

## **Call for input: Transition and Human Rights**

*Submission by Franciscan International  
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### **Introduction**

1. Franciscans International (FI) would like to contribute to the call for inputs: Just Transition and Human Rights, pursuant to the UN Human Rights Council Resolution 56/8 on human rights and climate change (just transition). FI contribution is based on the work and reflection of Franciscans working with the people and communities in several territories and countries affected by extractive activities.
2. The OHCHR Questionnaire, while seemingly well-intentioned in seeking ways to integrate human rights and equity into the current energy transition, operates within a framework that assumes the energy transition is a universally positive and inevitable process. This approach neglects deeper systemic critiques, such as the contradictions, power dynamics, and inequalities embedded in the energy transition agenda. Below is a critical analysis that unpacks these issues.

### ***Question 1***

#### **Presumption of Energy Transition as an Unquestionable Good**

3. The Questionnaire structures its questions to affirm the current energy transition as a necessary and inherently beneficial process, focusing solely on adjustments in the realms of human rights, sustainability, and legislation. However, the energy transition is deeply intertwined with unsustainable practices, such as the reliance on mining rare-earth metals, large-scale land use for renewable projects, and overexploitation of resources in the Global South. These practices exacerbate environmental degradation and violate human rights, including the right to a clean, healthy, and sustainable environment. Indigenous Peoples are particularly affected as most extractive activities occur in their territories.
4. In addition, the transition is portrayed as a technical fix to the climate crisis without addressing the root causes of environmental destruction, such as the capitalist system's dependence on perpetual growth and resource extraction. Moreover, this approach tends to overlook the social and economic inequalities exacerbated by climate change. By framing the transition purely in technical terms, we risk perpetuating systems that favor wealthy nations and corporations while marginalizing the most vulnerable populations who are already bearing the impacts of environmental degradation. A comprehensive strategy must, therefore, integrate social justice and equity, ensuring that the benefits of climate action are distributed fairly and inclusively.
5. Furthermore, a narrow focus on technical fixes fails to recognize the necessity of transformative changes in our consumption and production patterns. We need to move towards a model that respects planetary boundaries and prioritizes the well-being of all life forms. Only by addressing these deeper systemic issues can we hope to create a truly resilient and sustainable future for generations to come.

6. By failing to provide space for questioning the structural foundations of the energy transition, the OHCHR Questionnaire marginalizes alternative perspectives that challenge the dominant neoliberal and corporate-driven model of climate action.

## ***Question 2***

### **Neglect of Corporate Power and Neocolonial Dynamics**

7. The OHCHR Questionnaire does not explicitly address the role of corporations in driving the energy transition or the power imbalances between the Global North and Global South. However, there are critical concerns not envisioned. Corporations in the Global North benefit disproportionately from the transition through government subsidies, technological monopolies, and control over supply chains, often at the expense of communities in the Global South.
8. The energy transition perpetuates neocolonial practices, with the Global North exploiting the Global South for raw materials (e.g., lithium, cobalt) while maintaining unsustainable consumption patterns. The result is a continuation of dependency, environmental harm, and social displacement in the Global South to sustain the Global North's lifestyle. This exploitation exacerbates existing inequities, as communities in resource-rich regions face the degradation of their local environments and the loss of livelihoods. Furthermore, the demand for these raw materials can lead to conflicts and human rights abuses and violations, highlighting the need for a more just and sustainable approach to resource management.
9. The OHCHR Questionnaire's silence on corporate accountability and neocolonialism reflects a narrow focus that avoids challenging the geopolitical and economic structures underpinning the energy transition. This omission allows corporations and powerful states to frame themselves as climate leaders while ignoring their exploitative practices. A comprehensive approach must include stringent regulations and oversight to hold corporations accountable, ensuring that the shift towards sustainable energy benefits all, particularly those in the Global South who have historically suffered from environmental exploitation.

## ***Question 4, 5 and 6***

### **Reinforcing a Capitalist Framework**

10. The OHCHR Questionnaire implicitly accepts the capitalist logic that underpins the energy transition by framing the discussion in terms of incremental improvements—such as better legislation, social dialogue, and human rights integration—without questioning the economic system driving these crises. It is necessary to give the questionnaire possibilities to raise counterpoints, which should include that the transition, as currently conceived, is a business opportunity for corporations to expand market growth, engage in mergers and acquisitions, and develop new profit streams under the guise of sustainability.
11. The focus on mining and renewable technologies as solutions to the climate crisis reveals the continuation of extractives' logic, failing to question whether endless growth and resource exploitation are compatible with a sustainable future. This approach often neglects the environmental and social costs associated with intensive resource extraction, including habitat destruction, pollution, and the displacement of communities.

12. By framing the energy transition as a process that only needs "adjustments," the OHCHR Questionnaire sidesteps the urgent need for systemic transformation. It avoids addressing how the capitalist model drives climate change, resource depletion, and inequality, effectively protecting the Global North's and multinational corporations' interests. In addition, this framing undermines the necessity of rethinking our economic systems to prioritize sustainability and equity. It glosses over the disproportionate impact of environmental degradation on marginalized communities, perpetuating existing injustices. Without a critical examination of these foundational issues, meaningful and lasting change remains elusive.

### **Absence of a Critical Lens on Resource Wars and Geopolitical Conflicts**

13. The OHCHR Questionnaire does not acknowledge the geopolitical dimensions of the energy transition, including the competition for control of critical raw materials. It does not underscore how this transition fuels resource wars and reinforces unequal power dynamics. The rush for renewable energy technologies has intensified geopolitical conflicts over supply chains, particularly in the mining of rare-earth metals and other raw materials. These conflicts often lead to exploitation and even militarization in resource-rich regions, further destabilizing already vulnerable areas.
14. These dynamics exacerbate tensions between countries, often at the expense of the Global South, where resources are extracted with little regard for the environmental and social consequences. Communities in these regions bear the brunt of environmental degradation and social disruption caused by intensive mining practices. This exploitation not only undermines local ecosystems but also violates the rights of Indigenous Peoples and local communities, perpetuating a cycle of poverty and inequality.
15. The OHCHR Questionnaire's lack of attention to these issues reveals a significant blind spot. By ignoring how the energy transition perpetuates global inequalities and conflicts, it fails to address the broader structural injustices embedded in the transition process. Without a critical examination of these geopolitical factors, any proposed solutions risk being superficial and inadequate. Adopting a more holistic approach that includes the voices of affected communities and addresses the root causes of these conflicts is crucial to ensure a fair and sustainable energy transition.

### **Marginalization of Alternative Models**

16. The OHCHR Questionnaire assumes that the energy transition only requires adjustments to current systems and policies. It does not provide space for exploring alternative, more transformative solutions, such as,
  - a. **Decolonial and post-capitalist approaches** that prioritize ecological balance, community sovereignty, and equitable resource sharing.
  - b. **Degrowth strategies** that challenge the Global North's unsustainable consumption patterns and focus on reducing energy demand rather than expanding it through new technologies.
17. By failing to include questions that challenge the energy transition's dominant narrative, the OHCHR Questionnaire marginalizes voices advocating for systemic change and reinforces the status quo.

## Question 7

### Recommendations for a Truly Transformative Approach

18. To address the limitations of the OHCHR Questionnaire and incorporate the critiques raised the following recommendations are proposed:
1. **Open Space for Systemic Critiques:** The UN must create opportunities to challenge the capitalist logic driving the energy transition and explore alternative economic and social models that prioritize sustainability and equity.
  2. **Address Corporate Accountability:** Include questions that examine the role of corporations in perpetuating inequality and environmental harm, as well as mechanisms for regulating their influence on policy and practice.
  3. **Recognize Neocolonialism:** Acknowledge and address the neocolonial dynamics of resource extraction, technology transfer, and dependency in the Global South, ensuring that benefits of the transition are equitably shared.
  4. **Focus on Reducing Consumption:** Shift the emphasis from expanding renewable energy supply to reducing energy demand, particularly in the Global North, through policies that challenge unsustainable consumption patterns.
  5. **Promote South-South Cooperation:** Facilitate collaboration among Global South countries to build local capacities, develop alternative technologies, and reduce reliance on Global North corporations.
  6. **Center at Local Communities:** Ensure that Indigenous Peoples and communities affected by renewable energy projects have meaningful participation in decision-making and are fairly compensated for any impact on their livelihoods and ecosystems.
  7. **Transformation and Not Transition:** Include questions that explore the *Right to Say No*, the practice of *Territories Free from Mining*.

## Question 8

### Conclusion

19. The OHCHR Questionnaire reflects a narrow and depoliticized view of the current energy transition that assumes its inevitability and focuses only on incremental improvements within the existing system. By failing to address deeper critiques - such as capitalist logic, corporate dominance, neocolonial practices, and geopolitical conflicts - it perpetuates a vision of the energy transition that prioritizes the interests of the Global North and multinational corporations. It does not consider the necessity to shift towards a post-extractive' economy, moving away from dependence on resource extraction such as mining and oil. What is required is not a transition but a transformation approach that challenges structural inequalities, centers the voices of marginalized communities, and reimagines the relationship between humanity and the environment.

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