MS. MAURA STEPHENS: Good day. My name is Maura Stephens. I'm a journalist, educator and activist based in the central part of New York state in the United States of America.

First I would like to thank Tom Kerns and his colleagues and all of you jurists and participants for this very important tribunal. And for shedding light on the egregious harms done by this destructive industry of fracking to people around the globe.

The testimony we present here and the evidence earlier submitted will be in support of our argument that fracking is clearly in violation of numerous articles in the Universal Declaration of Human Rights and in the Universal Declaration of Rights of Mother Earth.

I won't take time to restate them here but I have excerpted some of them on this slide. This is not a presentation of technical evidence. We have submitted that in exhibits with our Brief but we will share information that might not have come to light in other presentations.

I'm speaking today on behalf of myself and the TREMAINE & CLEMENS, INC. EUGENE, OREGON (541)343-8833
Coalition To Protect New York and all the people who volunteered their time, energy, resources and big hearts to our regional grassroots organization and its affiliated local groups.

I want particularly to credit the smaller group of co-contributors to our Amicus Curiae Brief filed in March with the Tribunal.

We have kept each other going through many failed campaigns, grief and despair even though we've also shared joys, delights of Mother Nature and a few small victories.

Many of us have been engaged in what some people call non-violent direct action but which I like to call CPR, that is creative peaceful resistance, for people and the planet.

I'd like to acknowledge these contributors here, Kate Bartholomew, Doug Couchon, Betty Ek, Jack Ossont, David Walczak, Susan Walker and Dwain Wilder.

The Coalition To Protect New York is determinedly grassroots and 100% volunteer and we are self-funded. We thrive to protect the water rich, wildlife abundant, clear air filled, fertile lands on which we're fortunate to find ourselves.

We bear the burden of the knowledge that these lands we love so much were seized in what we would
certainly now consider criminal acts by European colonists. And we recognize and honor the original human inhabitants of those lands, the Haudenosaunee Confederacy or the People of the Longhouse. In their governance structure nature, law and society are equal partners, each playing an integral role.

That makes sense to us. The Haudenosaunee Confederacy is known as the longest participatory democracy on earth. Its first Five Nations, the Cayuga, Mohawk, Oneida, Onodaga and Seneca were later joined by the Tuscarora and became known as the Six Nations. Some of the beautiful finger lakes in our area have adopted the names of these nations.

I want to give you a sense of where we are on Mother Earth. This is North America. Now we'll zoom in a little closer to show some of the southern eastern Canada and the northeastern United States. As you see New York state's northern border is Canada as well as lakes Ontario and Erie, two of the five great lakes, the largest group of freshwater lakes on earth by total area and second largest by total volume.

They contain 21% of the world's surface freshwater by volume. That is rich indeed and we are very aware that we live in the one of the places most blessed with freshwater in a time of decreasing water.
around the globe.

Most of our region falls within the Great Lakes watershed. We are in the central and southern part of the state, which includes the Finger Lakes. The region is mostly rural but we do have a few cities, including Binghamton, Syracuse and Rochester and the smaller cities of Corning, Elmira and Ithaca.

We work very closely with allies throughout the rest of New York state, including New York City, which is about four hours drive to the southeast.

We also maintain close ties with people in other states and countries, most notably our very next door neighbors to the south in Pennsylvania, about whom we will talk at length in a little while.

The Finger Lakes region has become famous for not only the beauty of the landscape, rolling hills, gorges and rivers and water falls, middle growth forests, farmland increasingly devoted to organic crop growing, but also for its festivals and cultural offerings and especially the vineyards that makes the region one of the top wine producing areas on the North American continent. Tourism and agriculture are among our biggest industries.

But lest I make it seem like a mecca there is a dark side to all of this loveliness. The region has...
been in an economic depression for years. Rural poverty
in the region is desperate, as is urban. And like in
other parts of the world the two populations don't
interact or seem to want to.

Census data released in 2015 show that in the
biggest central New York City, Syracuse, half of the
children, 50.2% live in poverty. Syracuse was poorer
than all the other major upstate cities at 34.4%
poverty.

This is New York state, home to the symbol of
capitalism, Wall Street, and some of the biggest
concentrations of wealth on the planet. Politicians,
both in downstate New York City and in its suburbs and
in upstate, the best rest of the state of which we
constitute a part, like to pit us against one another
when it comes for competing for dwindling resources.

And we have found that financial insecurity
rampant in our area, as in most parts of the country,
makes world dwelling people more susceptible to
believing or refusing to not believe that leasing their
land for fracking or other fossil fuel infrastructure
projects or working in the industry will make them rich
and not hurt their families.

This has helped to widen the rift that is in
our communities just as the rest of our nation has
become polarized to the point of paralysis.

I'd like to add that the people who work within the Coalition To Protect New York are not all scientists, although a few are, and only a few have law degrees and only a few are medical professionals or engineers. Some have been activists for decades. Some would have never considered themselves environmentalists until fracking made them pay attention to what is happening to people and other species above ground and the rocks the other ecosystems below us.

Some would never have become activists until their own land, home, family or community was threatened. Some are pure NIMBYs, that is, Not In My Backyard, and freely admit when they defeat an immediate threat they'll go back to business as usual, perhaps a little more cognizant of their own climate change footprint.

In any case by now most of us have spent years researching, studying, reading complicated technical medical, engineering and legal documents. We have learned from the professionals and become experts in our own right, no less important contributors to the conversation and the policy-making that will affect the future of us all, even those without impressive pedigrees.
We have also learned from people on the ground. We've learned especially from our neighbors in Pennsylvania, so many of whose residents suffer from PTSD, that is not "post" but "permanent" traumatic stress disorder.

They, in their natural environment, and members of other species that have paid a terrible price because their state officials first permitted fracking a little over a decade ago.

For the first few years they were as if shell shocked, too stunned to know what was hitting them. It happened so quickly. As in other places the industry had prepared years in advance, often securing permits before anyone knew what was happening.

Wells were contaminated. More and more people got sick. An entire neighborhood in Dimock just a few miles southeast of where I sit today lost access to clean water when their wells were poisoned.

They tried to fight back registering thousands of citizen complaints but their state's department of "Environmental Protection" and their legislators and governors seemed more interested in enabling more drilling.

These good people and many other Pennsylvanians began sharing their stories with us north...
of the border hoping to keep our state from becoming the next fracking zone.

At that time one of them said to us, "We are already collateral damage. Our lives are ruined but yours don't have to be. Fight back."

We have seen some of them, victims of greed and hubris, sicken and die. Some with almost certainly fracking contamination related illnesses, cancers and others but, of course, that can never be proven.

The wonderful grassroots activist Jenny Lisak began compiling the List of the Harmed, a document that when we submitted it as an exhibit to the Tribunal in March 2018 contained 22,320 officially reported cases of people, homes, communities and lands that had been harmed by fracking around the United States.

Among them was Terry Greenwood whose story was among the first I learned during travels to Pennsylvania, Ohio and West Virginia in 2008. The farmer, Terry and his wife, had bought their beautiful property with ponds and woods and fields back in the 1970's.

They learned, to their horror, three decades later that a lease in perpetuity had been signed by a previous owner in the 1920's and they tried to fight it. In the end they were forced to watch their land be harmed by drilling.
fracked, their cows and calves die mysteriously, and their children forced to move away despite life long plans to build houses on their parents' land.

The story is even more heart rending than I have time to relate here. Terry came to New York on several occasions to share his story and many of us were very fond of him. He contracted a very rare form of cancer himself and died in 2014.

Throughout all their suffering many of the Pennsylvania families who were harmed, whose children had unexplained rashes, respiratory infections, gastrointestinal disorders, bleeding and other symptoms, whose homes lost all their value even when they had to continue paying mortgages on them, whose stress levels were through the roof, continued to seek redress to hold the offending corporations accountable.

But the courts and other remedial bodies sided again and again and with the offenders. That's because in New York law and United States law, corporations have been enshrined as "persons" and because the corporations have found it all too easy to buy off local officials with a few thousand dollars here and there, buying baseball outfits for the school team or throwing the occasional community hot dog barbecue with entertainment.

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Sometimes the long suffering people have been forced to take a buy-out from the corporations being left with no alternative. Every time they have been hit with gag orders.

In 2012 the Pennsylvania legislature even enacted a law forbidding doctors treating people for possible chemical contamination from fracking from telling the patient's family or the patient herself what the chemical might have been. This was later overturned but the mere fact that it was passed was most telling about whose rights were being respected.

Only a few stalwarts among the Pennsylvanians persecuted and prosecuted by the fracking industry have been able to hold firm, including Ray Kimball, whose home is surrounded by fracked wells and who has cancer and other illnesses.

And Vera Scoggins, the citizen journalist, who has given scores of what she calls frack tours of Pennsylvania to people from around the world and somehow continues to soldier on despite having been hit with lawsuits by the industry she monitors.

We honor all of these people, too, in this presentation and indeed in all of our work. We fight not just to keep fracking from New York but to bring them relief and peace as well, all of them.
We have been visited by people from other areas of the country and the world who have been affected by fracking and those who are fighting to keep it from ruining the places that they love.

Some of those beloved homelands will, in the not too distant future, cause them to become climate refugees. They may be coming our way.

That is another reason we all need to protect the clean water and air currently enjoyed by regions that still have them. Newcomers by the tens of thousands will need to be fed, sheltered and welcomed into these communities.

We have had visits to and from people in the fracked sand exploitation states of Wisconsin, Ohio, Minnesota and Illinois, from fracked Texas, Colorado, Michigan, Ohio, Oklahoma and from Alberta, Canada, from frack-fighters in South Africa, England, Ireland and Australia and other regions that I don't have time to list. We honor and speak for them, too, because we understand how interconnected we are. And how our fights are always interconnected, understanding the butterfly effect, but even more so in this time of global capitalism and our shared threats of environmental destruction and hastening climate change.
realized the intersectionality and universality of fracking. We used fracking from 2008 on to mean all the processes involved in this extractive process. But we also recognize how much other fracturing this unconventional drilling and its off-shoots encompassed.

Fracturing not only of our air, water and crop lands, of our health and our property values, for those who owned homes, but also of our local state and federal legislatures, our judicial system, our media, our sense of safety and perhaps most insidiously, our communities, our friendships and often our families, in some cases our marriages and life partnerships.

Our human rights are being violated on so many levels, our ways of life, our very future and the future of our next generations were being fracked.

Over the next few years, thanks to the work of scientists, including Robert Howarth and Anthony Ingraffea of our own local Cornell University, we learned that fracking is also a huge fracture in hastening catastrophic climate chaos.

A lot of people celebrated in December 2014 when Governor Andrew Cuomo announced his so-called ban on fracking in New York state. This was an insidious misinformation campaign.

Although the threats from one type of
unconventional shale gas drilling might have been halted until the governor or the legislature or the next governor changed his mind, many formers activists went home thinking the job was done. But other drilling persisted around the state unabated as you can see in this recent map by FracTracker. Meanwhile industry had been planning all sorts of fracking projects in poor and even relatively rich communities around the state.

We and our allies have been fighting thousands of miles of fracked gas pipelines and their attendant compressor stations and paraphernalia.

This is a project that we participated in and continued to help update called the You Are Here map spearheaded by our allies in New York City in the same energy project especially the great artist activist Kim Frauchek.

One of these pipelines runs under the beautiful Hudson River to our east where it passes just yards from the decrepit Indian Point nuclear power plant.

We have bomb trains taking tarsands oil from Canada to near New York City for export passing just across the river from that plant.

Fracking brine from Pennsylvania is spread on New York roads. New York landfills accept radioactive
fracked waste from Pennsylvania which, amazingly, is not permitted to be dumped in its own borders.

To our eyes all such fracking activities were crimes against people and nature and we thought they should be crimes in the law as well with serious consequences as opposed to the tiny slap-on-the-wrist fines that were being levied against fracking companies in Pennsylvania where thousands of spills, leaks, explosions and other violations were taking place each year even without fracked waste dumping.

We signed on to Peoples Law No. 1 written by our sister group Sovereign Peoples Action Network and Frack Busters of New York of which some of us, including myself, were also founding members as was the late great historian, author and thinker, Richard Grossman.

This innovative law criminalizes fracking and related industrial activities and infrastructures in New York state law. It calls for mandatory prison sentences and very heavy fines for the principals of corporations that are found guilty of causing harm to humans and natural communities.

We were left out of all sorts of forums, including several run by big green organizations whose leaders seemed to have lost sight of their missions.

But subsequently people have come to agree
that these activities are crimes and those who
perpetrate them are criminals who should be punished to
the full extent of the law. But in current governance
structures we are being prevented from introducing, let
alone implementing, this law written by We The People
for the benefit of us all and of our natural
environment.

That brings me to the most critical underlying
point of our participation here today. We do not
believe the laws as written, either in our own country
or internationally, are worthy or viable under present
conditions.

No law is worth the papers its printed on if
it won't be rigorously enforced by transparent and
capable regulatory agencies or entities.

In the United States we have witnessed the
erosion of our legislative, judiciary, executive,
electoral systems federally and on the state and local
levels. And the increasingly rapid roll backs of rights
and protections that those of my generations and even of
a couple of generations after mine have always
considered inalienable.

Many of us have been arrested and persecuted
for exercising these basic so-called guaranteed rights
to life, liberty and the pursuit of happiness.
We have seen our national government defend its practice of torture, debase and ignore international law that defends human rights and walk away from important and hard won environmental treaties on so many occasions and in so many arenas.

Although it seems to us only basic common sense that people should not want to commit mass suicide, which is what ecoside is as well, and it seems insane for people to engage in such activities that hasten their own demise, yet that is what we all see before us.

We do not believe that current systems of law, politics and economics in the United States and internationally are pertinent. A growing number of people worldwide seem to support this view.

We hope that this Tribunal recognizes as well that it is imperative upon us all to swiftly find methods by which to make human rights and the rights of nature first and foremost in the minds of policymakers.

Who gets to decide our fate? If we leave it in the hands of corporate capitalists and their political cronies we may remain their victims in a deadly game. We must stop being acquiescent in our own demise.

So we must seize this moment and muster our
numbers, however small, and became more assertive or
dare I say more aggressive in our demands and in our
actions.

I will stop here and invite questions or
comments. Thank you.

Thank you everybody. Blessings on you all.

DR. THOMAS KERNS: Thank you.

[youtube.com/watch?v=zP4eOzjQsfE&t=81s]