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Systematic Ongoing Direct Civil Society Engagement (ODCSE) WP6 Report¹

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Table of Contents

1. The WP6 Climate ODCSE Methodology: Design, Development and Implementation	3
1.1. WP6 Climate ODCSE Methodology: An Interdisciplinary and Mixed-Method Approach	4
2. First-Year Activities	6
3. Second-Year Activities	7
3.1. First Workshop with Civil Society.....	8
3.2 Interviews	8
3.3. Second Workshop with Civil Society	9
4. Third-Year Activities	9
4.1. Research Survey.....	9
4.2. The Stage of Co-Production of Knowledge	10
5. Gender and Intersectionality Dimension	10
6. The WP6 Climate ODCSE Methodology: a Proposal for Climate Litigation and Next Steps	11
Selected Bibliography	12

1. The WP6 Climate ODCSE Methodology: Design, Development and Implementation

WP6 Climate has been engaged in the design, development and implementation of the ODCSE methodology since M1. This report describes the activities that have been organized and carried out within the WP and the relevant theoretical framework that has been developed until M25, illustrating the ODCSE Process and Outcomes in the context of climate litigation, taking also into account the gender and intersectionality dimension.

Overall, WP6 has been engaged in a direct and constant dialogue with civil society that has led to the co-production of knowledge in the field of climate litigation, including a gender and intersectional perspective.

Within the HRJust project, a broad definition of “civil society” has been adopted, encompassing non-state actors in the form of NGOs, community-based organisations, individual activists and recipients of activist services.² The ODCSE method implies keeping contact with civil society representatives; however, a complete analysis of the issues at stake in WP6 would not be complete without involving also state representatives in the dialogue on the one hand, and judicial authorities, on the other hand (i.e. involved in climate policy- and law-decision making processes and in climate cases). This is for the following reasons:

- Having only the perspective of civil society representatives risks leading to a partial understanding of the issues at stake;
- Comparing the perspectives of civil society representatives, state representatives and judicial authorities makes it possible to adequately identify and (eventually) re-discuss the role of each one of them in climate litigation.

According, the ODCSE methodology not only targets civil society representatives but also state representatives and judicial authorities, to enable a holistic approach to the topics at stake.

The proposed WP6 Climate ODCSE methodology includes the elements envisaged in the project proposal, revising and refining them, with an advanced and structured proposal that includes four conceptual constructs: 1) systematic planning; 2) ongoing engagement; 3) direct participation; 4) co-production of knowledge.³

A **systematic planning** comprises the following steps:

- 1) Data collection and preparatory research activities;
- 2) Identification of the topics/questions for the civil society engagement exercise;
- 3) Identification of what the civil society engagement exercise will inform (policy recommendations, further research, ...);
- 4) Identification of the relevant group of stakeholders to engage with;

² See GA Agreement, Amended version, Part B, p. 13.

³ See GA Proposal Part B p. 10.

- 5) Identification of the relevant participation method (e.g. information and communication, meetings, interviews, ...);
- 6) Planning and organization of the civil society engagement exercise;
- 7) Debriefing session: recap and review what happened during the civil society engagement exercise;
- 8) Organizing the following steps.

The first stage should be constantly integrated with the second and third stages of ongoing engagement and direct participation.

Ongoing engagement implies that civil society should be constantly engaged during the process since its beginning:

- supporting data collection and preparatory research;
- helping to identify relevant topics/questions;
- giving feedback on the planning of the engagement activities;
- providing comments in the debriefing sessions and suggestions for the following steps.

Direct participation is relevant on the level of

- communication with civil society, which should take place in every step as described above, regularly sharing information and (preliminary, revised and final) results from the ongoing research;
- the choice of the format of engagement, which should enable the possibility of receiving feedback and comments on the shared information and results before, during and after the relevant engagement activities.

These three stages also enable the fourth stage, **co-production of knowledge**.

1.1. WP6 Climate ODCSE Methodology: An Interdisciplinary and Mixed-Method Approach

Within the framework of WP6, the ODCSE methodological framework has been developed by following **an interdisciplinary and mixed-method approach**, which includes qualitative and quantitative methodologies to assess how states invoke human rights to justify policies and actions in climate litigation. The methodological framework has been developed taking stock from the relevant elaboration in WP7, included in the following *HRJust WP7 Research Note Series*:

- Cristani, F. (2025). From a Theoretical to an Empirical Approach: First Notes on a Methodological Framework for the HRJust Project. In HRJust WP7 Research Note Series. Zenodo. <https://doi.org/10.5281/zenodo.15382355>
- Cristani, F. (2025). HRJust Intersect Observatory's Mission: Notes on the Methodological Framework. In HRJust WP7 Research Note Series (Version_2_February 2025). Zenodo. <https://doi.org/10.5281/zenodo.14889561>

The application of each method depends on the type of data collected through the ODCSE process. Within WP6, the following methods have been employed:

1. Qualitative Methods⁴

a. Discourse Analysis,⁵ which includes:

- i. Examining official government statements, policy documents, legal rulings, and international agreements where states justify actions using human rights;
- ii. Examining the documents produced by civil society, like Amicus Curiae submissions to international, regional and national jurisdictions;

b. Case Studies,⁶ which comprises

- i. Selecting **comparative case studies** of EU Member States and non-EU countries to examine the use of human rights justifications in domestic, regional and international climate litigation. Apart from the core case studies of the project (Sweden, Finland, India, Taiwan, Ukraine), WP6 has taken into account Switzerland, Czech Republic and additional WP case-specific case studies; moreover, other EU and non-EU countries have been included in the research and data collection (for a detailed analysis, see the relevant methodological document elaborated for the WP6 Climate Claims Visual Maps);

c. Interviews:⁷

- i. Interviews with policymakers, civil society, judicial authorities
- ii. Semi-structured interviews with qualitative content analysis (by using Atlas.ti software).

2. Quantitative Methods⁸

a. Content Analysis of Documents:⁹

- i. Examining the frequency and context in which human rights are invoked in national, European and international documents

⁴ For a general overview, see among others, Flick, Uwe, ed. The SAGE Handbook of Qualitative Data Analysis. 1st edition. Los Angeles: SAGE Publications Ltd, 2013.

⁵ See among others, Albertin Carbó, P., Vázquez Ahumada, Andrea., Dorado, A.D., (2016). "How do I do Discourse Analysis?" Teaching Discourse Analysis to novice researchers through a study of intimate partner gender violence among migrant women, Qualitative Social Work., 15(3), pp. 363-379

⁶ See among others, the mini-site on case studies method at <https://wac.colostate.edu/repository/writing/guides/guide/index.cfm?guideid=60>.

⁷ See among others, Adams, William. "Conducting Semi-Structured Interviews." In Handbook of Practical Program Evaluation, edited by J. Wholey, H. Hatry, and K. Newcomer, 4th ed. Jossey-Bass, 2015. <https://doi.org/10.1002/9781119171386.ch19>.

⁸ See among others, Shai Dothan, A Guide to Quantitative Legal Research, iCourts Working Paper Series, No. 221, 2020, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3719836.

⁹ See among others, the minisite on content analysis: <https://www.publichealth.columbia.edu/research/population-health-methods/content-analysis>.

b. Research Survey:¹⁰

- i. Conducting surveys to gauge public opinion on the legitimacy of state actions justified through human rights.
- ii. Analyzing surveys results by using Atlas.ti software .

The development of the ODCSE Methodology has been constantly shared and discussed with the normative WP3 (using also the framework provided for in Deliverable D3.1) and dissemination WP7 through regular bilateral meetings, thus ensuring a smooth coordination between the normative and empirical dimensions of the process.

Moreover, all relevant publications and documents have been collected in a special section of the Intersect Observatory, the “Civil society catalogue” - Climate, <https://hrjust-intersect-observatory.eu/civil-society-catalogue/#climate>.

2. First-Year Activities

The first year of the WP6 Climate activities has been devoted to data collection, underpinning research, and the planning of the activities of the second year for civil society engagement (as part of the systemic planning stage of the WP6 Climate ODCSE Methodology). Activities in the first year have also involved the first ongoing and direct engagement moments with civil society, with the active involvement as Amicus Curiae in the Advisory Opinion proceedings before the Inter-American Court of Human Rights.

The above-mentioned activities have informed the following deliverable, academic publications, policy paper, working papers and reading list:

- Deliverable D6.1 (Literature review, data collection: report/analysis (Climate)) regularly submitted on M5 (July 2023) and accepted by the Commission after the first review of the project;
- Alessi, N.P. (2025). Verein Klimaseniorinnen and others v. Switzerland between human rights protection and human rights justification. *Freedom, Security & Justice: European Legal Studies*. 1. 210-236, <https://www.fsjeurostudies.eu/2025,-n.-1.html>;
- Cristani, F. and Fornalé, E. (2025). National Climate Litigation Case Reviews: Human Rights Justifications in Action. *HRJust WP6 Climate Working Paper Series*. <https://hrjust-intersect-observatory.eu/intersect-library/#working-paper-series>
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¹⁰ See among others, the following list of useful resources on survey experiments: <https://www.sciencedirect.com/topics/social-sciences/survey-experiment>

- Antoniazzi, C. T. (2024). Extraterritorial Human Rights Obligations in the Area of Climate Change: Why the European Union Should Take Them Seriously. *European Papers*. 9(2). 479-512. DOI: 10.15166/2499-8249/768. <https://www.europeanpapers.eu/en/e-journal/extraterritorial-human-rights-obligations-area-climate-change-why-european-union-should-take-them-seriously>;
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- Naz Nemec, E. (2024). Marmara Gölü ve Ötesi: Bir iklim davası argümanı olarak gerilememe İlkesi (The Lake Marmara and Beyond: Principle of Non-regression as An Argument in Climate Litigation). In Kutluhan Bozkurt (ed.), *Küresel Isınma ve İklim Koruma Hukuku (Global Warming and Climate Protection Law)* (Legal Publishing, Istanbul). 69-87. <https://www.seckin.com.tr/kitap/kuresel-isinma-ve-iklim-koruma-hukuku-kutluhan-bozkurt-s-p-354562804?srsId=AfmBOoqvqfwa6Z9iRSWUQ5JBBUDitwXfmr46P5sGo-cao2JivNSefFL>.
- Alessi, N. P. (2024). Inclusive Democracy: Reflecting on Gender and Intersectionality Issues. Literature Review and Practical Development. *HRJust Gender & Intersectionality Working Paper*. DOI: 10.48620/77232, <https://boris-portal.unibe.ch/handle/20.500.12422/191318>;
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3. Second-Year Activities

The second year of the WP6 Climate activities has been devoted to the systemic planning of the first workshop with civil society, the fieldwork activity (semi-structured interviews) and

the second workshop with civil society, where the stages of the ongoing and direct engagement have been fully developed and implemented.

3.1. First Workshop with Civil Society

A closed workshop on "Climate Litigation, Gender and Intersectionality with Civil Society Engagement", co-organized by UBERN and IIR on 27 May 2024 at the premises of IIR, Prague), hosted the first civil society engagement exercise, with the participation of civil society representatives, policy officers, including representatives of Ministries and Embassies in Prague, and a judicial authority representative.¹¹ During the workshop, also the first prototype of the Climate Claims Visual Maps was shared and presented, in order to facilitate discussion and gain relevant feedback.

The first workshop with civil society was planned following the above-mentioned systemic planning steps, combined with ongoing engagement and direct participation.

The event aimed to explore the evolving role of civil society in climate litigation, the integration of gender and intersectionality into climate policies (contributing to the analysis of the gender and intersectionality dimension for the WP6 Climate ODCSE process), and the impact of international and national legal frameworks on advancing climate justice. The workshop featured presentations from academics, international organizations representatives and policy officers and a roundtable discussion.

The programme of the workshop and a detailed account of the workshop are available for Consortium members and stakeholders on the Intersect Observatory website: <https://hrjust-intersect-observatory.eu/events/workshop-on-climate-litigation-gender-and-intersectionality-with-civil-society-engagement>.

3.2 Interviews

WP6 IIR and UBERN research teams conducted 43 semi-structured interviews with relevant stakeholders, i.e. policy officers (11), judicial authorities (11), and national and international associations (21) between April-August 2024. The interviews offered the opportunity to explore the realities and impacts of HRJs, and their interplay with key legal themes like jurisdiction, procedural limits, and extraterritoriality.

The following working paper and dataset have been produced:

¹¹ All materials from the workshop are also available on the Intersect Observatory website (accessible after log in by invited stakeholders), <https://hrjust-intersect-observatory.eu/uncategorized/insights-from-the-fieldwork-activities-conducted-in-the-context-of-climate-litigation>.

- Němec, E. N., Lhotský, J., Cristani, F., Fornalé, E., & Heepen, R. (2024). Preliminary WP6 Working Paper on the Methodology for Conducting Interviews. Zenodo. <https://doi.org/10.5281/zenodo.10996864>
- Cristani, F., Lukešová, B., Ditrichová, P., & Němec, E. N. (2025). WP6 Interview dataset. Codes, Group Codes and Quotations (Version_1_February 2025) [Data set]. Zenodo. <https://doi.org/10.5281/zenodo.15078085>
- Cristani, F., Lukešová, B., Ditrichová, P., & Němec, E. N. (2025). WP6 Interview Dataset. Statistical Data (Version_1_February 2025) [Data set]. Zenodo. <https://doi.org/10.5281/zenodo.15078301>

The results of the analysis will be also included in an article currently under preparation (as part of Deliverable D7.3 – 3 *peer reviewed publications on ODCSE process specific to Covid, Migration and Climate (each thematic WP separately)*).

3.3. Second Workshop with Civil Society

The second workshop with civil society engagement took place in the form of a closed webinar (by invitation only) that included a presentation on “Insights from the fieldwork activities conducted in the context of climate litigation”. The webinar was included as part of the “Human Rights Justification: Empirical Webinar Series” organized by IIR. During the webinar, Dr Petra Ditrichová (IIR) presented the preliminary observations from the fieldwork activities;¹² The presentation was then followed by a roundtable discussion on the topics at stake. Invited participants included those participating at the first workshop with civil society (see supra), plus selected stakeholders from interviewees, representatives from civil society and policy officers.

The results have then informed the development of the following research survey (see infra).

4. Third-Year Activities

4.1. Research Survey

At the beginning of the third year, WP6 UBERN and IIR team members prepared a research survey (March 2025), which summarized the key findings from the interviews, as integrated with the feedback from the second workshop with civil society.

The results from the survey will contribute to inform the final stage of the WP6 Climate ODCSE Methodology, namely the co-production of knowledge.

¹² The presentation is available on the Intersect Observatory website, <https://hrjust-intersect-observatory.eu/uncategorized/insights-from-the-fieldwork-activities-conducted-in-the-context-of-climate-litigation>.

4.2. The Stage of Co-Production of Knowledge

The final state of the WP6 ODCSE Methodology includes the co-production of knowledge. Co-production of knowledge builds on the idea that research should be conducted in closed partnership and cooperation with relevant stakeholders. Such cooperation requires constant communication, information sharing, feedback requests and the establishment of trusted relationships among all relevant stakeholders.¹³

The proposed three other stages of the WP6 Climate ODCSE Methodology would serve this purpose, to establish a regular set of interactions with relevant stakeholders, where information and research are planned, developed and finalized in a collaborative manner.

5. Gender and Intersectionality Dimension

The WP6 Climate ODCSE Methodology has been developed in the context of climate litigation. Within the process, research and activities have also enquired the gender and intersectionality dimension of the topics at stake. In particular:

- The Amicus Curies submission (supra section 2.2.1) include a section on gender and intersectionality issues ;
- Gender and intersectionality was also part of the discussion in the first and second workshops with civil society ;
- Gender and intersectionality issues have been discussed also during the interviews and been reflected in the questions of the research survey.

The integration of gender and intersectionality in the above mentioned activities has been supported by analysis included in the working paper Alessi, N. P. (2024). Inclusive Democracy: Reflecting on Gender and Intersectionality Issues. Literature Review and Practical Development. *HRJust Gender & Intersectionality Working Paper*. DOI: 10.48620/77232, <https://boris-portal.unibe.ch/handle/20.500.12422/191318> and has been reflected in the first policy paper of WP6, Fornalé, E, Cristani, F., Heepen, R. 'Gender Parity in the Making: Promoting Equal and Inclusive Representation of Women in Decision-Making Systems' IIR Policy Paper (2024), <https://www.iir.cz/en/gender-parity-in-the-making-promoting-equal-and-inclusive-representation-of-women-in-decision-making-systems>.

¹³ See also the example of co-production of knowledge process established by the Center for Science and Society at Columbia University. Co-Production of Knowledge Initiative. <https://scienceandsociety.columbia.edu/content/co-production-knowledge-initiative>.

6. The WP6 Climate ODCSE Methodology: a Proposal for Climate Litigation and Next Steps

This report intends to inform further research activities and reflections for Normative WP3, Empirical WP7 and to the Dissemination WP2.

The following table summarizes the WP6 Climate ODCSE Methodology framework.

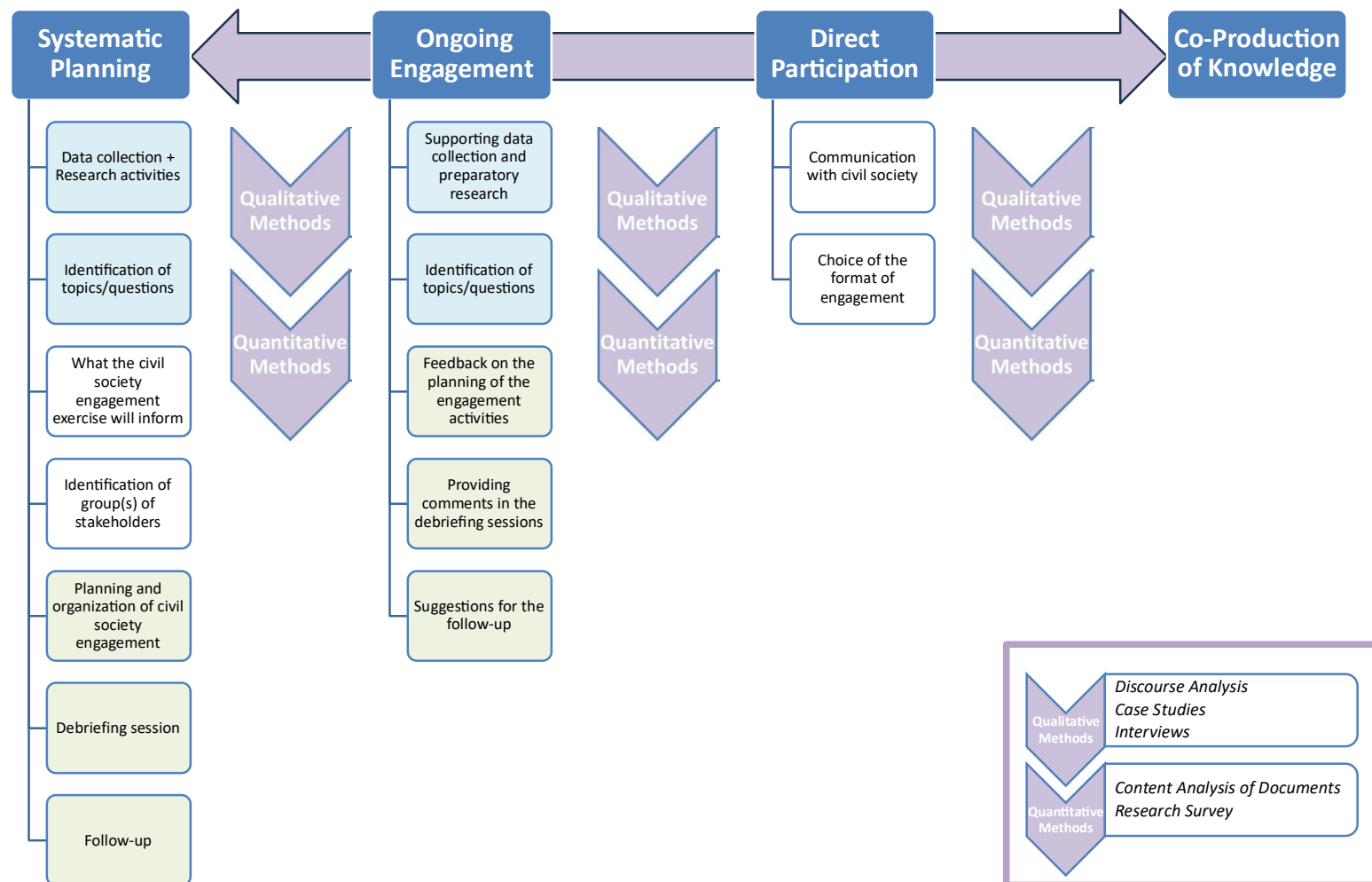


Figure 1. The WP6 Climate ODCSE Methodology Framework

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