



University of Dayton
**Human Rights
Center**

Submission to the United Nations Special Rapporteur on Human Rights Defenders

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We welcome the opportunity to contribute to the report by the Special Rapporteur on the situation of human rights defenders working on climate change and a just transition. This submission details the case of Manuel Esteban Paez Terán, affectionately known as “Tortuguita,” the first environmental human rights defender in history to be killed by law enforcement in the United States.

Manuel Esteban Paez Terán (hereinafter “Manuel”) was a 26-year-old earth defender tragically killed by Georgia State Patrol police on January 18, 2023. Manuel was an indigenous Venezuelan of Timoto-Cuica descent and an immigrant permanent resident of the United States who identified as queer and non-binary, using they/them pronouns. Manuel was killed while sitting cross-legged, engaged in peaceful protest of plans by state officials to raze an urban forest for construction of a militarized police training facility known as Cop City.

The Proposal to Build the Atlanta Public Safety Training Center in a Forest

In 2021, the City Council of Atlanta, the capital city of the state of Georgia in the United States of America, proposed the destruction of an urban forest to construct one of the largest and most expensive law enforcement militarization facilities in the world, colloquially known as “Cop City.”¹ On September 8, 2021, after seventeen hours of public comment opposed to the Cop City proposal, the Atlanta City Council voted to approve a lease agreement with the Atlanta Police Foundation, ceding land for the development of the project.² Immediately, a broad civil society coalition of concerned residents, including environmental and racial justice activists, united to peacefully voice their opposition to the plan.

The Forest Defenders Emerge to Prevent Environmental Harm

Cop City’s construction would require the razing of significant portions of the South River/Weelaunee Forest, an urban area green space, raising significant environmental concerns, particularly for nearby Black and brown communities. Activists have lodged complaints with the Environmental Protection Agency (EPA), citing violations of the Civil Rights Act and Clean Water Act due to the project’s impact on the ecosystem and sediment discharge into the South

¹ See Christina Maxouris, *Atlanta Wants to Build a Massive Police Training Facility in a Forest. Neighbors Are Fighting to Stop It*, CNN US (Sept. 24, 2022),

<https://www.cnn.com/2022/09/24/us/atlanta-public-safety-training-center-plans-community/index.html> (describing plans for a \$90 million, 85-acre center, that will include a shooting range, mock city, and burn building).

² *Id.*

River Watershed.³ Environmental effects include heightened pollution from deforestation, increased urban heat due to green space loss, and risks to wildlife in already polluted waterways.⁴ Despite assurances from city officials regarding adherence to environmental standards, the disproportionate impact on marginalized groups raised questions about the project's implications.⁵

Beyond environmental hazards, the construction of Cop City exacerbates existing disparities in environmental protections, particularly affecting Black and low-income communities.⁶ These communities face heightened vulnerability to natural disasters due to limited resources for evacuation and emergency response, compounded by residential segregation placing them in at-risk areas. In Georgia, Black residents are disproportionately situated near hazardous sites, deepening environmental injustices.⁷

In December 2021, a group who self-identified as forest defenders began to establish encampments and tree houses in the canopy of the forest, building temporary structures at least fifteen feet off the ground.⁸ The forest defenders began their campaign to protect the trees and the land in order to prevent Cop City from being built, as well as to interrupt the development of Intramural Park, which sits alongside the prison farm and has been identified as a possible location for a new Hollywood movie studio.⁹

On January 28, 2022, a march on the public land of Intramural Park attended by sixty people ended when police arrested four protestors who encountered DeKalb County police officers guarding private contractors.¹⁰ A police report cited by local media describes “loud and boisterous” marchers “chanting and waving banners,” while nearby “multiple construction workers contracted by the Atlanta Police Foundation [were] working with heavy machinery.”¹¹

³ Chauncey Alcorn, *Environmental Impact Targeted in New Push Against ‘Cop City’*, The Center for Public Integrity (Nov. 15, 2023),

<https://publicintegrity.org/environment/pollution/environmental-justice-denied/environmental-impact-targeted-in-new-push-against-cop-city/#:~:text=that%20the%20reduction%20of%20greenspace,sewage%20and%20for%20other%20pollutants.>

⁴ *Id.*

⁵ Akilah Wise, *The Health Risks Behind ‘Cop City’*, Capital B Atlanta (Mar. 23, 2023),

<https://atlanta.capitalbnews.org/cop-city-health-implications/>.

⁶ Ray Levy Uyeda, *Atlanta Community Members Warn of Environmental Damage From ‘Cop City’*, Prism (June 15, 2022), <https://prismreports.org/2022/06/15/atlanta-environmental-damage-cop-city/>.

⁷ Akira Rose, *5 Things You Need to Know About Cop City*, American Friends Service Committee (Jan. 15, 2024), <https://afsc.org/news/5-things-you-need-know-about-cop-city>.

⁸ Tracey Amick Peer, *Activists Building Treehouses, Living in Tents to Block APD Training Site Construction*, 11 Alive News (Feb. 23, 2022) [hereinafter Peer],

<https://www.11alive.com/article/news/local/atlanta-police-department-training-site-construction-protests/85-4e4b281b-f803-4282-b29f-ad14fb19f422>; Charles Bethea, *The New Fight Over an Old Forest in Atlanta*, The New Yorker (Aug. 3, 2022), <https://www.newyorker.com/news/letter-from-the-south/the-new-fight-over-an-old-forest-in-atlanta>

⁹ *Defend the Atlanta Forest* (2023), <https://defendtheatlantaforest.org/>.

¹⁰ *I Believe That We Will Win*, Inhabit: Territories (Feb. 14, 2022),

https://territories.substack.com/p/i-believe-that-we-will-win?utm_source=url

¹¹ J.D. Capelouto & Tyler Estep, *Amid Site’s Encampment, Plans Continue for Atlanta’s Police, Fire Training Center*, The Atlanta Journal-Constitution News (Mar. 14, 2022),

<https://www.ajc.com/news/atlanta-news/amid-sites-encampment-plans-continue-for-atlantas-police-fire-training-center/QEM536GZCNBQ3DIJNNMCDR23NA/>

On March 14, 2022, Atlanta Police Foundation President, Dave Wilkinson responded to the presence of forest defenders in clear terms: “As we move forward, the enforcement will become stricter and stricter.”¹²

On May 17, 2022, law enforcement from the City of Atlanta, DeKalb County, Georgia State Patrol (“GSP”), Georgia Bureau of Investigation (“GBI”), and the Federal Bureau of Investigation (“FBI”) entered the forest, escorting private contractors hired to remove the temporary structures erected by the forest defenders. In this raid, eight forest defenders were arrested.¹³

On December 13, 2022, a multi-agency task force convened by the GBI raided the forest again, to remove “tree sitters,” their living structures, and barricades put in place to obstruct pathways within the forest. In the raid, law enforcement employed plastic bullets and chemical irritants against individuals engaged in non-violent acts of civil disobedience in trees.¹⁴ In total, twelve people were arrested and charged with the crime of “domestic terrorism.”¹⁵ The day after the raid, the Georgia Bureau of Investigation issued a press release that described the multi-agency effort as a “joint task force formed to eliminate the future Atlanta Public Safety Training Center of criminal activity.”¹⁶

In the weeks leading up to the killing of Manuel, the rhetoric and threats of violence against forest defenders surged. On January 3, 2023, in a statement posted to social media, Georgia Governor Brian Kemp “vowed to maintain the aggressive approach,”¹⁷ according to the *New York Times*. In his statement, the Governor asserted: “The only response we will give to intimidation and violence is swift and exact justice... We will bring the full force of state and local law enforcement down on those trying to bring about a radical agenda through violent means.”¹⁸

¹² *Id.*

¹³ 11Alive Staff, *Rocks, Possible Molotov Cocktail Thrown Toward Officers at Future Home Of ‘Cop City,’ APD Says*, 11 Alive News (May 17, 2022) [hereinafter *Rocks*], <https://www.11alive.com/article/news/local/cop-city-proposed-atlanta-fire-police-training-facility-protest-encampment-raid/85-fe002ab1-8bc4-4757-9e46-67c739e737ec>.

¹⁴ Dyana Bagby, *UPDATE: Police Confront Protesters at Atlanta Safety Training Site; Five Charged With Domestic Terrorism*, RoughDraft Atlanta (Dec. 13, 2022), <https://roughdraftatlanta.com/2022/12/13/police-confront-protesters-at-atlanta-safety-training-site/>.

¹⁵ John Ruch, *APD Official Reveals 12 Arrested in Protest Raids, Describes Use of Terrorism Charges*, Saporta Report (Dec. 15, 2022), <https://saportareport.com/apd-official-reveals-12-arrested-in-protest-raids-describes-use-of-terrorism-charges/section/s/reports/johnruch/>.

¹⁶ *Five Arrested for Domestic Terrorism Charges at Site of Future Atlanta Public Safety Training Center*, Georgia Bureau of Investigation (June 23, 2023), <https://gbi.georgia.gov/press-releases/2023-06-23/five-arrested-domestic-terrorism-charges-site-future-atlanta-public>

¹⁷ Alessandro Marazzi Sassoon & Rick Rojas, *Protester Killed in Firefight at Site of New Atlanta Police Center*, The New York Times (Jan. 18, 2023), <https://www.nytimes.com/2023/01/18/us/atlanta-police-center-protester-killed.html>.

¹⁸ WSBTV.com News Staff, *Gov. Kemp Says ‘Militant Activists’ Opposing APD Training Facility Will ‘Not Be Tolerated,’* Yahoo News (Jan. 4, 2023), https://finance.yahoo.com/news/gov-kemp-says-militant-activists-232158454.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xILmNvbS8&guce_referrer_sig=AQAAABFKdxiKpBnN8Xk8rOQ5Dt5T3vkUnsHicMTjxulRpPijShRZkW3KaQFRC-3QBKUCoye7IwkHvoq-G3hw9Yd0ONqujvDdCt07XgLF-PtRsn6Ntlh52MmsDv

Georgia Law Enforcement Kill Manuel Paez “Tortuguita” Terán

On January 18, 2023, the Georgia State Patrol cooperated with APD and DeKalb County law enforcement to conduct another raid of the forest land occupied by protesters opposing the construction of Cop City. In so doing, officers shot environmental human rights defender Manuel Paez “Tortuguita” Terán with at least 14 bullets, producing over 50 wounds.¹⁹ Media reports suggest that Manuel was likely sitting cross-legged with their hands raised when killed.²⁰ This incident is the first police killing of an environmental human rights defender in United States history.²¹

Manuel’s death occurs in the context of increasing police violence in the United States and assassinations of environmental defenders globally. In 2024, U.S. law enforcement killed 1,366 people, making it the deadliest year on record for killings by police.²² Globally, almost 2,000 environmental activists were killed between 2012 and 2022.²³

As news of this incident spread, memorializations poured in and vigils occurred around the world.²⁴ Manuel’s killing set off a global ripple of solidarity among communities confronting twin existential threats: police violence and ecological collapse.²⁵

Repression of the Right to Protest in Defense of the Atlanta Forest

Domestic Terrorism Charges Against Human Rights Defenders

[EKrf3jB-bhx9aNG-K3RS9eXNTxA_TXkbbvnfsRrn7FrB6t7WuZUTq](https://twitter.com/GovKemp/status/1610390370923286533). See also Governor Kemp’s post on X, available at, <https://twitter.com/GovKemp/status/1610390370923286533>.

¹⁹ Rosana Hughes & Caroline Silva, *Autopsy: Gunshot Residue ‘Not Seen’ on Activist Killed At Police Training Center*, The Atlanta Journal-Constitution News (Apr. 20, 2023), <https://www.ajc.com/news/crime/activist-killed-at-police-training-center-site-had-more-than-50-gunshot-wounds-autopsy-finds/RSL5T2D7WJDXNIULLBL6ZUZADE/>.

²⁰ Although authorities claimed that Manuel fired shots at officers, a second autopsy resulted in findings that raise doubts about officer claims, available at, <https://theintercept.com/2023/04/20/atlanta-cop-city-protester-autopsy/>; Collin Kelley, *Update: Autopsy Shows Cop City Activist Was Seated With Hands Raised When Shot*, RoughDraft Atlanta (Mar. 13, 2023), <https://roughdraftatlanta.com/2023/03/13/report-autopsy-shows-cop-city-activist-was-seated-with-hands-raised-when-shot/>.

²¹ Timothy Pratt, *Shot 14 Times, No Charges For Police: Family’s Grief Over Death Of Cop City Activist*, The Guardian (Oct. 8, 2023), <https://www.theguardian.com/us-news/2023/oct/08/cop-city-activist-tortuguita-georgia-manuel-paez-teran>.

²² N’dea Yancey-Bragg, *US Sets Another Grim Record for Killings by Police in 2024*, USA Today (Feb. 26, 2025), <https://www.usatoday.com/story/news/nation/2025/02/26/police-killings-2024-data/80281722007/>.

²³ *Almost 2,000 Land and Environmental Defenders Killed Between 2012 and 2022 for Protecting the Planet*, Global Witness (Sept. 13, 2023), <https://www.globalwitness.org/en/press-releases/almost-2000-land-and-environmental-defenders-killed-between-2012-and-2022-protecting-planet/>.

²⁴ Stop Cop City, *Memories of Tort*, available at, <https://stopcop.city/memories-of-tort/>; <https://kolektiva.social/@waffle1312/109716790306612309>

²⁵ *Statement About the Death of Tortuguita from Athens, Greece*, Atlanta Community Press Collective (Jan. 19, 2023), <https://atlpresscollective.com/2023/01/19/statement-about-the-death-of-tortuguita-from-athens-greece/>.

In 2017, the Georgia General Assembly passed a state statute purporting to target acts of domestic terrorism, in response to white gunman Dylann Roof killing 9 worshippers in a Black church in nearby South Carolina. The law provides:

(2) “Domestic terrorism” means any felony violation of, or attempt to commit a felony violation of the laws of this state which, as part of a single unlawful act or a series of unlawful acts which are interrelated by distinguishing characteristics, is intended to cause serious bodily harm, kill any individual or group of individuals, or disable or destroy critical infrastructure, a state or government facility, or a public transportation system when such disability or destruction results in major economic loss, and is intended to:

(A) Intimidate the civilian population of this state or any of its political subdivisions;

(B) Alter, change, or coerce the policy of the government of this state or any of its political subdivisions by intimidation or coercion; or

(C) Affect the conduct of the government of this state or any of its political subdivisions by use of destructive devices, assassination, or kidnapping.

Violations of this felony statute carry penalties of 15-35 years.²⁶

On December 15, 2022, Cop City protesters became the first people arrested and accused under this law in Georgia history.²⁷ Following the January 18, 2023 raid in which Manuel was killed, additional protesters were charged. Later, in June 2023, an additional 23 people were similarly arrested and accused by law enforcement.²⁸ In total, 42 people have been arrested and accused of domestic terrorism for acts that range from sleeping in hammocks to throwing fireworks.²⁹ No one has been charged for any conduct even remotely similar to the racist violence of Dylann Roof, despite that tragedy being the impetus for the 2017 law. Rather, the statute is being wielded to incarcerate protesters who oppose racial terror and state violence.

Racketeering Charges Against Human Rights Defenders

On September 5, 2023, Georgia Attorney General Chris Carr announced the prosecution of 61 people in an indictment under Georgia’s Racketeer Influenced and Corrupt Organizations Act

²⁶ Ga. Code Ann. §§ 16-11-220, 16-11-221.

²⁷ Associated Press, *5 Protesters Arrested at Atlanta Police Training Center*, WABE (Dec. 15, 2022), <https://www.wabe.org/5-protesters-arrested-at-atlanta-police-training-center/>.

²⁸ Odette Yousef, *Rights Groups Are Alarmed Over Domestic Terrorist Charges in ‘Cop City’ Protests*, NPR (June 28, 2023), <https://www.npr.org/2023/06/28/1184726273/rights-groups-are-alarmed-over-domestic-terrorist-charges-in-cop-city-protests>.

²⁹ “Police affidavits on the arrest warrants of forest defenders facing domestic terror charges include the following as alleged examples of terrorist activity: ‘criminally trespassing on posted land,’ ‘sleeping in the forest,’ ‘sleeping in a hammock with another defendant,’ being ‘known members’ of ‘a prison abolitionist movement,’ and aligning themselves with Defend the Atlanta Forest by ‘occupying a tree house while wearing a gas mask and camouflage clothing.’” Natasha Lennard, *The Crackdown on Cop City Protesters is So Brutal Because of the Movement’s Success*, The Intercept (Jan. 27, 2023), <https://theintercept.com/2023/01/27/cop-city-atlanta-forest/>.

(commonly referred to as “RICO”).³⁰ This indictment, in unprecedented fashion, alleges that the belief systems of those opposed to the construction of Cop City constitute a criminal enterprise. The document begins by maligning organizing tactics such as mutual aid as nefarious. By doing this, the Georgia Attorney General lays the groundwork for criminalizing conduct as benign as purchasing camping supplies as an overt act in furtherance of an ideological conspiracy.³¹ The far-reaching implications of this indictment include chilling freedom of expression, freedom of assembly, and community organizing that centers the well-being of marginalized communities most impacted by state violence and mass incarceration.

Of note, the date alleged as the inception of this “conspiracy” coincides with the day that George Floyd was killed by Minneapolis Police. The killing took place over a year before the land lease was approved to make way for Cop City and two years before funding was approved for the project. By connecting those indicted in 2023 to events leading to the mass protests of 2020, the government is explicitly positioning the movement opposing Cop City as a response to the global movement to end state violence against Black people in the U.S.³² The latest attempts by Georgia officials to punish and intimidate protestors through the criminal legal system is only one of many examples of states across the country forcefully suppressing civic space. Since 2020, lawmakers across the United States have introduced over 100 bills aimed at punishing or restricting protest-related activity.³³

The RICO indictment of Stop Cop City advocates reveals significant surveillance of mundane organizing activity including the purchasing of equipment and communication between organizers through various encrypted messaging applications. Georgia’s Attorney General concedes that much of the communication is benign, but without pointing to corroborating evidence, alleges that those surveilled intend to commit property damage.³⁴ Thus, surveillance serves as the basis for dangerous conjecture on the part of the state resulting in formal criminal charges being filed for otherwise lawful conduct.³⁵

³⁰ R.J. Rico, *61 Indicted in Georgia on RICO Charges*, Associated Press (Sept. 5, 2023), <https://apnews.com/article/atlanta-cop-city-protests-rico-charges-3177a63ac1bd31a1594bed6584e9f330>. See the text of the indictment, which was secured before the government announced its existence, *available at*, <https://www.fultonclerk.org/DocumentCenter/View/2156/CRIMINAL-INDICTMENT> [hereinafter RICO Indictment].

³¹ For example, Count XI of the indictment alleges one count of Money Laundering by bail fund organizers for allegedly providing \$93.04 to an organizer for the purpose of purchasing camping supplies.

³² Ahmed, *supra* n.8.

³³ Philip Bump, *It’s Not Just Protesting: Legislators Have Introduced 100 State Bills Targeting Protesting*, The Washington Post (May 13, 2021), <https://www.washingtonpost.com/politics/2021/05/13/its-not-just-voting-legislators-have-introduced-100-state-bills-targeting-protesting/>.

³⁴ See RICO Indictment, *supra* n.89, at 43-44, “Communication from the Defend the Atlanta Forest management is conducted in many ways. Indeed, communication among the Defend the Atlanta Forest members is often cloaked in secrecy using sophisticated technology aimed at preventing law enforcement from viewing their communication and preventing recovery of the information. Members often use the dark web via...end-to-end encrypted messaging app Signal or Telegram, or use hand-held radios such as walkie talkies while in the forest...The communication paints itself as a ‘call to action’ so that its appearance is benign; nevertheless, Defend the Atlanta Forest members are aware of the purpose of these calls to action, and they include violence...”

³⁵ Numerous memos published by the Atlanta Police Department Homeland Security Unit detail social media monitoring of Stop Cop City organizers, keeping records of flyers, posts and other communication, available at <https://drilled.media/news/drilled-trfst-CopCity>; see also Cody Bloomfield, *The Cop City Shuffle: FOIA and*

Atlanta Mayor Andre Dickens, the Atlanta City Council, Georgia Governor Brian Kemp,³⁶ and Georgia Attorney General Chris Carr³⁷ have abused law enforcement powers to intimidate, arrest, and criminalize people opposed to the construction of Cop City.³⁸ The coordinated, bi-partisan assault on the social movement opposing Cop City is an extreme escalation of ongoing repression of recent civil society opposition to police killings of racial minorities in the United States.³⁹ The arrest of human rights defenders prompts concern.

Manuel's brutal killing by state actors and the subsequent lack of accountability is emblematic of an alarming pattern in the United States of suppression of civic space and unchecked police terror carried out against civilians. Additionally, the recent \$660 million verdict against Greenpeace finding the environmental NGO guilty of defamation for opposing the Dakota Access Pipeline demonstrates how corporations are using Strategic Lawsuits Against Public Participation (SLAPP) to silence dissent. As climate pressures accelerate, the state and private sector work to criminalize and chill environmental defense.

In light of the United States' use of excessive and lethal force and weaponization of criminal charges against activists, we encourage the Special Rapporteur to publicly condemn the murder of Manuel Paez "Tortugueta" Terán and subsequent criminal prosecutions of protestors and to meaningfully implement the United Nations Declaration on Human Rights Defenders to ensure the protection of EHRDs.

Respectfully submitted,

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Protestor Surveillance, Defending Rights & Dissent (Sept. 28, 2023),
<https://www.rightsanddissent.org/news/stop-cop-city-foia/>.

³⁶ Atlanta News First, *Gov. Kemp Calls Violence at Police Training Center 'Outrageous'*, YOUTUBE (Mar. 6, 2023)
<https://www.youtube.com/watch?v=imorhNjDxiA>.

³⁷ Doug Richards, *Georgia's Attorney General Speaks on Public Safety Training Center Prosecutions*, 11 Alive (June 26, 2023),
<https://www.11alive.com/article/news/crime/attorney-general-carr-cop-city-prosecutions/85-07b095b2-be86-42dd-963e-4730699e1b3f>.

³⁸ Timothy Pratt, *'Cop City' Activist's Official Autopsy Reveals More Than 50 Bullet Wounds*, The Guardian (Apr. 20, 2023), <https://www.theguardian.com/us-news/2023/apr/20/manuel-paez-teran-autopsy-cop-city>.

³⁹ "Bipartisan is defined as 'relating to or involving members of two political parties.' In a two-party system, like in the United States, bipartisan typically refers to any bill, act, resolution or any other action of a political body in which both of the major political parties, Republicans and Democrats, are in agreement." Here, it is significant to note that there is a concerted effort by both political parties in Georgia to construct Cop City despite protests by human rights defenders. *Bipartisan*, Ballotpedia, <https://ballotpedia.org/Bipartisan> (last visited Apr. 4, 2024); Char Adams, *Experts Call 'Anti-Protest' Bills a Backlash to 2020's Racial Reckoning*, NBC News (May 18, 2021), <https://www.nbcnews.com/news/nbcblk/experts-call-anti-protest-bills-backlash-2020-s-racial-reckoning-n1267781>; Zohra Ahmed & Elizabeth Taxel, *How Georgia Indicted a Movement*, The Nation (Sept. 12, 2023), <https://www.thenation.com/article/society/cop-city-indictment-atlanta/>.

