

## The Challenges of Deploying Wind Energy in Mexico The case of the Isthmus of Tehuantepec

***To combat climate change, low-carbon projects such as wind farms must be promoted. But despite the urgency for renewable energy, these projects must be carried out in a sustainable and equitable fashion. This article is an open call to Mexico and the world to improve planning and development practices for renewable energy projects, helping to guarantee the respect of the human rights of affected communities.***

The Mexican government has authorized the development of at least 14 wind power projects on the Isthmus of Tehuantepec in Oaxaca, one of the poorest states in the country with a more than 34% indigenous population. The projects are backed by international investors including the Inter-American Development Bank and benefiting from the Clean Development Mechanism (CDM) of the Kyoto Protocol. Even so, a number of projects have caused negative social and environmental impacts that outweigh the benefits, threatening the human rights of local indigenous communities, including the right to free, prior, and informed consent for projects affecting their lands and livelihoods. The reason for this problem is that the Mexican government has not developed effective rules or mechanisms to regulate these investments. Without them, private companies have had to negotiate directly with local communities.

There are other factors aggravating the situation, too:

- **Locals lack information:** Residents of the Isthmus of Tehuantepec say they have not received comprehensive and timely information about the projects. Some residents said in recent public forums that they were not told about the potential environmental impacts of the projects, such as those now affecting the possibility to cultivate their lands.
- **Threats and violence against locals opposing the projects:** For more than two years, the Jijot and Zapoteca communities have raised complaints about their leaders receiving threats and attacks by paramilitary groups and state officials seeking to silence any opposition to the development of wind farms.
- **Lack of free, prior and informed consent:** In the rush to grant permits and administrative permissions to wind power developers, the Mexican government has not fulfilled its obligation to consult local indigenous communities as guaranteed by international law.
- **Unreasonable terms of land leases:** A number of wind developers have signed contracts with local communities that offer paltry payments for the use of their land. Locals have complained about the lack of a process for negotiating on fair and equal terms.
- **Absence of comprehensive and community-wide benefits:** Some wind projects lack a comprehensive environmental and social development plan, meaning that they only benefit a fraction of the population: mostly investors and the companies that will buy the energy. While some locals have leased their lands at reasonable prices, the payments haven't brought the promised development.
- **Environmental impacts:** Some projects have caused extensive environmental damage, yet studies to identify, prevent, and alleviate these damages have never been carried out. Impacts

include the burning of large swaths of pastureland (a cause of greenhouse gas emissions), mangrove deforestation, and the destruction of migratory bird habitats.

To mitigate the social and environmental impacts and avoid the violation of human rights during the development of wind farms, the following actions are suggested:

- Create a protocol for wind power development that guarantees the respect for human rights. The protocol should be observed in all relevant public policies. And it must meet the following standards: include criteria and indicators to verify the fulfillment of all environmental and social conditions; incentivize economic growth in the region, particularly to the benefit of non-landowners; promote collaboration between private developers, state and local governments, and local communities.
- Guarantee that all stakeholders and affected communities receive timely, comprehensive and clear information on the projects. The communities have the right to free, prior, and informed consent, and this must be observed. Their decisions must be respected even if they oppose a wind farm. Stakeholders should also seek opportunities to benefit local communities, including through job creation and the support of communal projects.
- Elaborate 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. If a development fails to benefit local communities, the wind farm must be prohibited from accessing the electricity grid to sell output.

As representatives of civil societies working to protect the environment and affected communities, we want to raise awareness about the possible negative impacts of wind farms on communities and promote better practices. We will continue to help affected communities in search of justice and equity.

#### About the authors:

The Interamerican Association for Environmental Defense (AIDA) is a nonprofit environmental law organization that works across international borders to defend threatened ecosystems and the communities that depend on them. Its mission is to strengthen people's ability to guarantee their individual and collective right to a healthy environment through the development, implementation, and effective enforcement of national and international law. Contact information: [arodriguez@aida-americas.org](mailto:arodriguez@aida-americas.org)

The Mexican Environmental Law Center (CEMDA) is a nonpartisan civic organization that promotes environmental protection and the right to a healthy environment. Its work contributes to the effective implementation of legislation, improvement of public policies, and the strengthening of legality and the rule of law. Its objective is to achieve better social welfare conditions in harmony with nature. Contact information: [ricardo\\_ruiz@cemda.org.mx](mailto:ricardo_ruiz@cemda.org.mx)