

# CENTRAL APPALACHIA

US WOMEN & CLIMATE JUSTICE TRIBUNALS Spring 2012



**“It is not possible to destroy our mountains,  
without destroying us.”**

**-Beverley May, Floyd County, Kentucky. Family Nurse Practitioner.**

On May 10th, 2012 powerful women from throughout the Central Appalachian region traveled to Charleston, West Virginia for the first US Women and Climate Justice Tribunal to testify to the grave impacts of mountaintop removal (MTR) coal mining on their lives and communities.

They were joined by local Tribunal organizers from the Ohio Valley Environmental Coalition, along with Tribunal partners from the United Nations, including the Feminist Task Force of the Global Call to Action against Poverty (GCAP) and the Loretto Community at the UN.

The focus of the day, however, was not on the Tribunal partners, nor the panel of esteemed jurists, but instead on these Appalachian women and their lived experience with MTR, an extreme form of surface mining which uses explosives to decimate mountains in order to extract the coal seams within them. At this Tribunal, the testifying women, or “witnesses”, highlighted four thematic areas, or “cases” in which they presented evidence of the destructive impact of mountain top removal on

their lives and the lives of their families.

The first case featured the impacts on health. Beverley May, a family nurse practitioner and Tribunal expert witness testified that “people who live in counties with high coal production are more likely to be hospitalized for hypertension and chronic lung disease,” citing the work of West Virginia University professor Dr. Michael Hendricks. May also highlighted reports that linked high rates of kidney disease, cancer, and birth anomalies to the proximity of toxic mining operations.

The health impacts on children were particularly relevant to 25 year-old Tribunal witness, Ivy Breshear. “I will have to make a lot of important choices in my life...Wondering whether or not it is safe to birth my future children in my homeland of Appalachia should not even have to register on that list.” Goldman Prize winner Maria Gunnoe affirmed Ivy’s statement. “My daughter is growing up living like this, knowing that she is being sacrificed for energy in this country”.

Lois Gibbs, Tribunal Jurist and Director of the Center for Health, Environment and Justice, responded to the witnesses, stating “I think the stories

that you are telling are so important for people to understand that this is not just about policy and energy. This is about ethics. It’s about morals. It’s about peoples’ right to live and to raise families.”

The second case exposed MTR’s effects on the region’s economic vitality. While the Appalachian region is rich in biodiversity and natural resources, expert witness Betsy Taylor noted that the coal belt of Appalachia is one of the areas of persistent poverty in the US, and that structurally, the coal industry is a “jobs-shedding industry.” “One of the biggest problems in the area where I live,” explained witness Lorelei Scarboro, “is that we have no choices. We live in a mono-economy.” Nevertheless, Scarboro still had hope for the future. “We must become leaders in our communities to diversify our economy and sink every dollar we have into renewable sources of energy.”

In her response to the witnesses, Bolivian writer, activist and Tribunal jurist Elizabeth Peredo Beltran made the connection to her international work addressing climate justice. “The international agreements ask us to

# “This is an assault on my family for coal.”

- Maria Gunnoe, anti-mountaintop removal activist, OVEC member, and Goldman Prize Winner

## Tribunal Jurists



**Lois Gibbs**  
Director of the Center for Health, Environment and Justice, 1990 Goldman Prize Winner, and Love Canal activist



**Elizabeth Peredo Beltrán**  
Executive Director of the Solon Foundation, social psychologist, writer, and Bolivian activist on water and human rights.



**Grant Smith**  
Energy policy analyst with the Civil Society Institute and former Executive Director of the Citizens Action Coalition of Indiana.

adapt, but [countries] don't adapt to the changes that they need to". Peredo highlighted the refusal by the United States to ratify the Kyoto protocols and urged those in attendance to "demand investment in new technologies to change the traditional ways of producing energy".

In between cases, Tribunal participants enjoyed performances by Tennessee poet and storyteller Minton Sparks. Minton related with the audience, sharing stories of the culture and character of the Appalachian community. The destruction and alienation of that community was the focus of the Tribunal's third case. Kentucky resident Sharman Chapman Crane testified to the polarization within mining communities. "Neighbors no longer trust each other; they no longer visit... The fabric of our lives is being shredded. I call it the slicing and dicing at the company's hand." Expert witness Willa May added that in the 2010 Gallup well being report of 435 Congressional districts, "residents in two districts where the most MTR occurs ranked 2<sup>nd</sup> to last and very last in physical and emotional well being." Sharman also told of the links between local government and mining companies. "Lynch needs a new fire station," she explained. "The county government has been pressured to tell the people that if they won't allow the mining, they won't get the fire station."

The final case presented at the Tribunal featured the effects of mountaintop removal mining on air, land and water in the region. "Three months after the mining started, my well water turned bright orange," explained Anne League, Tribunal Witness from Tennessee. "I found out that the burden of proof was on me, to prove that the mining company was polluting my water." According to case expert Cindy Rank, between 400-500 mountains have been flattened due to MTR, and much of the waste has been dumped in valleys and streams, permanently altering water patterns. "To the industry, these things are not 'changes' not impairments that reach into the hearts and homes of the people that are affected."

**“Why, in this country, do we allow these coal companies, with dollars and cents, to come in and do what a terrorist would do?”**

-Lois Gibbs, Tribunal Jurist, Director of the Center for Environment, Health & Justice, and Love Canal activist.

Grant Smith, Tribunal Jurist and energy policy analyst with the Civil Society Institute, responded to these witnesses, stating "With the sheer volume of waste and the sheer extent of the pervasiveness of pollution to water, to air, and to soil, the only thing you can do from an ethical standpoint is to phase out coal fired power, and with it, all of the mining."

## Recommendations:

At the end of the Tribunal, the distinguished panel of jurists offered their policy recommendations to the witnesses and those in attendance. These are a few of their responses:

- ▶ We call for an immediate moratorium on all mountaintop removal operations in Central Appalachia, along with other extreme forms of coal mining operations which use explosives to expose and mine coal seams.
- ▶ The disposal of coal waste from MTR or strip mining should be banned in valleys, headwaters and streams.
- ▶ We call for the passage of the Clean Water Protection Act at the federal level, prohibiting the disposal of mining waste into headwater streams.
- ▶ Corporate political power in the United States needs to be regulated and their status as persons, eliminated.
- ▶ The US should promote the renewable electricity standard while also moving toward the implementation of a feed-in tariff.



Tribunal organizers include **Sally Dunne**, United Nations NGO Representative of the Loretto Community, **Janet Keating**, Executive Director of the Ohio Valley Environmental Coalition, **Rosa Lizarde**, global coordinator of the Feminist Task Force, and **Emily Thenhaus**, intern with Loretto at the UN.

