HOW TO BAN FOSSIL ADS

in your municipality

Is your city ready to be a real climate frontrunner? You can prevent fossil ads from greenwashing our public spaces, promoting extra air pollution and undermining the urgency of the climate crisis. Let's free our streets from fossil ads, so we can reclaim public space, breathe clean air and grow the societal support for the just, swift and green transition we need!

Start!

please upload your win to www.worldwithoutfossilads.org

and find other active campaigns, research and the full version of this toolkit there!

HOW TO BAN FOSSIL ADS

Tips and suggestions

➔1: Find out what the current ad policy is in your municipality.

Depending on the procedure in your country, submit (technical) questions, contact civil servants or in another way find answers on questions like:

1. **What kind of advertising contracts currently exists, with who and until when?**
2. **What kind of ad policy exist currently and how can council members influence it?**
3. **Is the municipality board aware of the negative influence on health and climate?**

➔2: Decide on your definition and scope.

Recommended definition: Advertising by or for the fossil fuel industry (companies and interest groups in the coal, oil and/or gas sector), the aviation sector and fossil products and services (fossil fuels, airline holidays, airline tickets, fossil electricity contracts, gas contracts, cruise travel and cars, motorbikes, mopeds and scooters with a fossil or hybrid fuel engine).

As sponsoring is an increasingly important and visible part of fossil PR, consider whether you want to explicitly include fossil sponsoring, e.g. in public space or on municipal land.

➔3: Have your arguments ready, including replies on common counterarguments.

Fossil advertising promotes the use of the most polluting products and the greenwashing message of the fossil industry. Fossil ads mislead consumers and policy makers about the impact of fossil fuels, legitimize polluting industries and undermine the urgency of the climate crisis. Just in the EU, airline and automotive ads cause an additional 41 - 122 MtCO2-eq of emissions, comparable to the GHG emissions of Denmark (46) and Belgium (117) respectively. The IPCC stated in their 2022 report that 40-70% of necessary emission reductions can be reached through government policy sparking fast changes in behaviour, suggesting regulation of fossil ads. The Potsdam Institute recommends fossil ad regulation to trigger social tipping points (changes in mindset and behaviour fast enough to divert as much as possible from physical tipping points in our climate system).

What about freedom of speech? ➔ Most lawyers agree that other human rights, like the right to health, outweigh the freedom of commercial enterprises to promote their polluting and climate harming products and businesses. Many countries have prioritized the right to health over the freedom of commercial speach of tobacco companies.

What about revenue? ➔ Many other advertisers exist. Let's make room for real green ads or green space in cities instead of putting citizens in danger of air pollution, enhanced climate breakdown and misleading ads. Banning fossil ads is a cheap but effective policy proposal that can be deployed right away and which contributes to the support needed for additional green policy proposals municipalities need to put in place.

Do we really need a ban, or can we use softer approaches? ➔ The fight against tobacco ads has shown us that partial bans don't work. WHO puts it like this: 'the industry simply diverts resources' as 'partial bans fail to include all indirect or alternative forms of promotion'. We need to integrally ban fossil ads to trigger the mindset change necessary and to strip the fossil industry of their licence to continue with 'business as usual'.

➔4: Set up a (public) pressure campaign.

Need to convince specific political parties? Consider which part of their constituency you can mobilize to e.g. sign a letter to them to support a fossil ad ban. Check our website to see successful campaigns by Australian, Canadian and Dutch doctors calling for a fossil ad ban from a public health perspective.

➔5: Consider regional or national steps.

Enhance your influence by banning fossil ads in your state/province. Contact your party board and make a fossil ad ban part of your national party program. Lobby with the national Minister of Climate or Health to ban fossil ads. Check our website for international examples on local, national and EU level campaigns.

Read more on www.worldwithoutfossilads.org

Annex 1: Find out what the current ad policy is in your municipality

Before handing in a motion or local law proposal, it can be useful to acquire some background information first. Most importantly: how can your municipality ban fossil ads in an effective way that suits the political climate of your hometown, province or state? This is often achieved by asking several questions to the political body responsible for policy making. We summed up a couple of questions that have already been asked by several political parties. Pick the questions that suit your situation, feel free to adapt them or come up with your own!

Introductory questions:

1. **Background information**: Is the municipality aware of initiatives in other municipalities, such as Amsterdam, Liverpool and Stockholm, to ban fossil fuel advertising?
2. **Scientific research**: Is the municipality aware of research reports by institutions such as the IPCC, Potsdam Institute and [insert a national example if you have one] on the harmful effects of advertising for fossil fuels?
3. **Optional comparison**: Does the municipality agree that restricting smoking advertising can reduce excessive tobacco consumption and thereby reduce related health risks?

Technical questions

1. **Exploratory question**: What is the current status of the procurement of advertising concessions for bus shelters, billboards and advertising display cases, what contracts are currently in place with what end date and with which operators and/or companies?
2. **Exploratory question (continued)**: What does the municipality plan to do after these contracts expire, what is the procurement process at the moment and to what extent does sustainability play a role in that process?
3. **Exploratory question (continued)**: Does the municipality plan to include in the tender that certain advertisements - such as fossil advertisements - should not be shown?
4. **General question on "harmful" advertisements**: Does the municipality currently consider the negative effects of advertisements on public health and the environment when granting concessions for billboards in public spaces? If yes, can the municipality explain this policy? If not, is the municipality willing to limit advertisements for polluting and harmful products on public billboards?
5. **Specific question on "fossil" advertisements**: Does the municipality share the view that advertising for products of fossil big polluters is contrary to [the municipal/national sustainability policy, such as the Paris Agreement] and the desire to become climate neutral in the future because it normalises environmentally polluting behaviour? If not, why not? If so, what role does the municipality see for itself in addressing this contradiction?
6. **Finding common ground**: Does the municipality believe that restricting or banning fossil fuel advertising could reduce demand for these products, similar to banning tobacco advertising, and encourage the transition to cleaner energy sources?
7. **Finding common ground**: Does the municipality consider it desirable to at least reduce advertising for fossil products?

8. **Exploration of options**: What legal options does the municipality see for banning advertisements that encourage harmful behaviour from the city? Is the municipality prepared to use these opportunities to restrict fossil advertisements? If not, why not? If so, how and within what timeframe?
9. **Proposal consideration**: What opportunities and obstacles does the municipality see for including a ban on advertising climate-damaging and/or fossil products in e.g. a local ordinance or advertising policy?
10. **Direct proposal**: Is the municipality considering drawing up rules for advertising in the city and including them in [the local ordinance or municipal law]?
11. **Timeframe**: When is the revision of [the local ordinance or advertising regulation] on the [City Council's] agenda?
12. **Short-term cost considerations**: What are the costs and possible obstacles if the [municipality, province or state] enters into new agreements with advertising operators within a few months to ban advertisements for climate-damaging products from public spaces? How can any obstacles be addressed and what is the role of the [municipal council, province or state] in this?
13. **Long-term cost considerations**: Does the municipality have any idea what the costs and obstacles are going to be from the extra emissions created by the advertisements - via extra sales of products and services - and what this means for the health and safety of the [city, province or state]?

If there is no chance of an immediate commitment:

14. **Commitment to engage in discussions:** Is the municipality willing to discuss with the [central government] and other relevant bodies for a [city, province or nationwide] ban on fossil advertising?
15. **For International context**: Is the municipality prepared to consult with the [central or other governments] and other relevant agencies if it appears that the [municipality/province or state] itself does not have the power to restrict advertising of climate-damaging and fossil products from major polluters? If not, why not? If so, within what timeframe will this consultation take place?
16. **Proposal for a future ban**: Does the municipality see opportunities to agree on a ban on advertising climate-damaging and fossil products when reviewing contracts with advertising operators or when entering into new contracts? Can the municipality elaborate on these possibilities?

Annex 2: Definition of Fossil Advertising

Fossil advertising, what exactly is this? There are several definitions doing the rounds. The biggest difference between these is the boundary of what would still be considered a fossil ad. First of all it is important to realize that fossil advertising aims to promote the use and acceptance of fossil fuels and related products through various media and channels, such as television, radio, print, both online or in public spaces. The most comprehensive definition of fossil fuel advertising that we use is:

"Fossil ads are

> 1) all forms of promotional activities deployed by the **fossil fuel industry and the aviation industry.** This includes companies, interest groups or organisations within the coal, oil and gas, and/or aviation sector, and
> 2) advertising aimed at promoting **fossil fuel products and services**. This could include fossil products such as petrol, electricity contracts using fossil fuel sources, airline tickets, cruise travel, cars, motorbikes, mopeds and scooters powered by fossil or hybrid fuel engines."

This definition highlights the broad scope of advertising activities related to fossil industries and products, and provides clarity on the industries and products covered by the term. This is the most comprehensive definition, which we encourage everyone to use.

In political practice we see other definitions being used, mainly to get a majority in the municipality to vote for the motion. Some further reading on our reasoning by making the definition you can find on the next few pages. Find an example motion text here, an example local law proposal here and why to consider a local law change over motions here.

1. Why take a broad scope for the fossil fuel industry?

The most common stricter definition we see being used in motions is to only get ads for fossil fuel products - like flights and cars - banned. Although we understand this might be an easier definition to explain to the outside world, it is important to also bring in all the advertising by the fossil fuel industry into your definition. Why? The answer is tobacco: we see that the tactics being used by the tobacco industry are now being used by the fossil fuel industry.

We initially saw this phenomenon when tobacco industry advertisements were abolished. Parties initially chose to ban specific products, in this case cigarettes. However, the tobacco industry then started making advertisements for lighters, cigarette papers, clothing and did a lot of sponsoring of sports so their message and brand could still be seen everywhere. That's why now all advertising by the tobacco industry is banned (at least in the Netherlands, this isn't the case in every country unfortunately).

The same goes for the fossil fuel industry. If we ban only fossil products such as petrol, it is still possible for companies like Shell to advertise their small-scale green projects, even though this is only a very small

part of their activities. This gives the impression that these companies do a lot or only green projects and are therefore doing good, while they still get a large part of their profits from fossil fuels.

So by integrally banning ads by fossil fuel companies, we both tackle emissions enhancing fossil fuel ads as well as misleading greenwashing ads. Both these types of ads are instrumental in keeping the fossil fuel industry's pollution accepted, taking out the urgency out of the climate crisis and therefore undermining support for additional climate policy that is urgently needed. Or as the WHO put it when it comes to tobacco: 'the industry simply diverts resources' as 'partial bans fail to include all indirect or alternative forms of promotion'.

2. Why include hybrid engines?

There are different views within society on the environmental friendliness of hybrid engines. It is crucial to realise that the benefits of hybrid vehicles are limited and that they will eventually have to be replaced by fully electric vehicles, more and better public transport or shared mobility to meet climate targets. Instead of actively contributing to a more sustainable future, they may give the impression that the status quo of fossil fuel and individual passenger transport is acceptable. Hybrid cars maintain the old system of petrol and oil dependence and they continue to maintain demand for fossil fuels. Investment in hybrid vehicles helps preserve technology that will already be obsolete within a few years. Also, some reports suggest that hybrid cars are even more polluting than the traditional fossil fueled cars. As our aim is system change, working towards a fossil fuel phase out, we recommend hybrid engines to be included in the definition of fossil ads.

3. Why include all promotional activities by the fossil fuel industry and its allies?

Although sponsorship is often overlooked in definitions, sponsorship is an important form of advertising for the fossil fuel industry and its allies, like airlines. Sponsorship of events such as marathons, festivals and sports competitions offers fossil fuel companies an opportunity to improve their image and showcase their activities in a positive light. They try to gain and maintain public sympathy and approval through association with popular and socially accepted events. Sponsorship can also act as a manoeuvre to divert attention from the negative environmental impact of fossil fuel companies.

Local initiatives play a major role in countering polluting and harmful sponsorship deals. It is therefore important to support these local initiatives and implement policies banning this form of sponsorship.

The fossil fuel industry also makes school materials to get their own non-scientific message across to school children from a very young age. Since this is the generation that will have to fight climate change and its drivers - the fossil fuel industry - the hardest, there's no good reason to let them be influenced by these companies. This is why we also draw attention to sponsored school materials and trips in our communication with local, regional or national governments.

Annex 3: Arguments for a fossil ad ban

What are the best arguments in favour of a fossil ad ban? And what are arguments against commonly heard counter arguments? Feel free to use other arguments that fit your situation best.

Arguments in favour

- Fossil advertising promotes the use of the most polluting products and the greenwashing message of the fossil industry.
- Fossil ads mislead consumers and policy makers about the impact of fossil fuels, legitimize polluting industries and undermine the urgency of the climate crisis.
- Just in the EU, airline and automotive ads cause an additional 41 - 122 MtCO2-eq of emissions, comparable to the GHG emissions of Denmark (46) and Belgium (117) respectively.
- The IPCC stated in their 2022 report that 40-70% of necessary emission reductions can be reached through government policy sparking fast changes in behaviour, suggesting regulation of (fossil) ads.
- The Potsdam Institute recommends fossil ad regulation to trigger social tipping points (changes in mindset and behaviour fast enough to divert as much as possible from physical tipping points in our climate system).
- Fossil ads lead to moral disengagement of consumers. Fossil ads can help people to legitimize and normalize their harmful behaviour. Awareness campaigns don't moderate that effect.
- Fossil ads, like other ads, subconsciously construct a positive association with a brand, influencing people's attitude and consumer behaviour, for example via persistent greenwashing. Claims on green investments or CO2 neutral products reduce our cognitive dissonance with actions that are not in line with our values, making people more prone to take those actions or buy those products anyway.
- It is our moral duty to provide a cleaner, more liveable world for future generations.
- We must switch from a society of excessive consumption to a society of ecological citizenship.
- Many governments encourage their citizens to adopt more sustainable consumption behaviors, for example the "Flip the Switch" behaviour change campaign in The Netherlands. Is it not contradictory that fossil companies are allowed to make and distribute advertisements that encourage increased carbon emissions? Research shows that these behaviour change campaigns on itself have little to no effect.
- A fossil ad ban can open up space for (local) small businesses and entrepreneurs, whose messages are currently drowned out by multinationals.
- A fossil ad ban is important for citizens' health. This was the reason for a ban on tobacco advertising, and it is similarly relevant now. The use of fossil fuels creates air pollution and deteriorates citizens' health and wellbeing. It also causes the climate crisis, which is the largest health threat of this century. Find all important figures and sources for health arguments to ban fossil ads here.
- After banning tobacco ads, tobacco consumption decreased. More importantly, the ban changed public perceptions of smoking and paved the way for further legislation aimed at reducing tobacco consumption. We need these consumption decreases and public perception changes also for the fossil fuel industry. More on the fight against tobacco e.g. here.

Arguments countering often heard counterarguments

What about freedom of speech? → Most lawyers agree that other human rights, like the right to health, outweigh the freedom of commercial enterprises to promote their polluting and climateh arming products and businesses. Many countries have prioritized the right to health over the freedom of commercial speech of tobacco companies.

This article by attorneys Brouwer and Van Werven explains the legal restrictions that can be imposed on freedom of expression. Reference is made to Article 10 ECHR (European law). One such limitation is the protection of human health (Article 10(2) ECHR).

Indeed, the European Audiovisual Media Services Directive obliges member states to ensure that audiovisual commercial communications do not incite behavior that is highly harmful to the environment.
Currently, however, there is not enough willingness nationally to introduce a national law, so the initiative is currently at the local or regional level. Two approaches are possible:

1. Private law (restrictions in contracts with operators).
2. Public law (general local ordinance or other policies).

It is difficult to argue why an advertising ban on fossil products would not be effective, especially because of the much greater impact of fossil fuel consumption - compared to smoking - on society as a whole. Moreover, national authorities have wide discretion when it comes to assessing the need for measures against commercial displays. Only in exceptional cases could the Court rule that such a measure is unacceptable under Article 10 ECHR.

According to attorneys Brewer and Van Werven, "[Stimulating fossil advertisements] is therefore reminiscent of the orchestra on the Titanic that keeps on playing while the ship is already sinking."

What about (municipal) revenue? → Many other advertisers exist. Let's make room for real green ads or green space in cities instead of putting citizens in danger of air pollution, enhanced climate breakdown and misleading ads. Banning fossil ads is a cheap but effective policy proposal that can be deployed right away and contributes to the support needed for additional green policy proposals municipalities need to put in place. The consequences of not banning fossil ads for health and our living environment on the other hand have severe financial ramifications, both in the short and long term.

Do we really need a ban, or can we use softer approaches? → The fight against tobacco ads has shown us that partial bans don't work. After the ban on tobacco advertising was introduced, manufacturers tried to sell their products in all kinds of cunning ways, e.g., by not advertising tobacco itself but rolling papers and lighters. Companies also worked to maintain a positive public image by sponsoring sports clubs and music venues. The WHO puts it like this: 'the industry simply diverts resources' as 'partial bans fail to include all indirect or alternative forms of promotion'. We need to integrally ban fossil ads to trigger the mindset change necessary and to strip the fossil industry of its licence to continue with 'business as usual'.

Annex 4: Public pressure campaigns

Do people still need convincing? There are several strategies for applying pressure to ban fossil advertising. Here are some recent examples.

- In Amsterdam and The Hague, there has been corporate support for initiatives to ban fossil advertising. Both cases involved an open letter drafted by Fossil Free Advertising and sent to local representatives. Both letters were signed by individual citizens, businesses, lobby groups, educational institutions and political parties, among others.

- Well-known individuals sometimes speak out on political issues. People are more likely to listen to public figures because they already know them, and this is helpful in persuasion efforts. In England, for example, there has been an appeal by celebrities from the film industry, science and business, among others, to stop Barclays bank from sponsoring Wimbledon tennis tournament, as Barclays have invested huge sums of money in fossil fuels. Sponsorship deals are a more subtle form of advertising than standard ads, but they are advertising nonetheless.

- There have been calls from the healthcare sector and the advertising industry itself to break with fossil advertising. From the healthcare sector, the “Fossil Ad Ban by Comms Declare” (Australia), “Fossil Fuels Make Us Sick by CAPE” (Canada) and "Van Wie Is De Lucht? (Who Owns The Air?)” (The Netherlands) initiatives highlight the current and future impact of air pollution on people and their health, just as healthcare professionals were important in bringing about the ban on tobacco advertising. More on healthcare campaigns here. In the advertising industry, "Fossiel No Deal", “Clean Creatives” and “Creatives for Climate” are collectives of communications professionals who have agreed among themselves to stop promoting the fossil industry, fossil transportation, and greenwashing practices.

- The British initiative Ministry for the Climate Emergency is drawing attention to the dangers of fossil pollution and fossil advertising through its own campaign entitled "Planes on the Brain". This campaign warns not only about the negative effects of air travel, but also about the major role of advertisements in promoting and normalizing flying.

- Another option is to appeal to a local political representative to take action through a petition or open letter. In Australia, the Fossil Ad Ban group did this: see below for a basic outline for a letter where only a city name needs to be filled in.

Sample letter to local representative

Dear [X],

Through this letter, I would like to ask you for a ban on the distribution of advertisements for carbon-intensive products such as gasoline cars and air travel, and the companies offering these products.

Legal restrictions already exist on advertisements for products harmful to the general population, such as tobacco, gambling and alcohol. In contrast, products that use fossil fuels and whose emissions have a major negative impact on both the current population and generations yet to be born are currently still allowed to be advertised in public spaces.

The use of fossil fuels is the main cause of the climate crisis. In addition, the use of fossil fuels creates large amounts of air pollution, which causes health problems for many people.

It should be prohibited for the companies that sell these fuels, or sell products that use fossil fuels on a large scale, to advertise in public spaces, such as in bus shelters or on digital billboards. In addition, it should be prohibited for these companies to advertise by sponsoring sports clubs or cultural centers. These ads promote the use of fossil fuels, delay the energy transition, and worsen the climate crisis. More and more cities and municipalities are implementing advertising bans for these reasons.

I kindly but urgently ask you to commit to banning fossil advertisements in [...] and thereby contribute to a better, cleaner future.

For more information, please visit https://www.worldwithoutfossilads.org/

Kind regards,

Annex 5: Campaigns at different levels

A wide variety of initiatives to regulate and ban fossil advertising have been running at different levels in recent years. Different levels of legislation each require different approaches.

Regional

- In the province of North Holland (Netherlands), a motion to ban fossil advertising as well as advertising for fish and meat in public spaces passed in December 2022. This ban applies to 500 bus shelters in the province that are outside municipal boundaries - within municipal boundaries, everything is still regulated by the respective municipalities.
- In Australia, a similar provincial-scale ban is being worked on in the province of New South Wales. If it were to come into force, this ban would not only ban fossil advertising, but also sponsorship deals, such as of sports clubs and of cultural venues.

National

- At the national level, a ban on fossil advertisements will not only apply to public spaces, but also to other venues such as public broadcasting and radio. This means that a ban at the national level could be many times more effective than at the local or regional level, but also more difficult to achieve. However, it is indeed possible.
- Ireland and Canada have proposed nationwide bills to ban fossil advertising by 2024. They are using the tobacco advertising ban as an example.
- In France, there is a national ban in place on ads for fossil fuels themselves, and work is underway to expand this legislation to also ban products with a strong negative impact on the climate, such as cars, and greenwashing ads from companies with a large negative impact on the climate.
- In the Netherlands, Minister Jetten of Climate and Energy promised on Feb. 5, 2023 that he would ask behavioral experts what the added value of a fossil advertising ban could be. The advice that followed is very clear: a ban on fossil advertising is 'essential'.

European

- Several initiatives are underway at the EU level to curb fossil advertisements. For example, on Sept. 19, 2023, regulations were approved (the Empowering Consumers for a Green Transition Directive) that state that from 2026, claims by companies that services or products are "climate neutral" can only be made if this can actually be proven. With this, claims of climate neutrality based on "carbon offsets" are also no longer allowed. In Canada, a similar law was passed in 2024.
- For the 2024 EU elections, several European political parties in France, Sweden and the Netherlands have indicated they want a ban on fossil advertising.
- Several organisations at the European level are pushing to ban fossil advertising, such as the Ban Fossil Fuel Ads coalition. The We Skip Ads initiative advocates a total ban on ads in public spaces within the EU.