# Social Responsibility, Human Rights and Wind Energy: Oaxaca and Chiapas, Mexico

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A**bstract**

*This study is based on the concept social responsibility in business (SRB). Its objective is to identify SRB standards by examining several definitions of the concept, as well as public policy oriented to promoting SRB rights among wind energy businesses. Specifically, typical characteristics of public policy in the voluntary and obligatory promotion of SRB rights are examined in two wind energy businesses. They are located in the Isthmus of Tehuantepec region of Oaxaca, Mexico and the Pacific coastal region of the state of Chiapas. Nascent social responsibility was observed among private and public organizations. Government stood out in its interest in implementing public policy with a human rights focus.*

**Keywords**: social responsibility, transnational businesses, public policy, human rights, Wind energy

## 1.Introduction

This text is part of the research project "EstudioSocioeconómico y Jurídico-Institucional en PerspectivaComparadasobre el Desarrollo de EnergíaEólica en la Región Istmo-Costa: los casos de Ixtaltepec, Oaxaca, y Arriaga, Chiapas", PRODEP, 2013. In the sense, within the context of globalization and free market economy, as protagonists on both local and global stages, transnational businesses have become very influential in strategically important economic, political and public sectors. Their influence is clearly evident in their huge sales volumes and profit margins.

Corporate globalization is not free of controversy and demands. The ethical behavior, corruption, violation of human and labor rights as well as environmental contamination on the part of large corporations are all being scrutinized. All of this has brought the theme of social responsibility in business (SRB) to the forefront of debate. As a consequence, business discourse now emphasizes the importance of economic, social and environmental sustainability. Expectations abound on business's new role as a promoter of social development and environmental sustainability.The object of this study is to identify SRB standards by examining several definitions of the concept as well as public policies that promote SRB among wind energy businesses. An introduction is presented in the first section. SRB promotional initiatives in Mexico and related concepts are analyzed in the second section. Section three focuses on human rights. The fourth section deals with SRB in Mexico that promotes public policy with an emphasis on human rights.

Finally, section five, Wind Energy, considers two specific examples of wind energy businesses in terms of their SRB standards: Eléctricadel Valle de México, S. de R.L. and GrupoDragón, located in the township of Asunción Ixtaltepec in the Isthmus of Tehuantepec, Oaxaca, Mexico and Arriaga in the Pacific coastal region of Chiapas, respectively.

## 2. The Concept of Social Responsibility

The concept of social responsibility has many definitions, and its content often reflects the unique entrepreneurial contexts in which it is put into practice. It is often confused with paternalism or philanthropy. Sometimes it is identified with informal observations that characterize companies as being generous. Such perspectives, however, are not part of definite strategies or programs, but simply informal opinions of the manner in which a company treats its employees.

For Greaves (2006), social responsibility in business (SRB) refers to "socially responsible practices" of a business that can be accepted as part of an institutional strategy that pursues benefits for both the organization and society. This requires that a business recognize that its objectives go beyond just making a profit.

In his book *The Gospel of Wealth,* Andrew Carnegie affirmed that social responsibility was based on the principles of charity and guardianship (Gaete, 2008). Carnegie "enumerated seven philanthropic measures: found a university, establish free libraries, create laboratories, create public parks, provide rooms to hold reunions and concerts, establish public pools and help churches located in poor communities" (Noriega, 1995:29).

The concept of social responsibility can dated at the beginning of the twentieth century, around 1920, when it "was understood as entrepreneurial philanthropy or a charitable act with an patently paternalistic tone" (Camacho et al, 2005; cited in Gaete, 2008:39). Fernandez refers to the concept of corporate social responsibility as "the responsibility of elevating corporate behavior to a superior level in which it is congruent with exiting social expectations, norms and values, and not just with economic and legal criteria" (Fernandez, 2005:4).

M., Flynn, S., and Amit, A., members of the Latin American Institute of Social Studies (ILPES) and the Economic Commission for Latin America and the Caribbean (CEPAL), in citing the World Business Council for Sustainable Development (WBCSD), indicate that social responsibility "is the commitment that a business assumes in order to contribute to sustainable economic development by collaborating with its employees and their families, the local community and society at large in order to improve living standards" (Correa, M., Flynn, S., Amit, A., 2004:15).

The same authors identify important themes that businesses must consider when they design their social responsibility strategies:

- Ethics, values and business principles
- Human rights, work and employment
- Corporate governability
- Environmental impact
- Relationships with suppliers
- Philanthropy and social investment
- Transparency and accountability

ISO standard 26000 SR stipulates that social responsibility requires that an organization make and implement ethical decisions in a transparent manner that contributes to socially and environmentally sustainable development that furthers the health and welfare of society. A socially responsible organization takes into consideration the expectations of all interested parties, complies with correlative legislation and acts in accord with international behavioral norms. It is important that this principle be an integral part of both an organization's daily internal activities *in toto* and their relationships with society at large within their spheres of influence (Norma ISO 26000, 2010).

This definition makes it clear that SR is a holistic and multifaceted concept with far reaching applications.

### 2.1 SRB Initiatives in Mexico

In Mexico, Correa et al indicate that initially SRB had been fundamentally philanthropic in nature, but changed with the realization that philanthropy could only be part but not all of SRB. It simply was not enough by itself to promote needed social advances.

The Mexican Philanthropic Center (Cemefi, acronym in Spanish) considers a business to be socially responsible when it offers quality services and products, pays taxes and provides employment while providing practical solutions for problems that adversely affect the community (Correa et al., 2004:41).

The Cemefi was founded in 1988. It comprises 58 businesses and 32 corporate foundations across the entire country. It focuses on philanthropy and SRB. It fosters philanthropic attitudes and initiatives that further volunteer work and economic participation in causes that advance community development and social investment on the part of business. While demonstrating good SRB practices, Cemefi stresses that businesses need to enhance the kinds of services they provide and their relations with other sectors. At the same time, they need to participate in national development that keeps open channels of communication and collaboration with government officials.

## 3. Human Rights

"Human necessities exist prior to their formulation as social norms. Contreras indicates that necessities achieve the status of rights at the moment in which they come into being and are institutionalized and translated into norms and laws, thereby converting them into aspirations and obligations" (Contreras, 2003:83; cited in Giménez and Valente, 2010 54). Rights are nonnegotiable values that are historical products of social struggle.

According to Casal (2008:16; cited in Giménez and Valente, 2010:54-55), human rights can be defined in two ways. In the broadest sense, they are attributes that "are inherently basic to individual human dignity and emerged at a definite stage of human evolution and, therefore, demand juridical protection." In a more restricted sense, "they are the same rights specifically recognized and protected internationally" in such a way that nation states are obliged to respect, protect and comply with them.

The set of human rights comprise the following:

1. The first generation comprises civil and political rights that were recognized in some countries before the international community did so.
2. The second generation is made up of cultural, social and economic rights whose origin can be indentified in the social struggles and movements at the end of the nineteenth century.
3. The right to peace, self determination and environmental protection make up the third generation.

The principal characteristics of human rights are

- Innate and inherent because we are born with them;
- Universal because they benefit everyone independently of social status or origin;
- Unalienable and nontransferable because no one can be deprived of his or her rights, nor can they be renounced;
- Cumulative, irrevocable and irreversible because they can be increased over time but may never expire;
- Inviolable because no one is authorized to violate them;
- Obligatory because they place obligations upon individuals and nation states;
- Recognized by all the member states of the UN and, therefore, transcend national borders;
- Indivisible, interdependent, complementary and non-hierarchal because all of them are inherent to human dignity, impartially related to each other and undiminished by distinction or comparison;
- Natural because they are part of our human essence;
- Existentially anterior to any form of socio-political organization.

Enrique Ter Horst (2005) indicates that:
It is important to remember that the State is the principal legal agent responsible for protecting the human rights of all its inhabitants, whether they are citizens or foreign nationals. The State is ultimately accountable for promoting and protecting human rights and is solely responsible for suspending civil liberties as a consequence of enforcing the letter of law. (Ter Horst, 2005:127).

### 3.1 The focus on Human Rights

For Güendel (2003:2) "juridical discussion and related efforts to translate international human rights norms into institutional political action and social control is what has been called the human rights focus." In this vein, Gonzalez (2004a) explains that a human rights focus exists "when public policy demonstrates the rational articulation of actions and omissions of a state that voluntarily contracts obligations as distinct human rights instruments in terms of participatory definitions that address the principal problems and needs of society "(Gonzalez, 2004a, cited in Giménez and Valente, 2010:58).

The human rights focus is a conceptual framework that includes normative and operational facets. It is oriented by international juridical instruments that establish mechanisms that enable society to hold accountable those who violate human rights.

The operational orientation; which is based on respect, protection and compliance with human rights, has the following aspects that are derived from human rights: Respect that demands that a government not interfere directly or indirectly in the exercise of rights; Protection that requires that a government adopt measures to prevent third parties from interfering with the full exercise of rights as well as the means of insuring compliance with demands that the State adopt legislative, administrative, budgetary, juridical and other adequate measures to facilitate, provide and promote the full realization of rights (OACDH, 2004; cited in Giménez et al., 2010;10).

For Abramovich, the "conceptual framework can also contribute to defining governmental obligations with greater precision in relationship to human rights principles involved in economic, social, cultural and civic strategies of development" (Abramovich, 2006:36). The human rights focus affirms that the first step in empowering excluded sectors is to recognize that they have rights that hold governments accountable. Upon introducing this concept, the logic of policy elaboration changes in so much as the point of departure is not so much the existence of persons with needs to be addressed per se, but that of subjects who can demand their rights in terms of specific benefits and behaviors on the part of a government.

## 4. Public Policy

Some concepts to consider:

A State is a sovereign political organization that is established in a given territory by a human society. It is endowed with governing and administrative institutions that freely and independently pursue definite goals by means of concrete activities under the aegis of a juridical system (Acosta Miguel, 1986:40).

Government coincides with executive power, which is made up of high-level political offices that determine policy, in contrast with the lower-level bureaucratic functionaries whose job it is to simply implement policy as public servants (Levi; 1983:711).

Public administration involves activities determined by objectives with correlative systems for the distribution and coordination of tasks for achieving collective ends (Pastori, 2000:12).

Society, *sensulato*, is a framework of socio-political institutions that includes limited government that operates under the rule of law. It is also an ensemble of social institutions such as the market and other spontaneous and extensive systems that are interrelated by means of voluntary agreements among autonomous agents. It is a public sphere in which agents debate among themselves and with the State (Perez, 1993; cited in Buqueras, 2002:20).

### 4.1  What is Public Policy?

For Meny and Thoenig, public policy "is a public authority's action program" (Meny and Thoenig, 1992:9). Anderson (1993) informs us that public policy is "a deliberate orientation followed by an actor or by a group of actors upon dealing with a problem or issue that concerns them" (Anderson, 1993; cited in Hernandez, 1999:3).

For Graglia, public policies "are defined as projects and activities that a state designs and implements through governance and administration with an aim to satisfying the needs of a society" (Graglia, 2004:19). This last definition assumes two notions. One is descriptive of what public policy is in terms of governmental projects and administrative activities. The other is prescriptive and is concerned with what public policy should be in order to satisfy social needs.

Policies are public for two reasons: first, because administrative responsibility for implementation resides with a government and, secondly, because their object or purpose necessarily relevant to society. Public policy forms a bridge of reciprocal communication between government and society.

### 4.2 Public Policy with a Human Rights Focus

As vehicles that guarantee progressive, integral and universal access to the exercise of rights, public policies that are guided by human rights can be understood as positive actions intended to overcome grave situations of exclusion and structural inequality among large sectors of society (Abramovich, 2006).

For Giménez et al. (2010:62), the human rights focus stresses that the relationship between public policy and social rights is more than just the means by which the latter guarantees the former. This paradigm considers social public policy to be a right in itself.

It recognizes the role of the State as a guarantor of access to collective goods and services that satisfy fundamental social needs, thereby advancing the quality of the lives of its inhabitants by insuring that they are not subject solely to the logic of the market.

The same authors indicate that the human rights focus is a vision that attempts to replace charity and aid with a new solidarity founded on human rights in which the -State does not envision public policy simply as a moral responsibility, but as a juridical obligation (Giménez et al, 2010:62).

**Table 1: Dimensions for the Analysis of Public Policy with a Human Rights Focus**

| Dimensions | Human rights focus |
|---|---|
| Objectives | The explicit adoption of an international normative framework for human rights. The recognition of the need for the social integration of specific sectors of the citizenry. |
| Strategy | An orientation toward fulfilling obligations of respect for, protection of and compliance with human rights. Determination of immediate goals and points of reference for progressive compliance with rights. Recognition of the principle of integrity as the basis of a unified global approach to human rights. |
| Coverage/beneficiaries | Universal, combined with focalized actions to strengthen fairness. |
| Focus of concern | The self-aware and empowered subject as the center of public policy. Local public space for exercising citizenship. |
| Institucionalism | A holistic emphasis on the multi-sector articulation and redefinition of priorities. Development of specific, opportune and social information of quality as a means of highlighting shortcomings. Guaranteed transparent access to official information. |
| Political dimension | Recognizing the need for basic political agreement in order to facilitate sustainable social policies and establish shared priorities. Empowerment and citizenship as political dimensions for social action. Accessible and transparent mechanisms for demanding accountability. |
| Implementation and participation | Active and documented participation as a fundamentally basic mechanism for social empowerment and the strengthening of public institutions. Social spending and fiscal policy as priority instruments of public policy. |
| Financing | The scarcity of resources does not free a government from its obligations. |
| **Actors** | |
| The State | The guarantor of fundamental rights that assure universal access to living standards required for harmonious social integration. The principal steward of human rights obligations and the authority before which they are affirmed. |
| Society/community | Members exercise their rights and participate in decision making processes as well as demand the reconstitution of violated rights through socially established and recognized mechanisms. Society is analogous to a tissue made up of a multiplicity of interacting and mutually dependent cells. |
| Business community | Produces goods and services without violating the rights of third parties and provides private initiatives that contribute to the realization of development plans. |
| Nongovernmental organizations | Provide services as public organizations unaffiliated with the State in such a way that they do not affect the State's role as steward in the formulation and financing of policy. |
| Cooperation agencies | Provide technical assistance and other resources within the framework of their operational capability for promoting and collaborating in the implementation of the human rights focus. |

Source: Compiled from Giménez et al., (2010:64).

## 4.3 Public Policy that Promotes Social Responsibility

The implementation of this type of public policy obligates businesses to include government as partners in their operational structures and to be aware of efforts in the public domain for promoting SRB.

Businesses that design and implement measures to get involved in public policy have opportunities to become leaders in the countries in which they operate.

Additionally, one must understand governmental efforts within the context of public policy designed to stimulate and promote SRB. According to The Business of a Better World BSR (2009), obligatory and voluntary standards created by governments in various countries span the gamut from generous voluntary suggestions and standards to formal and legally binding ones. Voluntary standards are prescriptions for taking responsible work-related measures in private and public sectors. Obligatory standards are of a contractual nature and generally contain an implementation mechanism in case of lack of compliance. Certification mechanisms have also been created for businesses that implement governmental standards. Both voluntary and obligatory standards are based on transparency, accountability, labor rights and the promotion of communal participation practices.

Voluntary standards and obligatory policies that openly communicate governmental SRB policy in such as way that there is a good chance this will influence business behavior.

**Table 2: Public Policy that Promotes SRB**

| Type of policy | Country | Agency | Instrument | Description |
|---|---|---|---|---|
| **Obligatory standards** | México | National Institute for Women. | Governmental certification | Businesses that support the implementation of gender equality initiatives are certified. |
| | | National Institute for Women. | Promotion of gender equality. | Governmental agencies, pertinent legislative reform, and the creation of RS capabilities within government and society. |
| | | The Federal Government | Public ceremony | Recognition of businesses that employ handicapped persons. |
| | | The Mexican Council for Social and Economic Development. | Conferences, workshops and fellowships. | National initiative based on the promotion of technical assistance, the exchange of procedural excellence and technology transfer. |
| | | The Mexican Institute for Normalization and Certification. | Publication of standards. | Directorship of SRB is not legally binding in the private sector. |
| **Funds for implementing SRB** | | Secretary of the Economy. | Funds for increasing the competitiveness of PYMES. | Part of the funds allotted to finance SRB programs. |

Source: Compiled from Ascoli y Benzaken (2009).

## 5. Wind Energy

Among the reforms in the energy sector, renewable energy stands out as a central element. The Mexican government has committed itself to promoting private investment in the generation, distribution and transmission of energy. At the same time, before the threat of climate change and energy insecurity, the Mexican government has favored a transition to renewable energy. This involves novel energy policies that foment diverse renewable energy sources while reducing the adverse environmental impacts of green house gas emissions produced by fossil fuels, our primary energy source. In accord with this energy policy, the wind is a naturally non-contaminating and renewable energy source. At present wind turbines are capable of producing electricity at competitive prices.

In Mexico a number of areas stand out for their wind-energy potential: the Isthmus of Tehuantepec in the state of Oaxaca, La Rumorosa in the state of Baja California, the Yucatan Peninsula as well as the states of Zacatecas, Hidalgo, Veracruz and Sinaloa (tech4CDM, 2009).

**5.1 The Social Responsibility of Wind Energy Businesses: The cases of Eléctrica del Valle de México (La Mata, Asunción Ixtaltepec, Oaxaca.) and GrupoDragón (Arriaga, Chiapas)[1].**

### 5.1.1. Eléctricadel Valle de México

The Eléctricadel Valle de México (EVM) wind park is located in the village of Aguascalientes La Mata in the township of Asunción Ixtaltepec, located in the Oaxacan Isthmus region. EVM is a subsidiary of EDF-Energies Nouvelles, Eletricité e France-EnregiesNouvelles. It has a reserve capacity of 67.50 megawatts and an installed capacity of 50 megawatts. Aguascalientes La Mata is a located 60 meters above sea level and has 813 inhabitants. The Wind energy centers in La Mata and La Ventosa belong to EVM and are operated by ENXCO Servicios, both subsidiaries of EDF Energies Nouvelles.

Investment of five million pesos that resulted in the implementation of social projects.

**Table 3: Social Responsibility of Eléctrica del Valle de México**

| Actions | Description |
|---|---|
| Paving streets | 1,700 linear meters on Emiliano Zapata, Miguel Hidalgo, Mina and ProlongaciónJuárez streets. |
| Construction of computer room | TV secondary school "Carlos Altamirano" |
| Roofing | Civic plaza |
| Remodeling of bathrooms | Primary school . "Emiliano Zapata" and kindergarten "La voz de mi patria" |
| Supportive sewing workshops for women | Purchase of six industrial machines. |

Source: compiled from data available at http://www.noticiasnet.mx/portal/principal/52019-aplican-fondo-eolicas-obra-ejidal-mata

### 5.1.2. GrupoDragón

The Arriaga wind park is located in the municipality of Arriaga, Chiapas. It will have a capacity of 28.8 megawatts and will provide electricity to all the installations of Grupo Salinas in the area as well as to 33 municipalities in Chiapas.

GrupoDragón (Eólica de Arriaga) is a group of Mexican businesses interested in generating electricity with renewable sources such as wind, geothermal and solar. They generally promote the use of renewable energy and support their clientele by reducing the cost of energy.

**Table 4: GrupoDragón& Social Responsibility**

| Actions | Description |
|---|---|
| Participation in the community project "LimpiemosNuestro México" (Let's Clean Our Mexico) | Grupo Salinas's Fundación Azteca, a national cleaning campaign that foments awareness about the need to put garbage where it belongs. |
| Refurbishing athletic fields. | Remodeling of sports center in the township's seat of government, Arriaga, Chiapas. |
| Remodeling schools and conference centers. | Series of conferences on renewable energy and environmental stewardship. |
| Infrastructure | Donations for the installation of parks, playground equipment and sports courts. Donation of gravel to repair roads and public areas. |

Source: Compiled from data on GrupoDragón available at
http://www.gdragon.com.mx/educacion.php?seccion=6

**Social Commitment of Grupo Salinas**

For Grupo Salinas, social commitment is a priority because it "is the best way of transforming our values into social action.

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[1]Interviews with both businesses could not be arranged. The information for this article was obtained solely from their Internet websites and newspaper articles

We ask ourselves how we can put these values into action beyond the everyday work activities of our employees. Foundation Azteca is the answer. It is a nonprofit organization that works to further social justice in our country and abroad. In Grupo Salinas, we fervently believe in individual rights and liberties. Generosity is our fundamental value for helping society, especially among the less fortunate, with diverse initiatives focused on improving health, education, the environment and cultural resources.

The businesses that make up Grupo Salinas: Azteca, Azteca América, Advance America, Grupo Elektra, Banco Azteca, Seguros Azteca, Afore Azteca, Italika, Punto Casa de Bolsa and Grupo Iusacell.

## 6. Conclusions

The concept of social responsibility, which has many definitions, has been influenced by numerous historical, economic, social, political and cultural factors. Not many businesses in Mexico practice entrepreneurial social responsibility. Nevertheless, these businesses do have their own values and culture. They simply don't have specific programs for helping their workers, the community and the environment that surrounds them. What they need are programs with specific social-responsibility strategies.

Public policies that promote social responsibility in Mexico are still in their early stages. In this regard, we might ask ourselves how involved should government be in promoting effective SRB implementation that includes important themes that businesses must consider upon designing SRB strategies; such as human rights, employment and the environment. What should the key issue of human rights in public policy be? In answering this question, this model presupposes that society and government form a partnership to work hard together in diverse public policy procedures that (1) demand that a government respond to people whose rights have been violated, (2) diagnose the problem, (3) design a means of resolving the problem in light of needs analyses and the State's obligations, (4) cooperatively implement policy, (5) monitor implementation in order to correct deviations and (6) evaluate programs to insure that they are resolving the problem. Openly communicated information is required in every step of public policy implementation. Furthermore, one must recognize SRB efforts to establish voluntary and obligatory standards in general as well as the implementation of RS in public administration in particular.

Eléctricadel Valle de México, S. de R.L. carried out its investment commitment in cooperation with La Mata's inhabitants, who participated in developmental plans by making decisions on resource allotment. Largely because of the active involvement of businessman Ricardo Salinas Pliego of Grupo Salinas, GrupoDragón demonstrated the importance of social responsibility with its ample participation within the host society.
Finally, both transnational businesses amply disseminated their voluntary SRB standards (EDF-Energies Nouvelles).

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