



The Challenge of Deploying Wind Energy in Mexico

The case of the Isthmus of Tehuantepec

To combat global climate change, governments around the world must promote low-carbon and renewable energy projects like solar power plants and wind farms. Yet despite their urgency, these projects must be carried out in a sustainable, equitable fashion. In the case of wind farms under construction on the Isthmus of Tehuantepec in Oaxaca, Mexico, the negative social and environmental costs outweigh the benefits, because development has ignored the right of local indigenous communities - Jijot and Zapoteca - to free, prior, and informed consent to projects that affect their land and livelihoods. This letter is an open call to Mexico and the world to improve planning and development practices for renewable projects so as to respect the human rights of all affected communities.

Backed by international investment, including finances from the Kyoto Protocol's Clean Development Mechanism, the government of Mexico has authorized the development of at least 14 wind projects in Oaxaca. The state of Oaxaca is one of the poorest in the country, with more than 34% of the population of indigenous origin. It's worrisome that the government of Mexico hasn't developed rules or mechanisms to regulate these investments, leaving it to private companies to negotiate directly with local communities. This dynamic leaves the communities vulnerable, a situation aggravated by several factors:

- A) Locals lack information: The majority of local residents say developers have not been forthcoming with comprehensive and timely information about the projects. For example, in recent public forums residents have said that they were not told of potential environmental impacts of the projects when the companies initially informed them about development. Residents say the wind farms have affected their livelihoods and made it impossible for them to cultivate their lands.
- B) Threats and violence against locals opposed to development: For more than two years, Jijot and Zapoteca communities have denounced attacks and threats

- against their leaders by paramilitary groups and state officials working on behalf of private interests to silence opposition to development. Community member Samuel Guerrero is still hospitalized after a recent attack, according to the Assembly of Indigenous Peoples of the Isthmus of Tehuantepec in Defense of Land and Territory, a group formed in response to the violence.
- C) The Mexican government failed to create a mechanism for the companies to pursue free, prior and informed consent: The Mexican government failed to fulfill its obligation to consult local indigenous communities, guaranteed by international law, in its rush to grant concessions and administrative permissions to wind developers.
 - D) Laughable terms of land leases: Wind developers have signed contracts with local communities that offer paltry payments – according to residents, just \$0.10 per hectare. The contract conditions change with each company; locals lack a process that allows for negotiation on equal terms.
 - E) No comprehensive, community-wide benefit: The wind projects lack a comprehensive environmental and social development plan and thus benefit only a small sector of the population, mostly investors and the companies that will buy the energy. While some locals have agreed to lease their lands at a price, payments haven't translated into growth and true development, which was promised by the Inter-American Development Bank at the outset of the project (IADB).
 - F) Environmental impacts: The projects have caused extensive environmental damage, yet studies to identify, prevent, and alleviate damages have never been carried out. Impacts include the burning of large swaths of pastureland (a source of greenhouse gas emissions), mangrove deforestation, and the destruction of migratory bird habitats.

In order to mitigate the social and environmental impact of, and to avoid the violation of human rights during the development of wind farms, we suggest the following actions:

- Create a protocol for wind development that guarantees respect for human rights protected in Mexican and international law. The protocol should be observed in all relevant public policy and must meet the following standards: include criteria and indicators that serve to verify the fulfillment of all environmental and social conditions set forth; incentivize economic growth in the region, in such a way so as to benefit non-landowners; promote collaboration between private sector developers, state and local governments, and local communities.
- Guarantee that all stakeholders and communities affected by development receive comprehensive and clear information regarding the projects in a timely fashion and in their own language. This condition must be met before approval of financing for development. The communities' right to free, prior, and informed consent must be observed, which means that their decisions with regard to development must be respected, even in the case of opposition.

- Stakeholders should seek opportunities to benefit local communities, including job creation and the support of communal projects.
- Elaborate, publish and implement a process for measuring the externalities of the projects, in which Mexico's federal Electricity and Hydrocarbons Regulator will evaluate sustainability based on independent assessments. The commission must be able to deny access to the electricity grid in cases where assessments indicate that development will not benefit local communities.

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