



May 9, 2014

H.E. Ban Ki-moon
Secretary-General of the United Nations

C.C.: H.E. John W. Ashe, President of the 68th Session of the General Assembly
ASG Amina J. Mohammed, Special Adviser to the Secretary-General on Post-2015
Development Planning
Navi Pillay, United Nations High Commissioner for Human Rights

Dear Mr. Secretary-General,

On the occasion of the 11th session of the Open Working Group on Sustainable Development Goals, we, the Mining Working Group at the UN, write to respectfully inform you of our concerns regarding the progression of the UN discussion on sustainable development as it pertains to human rights.

The Mining Working Group at the UN (MWG) is a coalition of non-governmental organizations (NGOs) that, in partnership with our members and affected local communities, advocates at and through the United Nations for human and environmental rights as 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. We promote a human, community, and ecological rights framework as the foundation for sustainable and just natural resource management. The MWG advocates for the use of economic benefits of resource extraction for the holistic and long-term social, economic, and sustainable development needs of local communities according to their own interests. In this way, unjust encounters, systems and environments at the local, national and international level are transformed to benefit the wellbeing of all.

As outlined in our advocacy brief *A Rights-Based Approach to Resource Extraction in the Pursuit of Sustainable Development*, published yesterday and enclosed, the Mining Working Group calls for the post-2015 sustainable development agenda to be explicitly guided and underpinned by the international human rights framework. In fulfillment of the mandate of the UN Conference on Sustainable Development, sustainable development must be people-centered and work towards a world that is just, equitable, and inclusive. It is an indispensable requirement of sustainable development, therefore, to guarantee the necessary resources, capabilities, choices, security, and power for individuals and groups to fully enjoy their human rights.

Specifically regarding the discussion on water and sanitation in the Open Working Group, we are profoundly disappointed that the reference to the human right to water and sanitation no longer appears in the most recent Working Document. In this regard, we have

spearheaded the enclosed letter, which was sent to every Member State last week and that has been signed by more than 80 civil society organizations working all over the world. We call for the promotion of a hierarchy of use that places potable water and sanitation, small-scale food production, ecosystem needs and cultural use before industrial use.

As witnesses to the rampant human rights violations and environmental destruction caused by extractive industries in 27 mining countries, the Mining Working Group calls for attention at the highest levels to the worrisome lack of reference to human rights in this pivotal moment for the United Nations and for the peoples it purports to represent.

We encourage you, Excellency, as you oversee the process of defining the new global and universal sustainable development agenda, to create space for the voices of those affected by extractive industries to meaningfully impact policy as it is set at the global level. Given the concerning current state of the discussion, we call on you to actively promote a rights-based approach to sustainable development. We would welcome the opportunity to discuss this with you in person and to receive your guidance on how best to ensure that the post-2015 sustainable development agenda truly ensures people's human rights and the sustainability of our planet.

Please accept, Excellency, the assurance of our highest consideration.

Signed:

Congregation of the Mission, Joseph Foley
Dominican Leadership Conference, Margaret Mayce
Feminist Task Force, Rosa Lizarde
Franciscans International, Amanda Lyons
General Board of Global Ministries of the United Methodist Church, Rev. Kathleen Stone
International Presentation Association of the Sisters of the Presentation
of the Blessed Virgin Mary, Elsa Muttathu
Loretto Community, Sally Dunne
Missionary Oblates of Mary Immaculate (OMI), Daniel LeBlanc
Passionists International, Francisco J. Murray
Society of Catholic Medical Missionaries, Celine Paramundayil
Sisters of Mercy, Mercy International Association at the UN, Áine O'Connor
Temple of Understanding, Grove Harris
VIVAT International, Felix Jones & Zelia Cordeiro

Contact person: Áine O'Connor at mgc@mercyinternational.ie

Enclosed:

A Rights-Based Approach to Resource Extraction in the Pursuit of Sustainable Development,
advocacy brief by the Mining Working Group at the UN
Letter signed by more than 80 global civil society organizations regarding the human right
to water and sanitation