

Tackling Fracking Using a Human Rights Lens

*Contributed by Lauren Davis, Program Associate, the 11th Hour Project
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It didn't take long to realize that hydraulic fracturing might have some serious impacts on the environment. The practice, also known as "fracking," is a process used for extracting oil or gas that has made it easier to reach previously inaccessible deposits of shale gas. A recent explosion in fracking has expanded across 30 states and 32 shale plays, which are large geologic formations that are available for oil and gas exploration. While championed by members of the industry as a cleaner and more affordable fuel source that creates jobs and promotes energy independence, fracking has been linked to a bevy of environmental issues: groundwater contamination; air pollution; and even earthquakes. Similarly, the consequences of fracking can be linked to threats against fundamental human rights such as the right to clean water, dignity, security, property ownership and many others. As a result, funders and activists are now paying increased attention to the violent way natural gas and oil is extracted.

Fracking involves injecting water laced with sand and chemicals deep underground, under high pressure, in order to crack fissures in rock and allow natural gas and oil to flow to the surface. In the last decade, new innovations in fracking technology have led to a surge in natural gas and oil development in the United States, as well as abroad in places like [China](#), [Canada](#), [Brazil](#) and [Poland](#). With this boom, serious environmental effects have been documented. But while much of the focus has been on the unintended eco-fallout, fracking's toll on human rights has been largely ignored.



Source: iStockPhoto

Framing Fracking as a Human Rights Issue

Most funders supporting work on fracking narrowly characterize this grantmaking in relation to mitigating carbon emissions, public health threats or pressure from fossil fuel industries. Some funders have even narrowed their focus to specific consequences of fracking. For example, some funders concerned about climate change issues focus on analyzing the [fugitive methane emissions](#) from fracking, while conservation-focused grantmakers have emphasized the importance of protecting "special places" like national parks or sensitive ecosystems. Moving forward, philanthropy will need to look beyond niche impact areas like emissions or land conservation and draw more connections across issue areas, such as human rights, to attract a broader, stronger and more diverse base of support to combat the negative impacts of fracking.

It took seeing a distressing pattern of similarities between the 11th Hour Project's grantmaking in the Democratic Republic of Congo (DRC) and its domestic work on fracking before 11th Hour changed its approach. In the DRC, the 11th Hour Project supports work that increases access to justice including the implementation of mobile courts and community paralegal models to ensure that more people can find legal services and seek justice for harm they have suffered. Similar needs have emerged in fracked communities in Pennsylvania, where there is a dearth of [legal expertise](#) for families facing serious health problems, plummeting property values and threats to their livelihoods. Another parallel stems from 11th Hour's work in the DRC to end violence against women. Women's [sense of security](#) in gas fields across North Dakota and Montana has been compromised as a result of an influx in the single male population

and increased rates of sexual violence. Perhaps most importantly, fracking is forcing people to [choose between their rights](#): their right to health or their right to economic security.

In light of this awareness, the 11th Hour Project now views its anti-fracking work through a human rights lens. In New York, our work focuses on preserving the dignity of New Yorkers in a [frack-free state](#). Through these efforts, 11th Hour Project has supported the state-wide movement to ban fracking. So far, the campaign has resulted in over a four-year delay on the practice in the state that continues today. There is an opportunity to set a precedent in New York that demonstrates that fracking is not inevitable across the country, and to protect the long-term economic and public health of New Yorkers. There is also a focus in the state to empower local governments to ban fracking in their own municipality. Currently, over [50 towns](#) in New York have banned fracking locally, 102 towns have passed a moratorium and many others are working towards these goals.

Similarly, in Pennsylvania, we orient our work towards access to justice for [Pennsylvanians harassed by the natural gas industry](#). Many of the efforts currently focus on empowering local community members to share their stories around how they have been harmed by industry and to seek justice. There is also a growing effort to mitigate the harm caused, by providing public health tools and expertise.

The 11th Hour Project altered its characterization of our anti-fracking work because in addition to fulfilling our mission, it broadens the base of support for the anti-fracking movement at a critical time. Communities in the United States and abroad are facing decisions with far-reaching consequences on the future of fracking every day. Philanthropy's stake in the fracking debate is deep because the scope of fracking's impact is so wide. By applying a range of lenses, whether it is a human rights, conservation, health or other approach, funders break down arbitrary silos and offer their counterparts in the field a stronger, more cohesive ally.

What Funders Can Do

The issues related to fracking are complex and there are multiple entry points for human rights funders to engage. Issues of concern surrounding fracking for human rights-focused funders include: access to clean water, fracking's contribution to water scarcity, impact of gas-related legislation on civil rights and property rights, effects of gas development on equity and climate justice in developing countries, and rights and treatment of largely transient work forces. While initial philanthropic support on fracking has mostly been focused in the United States, interest in fracking beyond U.S. borders is growing.

Most foundations doing work domestically or internationally have approached fracking with a geographic or issue focus. From there, funders have invested in different strategies depending on the legal status of fracking in their target area. Common strategic methods for funders focused on places with existing fracking operations or those with potential fracking operations include:

- **Research and monitoring:** Funding research on and monitoring of social impact, groundwater contamination, and air quality.
- **Public education and advocacy:** Funding awareness-raising efforts to help communities understand impact, resources, and protections.
- **Media and communications:** Supporting communications strategies and media campaigns to educate and build awareness.
- **Policy and legislation:** Funding groups to petition for state amendments that limit or ban fracking and mitigate negative effects.
- **Immediate needs and crisis invention:** Providing support for communities facing immediate consequences of fracking.

Funders sharing concerns about public health, environmental, and community impacts of fracking are learning and working together through a Health and Environmental Funders Network (HEFN) working group. The HEFN working group on fracking has connected with other affinity group colleagues as well, to share information, discuss strategies, explore collaborative interests, and work together for stronger collective impact.

Additional resources:

Health and Environmental Funders Network (HEFN)'s Working Group on Fracking:
<http://www.hefn.org/about-us/hydrofracking-collage> or e-mail rarablouei@hefn.org.

HEFN's Fracking Survey Report: http://hefn.org/resources/HEFN_FrackingSurvey_FINAL.pdf

HEFN's Drilling Deeper: Impacts of Hydraulic Fracturing and Related Grantmaking Strategies (September 2012): <http://www.hefn.org/resources/files/Drilling%20Deeper%20Sept%202012.pdf>

Pacific Institute's Hydraulic Fracturing and Water Resources: Separating the Frack from the Fiction (June 2012): http://www.pacinst.org/reports/fracking/full_report.pdf

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