**Responsible Renewable Energy: 10 Questions on Human Rights**

**Name of company**: RENOVALIA ENERGY

**Projects registered under UN Clean Development Mechanism (if any):** PIEDRA LARGA PHASE 1 (90 MW); PIEDRA LARGA PHASE 2 (137.5 MW

**Human rights policy commitment**[*Examples & guidance*](http://business-humanrights.org/en/un-guiding-principles/implementation-tools-examples/implementation-by-companies/type-of-step-taken/human-rights-policy-statements)

1. Does your company have a publicly available commitment to respect human rights? If so, please provide a link.

Reference is made to our human resources policy on the following web page:

[**http://www.renovalia.com/quienes-somos/trabaja-con-nosotros/**](http://www.renovalia.com/quienes-somos/trabaja-con-nosotros/)

**Human rights due diligence**[*Examples & guidance*](http://business-humanrights.org/en/un-guiding-principles/implementation-tools-examples/implementation-by-companies/type-of-step-taken/due-diligence-general)

1. Does your company identify its salient human rights issues and does it have a due diligence process to manage them? If so, please list the issues and describe the due diligence process (key steps include: impact assessment, integrating & acting on findings, tracking responses & communicating how impacts are addressed).

The company’s Generic Internal Code of Conduct and Code of Ethics are attached. In this code, reference is made to ethical values regarding the people working in our group, and a system of ethics mailboxes has been set up to provide information and take appropriate actions when a situation violates ethical principles or respect for human rights. Specifically, issues such as those listed below are taken into account:

* Respect for people
* Equal opportunities Non-discrimination
* Occupational risk prevention
* Work-life balance
* Environmental protection

**Community engagement & consultation**[*Examples & guidance*](http://business-humanrights.org/en/guidance-community-engagement-0)

1. What criteria does your company use to identify communities that may be affected by renewable energy projects it is involved in?

After identifying a potential location for a project, the company looks for the contact person of the State authority, of the municipal authority, of representatives of farming organisations (ejidos, communal lands, etc.) and, based on direct interviews with the population, of people with moral significance for the community, who enjoy a certain standing among their country people (typically the village priest, certain professionals who help and advise people with lower levels of education/training, etc.). Some self-proclaimed community leaders may be identified in this process, who are in fact rejected by the community, so the company has to be very careful with such leaders. After identifying these stakeholders, the company seeks to understand the concerns and needs of the community and informs it of the project that it intends to carry out.

In this process, social studies are conducted by contracted experts from outside the company in order to check the actions undertaken by the company and the local community’s level of satisfaction.

1. How does your company consult with affected communities (on impact assessments, resettlement, benefit sharing plans, etc.)? Please describe what form consultations take and when they are carried out in a project’s cycle.

As the projects already undertaken by the company were built before Mexican regulation created a specific authority (SENER) as well as a procedure of consultation with the indigenous community and a general analysis of project-related social impact (regardless of the existence of an indigenous community), the company directly conducted consultation in several ways, which was targeted at a variety of groups.

They were informed mainly of the following issues: the technology that the company intended to install, the size of the project, the land it would occupy (and how much of the land contracted would remain free for the owners’ farming activities to be pursued, which is around 96% of free land), the work it was going to generate in the region (in both the construction and operation phases), the permits that would need to be obtained from the various authorities.

The methods of communication were the following:

* Open and by-invitation meetings/events with all possible stakeholders, by advertising each event. Several mass meetings took place, in which hundreds of people participated (by listening and asking questions). In some cases, the municipal and even State authorities attended.
* Organising informative talks in schools, with the message being targeted at youths and children. Following these talks, competitions were organised. These recognised those works by children and youths who better grasped the goal of the proposed project and were able to express that in painted murals, exhibitions, etc.
* Freely distributing information leaflets in Spanish and the local language (in our case Zapotec from the Isthmus of Tehuantepec, in Oaxaca).
* On the company’s behalf, a team of local people that speak the local language (Zapotec) visited the homes of landowners and other community stakeholders, especially those people who, due to age or sickness, were unable to travel easily, or were illiterate and therefore unable to benefit from the written information, or who only spoke the local language (Zapotec in our case).
* By opening a company office in the village that would be affected by the project, with office opening times, for any member of the public who wanted to go there and raise their queries, make specific requests, etc.

1. Does your company ensure its consultations include the perspectives and respect the rights of all affected community members (including those who may be marginalised for reasons of race, ethnic origin, gender, social status, age, religion, wealth or income or other considerations)? How is this ensured?

As a company, we always consider the affected community’s comprehensive access so that it can freely receive our information, albeit with the appropriate care, as mentioned earlier, when it comes to certain self-proclaimed leaders who, in practice, tend to be rejected by the community itself.The company does not discriminate against anyone in any way whatsoever on grounds of gender, race, social status, sexual orientation, disability, age, faith, financial level, or any other condition or choice.The equal opportunities guarantee that the company offers means that, on the one hand, it applies the same criteria to its own staff (non-discrimination) and, on the other, it has never forbidden anyone from entering its mass meetings or receiving information.

**Free, prior and informed consent**[*Examples & guidance*](http://business-humanrights.org/en/business-action-0/issue-guidance/indigenous-peoples)

1. Under what circumstances does your company commit to seeking an affected community’s free, prior & informed consent to a project? Please provide examples of projects where free, prior & informed consent was sought (if applicable).

The company logically observes all legislation applicable to the projects it develops, as it always has done.Regarding consultations with the indigenous community, it is the authority that, in reality, is obliged by law to carry out the process, and the way in which it does so only began to be regulated in August 2014 (Electricity Industry Act, August 2014), in cases where it is applicable.The company accepts and shares this need (for the authority to formally consult the community) and, furthermore, it is grateful that this is the case for the good of long-term coexistence between projects and the community.

1. What is your company’s process for obtaining and evaluating free, prior & informed consent?

It is the one laid down by laws and other applicable provisions. In Mexico, a great deal of progress has been made on this issue, although some official provisions have yet to be approved and published.We would reiterate that it is the authority’s obligation to carry out such processes (and companies do not have the right to undertake projects until the authority has met this obligation, in cases where it is applicable).

1. Has your company faced any challenges in its process to seek free, prior & informed consent for renewable energy projects? If so, please describe what steps your company has taken to overcome these challenges.

For projects that the company currently has in operation, which were built before Mexican legislation finally imposed the obligation and mechanism to consult indigenous communities, for which SENER is responsible, we found two cases in the main:

* Owners who did not want their land to form part of the project complex. In this case, the company did not contract that land, and even terminated, without any liabilities, the contracts that had already been signed (when some owners stated that they wanted to terminate the contracts before the construction of the project's installations).
* The community in general, and the group of peasants who make a living from palms that grow in the region, asked for the project not to encroach on the lands of the so-called “Palmar” (a large cluster of palms near our projects’ location), despite it not being a protected area (as declared by the Secretariat of Environment and Natural Resources – SEMARNAT – or any other environmental authority). The company obviously agreed not to encroach on those lands, and even clearly signposted the protected area for the community during construction to ensure that it did not suffer any damage.

**Security**[*Examples & guidance*](http://business-humanrights.org/en/security-issues-conflict-zones-0)

1. What steps does your company take to ensure that its own personnel, private security companies it contracts with, and/or government forces providing security to its projects, respect the rights of workers and community members, including those who may oppose its projects?

All the appropriate measures were included in the contracts entered into with the security companies.

**Remedy**[*Examples & guidance*](http://business-humanrights.org/en/un-guiding-principles/implementation-tools-examples/access-to-remedies-grievance-mechanisms/non-judicial-grievance-mechanisms/company-based)

1. Does your company have a grievance mechanism in place at each project site for affected communities and workers to raise concerns about local impacts, including human rights abuses? If so, were affected communities involved in the design of the grievance mechanism, including its set-up and the types of remedies it provides?

In the main, we have made two channels available:

* Mailboxes for suggestions, complaints, etc. that are always available on the main door of our offices, located in the centre of the affected village, to facilitate the expression of such suggestions, etc., either anonymously or otherwise.
* Our offices are always open to the public (in usual working hours), and staff are always there to welcome people seeking a solution to certain situations (whether stemming from the company’s activity or otherwise) or asking for some type of information within our scope. Among the office staff are people whose mother tongue is Zapotec. This measure was used much more than the first because the community is very direct in our projects’ area. In the construction phase, the site office was also available for such purposes, and the necessary security precautions were also taken into account (since it was a construction site: helmet, reflective jacket, etc.).

For areas/people affected in the construction phase, an agreement was reached by the parties (company and affected parties) in each case to have an independent valuer assess the damages or harm that had to be compensated.

**Other information**Please provide any further information regarding your company’s policies and practices on human rights that you think is relevant.

Since the start of community consultation, during the project’s development, in the project’s construction phase and now in the operational phase, the company has carried out numerous social development projects and provided the community with benefits, with the advice and leadership of various specialised national and international NGOs. Among the social benefits that have ensued for the community, we would highlight the following:

* Activities in public schools in the town of Unión Hidalgo, benefitting children.
* Creating employment in the community.
* Improving roads for farming activities, which were previously impassable (in the rainy season).
* Building bridges allowing peasants and farmers to easily access their farmlands without having to make journeys of over an hour as they did beforehand to get around the river that runs through the plots.
* Repairing the urban infrastructure: pavements, adaptation of streets.
* Cleaning up unofficial rubbish tips.
* Promoting a child band.
* Training courses in traditional activities: typical regional embroidery courses (huipils, traditional Oaxacan dresses), a palm handicraft workshop and an Oaxacan piñata-making course.
* Sports activities and organising tournaments: promoting football, volleyball and basketball.
* “Aerogubiños” social and sports school. Created in conjunction with the Fundación Real Madrid Club de Fútbol and the Spanish NGO Cesal and Mexican NGO Crecemos, the community has now practically adopted this project as its own. The project promotes sport (football), values, out-of-school support (especially for children who have fallen behind at school) and healthy eating education.