Towards a right to sustainable energy: The contribution of human dignity to the promotion of sustainable development

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Overview

• Sustainable development and energy (in brief).
• The context for a right to sustainable energy.
• Towards a right to sustainable energy
  – the forum
  – the content.
Sustainable development and energy

• A reliable energy supply is essential to economic stability, growth, jobs and improved living standards.

• However:

  – 20 per cent of the world’s population lives without access to electricity.
  – Emissions of carbon dioxide and other greenhouse gases from fossil fuels are contributing to detrimental changes in the Earth’s climate.
The context for a right to sustainable energy

‘We welcome the focus of the Johannesburg Summit on the indivisibility of human dignity and are resolved ... to speedily increase access to such basic requirements as clean water, sanitation, adequate shelter, energy, health care, food security and the protection of biodiversity.’

The basic content of human dignity

- Every human being possesses an intrinsic worth, merely by being human.
- This intrinsic worth should be recognized and respected by others.
- The intrinsic worth of the individual requires that the state should be seen to exist for the sake of the individual human being.

A right to sustainable energy

• The benefits of a rights-based approach:
  – Potential enforceability of a right.
  – Even non-enforceable rights can encourage law-makers and institutions to take account of interests and to accord them priority which they might not otherwise enjoy.
The forum for a right to sustainable energy

- The forum for a right to sustainable energy.
  - Customary law.
  - An inferred right.
  - Recognition in a treaty.
  - Incorporation within international soft law.
The content of a right to sustainable energy

• Access to reliable, affordable, economically viable, socially acceptable and environmentally sound energy that is sufficient to sustain those services that are required to live a dignified life.

• Such access must be on the basis of equality and without any discrimination.
Conclusion

• The right to sustainable development can contribute to the achievement of sustainable development.

• A right to sustainable energy represents the natural evolution of sustainable development.

• Caveat: Such a right must not replace the existing approaches concerning energy, poverty and the environment; it must complement it.