



Climate Action  
Against Disinformation

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# Fossil Fuel Ad Bans: protecting the public from corporate climate disinformation



Clean Creatives



# Fossil fuel ad bans are already here

Climate change is here, now, causing harms; not a potential risk in the far-flung future. The science is [uncompromising](#): the sooner we stop burning fossil fuels the better. The economics are favorable now that building new clean energy is cheaper than running old coal. Yet around the world, fossil fuel use persists as the status quo, entrenched in political parties and parliaments as an industry using every trick in the book to cling to power. While billionaires and corporate lobbyists make generous donations, the public face of the industry is defined by its advertising, where it drapes itself in positive imagery.

The fossil fuel industry, just like the tobacco industry before them, has spent decades [advertising, explicitly to normalize their operations and mislead consumers](#) about the [dangers](#) of their product and even promote polluting products as climate solutions.

That's why there is [broad public support](#) for an [emerging global consensus](#) on [banning fossil fuel ads, like tobacco ads](#). That oil companies and high-carbon advertisers shouldn't be allowed to pollute the information environment with greenwashing and disinformation is hardly fringe, as demonstrated by UN Secretary-General Antonio Guterres' [call for national bans on fossil fuel advertising](#) and the [IPCC's warnings](#).

Similar [enforcements](#), [call-outs](#) and [successful campaigns](#) are already underway in 10 [countries](#) including [Australia](#), [Canada](#), [Ireland](#), and [South Africa](#) and over 50 cities and [municipalities](#) all [around the world](#). In [France](#), a partial fossil ad ban was adopted on national level, banning ads for gasoline. And a 1989 directive against ads that are "grossly prejudicial to the protection of the environment" has led legal campaigners to argue that misleading [fossil fuel ads are already illegal in the EU](#).

In the US, ads simply need to be [demonstrably false or misleading](#) to be considered illegal under existing false advertising rules, and therefore not protected free speech. And in Congress, an investigation into the industry's "[Denial, Disinformation and Doublespeak](#)" has already established extensive evidence of the industry's deception. Existing US federal and state "[failure to warn](#)" statutes require companies to inform consumers of harms associated with their products (like side effects of medications), meaning a full enforcement of false advertising statutes could result in a de facto ban on fossil fuel advertisements. (In addition to [putting a stop to fraud!](#))

[Studies that tally deaths](#) from [climate change](#) find hundreds of thousands of people have died as a result of fossil fuel driven climate change. That's the central fact the industry has spent [at least a billion dollars](#) trying to offset with ads, complemented by another [\\$2 billion funnelled through trade associations: 27 times](#) more than climate-friendly groups.



# Fossil fuel ad bans are smart strategy

The fossil fuel industry uses advertisements, disinformation, greenwashing, and other public relations tactics from the “[product defense industry](#)” to preserve its “social license to operate,” preventing the public from demanding protections against pollution. And when the public does demand action, it uses ads and PR to weaken or co-opt those policies, or [position itself as a climate hero](#). Severing the industry’s ability to buy its way into the public’s good graces with feel-good advertising removes a hurdle to building public demand for climate action.

It’s not just ads for polluters themselves that are the problem, either. Advertising for high-carbon lifestyles through luxury flying or purchasing an SUV are part of the daily advertising background noise, making people feel like choosing to pollute more than you need to, drive to the corner store or fly somewhere nearby for vacation is not only normal, but desirable. As long as a fossil fuel lifestyle is considered normal, climate policy that focuses on demand reduction will never gain enough support to successfully meet the Paris agreement goals. Fossil fuel ads are an obstacle to equitable climate action.

There’s no way the climate and reality-based community can raise enough money to compete evenly with the industry in gaining public attention. But by turning public attention to how the industry uses advertising to mislead the public, we can turn the industry’s overstuffed ad budget into the anchor that sinks it.

And with the [fossil-fuel-funded criminalization](#) of even the [most peaceful possible protests](#), advertisements provide a daily target, in both digital and real-world spaces, that can be dissected and disarmed through strategic communications instead of physical confrontations, providing a safe and easy

alternative to real-world “[subvertising](#)”, where ads are parodied or edited in real life with paint, markers, or other artistic medium.

Advertising doesn’t just persuade people to buy fossil fuels, it normalizes the industry’s disinformation and false advertising slogans, making it seem reasonable to claim the bad actors causing climate change [will solve climate change](#) because it’s been plastered on [buses](#) and [billboards](#) and banner [ads](#), in [YouTube commercials](#) and in influential media, read by many politicians, like [the New York Times](#), occupying both real life and digital spaces, in [museums](#) and [universities](#) and [video games](#) and [every other cultural institution](#) imaginable. [Sports](#) partnerships [alone](#) account for at least \$5.6 billion dollars in fossil sponsorships spanning 205 different deals, [the New Weather Institute found](#).

Every one of those sponsorships is intended to make people think of a harmful industry as a generous benefactor, and represents a possible organizing target as those institutions can be pressured to drop the association with the fossil fuel industry. [Each and every time one does, we win](#) and the [industry loses](#) a little [more](#) of its social license to operate.



# Tobacco-Style Fossil Fuel Ad Bans **Save Lives**

In [Lancy, Switzerland](#), all commercial ads are being removed from public spaces, while US states at opposite ends of the map, Vermont, Maine, [Alaska](#) and Hawaii have banned billboards all together, as have middle-America cities like Houston and Kansas City. While though these are largely because ads are ugly and unpopular, bubbling up from cities and towns to [countries like France, Australia, the Netherlands](#), and [Canada](#) is an idea both radical and routine: reclaiming public space from fossil fuel ads, for our [health](#).

From [Edinburgh](#) to [Amsterdam](#) to [Sydney, Australia](#), policymakers are protecting the public from the harms of fossil fuel advertisements, [just like tobacco advertisement regulations](#). And as Kathy Mulvey of the Union of Concerned Scientists and a civil society witness to the global tobacco treaty negotiations [explained](#), there's a "clear parallel between the tobacco industry's 'youth smoking prevention [campaigns](#)' and today's ubiquitous greenwashing ad campaigns from fossil fuel giants ExxonMobil, Chevron, BP, and Shell touting their 'low-carbon solutions' (which are too little, too late)."

In agreement are over 700,000 Canadian health professionals, who [signed an open letter](#) calling on the government "to step up and lead with bold restrictions on the promotion and marketing of harmful fossil fuel products and industries" and laying out the health benefits from doing so. "The fight to control tobacco is a reminder that we can achieve great things when faced with conclusive scientific evidence of a major public health threat. We now need the same clear-eyed policy leadership to tackle the public health threat posed by the production and combustion of fossil fuels," the letter concludes.

World Health Organization Public Health and Climate Director Maria Neira [affirmed that](#) "Fossil fuels are the new tobacco: we need the same tools as against tobacco. We need to fight against their lobbying, against their advertisements, against their glamorisation. We need a legally binding treaty on fossil fuels that goes even further than tobacco. In the name of health."



# Legal Accountability

## Courts Success

In hundreds of cases all around the world, climate change is on trial. And when it's in front of a jury, we're seeing climate action win. Dr. Michael Mann [won a \\$1,000,000 settlement](#) for the climate disinformation directed at him, youth activists in [Montana](#) and [in Hawaii have won](#) in US state courts, Swiss women [won in EU court](#) and small island [states have won in international court](#), and [thousands more cases](#) are winding their way through local, national, and international judicial systems around the world.

Then there are the greenwashing cases in the EU and related complaints to advertising watchdogs around the world; clearly, [the momentum is building](#). Between 2017 and 2022, the number of cases filed more than doubled in the US, growing to 1,522, and nearly tripled everywhere else with 658 cases in non-US jurisdictions, for a cumulative change of 884 in 2017 to 2,180 by the end of 2022, [as compiled by the Sabin Center at Columbia Law School](#).

These suits will no doubt continue to multiply [as survivors of climate disasters demand justice](#), and while the fossil fuel industry and opponents of climate action will create procedural, jurisdictional, and other technical roadblocks irrelevant to the facts of the climate crisis, the tobacco industry's experience once again provides a helpful history. Those harmed by tobacco-related illness and their grieving survivors brought cases, unsuccessfully, for decades before the tobacco industry felt pressured to negotiate a settlement rather than face claims for the damages it covered up as it caused.

Just as legal accountability efforts step in when regulations fail to protect the public from polluting facilities pumping toxins into the ground or water, litigation to address the fossil fuel industry's pollution of the information ecosystem is a way to stop the

ongoing harm, and recover resources from the industry to begin repairing the damage.

Scientists have identified the [threat misinformation's use poses](#) to [democracy around the world](#), and the UN has similarly identified [information integrity](#) as a priority for maintaining healthy, informed and empowered electorates around the world.



# Corporate Campaigns: PR to clean up PR

Governments are slow to move in the face of concerted lobbying by the fossil fuel industry and its allies, making durable and comprehensive fossil fuel advertising bans a long-term policy prospect. To build our way there, corporate campaigns aimed at the same target, the fossil fuel industry's social license to operate, can secure repeated wins. Those wins can be leveraged for generating attention and momentum that scales up from individual companies to industry-wide self-regulating bodies and best practices among the enabling industries, like Public Relations and Finance, that would make fossil fuel corporations untouchable for primarily economic reasons.

In the same way that financial divestment campaigns have [raised capital costs](#) and toxified fossil fuels in the financial sector, campaigns to cut off talent and creative industry support for fossil fuels can add significant friction to polluter PR and make it more difficult to distribute misinformation.

For example, [the Clean Creatives](#) campaign is only four years old, yet has already secured commitments from [over 1,200 creative agencies](#) across 64 countries to stop making ads for fossil fuel industry clients, as well as an additional 2,300 individual creatives that signed the pledge to quit working for the fossil fuel industry.

They do so in part by making an example of bad actors, like [Edelman](#), the world's biggest PR company, that violated its own climate principles by [working for Charles Koch](#), one of the biggest funders of climate disinformation in the world. And the consequences are real, for example its work with Shell cost holding company [Havas its B Corp status](#) as a result of a member complaint organized by Clean Creatives.

These tactics are aimed at three of the ad industry's key vulnerabilities, over which advocates can exert power. The first is the brand's reputation, which can be challenged by revelations of their deceptive work for the fossil fuel industry. The second is the talent, the young creatives who are the lifeblood of creative and PR firms, and who are refusing to sell out their future to work with the industry. Third are the clients, consumer-facing brands who want to be associated with good things (climate action) and not bad things (lying polluters) and can be leveraged to apply pressure on PR companies.

Corporate campaigns provide an avenue for bottom-up advocacy, building and demonstrating momentum and demand for public protections that cut off fossil fuel misinformation.



# Advertising Finances

## Climate Disinformation

Advertisements are key to the public relations campaigns fossil fuel companies have funded over decades to keep the public from demanding solutions, and [policymakers at the highest levels have documented the harms](#). Yet that hasn't slowed down the [industry's spending on greenwashing and similar ads](#), which far outweighs what it's investing into actual clean energy research and development. But that's only the beginning, as the advertising industry can also be a source of revenue for disinfluencers.

By uncovering the digital transactions that facilitate the spread of disinformation, groups like [Check My Ads](#) are applying the classic mantra of sunlight being the best disinfectant to the digital shadows of advertising technology. In doing so, they're severing a financial incentive for spreading mis+disinformation, as well as eroding the disinfo industry's larger social licence to operate in the ad industry with impunity and without accountability.

Targeting the advertising industry's links to the disinformation chain severs the financial feedback loop that uses engagement to drive views that are then sold to advertisers.

This direct, financial consequence is coupled with the indirect social pressure of being revealed as so objectionable that even advertisers avoid the site. The combination makes them less useful as propaganda centres, as they've lost credibility with mainstream audiences as even remotely objective sources. That leaves them a considerably less attractive investment for their billionaire backers, an existential threat to their business.

The individual, bad-actor-focus approach provides another unexpected benefit in that it provides an incentive for the advertising industry as a whole

to institute its own codes of practice. Advertising companies are keenly aware of the importance of public sentiment, given that it's part of their duty to protect the brands they represent from bad exposure. When they're exposed endangering the brand safety of the companies paying them, they often take action to cut off the source of the rot. For example, the adtech company Teads [removed Townhall](#), a known climate disinformation site, from its inventory after being called out. External pressure can get the industry to clean up its own mess.

And groups like the [Conscious Ad Network](#), which contains members from both the advertising industry and civil society, have created manifestos around both sustainability and misinformation, which aim to change the way that advertising is bought, sold and made. In addition, their participation in the consultations was vital in the development of the advertising recommendations within the UN Guiding Principles on Information Integrity. When industry reacts in this way, the external pressure is translated to internally-driven change across the sector, although this change will not result in bans.





# Everything is Necessary, Nothing is Sufficient

In the same way the climate crisis demands a phase out of fossil fuels and therefore reductions are necessary everywhere, and no single solution will be enough on its own, fossil fuel ad bans are a critical way to remove one of the many obstacles standing between the present and a climate-safe future, though not the only.

Overcoming the industry's resistance to public policy regulating its pollution is key to equitable climate action, and constraints on their ability to manipulate public opinion with disinformation will make it easier to win every future fight against fossil fuels.

The ban on tobacco advertising was a turning point in public perception of the industry, marking a consensus that it is officially no longer normal for smoking to be ubiquitous, celebrated and socially acceptable. Did it destroy the industry? Hardly.

But it made it clear that the industry was not going to clean itself up voluntarily, could not engage in good faith on smoking reduction efforts, and would not be honest with the public in its promotional materials.

The same is undoubtedly true of the fossil fuel industry.

Hundreds of thousands of doctors agree. Thousands of PR people are on board. Hundreds of lawyers are working cases on this premise in and out of courtrooms around the world.

Fossil fuel ad bans are a critical step in catalysing public demand for climate action into meaningful, equitable, comprehensive and durable climate solutions. If you're in a hole, the first thing you should do is stop digging. Allowing high-carbon advertisements is like paying to promote digging instead of reversing course and climbing out of the hole.

Constraining the fossil fuel industry's ability to manipulate the public with money through advertising is a critical measure to [protect the free speech of the scientists](#) and [advocates](#) fighting for climate justice, and therefore facing backlash from the industry.

If we should stop burning fossil fuels, we should definitely stop promoting them!