exercises to identify key allies and institutions. The second half addressed deterring misuse of SLAPP suits by governments and corporations, drawing lessons from regional and international experiences.

TRACK 2A CAMPAINING FOR ANTI-SLAPP SUITS

The interactive sessions facilitated by Nomthandazo Mabena, Fellow at Powershift Africa and Fatima Ibrahim, Operations Manager at Surge Africa grouped participants into 5 stations, participants collaboratively map power dynamics and develop actionable strategies tailored to African contexts. The session engaged participants in practical exercises, including power mapping to identify key allies and gatekeepers who hold the legal and institutional power to introduce or block anti-SLAPP laws. Drawing on experiences from South Africa, Kenya, Tanzania, and beyond, participants examined the legislative processes in different countries.

Station 1: Power Holders and Gatekeepers in Anti-SLAPP Legislation-Who has the legal, political, or institutional power to pass or block anti-SLAPP legislation in your country or your region?

This station explored who holds the legal, political, or institutional power to pass or block anti-SLAPP legislation. The presentation on behalf of the group was led by Jacqueline Rukanda, Senior Program Manager at Natural Justice and Samuel Onyango, Head of Strategy–Africa, Global Strategic Communications Council (GSCC) made clear the critical actors and procedural nuances in the legislative processes of South Africa and Kenya regarding anti-SLAPP legislation. Jacqueline examined the structure of South Africa’s legislative framework and identified the primary decision-makers influencing the passage of anti-SLAPP laws: Members of Parliament initiate legislation, including anti-SLAPP laws, either individually or through ministerial mandates. Key figures, such as the Minister of Justice, advocate for new laws and introduce them via select committees. These committees review, amend, and forward legislation for approval and the lower house of Parliament debates and approves bills. Jacqueline explained that the (National Council of Provinces) NCOP plays a crucial role, as all bills require its approval after passing the National Assembly. Once both houses approve a bill, the President signs, returns, or delays assent (up to 180 days). Section 172 of the South African Constitution ensures public participation, allowing citizens to submit feedback and shape legislative outcomes.

Jacqueline outlined the step-by-step process of lawmaking:

MPs or ministers introduce the bill, often through select committees:

The National Assembly reviews and passes the bill:

- The NCOP examines the bill and may propose amendments, requiring another round of consideration;
- The President signs or rejects the bill;
- Citizens submit comments, potentially influencing legislative outcomes.
- Jacqueline highlighted the main barriers that could delay or obstruct anti-SLAPP legislation:
- Parliament can stall or reject bills during debates or committee reviews.
- NCOP can modify or prevent passage of legislation.
- The President may refuse assent or delay approval.
- The Public strong opposition from advocacy groups can sway lawmakers.

Jacqueline cited the Climate Change Act in South Africa, which faced delays due to conflicts with other policies and constitutional concerns. This example demonstrated the multiple veto points within South Africa’s complex legislative process. South Africa’s bicameral system and strong public participation provisions provide multiple checkpoints for legislation.

Samuel Onyango described Kenya’s legislative landscape, emphasizing its streamlined structure compared to South Africa. Parliament is the primary body responsible for debating and passing bills, while the President holds limited veto power, which Parliament can override. Samwell explained the lawmaking stages in Kenya to be when the parliament reviews and approves legislation, the President signs or rejects the bill; and should the President refuse, Parliament must revise the bill or insist on the original submission. If Parliament maintains its stance, the bill automatically becomes law within 14 days. Samuel outlined potential obstacles to passing anti-SLAPP laws in manner such as the Parliament rejecting bills during debates, or the President refusing to assent although Parliament can override this after 14 days. While less formalized than in South Africa, advocacy efforts can pressure MPs to support or oppose legislation, constitutional framework limits presidential blocking power through an override mechanism. Both countries’ systems reflect their unique constitutional designs but share common goals of balancing power among branches of government and ensuring democratic lawmaking.

Jazzy Rasolojaona, Program Manager at Natural Justice shared that in the Madagascar context, power mapping revealed a consistent pattern of government and corporate actors prioritizing public interest projects—such as mining and infrastructure—over the rights and needs of local communities. Judicial systems were identified as a last resort, primarily due to perceived corruption and systemic power abuses. However, instances of success were highlighted where strong public support countered these structural imbalances and amplified community voices. While in South Africa and Uganda, the focus was on framing SLAPPs within historical contexts (e.g., displacement, poverty) to engage political actors and educate communities, using advocacy and legal work to influence power holders.

TRACK 2A

Station 2: Allies & Amplifiers: Who are your potential allies in pushing for reform—and who can amplify the campaign?

This session focused on identifying potential allies and amplifiers for anti-SLAPP reform. Nomasango Masiye-Moyo, Coordinator at Natural Justice, presented her group's findings on Station 2, which centered on identifying allies and amplifiers to advance anti-SLAPP reform efforts. Her team emphasized journalists, social media influencers, news outlets, athletes, and affected communities as key amplifiers, drawing from prior discussions on storytelling's power to drive action. They highlighted how victim narratives could foster solidarity and raise awareness when shared strategically with targeted audiences.

The group proposed compelling slogans to mobilize audiences against SLAPP suits, including "people before profit," "Protestants are right," "speak truth not lawsuits," "protect speech," "stop bullies," "justice is not a gag order," "good night is a new trick," and "sue the sling out of David" or "if you can't win the debate, sue the messenger." These frames aim to counter tactics that silence environmental defenders and public participation through abusive litigation. Natural Justice, focused on rights-based environmental law in Africa, supports such advocacy via legal empowerment and community defense.

Allies Identified:

- Civil Society Organizations: Grassroots groups mobilizing communities.
- Legal Aid Clinics / Public Interest Law Groups: Providers of pro bono support (e.g., Environmental Justice Fund).
- Journalists, Editors, and Media Unions: Amplifiers of public awareness (e.g., Carte Blanche exposure).
- International Human Rights Organizations: Sources of cross-border solidarity (e.g., Natural Justice Defenders Fund)
- Allies were ranked by influence and engagement, prioritizing local legal aid networks for immediate impact while recognizing the importance of international organizations for sustained advocacy

The session reinforced the need for both regional and global support in anti-SLAPP reform. By combining creative messaging, storytelling, and strategic alliances, participants outlined a multi-layered approach to advocacy. The interactive format ensured that diverse perspectives were captured, highlighting the importance of solidarity across communities, media, and legal institutions.

Station 3: Opponents & Obstacles: Who benefits from the current status quo and is likely to resist change?

Kristin Kallesen, Environmentalist and Chairperson at Greater Kyalami Conservancy, presented her group's analysis on Station 3, identifying key opponents who benefit from the status quo and resist anti-SLAPP reform. The group highlighted large corporations' close ties with government officials and politicians profiting from extractive industries, alongside self-interested "businessmen" or entrepreneurs upholding the current system. These relationships enable prolonged litigation and defamation suits to silence environmental defenders.

The group outlined major obstacles, including:

- Corporate-government collusion that protects fossil fuel profits and deters reform.
- Beneficiaries of the status quo, such as multinational oil firms like Shell and Energy Transfer, using SLAPPs for legal intimidation.
- Business associations and legal firms defending aggressive litigation tactics against activists.
- These dynamics drain resources from defenders, stifling public participation on environmental issues. The group suggested countermeasures like an "international day of SLAPP" to galvanize global action via social media and coalitions. Additional tactics include public exposure of opponents and building alliances to counter resistance from extractive sectors. This approach aims to shift power dynamics by amplifying awareness and fostering cross-border solidarity against corporate bullying.

The group identified those benefiting from the status quo and likely to resist change, including:

Corporations that Frequently Use SLAPPs: Multinational oil and gas firms (e.g., Shell, Energy Transfer) leveraging legal intimidation.
Politicians with Ties to Extractive Industries: Beneficiaries of fossil fuel profits, colluding with corporate interests.
Business Associations or Legal Firms: Defenders of corporate litigation strategies.

Participants sharing and developing ideas and strategies via break out groups



TRACK 2B DETERRING GOVERNMENTS & CORPORATIONS FROM MISUSING SLAPP SUITS

With a focus on non-legal campaigning, the track focused on movement strategies to deter powerful actors through public exposure, media work, and international pressure. David Mtshali, Senior Program Officer at Natural Justice facilitated the session focused on strategies to discourage governments and corporations from misusing SLAPP suits. His presentation emphasized the importance of public participation, creative advocacy, and pre-litigation tactics, encouraging participants to think beyond traditional approaches and to reimagine how resistance to SLAPPs can be organized and sustained. David used an allegorical story about animals at a food security meeting to illustrate that those who are absent from decision-making forums risk being adversely affected by the outcomes.

The message: “Decisions that come out of those forums can really, really affect you.” Being present and active is essential to safeguard interests.

David shared a second story about a community pruning only one side of a tree due to a historical obstacle, which over time became mistaken for tradition. He used this to urge participants to question established methods and to innovate, especially regarding non-litigation strategies for deterring SLAPPs. He encouraged thinking “outside the box” and not defaulting to protests or media campaigns, but instead seeking new, context-appropriate tactics. Drawing from his legal background, David explained the value of pre-litigation advocacy, for example, engaging in public comment processes (e.g., Environmental Impact Assessments), filing appeals and exploiting procedural flaws to delay or deter harmful actions. Using every available legal and procedural tool before resorting to litigation. He cited a successful example where persistent pre-litigation actions led a corporation to abandon its plans without the matter ever reaching court. The session further divided participants into groups to brainstorm and discuss practical deterrence strategies against SLAPP suits.

The session was designed to be flexible and participant-driven, reflecting our belief in the power of collective intelligence and adaptability. The session generated actionable ideas for deterrence, not just legal reform or campaigning, with the goal of moving from theory to action, while developing real-world strategies to prevent the misuse of SLAPPs.

Station 1: Leverage Points & Moments: What key windows of opportunity or pressure points could you use to push reform?

Lucien Limacher, Head of Defending Rights and Litigation at Natural Justice, presented findings on Station 1, focusing on windows of opportunity to advance anti-SLAPP reform. The group identified pressure points like opposing restrictive laws such as foreign agents bills that silence civil society, while supporting anti-SLAPP legislation modeled on US and EU frameworks. They advocated scrutinizing political manifestos, funding for SLAPP litigation, and high-profile cases including Greenpeace, CER, Gecko, and Sheffield in South Africa.

Key Opportunities Identified

- Upcoming elections, such as Kenya's 2025 polls, to shape political agendas against SLAPP abuse.
- Scandals from major cases like Energy Transfer's \$660 million suit against Greenpeace, amplifying reform calls.
- International platforms including UPR and AU/EU sessions for regional pressure.
- Media cycles tied to anniversaries like World Environment Day or an annual anti-SLAPP day for campaigns.

These align with global trends, where 2025 saw states like Idaho, Illinois, and Delaware enact stronger anti-SLAPP laws based on model acts. This approach emphasizes adapting international models and using scandals to build momentum for reform in Africa

TRACK 2B

Station 2: Narrative & Framing Strategy: What stories or frames will move your key audiences to act on Anti-SLAPP reform?

Nora Mbagathi, Executive Director at Katiba Institute, presented Station 5's findings on public messaging for anti-SLAPP reform, tailored to the Kenyan context. The group leveraged public dissatisfaction with Safaricom and suggested using this sentiment to frame messaging. One proposed headline was "Safaricom says your rights must go on safari," illustrating how corporate narratives could be challenged to engage citizens. [Source](#). They emphasized framing SLAPPs as a public cost, noting how government lawyers' litigation diverts funds from essential. Messaging could highlight how such funds might otherwise support housing, infrastructure, or health programs, thereby making the economic burden of SLAPP suits tangible to the public.

The group proposed narratives to mobilize audiences:

- "Protecting Democracy, Not Just Activists" – Broadens appeal to civic rights beyond environmental defenders.
- "SLAPPs Cost Public Money and Silence Communities" – Highlights economic burden in Kenya's fiscal debates.
- "We All Have the Right to Speak Out" – Universalizes the issue for mass engagement.
- "Stop SLAPPs: Safeguard Our Voices" – Concise hook for campaigns against corporate silencing.

By combining civic rights, economic costs, and universal freedoms, messaging strategies that can resonate with communities, media, and policymakers. This approach aims to build public support, strengthen solidarity, and pressure political actors to prioritize anti-SLAPP reform.

As a lawyer, we use every available pre-litigation procedural tool before resorting to litigation."

David Mtshali, Senior Program Officer at Natural Justice

“You win not because you are right, but because you organize”
Samuel Onyango, Head of Strategy for Africa at GSCC



USING STRATEGIC COMMUNICATIONS TO COUNTERACT SLAPP SUITS

The goal of this session was to examine how media and strategic communications can be deployed to challenge SLAPP suits and support defenders who are targeted by them. It equipped participants with tools to frame narratives, mobilize support, and shift power through storytelling and public visibility. Emphasis was placed on humanizing those affected, building resonance with broader audiences, and demonstrating how media strategies can trigger legal, political, or reputational accountability. Samuel Onyango's presentation emphasized the necessity of strategic communications in advocacy, especially when facing powerful adversaries. As Head of Strategy for Africa at GSCC (Global Strategic Communications Council), Samuel highlighted practical strategies for empowering activists and shifting power balances through effective communication. Samuel demonstrated how strategic communications can be leveraged to counteract SLAPPs and similar suppressive tactics. He emphasized the importance of organizing and mobilizing communities, rather than solely relying on being "right." Additionally, he argued that shaping interests, rather than merely appealing to conscience, is critical in today's advocacy landscape.

By organizing, shaping interests, and leveraging both legal and public arenas, activists can shift power dynamics—even in environments where conscience alone no longer moves decision-makers.

Samuel described GSCC as a network of professionals, not just communicators, but also economists, engineers, technologists, and political analysts—dedicated to bridging the gap between technical knowledge and public understanding. He highlighted the organization's ability to rapidly disseminate messages across Africa through its media infrastructure and networked approach. He shared GSCC's guiding manta: “You win not because you are right, but because you organize.” This approach that bridging technical expertise with compelling human stories offers a blueprint for effective, continent-wide advocacy.

Samuel examined SLAPPs, explaining that they are not merely legal issues, but deeply political and economic. He outlined the power imbalance between corporations/governments and communities/civil society, noting that while appealing to conscience once influenced decision-makers, today profit and self-interest drive corporate and government actions. Samuel argued that organizing is the key to countering power imbalances. He illustrated how mobilizing collective action can create a force that even powerful entities must recognize. He stressed that advocacy is not solely about legal victories, it is about shaping public perception, shifting legal positions, and making issues politically and commercially consequential. He cited an example where Greenpeace lost a costly lawsuit, yet achieved a form of victory through heightened public awareness, demonstrating the power of advocacy beyond legal wins.

Source

Samuel explained that since corporations and governments are driven by profit and political capital, activists must focus on shaping those interests. He outlined four critical "licenses" that advocacy efforts can target:

- Operating License: Disrupting a company's ability to function through regulatory or legal means.
- Social License: Damaging reputation and public trust, leading to loss of legitimacy.
- Commercial License: Affecting partnerships, clients, investors, and financial access.
- Political License: Undermining political support or credibility, driving policy or leadership shifts.

Samuel emphasized that strategic communications can transform legal cases into political issues, making them relevant to the public and decision-makers. He asserted that judges and officials are influenced by the narratives circulating in their environment. Sharing decisions, stories, and research widely builds public vigilance and creates pressure for change. The session concluded with group work to craft context-specific narratives for countries. Jazzy Rasolojaona, Program Manager at Natural Justice, emphasized that the economic agenda in Madagascar is largely driven by mining, agriculture, and infrastructure development. Most of these projects have been officially classified as serving the public interest, and each one directly affects the communities where they are implemented. He noted the justice system was currently dealing with four major project-related cases: the rare earth mining project in the south of Madagascar, land issues on the islands, and disputes linked to a major road construction project that threatens protected forests.

The southern region, in particular, faces serious challenges related to corruption and abuses of power. For communities, the courts often become the final avenue for resolving conflicts and tensions involving companies and the government. Traditionally, Jazzy highlighted how they have relied on diplomacy, negotiation, and constructive engagement to address disputes, though there have also been instances of arbitrary arrests. Going to court has always been considered a last resort, partly due to cultural attitudes that discourage litigation. However, they are now working to educate communities about the importance of using the legal system, because they genuinely want access to justice.

Tarisai Placedes Mugunyani, Mining Programme Head at Centre for Environmental, explained that many of South Africa's challenges arise from the gap between having a strong constitution and actually implementing its protections – both for the environment and for communities affected by harm. She emphasized the importance of linking service delivery to the social and labor plans that corporations are required to follow, so that communities can genuinely benefit from extractive industries. This concern also applies to Uganda, especially when considering the potential impacts of EACOP: the displacement it may cause, and whether communities will see any real benefits from the pipeline.

She added that when we think about SLAPP suits, what we want to highlight is that stopping corporate accountability allows the legacies of history to continue – displacement, poverty, and unemployment are not isolated crises but part of a much larger structural story. Even if communities are not yet experiencing improved services, those services are supposed to be coming, which is why advocacy must run alongside ongoing legal work. This includes engaging political actors, educating communities about SLAPP suits and their collective impact, and ensuring that lawmakers understand why stronger protections need to be passed in parliament. Ultimately, it's about doing the legal and advocacy work while also supporting organizations on the ground so they can continue their efforts effectively.



SLAPP SOLIDARITY NETWORKS

The final and closing session was facilitated by Nasreen Al-Amin, Founder and Director, Surge Africa Organization and Eugene Perumal, Governance Coordinator and Legal Counsel, Greenpeace Africa focused on building resilient solidarity networks to support activists facing SLAPP suits. It emphasized the power of collective care, beyond legal strategies spotlighting structures that offer emergency legal aid, financial relief, and emotional solidarity. Participants learnt practical strategies to establish or strengthen their own networks.

Eugene opened the final session by reminding participants that surviving the pressures faced by activists is itself an achievement, joking that everyone deserved not only a certificate of attendance but a “survivor’s certificate.” He referenced an African saying, a single bracelet does not jingle to illustrate the importance of collective strength. One person alone may be visible, he explained, but it is only when many bracelets come together that they make real noise. He noted that too often organizations work in silos, a kind of “sinusitis,” as he put it, where everyone operates separately despite being skilled in their own spaces. This session, he emphasized, was designed to shift that pattern by exploring how participants could work in solidarity and build stronger, interconnected networks. Eugene described the goal as creating a “facilitative anchor”, a shared structure that helps hold everything together. The focus, he said, was on tapping into existing networks to strengthen rapid response systems, including emergency legal aid, financial relief, and emotional support for defenders facing SLAPP suits.

- [Centre for Environmental Rights \(CER\)](#)
- [Right2Protest \(R2P\)](#)
- [Natural Justice- Natural Justice Defenders Fund](#)
- [African Origin \(AO\)](#)
- [Coalition Against SLAPPs in Africa \(CASA\)](#)
- [Katiba Institute](#)
- [Southern Africa Litigation Centre](#)
- [Global Strategic Communications Council \(GSCC\)](#)
- [Media Foundation for West Africa](#)
- [Southern Africa Resource Watch](#)
- [Bench Marks Foundation](#)
- [Protect the Protest](#)
- [Blueprint for Free Speech](#)
- [Amnesty International](#)
- [Human Rights Watch](#)
- [Frontline Defenders](#)
- [Freedom House](#)

SNAPSHOT ON CHALLENGES AND STRATEGIC RESPONSES TO SLAPPS IN AFRICA

| | | |
|--|---|---|
| Weaponization of Legal Systems | SLAPP suits used to intimidate and silence activists, journalists, and lawyers (e.g., Uganda, South Africa) | Develop Anti-SLAPP legislation; early dismissal mechanisms |
| Multi-national/ Corporate-Government Collusion | Multinational corporations and state actors jointly target defenders, especially in extractive industries | Coalition-building; regional advocacy; leveraging regional courts |
| Lack of Legal Aid and Resources | Activists and communities lack access to affordable legal support, especially in rural areas | Resource pooling; legal aid networks; toolkit dissemination |
| Procedural Delays and Complex Litigation | Lengthy, expensive lawsuits drain the capacity of defenders | Procedural templates; rapid response legal teams |
| Weak Enforcement of Constitutional Protections | Courts inconsistently defend rights; strong constitutions undermined by poor enforcement | Judicial awareness campaigns; strategic litigation |
| New Legislation Bypassing Community Consent | Laws like Kenya's Carbon Market Act enable land allocation without proper participation | Public advocacy; media engagement; legal reform |
| Psychological and Physical Toll on Defenders | Activists face harassment, detention, and trauma (e.g., arrest of Ugandan EACOP protesters) | Wellness programs; psychosocial support; safe spaces |
| Insufficient Public Awareness and Media Coverage | SLAPPs and legal intimidation often go unreported or misunderstood by the public | Media toolkits; storytelling; public awareness campaigns |
| Fragmented Regional Solidarity | Defenders lack coordinated support across borders | Regional networks; cross border advocacy; toolkit sharing |

CLOSING NOTE



The closing moments were filled with appreciation for the collective effort that made the convening possible. Organizers emphasized that this gathering was not the work of one person or one organization, but the result of many hands, many late-night calls, and a shared commitment to strengthening the defender ecosystem.

Special thanks were extended to by Nasreen and Nomasango Masiye-Moyo:

- Surge Africa, Natural Justice, and all partner organizations
- The facilitators and contributors who shaped the toolkit and guided discussions
- Participants who travelled on a weekend to be fully present
- Those who supported the planning process behind the scenes.

The gratitude expressed was warm, personal, and deeply felt. The convening was described as a space where people “come and go, but always feel valued,” reflecting the spirit of a solidarity network in practice, even if not formally defined as one. Next steps:

- Participants agreed that this convening should not be a one-off event. Several forward-looking ideas emerged:
- Annual convenings, each year expanding to new jurisdictions – Anglophone, Francophone, and Lusophone contexts.
- Continued refinement of the toolkit, with a focus on country-specific legal and constitutional contexts.
- Exploration of a manifesto, an idea raised during the session that resonated strongly.
- Ongoing collaboration between organizations to strengthen solidarity mechanisms, without the pressure of forming a rigid network.

The group affirmed that gatherings like this open, honest, and grounded in shared purpose – are themselves a form of solidarity infrastructure. The atmosphere was one of connection, relief, and renewed energy, with participants expressing appreciation for the space and for one another. The convening closed with a simple but powerful sentiment: **“We appreciate you. We value you. And we will continue this work together.”**

CONCLUSION

The Climate Litigation Lab: A focus on Legal Advocacy for Campaigners in Relation to SLAPP Suits convening stands as a critical milestone in the ongoing struggle for environmental justice and democratic participation across Africa. Through a dynamic blend of legal analysis, case studies, and personal testimonies, the Lab illuminated how SLAPPs are systematically deployed by powerful corporate and state actors to silence dissent, intimidate activists, and undermine public interest advocacy. The meeting's relevance is anchored in its direct response to the escalating threat posed by SLAPPs—a phenomenon that undermines both environmental governance and the substantive ideals of democracy.

SLAPP suits, as highlighted throughout the sessions, are not merely legal disputes; they are deliberate tools wielded by powerful interests to silence dissent, intimidate activists, and erode public participation in environmental decision-making. This dynamic directly contravenes the democratic principle that citizens must be meaningfully included in decisions affecting their environment and livelihoods.

The Climate Litigation Lab focus on SLAPPs illuminated the duality of law as both a potential safeguard and a weapon. While legal frameworks are designed to ensure justice and equality, they are frequently manipulated to entrench elite and corporate interests, exclude marginalized voices, and perpetuate environmental harm. The chilling effect of SLAPPs, manifested through financial, psychological, and social burdens, threatens not only individual defenders but the collective freedoms of expression and assembly foundational to democracy and environmental governance.

Through an inclusive, participatory format, the Lab fostered cross-border solidarity, practical strategy-sharing, and the co-creation of tools such as the SLAPP Toolkit. These resources are vital for empowering defenders, legal practitioners, journalists, and communities to identify, resist, and recover from SLAPPs. The event's holistic design of integrating wellness, storytelling, and strategy, reinforced the resilience and unity necessary for sustained advocacy.

The Climate Litigation Lab also highlighted the critical role of solidarity networks, coalition-building, and public engagement in countering the chilling effect of SLAPPs. It affirmed that legal innovation, collective care, and persistent advocacy are essential for safeguarding the rights of those who speak out for environmental and social justice. The intentional focus on well-being and community throughout the event reinforced the resilience needed to sustain this work over the long term.

As the struggle for climate justice continues, the Climate Litigation Lab has provided not only a forum for rigorous dialogue but also a launchpad for coordinated action. The partnerships forged, strategies refined, and tools developed here will continue to empower defenders and strengthen the broader movement for environmental justice across Africa. Surge Africa and its partners remain steadfast in their commitment to advancing legal protections, fostering unity, and supporting those on the frontlines of the climate struggle. The journey ahead is complex, but the collective resolve and practical outputs from this Lab have laid a strong foundation for meaningful progress.

Participants unanimously emphasized the increasing use of SLAPP suits as tools to silence criticism, dissent, and public interest advocacy. Kristin Anne Kallesen-Greater Kyalami Conservancy noted that SLAPPs are “being used more and more to silence criticism and objections, targeting activists, journalists, and a wide range of civil society actors.” This growing threat underscores the urgency of sharing ideas and strategies to bridge the information gap and empower those at risk. Participants valued the opportunity to connect with counterparts from diverse organizations and countries, enabling the exchange of experiences and the formation of alliances that can offer rapid support and intervention when SLAPPs arise.

NEXT STEPS

To build on the momentum and insights generated during the meeting, the following actions are recommended:

- **Expand and Disseminate the SLAPP Toolkit:** Ensure the toolkit is accessible to grassroots defenders, legal practitioners, and journalists across diverse African jurisdictions. Translate and adapt materials to local contexts.
- **Advocate for Tailored Anti-SLAPP Legislation:** Support the drafting and adoption of bespoke anti-SLAPP laws in African countries, drawing on regional realities and international best practices. Engage lawmakers, judicial actors, and civil society in sustained advocacy efforts.
- **Strengthen Solidarity Networks:** Formalize and expand regional and cross-sectoral networks for rapid response, resource pooling, and emotional support. Prioritize the inclusion of marginalized and frontline communities.
- **Promote Public Awareness and Media Engagement:** Counteract the chilling effect of SLAPPs through strategic communications, public campaigns, and media partnerships that elevate the voices and stories of defenders.
- **Institutionalize Defender Wellness:** Integrate psychosocial support and wellness practices into all advocacy and legal defense initiatives, recognizing the toll of SLAPPs on individuals and movements.
- **Monitor and Document SLAPP Trends:** Establish mechanisms for ongoing monitoring, documentation, and reporting of SLAPP cases to inform advocacy, litigation, and policy reform.

In conclusion, the Climate Litigation Lab: Legal Advocacy for Campaigners in Relation to SLAPP Suits has reaffirmed the centrality of democracy, solidarity, and legal innovation in the fight against environmental injustice. The collective commitment and practical outputs from this gathering provide a strong foundation for advancing environmental governance and protecting the right to participate in shaping Africa's future.

PARTICIPANT EXPERIENCES

Nora Mbagathi, Executive Director, Katiba Institute: Nora emphasized the importance of the lab to her organization's work in public interest litigation. Katiba Institute has defended and supported individuals and organizations facing SLAPP suits, and she highlighted how engaging with partners across the region is "incredibly valuable."

Lucien Limacher, Head of Defending Rights in Litigation, Natural Justice: Lucien noted that the lab has fostered a stronger network and nexus between organizations. By leaning on these connections, civil society can act as a watchdog, supporting communities and ensuring interventions against SLAPP suits so that such tactics do not take root across Africa.

Tarisai Placedes Mugunyani, Attorney, Center for Environmental Rights: Tarisai stressed the importance of convergence among like-minded attorneys and campaigners. She underscored the value of sharing ideas, strategies, and thinking to help each other pivot and navigate the challenges of public interest litigation in the face of SLAPP suits.

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BONFIRE NIGHT

CLOSING DINNER AT CLIMATE LITIGATION LAB - MAGALIESBURG



Photos of Lab participants at the close of event Bon Fire, followed by dinner





Photos of Lab participants at the close of event Bon Fire, followed by dinner



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**CLIMATE LITIGATION LAB: A FOCUS ON LEGAL ADVOCACY FOR
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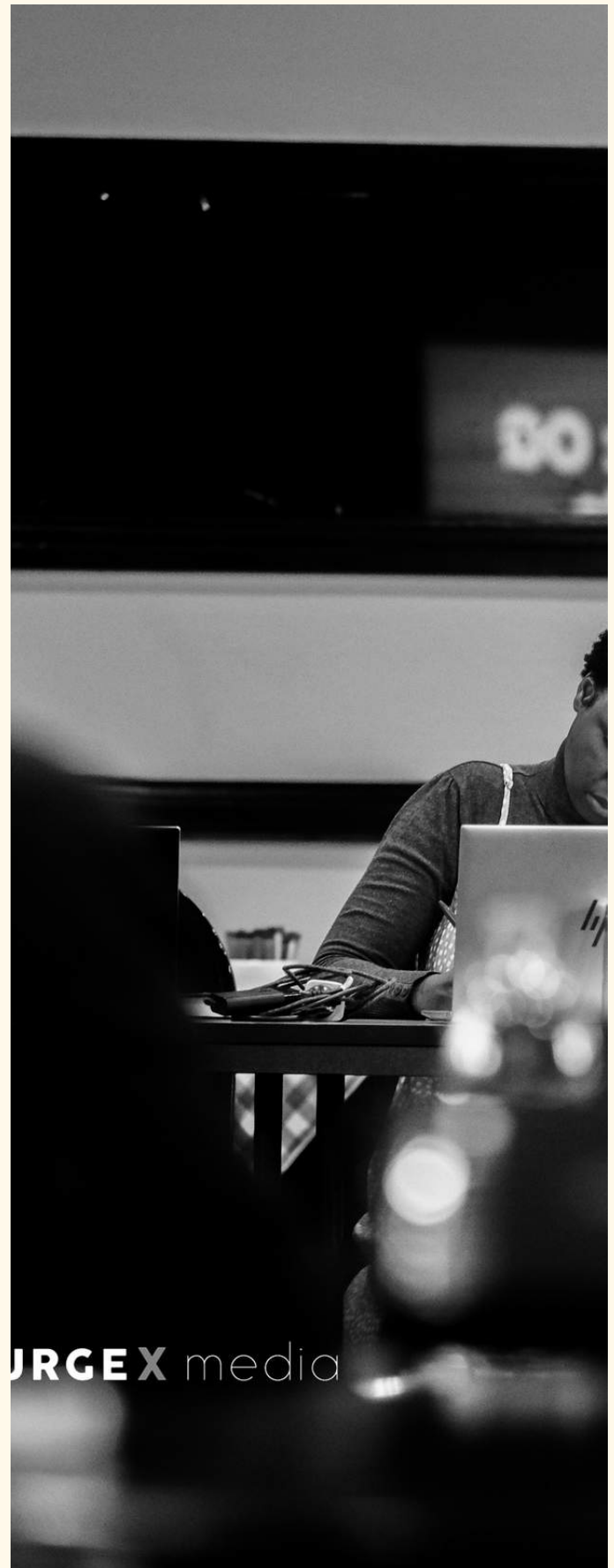
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