

Statement of the Sisters of Mercy and the Mining Working Group at the UN
to the 5th Session of the Open Working Group on Sustainable Development
Goals
Energy, November 27, 2013, United Nations



The Problem: Unsustainable Natural-resource Extraction

Our members and partners working in affected communities are reporting grave human-rights and ecological abuses from unsustainable energy solutions. Coal mining, biofuels, hydroelectric power, and now fracking for shale or coal-seam gas are especially disastrous and risky for people and ecosystems near the source. The resounding experience of our members is that promoting these energy options favors short-sighted economic and profit motives over environmental sustainability and peoples' rights.

Transformational Development Agenda: Ensure a Rights-based Assessment of Energy Production

We propose three key steps so that the sustainable development goals will transform the current systems and policies that are behind the unsustainable natural-resources extraction:

(1) Agree to a rights-based definition of Sustainable Energy for All

States' energy policies must not go against international human-rights obligations. An energy goal and targets must encourage and facilitate States' ability to create the conditions necessary for all persons to enjoy the full exercise of their rights. A definition of Sustainable Energy for All that is informed by human-rights principles and obligations calls for focused attention on the negative or positive impact on the rights of disadvantaged and marginalized groups, especially women and children, the protection of vital ecosystems, as well as on the rights of future generations.

(2) Incorporate a human-rights litmus test for States' energy policy determinations

Establish targets and indicators that encourage energy policy choices to be submitted to a practical human-rights litmus test:

- Does the energy option cause, contribute to, or depend on the violation of human rights? (respect and protect)
- Would it damage vital ecosystems or threaten the Earth's capacity in a way or to such an extent that it makes these rights vulnerable? (respect and protect)
- Does the strategy contribute to a disadvantaged or marginalized group being able to enjoy a more full exercise of their rights? (poverty eradication, equity)
- Can affected communities safely and effectively participate in answering these questions? (right to participation, collective rights)
- What is the answer to these questions when applied to future generations? (rights of present and future generations)

(3) **Make energy's nexus with the rights to health, water, and food central to design of the Sustainable Energy agenda**

- Establish independent reviews mechanisms to assess and inform on the impact of technologies or methods, such as fracking, on human and ecological health.
- Include watershed protection as an indicator to measure sustainable energy, and to ensure evaluation of water scarcity and contamination related to extractive activities.
- Connect indicators related to the right to food and food sovereignty to targets on energy renewal in order to acknowledge systematic abuses connected to mega biofuel expansions.
- Guarantee that indicators require data collection on the cumulative impact of energy-generation projects on these rights.

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The Mining Working Group (MWG) at the UN is a coalition of NGOs with constituencies in a total of 27 mining countries that, in partnership with our members and affected local communities, advocates at and through the United Nations for human and environmental rights related to extractive industries. The MWG addresses unjust and unsustainable extractive practices and policies through the lens of the rights of local communities and indigenous peoples and Earth's carrying capacity.