

**Short Synopsis of the Advisory Opinion
of the Permanent Peoples' Tribunal Session
on Human Rights, Fracking, and Climate Change**

In a ground-breaking advisory opinion, a highly-respected international human rights court, the Rome-based Permanent Peoples' Tribunal, weighed testimony about the human- and nature's-rights impacts of hydraulic fracturing ("fracking") and climate change. They found that:

- The infrastructure and practice of fracking, an unconventional method of fossil fuel extraction that fractures rock to release trapped oil and gas, necessarily violates a wide array of human rights guaranteed by international law. Fracking should therefore be banned worldwide.
- Climate change, and its attendant harms to life, health, and security of person, is now violating and guarantees future violations of human rights long into the future and around the world.
- Widespread government practices and failures to regulate fossil-fuel industries have created a global pattern of collusions, in which governments and oil and gas industries cooperate in human-rights violations to their mutual profit.
- The emergent rights of nature are systematically violated by fracking and by the consequent climate change.
- Environmental protection and the protection of human rights are closely and reciprocally linked, both necessary to the achievement of environmental justice.

Although many nation's courts have and are presently hearing rights-based cases against fracking and climate change, this is the first such opinion issued by an international, civil-society human rights court. Because of the moral authority of the Tribunal, the opinion provides a powerful critique of the extent to which radically extractive industries are violating human norms, those universally agreed-upon principles of human decency encoded in international human-rights documents.

The rights that are violated by fracking include substantive rights guaranteed by the Universal Declaration of Human Rights, the rights to life (and by implication, health and clean water), liberty, and security of person. Moreover, the natural resistance of neighbors to the violations of their substantive rights has been met by widespread violations of procedural rights, the rights to be informed and to meaningfully participate in decisions that affect them. Rights-violations caused by climate change manifest dramatically in massive movements of people driven from their homes by storms or starvation.

" . . . The evidence is overwhelming," the Tribunal decided. "First, Unconventional Oil and Gas Extraction (UOGE) is a major contributor to the crisis the world is facing at the "climate crossroads"; second, the dangers of UOGE to the rights of peoples, communities, and nature are inherent in the industry, and . . . these dangers all too often result in serious, even catastrophic violations of these rights. Where UOGE operations impact, local ecosystems are destroyed and that of the planet comes under threat. . ."

The Tribunal went on to say that "such violation committed by megacorporations for the most part, are done either under what have become symbolic environmental laws that have been implemented to allow UOGE activity, or are done in violation of such laws but with impunity from the state . . . Thus there exists an "axis of betrayal" between corporations and governments that allows the violations . . ."

With this opinion, the Tribunal provides a global affirmation that climate change, and the extractive technologies that fuel it, directly threaten the rights of all human beings to life, liberty, and security of person and the rights of other beings to life and integrity. Thus, deeply and broadly accepted norms have been violated, including those encoded in the Universal Declaration of Human Rights.