

17.07.2018

**gLAWcal
Comment #285**

**HYDRAULIC FRACTURING CAN BE
REGULATED LIKE MINING COAL**

Based on

Paolo Davide Farah and Riccardo Tremolada” A Comparison between Shale Gas in China and Unconventional Fuel Development in the United States” Brooklyn Journal of International Law, Vol. 41, No. 2, 2016.



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Global Law Initiatives for Sustainable Development

A gLAWcal comment on Paolo Davide Farah and Riccardo Tremolada "A Comparison between Shale Gas in China and Unconventional Fuel Development in the United States: Water, Environmental Protection, and Sustainable Development" Brooklyn Journal of International Law, Vol. 41, No. 2, 2016.

A particular shale gas extraction practice known as hydraulic fracturing is of particular policy concern because of its often destructive nature to the environment. It can lead to liabilities from the destruction of the land, but also of the water. Comparatively in the US, there are many jurisdictions where the practice is outright banned, especially amongst those areas governed by politically more liberal coalitions. In China however, there is not the same level of coordination or regulation of the practice, ensuring that national policymakers have to consider the legal implication of the liability of what happens when the extraction has unintended consequences for the surrounding area. While the author notes that there are significant numbers of laws and regulations for this practice, and a broad spectrum of statutes describing the outcome of liabilities, the spread-out nature of these laws allow for many of the grievances to go unsolved amongst environmental groups and individual citizens alike. Pairing this lack of overall strong regulatory schemes with the profits gained from the practices as a whole, there are sig-

nificant numbers of detractors when it comes to the shale gas industry on a global scale. It is important to remember that it is often a long, slow march towards progress on these fronts. Mining coal has different types of liabilities and regulatory concerns compared to shale gas extraction, but it is important for policymakers to consider the impacts just as previous policymakers had to begin the process of regulating the highly-profitable mining industry.

ENERGY



Cite as: gLAWcal Comment #285 “Hydraulic fracturing can be regulated like mining coal” (2018) based on Paolo Davide Farah and Riccardo Tremolada “A Comparison between Shale Gas in China and Unconventional Fuel Development in the United States: Water, Environmental Protection, and Sustainable Development” Brooklyn Journal of International Law, Vol. 41, No. 2, 2016. Available at SSRN: <https://ssrn.com/abstract=2802157>

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OUR MISSION

To collaborate with Government, Civil society and business community to balance the excess of globalization with Non Trade Concerns.

OUR GOALS

To influence policymakers, to raise awareness over Non Trade Concerns, to encourage stakeholder participation, and to disseminate gLAWcal’s publication results.



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