

A Climate of Conflict

Conceptualisations of Sustainable Development in land and environmental conflicts - a case study of Unión Hidalgo, Mexico

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My thoughts are with the murdered and disappeared Environmental Human Rights Defenders in Mexico and the world, and those who continue to fight.

Abstract

The expansion of renewable energy sources to enable a reduction in greenhouse-gas emissions has intensified in many parts of the world. As in other areas of development, this has led to processes that require the use of land and the alteration of existing local landscapes, and therefore cause conflicts with the surrounding population. Indigenous Environmental Human Rights Defenders (EHRDs) from Unión Hidalgo in Oaxaca, Mexico, have shown continued resistance against the construction of wind energy projects in the region by arguing that their collective land rights have been violated and a Free, Prior and Informed Consent did not take place as according to international standards. Taking its point of departure from this conflict situation, the purpose of this study is to understand how prevailing conceptualisations of Sustainable Development - as formulated in the 2030 Agenda for Sustainable Development - are adopted at different scales and shape the lived realities for EHRDs and affected communities in their human rights struggles connected to land and environmental conflicts. The thesis takes a single case-study approach, using a Critical Discourse Analysis and a constructivist view on the influence of power imbalances for knowledge production. It looks at the discursive practices of four key actors (EHRDs, companies, and the government at state and federal level) regarding their perceptions of Sustainable Development, human rights and the windfarms in Unión Hidalgo. Finally, the discussion of findings demonstrates that the defenders' understandings of Sustainable Development significantly diverge from dominant public discourses of decision-making actors. Such actors create powerful joint discourses that emphasise the need to expand renewable energies in order to move towards meeting their sustainability agendas. This discursive power is combined with historical processes of marginalisation, territorial conflicts and violence, and results in: limited possibilities for a critical reflection on the purpose and management of these windfarms; the disregard of human rights standards and the local community's interests; as well as an extremely precarious situation for those who speak up to defend their rights, territorial claims and collective identity.

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List of abbreviations

<i>AMLO</i>	Andrés Manuel López Obrador (President of Mexico)
<i>CDA</i>	Critical Discourse Analysis
<i>CFE</i>	Comisión Federal de Electricidad (Federal Electricity Commission)
<i>DEMEX</i>	Desarrollos Eólicos Mexicanos (Mexican Wind Energy Developments)
<i>ECCHR</i>	European Center for Constitutional and Human Rights E.V.
<i>EDF</i>	Électricité de France
<i>EHRD</i>	Environmental Human Rights Defender
<i>EIA</i>	Environmental Impact Assessment
<i>FPIC</i>	Free Prior and Informed Consent
<i>HR</i>	Human Rights
<i>HRC</i>	Human Rights Council
<i>HRD</i>	Human Rights Defender
<i>IHRL</i>	International Human Rights Law
<i>ILO</i>	International Labour Organisation
<i>NGO</i>	Non-governmental Organisation
<i>OECD</i>	Organisation for Economic Co-operation and Development
<i>ProDESC</i>	Proyecto de Derechos Económicos, Sociales y Culturales, A.C (Economic, Social and Cultural Rights Project, A.C.)
<i>RE</i>	Renewable Energies
<i>SD</i>	Sustainable Development
<i>SDGs</i>	Sustainable Development Goals
<i>SEMAEDES</i>	Secretaría del Medio Ambiente, Energías y Desarrollo Sustentable (Secretary for the Environment, Energy and Sustainable Development)
<i>SENER</i>	Secretaría de Energía (Ministry of Energy)
<i>UN</i>	United Nations
<i>UNGA</i>	United Nations General Assembly

1 Introduction

“And so, what we are defending is life, not our life, it is everyone's life. No matter how far away they are, or how rich other countries are, it is everyone's life.” (Laura, Interview April 15, 2021).

The construction of windfarms in Unión Hidalgo, Oaxaca, Mexico, is an important step towards creating possibilities for alternative energy production and thereby contributing to the global efforts to mitigate climate change. But the story does not end here: while strong economic interests of powerful multinational companies, investors, and the government are at play, local Environmental Human Rights Defenders (EHRDs) have brought forward consistent claims against the management of these windfarms, defending their right to participate in decision-making processes concerning their territory and natural resources. As a result, tensions arise: EHRDs report experiences of stigmatisation, threats, and physical attacks. Similar conflicts have been observed increasingly all over the world, as the latest report by Global Witness shows a shocking number of 212 EHRDs killed in 2019 – with Mexico, sadly, taking fourth highest place in the global ranking (Global Witness 2020). Simultaneously, the concept of Sustainable Development (SD) has shaped the international discourse over three decades and has been increasingly connected with aspects of social justice and human rights (HR), as well as intra- and intergenerational equity. It could be argued that the growing interest in further developing and using this concept by state and non-state actors positively impacts those who are affected by the social and environmental consequences of development projects. However, there is evidence to the contrary from sources beyond the Global Witness report (United Nations [UN] Special Rapporteur on the situation of Human Rights Defenders [HRDs] 2016; Centro Mexicano de Derecho Ambiental 2019).

The aim of this research project is, therefore, to explore this discrepancy by analysing how actors at different scales (national, regional and local) interpret and conceptualise the concept of SD and interrelated discourses, thereby approaching an understanding of the discourses' influence in the context of the conflict. The following overall research question will guide this inquiry:

How do conceptualisations of Sustainable Development shape human rights struggles within land and environmental conflicts?

The methodological approach comprises an empirical single case-study of Unión Hidalgo and the use of theoretical frameworks originating from social sciences, including anthropology and sociology. To develop an understanding of the concept of SD from a constructivist perspective, critically reflecting on the impact of language, as well as its interrelation with power structures in real-life contexts, a Critical Discourse Analysis is chosen. The main method is hence a qualitative analysis of available documents from the key actors identified, the results of which are then triangulated with semi-structured interviews with EHRDs from Unión Hidalgo.

I begin this analysis with the hypothesis that the actors involved in land and environmental conflicts conceptualise SD in diverging ways and that some even instrumentalise the concept for economic purposes. These discourses thereby generate a climate of permissiveness for HR violations because activities that constrain the HR of local communities are more easily legitimised. Furthermore, I expect that unequal power relations are perpetuated through discourse insofar as the conventional interpretations of SD based on the 2030 Agenda are seen as the legitimate source of knowledge, while alternative perceptions are undermined. This might negatively influence the EHRDs' ability to speak up and defend their rights. However, I also recognize that the growing interconnectedness of SD and HR discourses may have the potential to provide a framework that supports community claims. The analysis conducted here will therefore consider this last assumption in more depth.

While the next chapter addresses the global dimension and theoretical understandings of SD, including its interrelation with a HR framework, and lays a foundation for the discourse analysis, Chapter 3 explains the methodology and methods used. Subsequently, Chapter 4 presents the selected case-study. In the empirical part of the thesis, Chapter 5 describes the findings of the discourse analysis. Finally, Chapter 6 summarises and discusses how the local actors adapt and make sense of the concepts SD and HR in their realities and what this implies for affected communities, leading to the conclusion in Chapter 7.

2 Theoretical framework: The discourse of Sustainable Development

In light of increasing climate change hazards and a more visible environmental destruction in recent years, the concept SD has been accepted as the cornerstone for the creation of international treaties, political negotiations, development projects, and other processes that determine our daily lives. It was originally defined in the UN “Report of the World Commission on Environment and Development: Our Common Future” (1987, hereafter Brundtland-Report), and later taken up in UN-treaties, the most prominent being the 2030 Agenda for Sustainable Development from 2015 (hereafter 2030 Agenda). Various scholars have explained its influence in different contexts. Torkington et al., for instance, analysed the discourse of sustainability in national tourism policy documents and concluded that

the use of the term ‘sustainability’ has become so appropriated by neoliberal discourse, so diluted and ambiguous that, at best, it is useless and, at worst, it is actually detrimental in terms of positive objectives and outcomes for environment and society. (2020, 1058)

While this is a radical claim, it shows the potential of language for influencing local realities. The research presented here, therefore, analyses discourse to explain how people construct ideas and worldviews through making sense of language (Landman 2003, 63).

The first section of this chapter explores theories about the impact of discourse and its linkage with power structures. The second part focuses on the concept of SD and its varying dimensions. The idea is not to prove whether the models presented reflect reality but to use them as guidance for a structured discourse analysis. Furthermore, the aim is to present how SD is formulated and applied on a global scale to later understand how it is translated or “vernacularised” in local contexts and by different actors, i.e. how they make sense of the concept, which elements they adopt and which they reject (Engle Merry 2017, 149).

2.1 Power, knowledge-production and Critical Discourse Analysis

“Analyzing discourses reveals how we come to take a certain phenomenon or an entire social reality for granted, and what kind of effects it has to naturalize that reality rather than another” (Dunn and Neumann 2016, 2). Discourse is commonly understood as a system of meaning-production through which societies and individuals understand the world (ibid., 2-3). Discourse analysts argue that certain knowledge-systems are “naturalised” and presented as given

through language while their subjectivity remains hidden (Wodak and Meyer 2001, 3). In that sense, language is a social product that not only describes phenomena but also produces them – this process ultimately being the object of study of a discourse analysis (Dunn and Neumann 2016, 2). Researchers have attributed great potential for generating real-life effects to discursive practices, arguing that they define who can speak and be heard and what is considered common sense (ibid., 47). But the study of language is only a means to an end: insights about a text are used to understand more general societal, political and cultural issues (ibid., 44).

To understand the potential of language for creating empirical facts, the analysis of discourse does not only include the examination of how concepts are represented but also by whom and with whose support, i.e., in which context and system of power they are embedded. In this sense, discursive power means the ability of actors to present their conceptions of the world as the legitimate, scientific, or objective version of reality or “knowledge” to their audience (ibid., 54). This research adopts the approach of a Critical Discourse Analysis (CDA) as a theoretical foundation, thereby combining assumptions on the importance of power relations for knowledge-production with an analytical approach to discourse (ibid., 36; Jäger 2001, 36–37). Compared to other discourse analysis approaches, CDA has a stronger tendency to acknowledge conditional circumstances that have an impact on the agency of individuals and organisations (Bryman 2016, 540).

Keeping an awareness on the actors that have the power to produce and circulate ideas on sustainability and those who benefit from these ideas, might allow to shed light on the impact that discourses have on the realities of individuals in the local context (Andreassen and Crawford 2015, 665; Avila-Calero 2018, 612). According to Howe, an important factor for the legitimisation and “stable representation” of knowledge is the cooperation between different decision-making actors, e.g. state authorities and corporations. These partnerships have the power to create the perception that certain concepts are official and neutral while disregarding alternative ones (2014, 383). Furthermore, the systems for circulating knowledge are also permeated by power structures and consequently influence to which degree the competing discourses are heard in the public sphere (Dunn and Neumann 2016, 58).

2.2 Conceptualisations of Sustainable Development

Instead of being fixed and closed, discourses are open-ended and emergent, thereby always including space for contestation (Dunn and Neumann 2016, 3). This is certainly true for the

concept SD, as it includes two seemingly incompatible elements that have to be reconciled: the activity of “sustaining” or conserving the environment, while at the same time allowing for economic growth and human development.

Firstly, Whyte and Lamberton explain that definitions of “sustainability” depend on “differences in scale, change processes, temporal, and spatial contexts” (2020, 2). Accordingly, the scale of influence of the actors (individual, local, national, regional or global) shapes the importance they ascribe to different elements of sustainability. Other aspects, such as an intra- vs. intergenerational focus (temporal dimension) and whether sustainability is seen as an outcome or a process (change processes) are also influential to the understandings (ibid., 3). Whether the actors draw on ecocentric or anthropocentric arguments is another element for classifying their discursive representation of sustainability. While ecocentrism highlights the conservation of the environment as a standalone target, an anthropocentric discourse argues for the protection of the environment to allow further human development in the future (ibid., 3-4). Consequently, “the primary objective of sustainability is very much contested” and underlying values, worldviews and knowledge-systems influence these contesting perspectives (ibid., 16-17).

The second theory presented here is developed by Connelly, who criticises interpretations of the term SD - which he understands as an "inherently political concept" - because they often lack recognition of the inherent contradictions of the term (2007, 260, 262). He therefore designed a model that acknowledges this contestation by allocating the diverse dimensions of SD within the definition of the term. Besides the inclusion of an anthropocentric/ecocentric axis as explained above, he proposes three extreme positions: the aim of achieving (1) economic growth, (2) environmental protection or (3) social justice, without taking into account any costs resulting for the remaining two dimensions. He argues that different perspectives can be situated along the axes between these three extreme positions, thereby striking a balance between them in different ways (Langford 2018, 79; Spahn 2018, 2). While he later introduces more dimensions to this model that are beyond the scope of this analysis, the dimensions relevant for these purposes are best summarized with Connelly’s own visual representation:

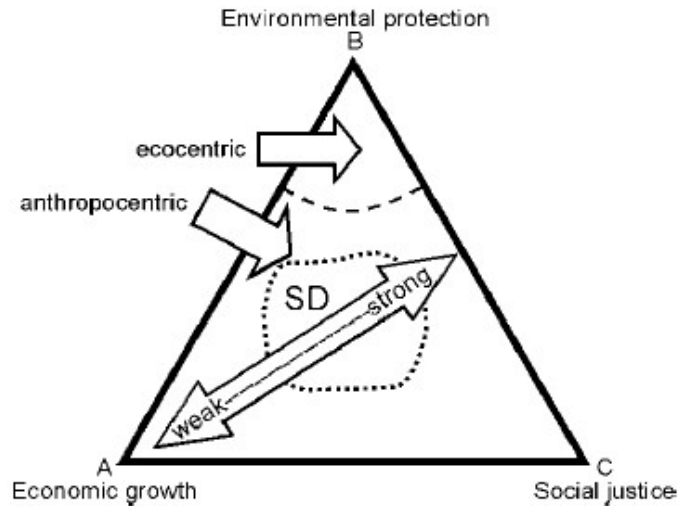


Figure 1 Sustainable Development model by Connelly (2007, 271).

2.2.1 Sustainable Development and Human Rights in the international context

The term SD was first prominently mentioned in the Brundtland-Report, where it was defined as “a development that meets the needs of the present without compromising the ability of future generations to meet their own needs” (World Commission on Environment and Development 1987, Chapter 2, para. 1). After several efforts by the UN to set development guidelines, the most prominent instrument was the 2030 Agenda adopted by all UN member states in 2015. It formulated the 17 Sustainable Development Goals (SDGs) to be achieved jointly by 2030. Even though the 2030 Agenda does not include a definition of SD, it emphasises the need for a balance of the same three dimensions identified by Connelly: economic, social and environmental (United Nations General Assembly [UNGA] 2015, Preamble).

In this regard, it can be argued that the acknowledgement of HR principles as common ground for all parties in the 2030 Agenda was a milestone towards understanding the threats of climate change from a social perspective that takes into account the effects upon the most vulnerable groups (Langford 2018, 79; Spahn 2018, 2). Therefore, the question arises of how an incorporation of HR can shape the concept of SD within the international agenda. One possible effect is a discursive turn towards the social dimension of SD that allows for a more holistic view, considering that the social dimension was traditionally rather subordinated to economic aspects in earlier prominent understandings. But the outcomes are dependent on how HR themselves are interpreted and used, as HR discourses too can be ascribed with diverging meanings, e.g. as legal framework, moral norms or code of conduct (Trapani 2008, 45).

On one hand, SD discourses that include HR and social aspects could contribute to an indirect adoption of a HR discourse by actors that present themselves as promoters of SD but would otherwise not place their activities in a HR framework. Supporting this argument, Miller explains that the tendency of introducing “rights-based approaches” into the development sector has influenced the ways of how development work is understood (2019, 721). She acknowledges that the adoption of HR principles in the actions and discourse of different actors can be carried out in varying ways, including through using more subtle or indirect references to HR (ibid., 723-24). This means that a broad and open HR language may have the potential to be more accessible for diverse actors. Additionally, the 2030 Agenda includes an emphasis on intergenerational equity: the notion that the world’s environment is passed on from one generation to the other and that this entails the responsibility of taking into account the interests of future generations in present decisions and actions (e.g. UNGA, para. 53). This touches upon an area that is currently being discussed but not yet established in International Human Rights Law (IHRL), thereby having the potential to transform, in turn, a traditional HR understanding that has so far merely focused on present generations (Spijkers 2018, 9).

The more specific obligations for state and non-state actors established under the HR framework can additionally lead to stronger commitments and the taking of action for the protection of HR through SD policies and action (Razzaque 2015). Current efforts in IHRL are directed towards providing more tools for this purpose. For instance, a legally binding document on HR and the activities of transnational corporations and other business enterprises is currently being developed, building on the already existing voluntary UN Guiding Principles for Business and Human Rights (hereafter UN Guiding Principles) (Business and Human Rights Resource Centre n.d.). Looking at the regional level of Latin America, the right to a healthy environment has been increasingly recognised in recent years by the Inter-American Court for HR (Rutherford 2018). Another regional instrument is the Escazú-Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (hereafter Escazú-Agreement) - ratified by Mexico in January 2021 and entered into force in April 2021. It is the first binding agreement that includes provisions on EHRDs.¹ Additionally, Keenan argues that the legal trend towards recognizing the need for participation and self-determination of indigenous peoples with regards to development projects -

¹ For more information see: <https://observatoriop10.cepal.org/en/treaties/regional-agreement-access-information-public-participation-and-justice-environmental> (accessed March 22, 2021); <https://dialogochino.net/en/climate-energy/42377-historic-escazu-agreement-enters-into-force/> (accessed May 6, 2021).

more explicitly expressed through the right to a Free, Prior and Informed Consent (FPIC) (see Chapter 4.1.2) - goes hand in hand with the increasing tendency to include the voices of local people in the management of such projects (2013, 5–6).

On the other hand, some scholars perceive that the appropriation of a HR language can lead to legitimising activities in a merely instrumental manner (Langford 2018; Sano and Martin 2017). Moyn argues that while the concerns for respecting HR might grow, the aims of achieving distributive equality are not included in these concerns, thereby keeping the ambition of a just world low and not leading to a real social transformation (2018, 3). He claims that “[n]ot merely a floor of protection against insufficiency is required, but also a ceiling on inequality, or even a commitment to a universal middle class” (ibid., 4). This means that the appropriation of a HR discourse, when seen as a goal in itself, does not guarantee the continuous striving towards eliminating the great global inequalities. Past efforts to combine HR and development agendas - e.g. through the formulation of a right to development by the UNGA through the Declaration on the Right to Development (1986) - had rhetorical rather than proven strength to tackle the worldwide inequalities and thus existed side by side with neoliberalism without the power to steer it in another direction (Moyn 2018, 192, 209). This can have the effect that a HR discourse is merely used as a strategic tool that does not represent the intrinsic aims of an institution, organisation or company (Miller 2019, 734–35). Besides, HR advocates criticised that the incorporation of HR was not a central aspect within the 2030 Agenda and that the unspecific formulations have little potential for a real practical implementation (Winkler and Williams 2017, 1023-24).

With regards to the right to FPIC – which is important for the case of Unión Hidalgo – scholars similarly argue that the ability to genuinely include local opinions is often limited in practice (Torres Wong 2019, 964). According to Dunlap, governments even instrumentalise FPIC “as a counter insurrectionary device to pacify opposition and legitimize controversial development projects” (2017, 187). Similarly, Keenan identifies the use of FPIC as “political risk insurance” by companies and investors, thereby reducing the risk of emerging costs in case of political resistance against a development project (2013, 15–16). As a result, even though a HR language might help to increase the attention on the social dimension of SD and several legal instruments have been developed to guarantee that HR are included in development plans, it is not certain that the interrelated discourses also benefit the most vulnerable commu-

nities, let alone that they lead towards achieving real intra- and intergenerational equity as promoted by the 2030 Agenda.

To summarise this chapter, societal power structures are manifested and can be traced through language. This is because decision-making actors use language to present certain concepts in ways that let them seem neutral while undermining alternative understandings. In that sense, the analysis of the context in which a discursive practice is embedded can help to understand the impacts that these discourses have on societal realities. Moreover, SD is interpreted in diverging ways depending on dimensions of scale, change processes and temporal contexts; anthropocentric vs. ecocentric perspectives; as well as the varying importance given to notions of economic growth, environmental protection, and social justice. It can be argued that the conceptualisation of SD on a global scale is shaped by an anthropocentric perspective and an increasing emphasis on social justice through the inclusion of a HR language in the 2030 Agenda. However, “local environmentally informed responses and those that purport to speak on behalf of a global scale are often conflicted, and their sources of knowledge disparate” (Howe 2014, 383). To what extent and with what effects each of the actors involved in the analysed case-study resorts to global conceptualisations of SD will be empirically investigated.

3 Methodological framework and methods

The aim of this research project is to understand the study context using a social science perspective and a HR approach that goes beyond the legal sphere (Andreassen, Sano, and McInerney-Lankford 2017, 4). From my point of view, using a critical anthropological perspective allows to understand the impact of HR on the realities and experiences in local contexts. As anthropological studies look at experiences, patterns of behaviour and language, as well as the structural characteristics behind these processes, Engle Merry argues that it is a suitable and important discipline within HR research (2017, 141–42).

Furthermore, a single case-study comprising qualitative empirical data is chosen as the methodology of this research. The background research on Unión Hidalgo and the reasons for choosing it as a case-example are presented in Chapter 4. In order to understand the context of the case holistically, the viewpoints of different actors involved on different scales (national, regional and local) are analysed in this dissertation (Yin 2018, 52). This approach can help to develop an understanding of how global concepts are adopted by individuals and organisa-

tions in specific contexts. Moreover, a multi-actor analysis can contribute to comprehending the different processes and factors that cause HR constraints for marginalised communities by taking an overarching perspective rather than only asking about their experiences at the individual level. In response to those who criticize a limited generalisability of single case-studies, Yin explains that the goal is not to make statistical generalisations but to contribute to the understanding of theories through their empirical application and subsequently facilitating conclusions for other cases (2018, 58, 79).

After the background research on the development of wind energy in the Isthmus of Tehuantepec and Unión Hidalgo (Chapter 4), a qualitative document analysis with a CDA approach was undertaken, as this allowed for a high degree of (self)reflexivity and the acknowledgement of the social construction of discourses that can have real-life impacts (Wodak and Meyer 2001, 1–2, 9-11; see Chapter 2.1). Bowen ascribes significant value to qualitative document analysis methods for case-studies because they enable us to effectively analyse a larger amount of relevant material (2009, 29, 31). It was therefore valuable for this research project, as the intention was to identify the viewpoints of four actor-categories within a short time. After concluding the document analysis, the method was then triangulated with semi-structured interviews with EHRDs from Unión Hidalgo for improving the understanding of the case-example from their perspective and strengthening the base of evidence (Yin 2018, 115; Grant 2018, 127–28; Bowen 2009, 28). The following sections describe and justify the steps carried out in each method.

3.1 Qualitative document analysis

The creation of the sample for the document analysis was based on the background research of the case and the identification of relevant actors presented in Chapter 4. A selection process led to delimiting the analysis only to the first four actor-categories (Categories A-D; see p. 20-21). This was based on time and resource constraints and the classification of other involved institutions as secondary actors.

Seven to thirteen documents were chosen for each actor-category based on the following two characteristics:

1. They were published by one of the identified actors in recent years (after 2011);
2. They either address aspects of wind energy projects in Unión Hidalgo or explain a general view on development, sustainability, the aims of activities performed by the organisation or group and/or the HR or ethical concerns of these activities.

The resulting sample consists of 35 documents (see Annexe 1) and includes a wide variety of text forms, from press releases, project reports, policy papers, to websites and blog articles. The heterogeneity of the documents was a challenge, but the aim was less to compare their content than to create a general picture of the recurring narratives of the actors. As the access to documents directly issued by the EHRDs (Category A) was difficult, I chose to include transcripts from videos². Only publicly available documents were collected from the websites of the companies and authorities as well as through general search engines. The sample of documents amounts to a convenience sample that has very specific criteria, which can be a limitation as it is not representative of the overall discourses of these actors. Moreover, the authors of these texts have specific purposes and target audiences and therefore express their issues in certain ways. Nonetheless, as my research approach focuses on the analysis of discourse, the publicly available documents are a good representation of the choice of language by the actors and their potential influence on public opinions (Grant 2018, 39). The idea is that, instead of merely focusing on the content of these documents, the study of language enables the researcher to witness the “communication” from the authors to their audiences through text, thereby uncovering subtle and underlying meanings that are tied to contextual and structural factors (Yin 2018, 181).

Applying an ethnographic (inductive and open) approach as suggested by Altheide et al. (2008) and based on an individual adaptation of the models by Grant (2018), Wodak and Meyer (2001), Wood, Sebar, and Vecchio (2020), and Bowen (2009), the analysis included the following steps:

1. **General impression and inductive coding:** Getting an overview of the general message of the texts and identifying the overarching themes and sub-themes by conducting an initial inductive coding separately for each actor-category. Comparing coded segments between each other and identifying general patterns (Bowen 2009, 37; Yin 2018, 241);
2. **Review with consideration of linguistic aspects and context:** Reviewing the data and codes with a consideration of more subtle and implicit meanings by looking at linguistic instruments and the representation of certain elements (Dunn and Neumann

² Thereby assuming that videos are a form of documents within the context of a qualitative document analysis (Grant 2018, 28; Altheide et al. 2008, 127).

2016, 111). Renaming and adjusting the codes where possible to make them more easily to compare with the other categories;

3. **Counter-arguments and completion:** Identifying the context in which the documents were published and what this means for the message of the text (Wodak and Meyer 2001, 25–26). Considering “rival theories” and searching for findings that support these opposing theories to review the preliminary findings (Yin 2018, 73)³.

The work through these steps is not linear but can rather be viewed as a cycle, where the regular return to previous steps with new insights is part of a “recursive and reflexive” analytical process (Altheide et al. 2008, 128; Wood, Sebar, and Vecchio 2020, 457). For allowing a more general understanding of the perspectives of different actor-categories and a better readability, a more differentiated analysis of the differences *within* each category needed to be partly withheld. Nonetheless, to prevent unjustified generalisations, an additional analysis step was carried out to examine potential conflicts within the categories. The resulting code-books for each category are included in the presentation of the findings in Chapter 5.

3.2 Semi-structured interviews with Environmental Human Rights Defenders

Conducting semi-structured interviews with EHRDs, allowed for a more direct exploration of their perceptions of the concept of SD, thus complementing the findings from the document analysis. The goal was to understand their views on SD, as well as their experiences regarding the environmental conflict, thereby seeking answers to the question of how prevailing discursive representations of SD shape their HR struggles. The interview-guide consisted of three thematical parts that revolved around: the general aspects of windfarms and their influence on the interviewee’s life; the activities that the interviewees have undergone in response to the construction of windfarms in their region; and elements that are important to them regarding the development of their community and/or region (see Annexe 2). The interviews were transcribed and then analysed using the coding technique described above.

Equally important was the intention to include the voices of those affected through the interviews (Avila-Calero 2017, 993). I thereby wanted to make a contribution – small as it may be – to altering the given power hierarchies in these contexts. Furthermore, I believe that this significantly improved the quality of my research as I, as an “outsider”, was able to gain a

³ All steps were carried out by using the software NVivo 12, suitable for qualitative document analyses.

direct perspective of the important issues for individuals affected by HR violations. However, this one-sided perspective caused by interviewing only one category of actors is also a limitation. With more resources, the inclusion of interviews with representatives of the companies or government authorities would have been an insightful addition to this research project. But under the given circumstances, I have consciously decided to "take sides" in the spirit of the above-mentioned purposes (Bryman 2016, 141). Nonetheless, the main empirical basis for this research lies in the document analysis which includes a broader perspective of different actor-categories and provided solid data for the analysis.

The limited access to my informants and the field is important to mention, as many social scientists would argue that for answering a research question as the one proposed here, it is necessary to conduct participant observation in the field (Sano and Martin 2017, 268). I did not include this method in my research design because I was not able to travel to the field. The fact that I relied on digital tools for conducting the interviews certainly had an influence on the interpersonal relationships and thus also on the results. Furthermore, the sample of three interviewees was chosen based on their accessibility to be contacted digitally. This purposive sample is therefore not representative of the population in Unión Hidalgo and the findings have to be viewed in that light (Bryman 2016, 408). The interviewees even mentioned themselves, that their opinion is only supported by a small number of community members. Their responses are therefore significant not because of their representativeness for Unión Hidalgo, but because they are EHRDs who try to speak out against powerful actors and in doing this, face resistance from different sides, even from within their community.

When working with the EHRDs, it was important to be aware of my position. The fact that I am familiar with the national context and speak Spanish as a mother-tongue was helpful but did not change the fact that I mostly grew up in Europe and have a non-indigenous background. It was therefore important to keep an awareness of my privileged and white position and to show respect, curiosity, and openness in the interactions (Nygaard 2017, 38). The format of a semi-structured interview was chosen to allow an openness towards the interviewees' concerns during the interview, but also when reflecting on the gathered information.

To conclude, the here presented research design was adapted to the available tools and materials and, despite the mentioned limitations, allowed to have sufficient empirical data from the documents and at the same time relevant direct individual insights through the interviews.

4 Background: the case of Unión Hidalgo, Oaxaca, Mexico

The present chapter presents the existing literature on wind energy projects in Unión Hidalgo, thereby paying special attention to assumptions about the discursive practices and power relations regarding disputes over windfarms. The first part gives an overview of the issues at stake in the region, while the second part will delve into the most important factors, events and actors involved in the conflict directly located in Unión Hidalgo.

4.1 Wind energy projects in the Isthmus of Tehuantepec

The context chosen for this research is the region of the Isthmus of Tehuantepec (hereafter the Isthmus) in Oaxaca, Mexico. Oaxaca is among the Mexican states with the most attacks against EHRDs who demand the respect of their economic, social and environmental, as well as collective rights as indigenous peoples (Human Rights Council [HRC] 2018, paras. 61, 64). Furthermore, the Isthmus has been an important location for the investment in windfarms since 1994, because of its extraordinary geographical conditions for the production of wind energy (Howe 2014, 386). It has therefore attracted the attention of past Mexican government administrations in the national efforts towards achieving a sustainability agenda through expanding Renewable Energies (RE) (Hamister 2012, 154–55; Zárate-Toledo, Patiño, and Fraga 2019, 3). Since then, numerous windfarms have been constructed: according to the Environmental Justice Atlas, currently, 29 windfarms and a total of 1564 wind turbines are in operation (Avila-Calero and Deniau 2020). The selected case can therefore exemplify the effects of a strong national agenda of SD on a local scale and thus contribute to understanding the impacts of discourses and power dynamics in similar land and environmental conflicts that can be observed all over the world (see Avila-Calero 2018).

Another reason for the choice of this case is that the conflicts around wind energy projects are intertwined with engrained historical conflicts representing the political struggles of indigenous communities in Mexico, Latin America and other parts of the world. These communities have been defending their communal territories and cultural identities against discriminatory systems of power that date back to colonial times (Dunlap 2018, 557; Lehmann 2018, 34). According to Avila-Calero, these long-lasting land struggles are at the centre of the local's narratives on wind energy in the Isthmus (2017, 1000). Therefore, the conflicts reflect and reinforce historical conflicts and power relations (ibid., 1005; Lehmann 2018, 6-7), and have to be analysed in light of the deeply rooted experiences of injustice and political resistance of indigenous groups in the Isthmus.

The following section presents the relevant scholarly findings on discursive practices according to involved decision-makers on one hand and the affected local communities on the other.

4.1.1 Discursive practices of decision-makers

Howe acknowledges that the language used in government decisions on energy development in the Isthmus often relies on the claim of an “ecological and environmental authority” - an “ecoauthority” – by using moral assumptions (2014, 385, 388). Other scholars found that national discourses justifying the construction of windfarms in the region rely on a neoliberal development agenda that has been accentuated since the 1980s (Avila-Calero 2017, 1004; Howe 2014, 384–85). This has led to a general welcoming and facilitation of foreign direct investment in the energy sector, especially in RE (Ramirez 2020, 2). Since the administration under President Felipe Calderón (2006-2012), the government has developed a strong climate change legislation (Howe 2014, 385). In 2008, the government passed a Law for the Use of Renewable Energy and for the Financing of Energy Transition to develop the RE-sector and secure energy independence (Martinez and Llaguno Davila 2014, 3).

Interestingly, with the government shift in 2018, newly elected President Andrés Manuel Lopez Obrador (AMLO, 2018-2024) started to deprioritise investments in RE. Many of these decisions were justified with the COVID-19 pandemic being responsible for the inability to carry out the approval processes for new projects, where critics argue that the reason is an agenda of greater state control over the energy suppliance through the state-owned Federal Electricity Commission (CFE, according to its Spanish acronym) and the destabilisation of private investors (Ramirez 2020, 2; Villamil 2020). This development has the potential to change decision-making structures of energy projects for the better or worse for affected communities. The communities themselves have argued that “the counter-reform gives them a respite, since they will no longer be under the shadow of private companies. But they are not free from the CFE, which has historically ignored their demands.” (Godoy 2021). Moreover, since this is a recent development, earlier decisions on wind energy most likely still affect the local population, which claims that the negative consequences they face are not sufficiently addressed by the current government administration either (see Chapter 4.1.2).

Martinez and Llaguno Davila argue that the companies’ promises do not result in real benefits for the affected communities, creating a gap between their discourse and practices (2014, 1, 3). Similarly, Zárata-Toledo et al. conclude that the discursive practices of decision-makers do not include social and environmental justice, but rather hide behind a “mask of green econo-

my” (2019, 10). Avila-Calero conducted a comparative study of 20 case-examples of wind energy conflicts in four continents, including the Isthmus, and identified that governments, corporations and investors use a paradigm of “ecological modernisation”, i.e. they argue that wind energy projects are a means to fight climate change by reducing greenhouse-gas emissions, often referring to the achievement of the SDGs and by using a scientific rationale (2018, 601–2). She concludes that this narrative is the foundation for justifications of wind energy projects (*ibid.*, 611). Consequently, the cooperation between governments, companies and investors generates powerful ties for the decision-making on the wind energy development in Mexico. As described in Chapter 2, these types of ties between state and commercial actors can strengthen the public perception that the knowledge presented by them is the only legitimate view on SD (Howe 2014, 383; see Chapter 2.1). Even though the relevant actors refer to an international agenda of SD, they do not seem to adopt the social justice and HR dimensions that were emphasised in the 2030 Agenda (see Chapter 2.2.1). In contrast to the here presented studies, the discourse analysis conducted in this dissertation will pay particular attention to the inclusion of a social justice or HR narrative by these actors and may potentially lead to different outcomes.

4.1.2 Discursive practices of the affected communities

The reasons for local communities to demand the shutdown or change of management of the windfarms are diverse. Some argue that the wind turbines negatively affect the land and consequently prevent farming activities, others point to health impacts, as well as the perception that the local communities do not benefit from the revenues of the projects in any way (Dunlap 2018, 559-60; Lehmann 2018, 25-26, 28). Another reason for discontent is the government’s failure to effectively implement the right to FPIC for affected indigenous communities, as required by the International Labour Organization (ILO) Convention No. 169 on Indigenous and Tribal Peoples, ratified by Mexico in 1990 (Howe 2014, 391)⁴. It was only in 2014 that the requirement for public consultation was included in the Mexican legislation under the Electric Industry Law, and many criticise that even with this provision, consultations are not carried out properly (Ramirez 2020, 8-9). Avila-Calero argues that the support for the construction of RE-projects from national and international institutions outweighs the argu-

⁴ The right to FPIC is furthermore anchored in the Convention on Biological Diversity (1993) as well as in the UN Declaration on the Rights of Indigenous Peoples (2007), but it is not part of the UN Climate Change framework (Zárate-Toledo, Patiño, and Fraga 2019, 3, 7).

ments of the possible negative consequences for the local population in many cases (2017, 1005).

Consequently, the claims of the affected are often based on the violations of their HR, including indigenous rights (Lehmann 2018, 32). In reference to her concept of “ecoauthority” described above, Howe indicates possible positive impacts of a SD discourse for affected communities. She argues that resistance groups adopt an “ecoauthoritative voice” themselves by using arguments of the negative environmental effects of the windfarms (2014, 391–92). A collective indigenous identity can further legitimise the demand for self-determination, including the control over land and natural resources, as well as references to international mechanisms for the protection of indigenous rights (Aguilar-Støen 2017, 95). In this sense, the interconnection of SD and HR in the 2030 Agenda could potentially be a truly helpful discursive frame for EHRDs and communities defending their rights and territories.

Groups that are in resistance against windfarms often face physical attacks, threats and criminalisation, as well as the accusations of working against national development aspirations (Coalition for Human Rights in Development 2019, 42–43; Lehmann 2018, 32; HRC 2017, para. 83). The general level of violence is high, as recent incidents in the Isthmus have proven (e.g., *The Guardian* 2020). Members of the HR organisation Proyecto de Derechos Económicos, Sociales y Culturales, A.C (ProDESC) furthermore confirm that the public discourse justifies continued attacks against the EHRDs by accusing them of being “enemies of progress” (Ancheita and Torres 2020). The statements of activists explaining that they are not against wind power per se, but rather drawing attention to the environmental and social consequences for their communities (Avila-Calero 2018, 609; Ramirez 2020, 10), do not seem to effectively counter these accusations. Hence, these individuals are at the frontline in the defence of their HR and the environment, and therefore fall within the definition of EHRDs by the previous UN Special Rapporteur on the situation of HRDs: “individuals and groups who, in their personal or professional capacity and in a peaceful manner, strive to protect and promote human rights relating to the environment, including water, air, land, flora and fauna.” (UN Special Rapporteur on the situation of HRDs 2016, 8).⁵

⁵ Recognising that environmental and HR activists may not necessarily see themselves as EHRDs (ibid., 9), this research will nonetheless use the term EHRDs to refer to these activists in the Isthmus to acknowledge their work in the defense of HR and the environment.

Hence, the academic consensus is that the knowledge and discourses on SD used by different actors in the Isthmus diverge significantly (Howe 2014, 383). While decision-makers base their discursive practices on the need to reduce greenhouse-gas emissions, the local communities refer to both social and environmental impacts of windfarms and make use of a HR language. However, it also becomes clear that because decisions are primarily taken outside the Isthmus, the local administrations, landholders and community assemblies can influence the processes only to a very limited degree (Lehmann 2018, 23). As the presented studies do not analyse to which extent the EHRDs specifically refer to SD, this is an interesting question for the discourse analysis of this thesis.

4.2 Zooming in: the case of Unión Hidalgo

The insights described above are important to bear in mind when turning to the community that is the focus of this research. Unión Hidalgo is a town of about 15,000 inhabitants⁶ located in the Isthmus which has been affected by the construction of windfarms since 2012.

The projects Piedra Larga I and II, operated by the Spanish company Renovalia Energy and its Mexican subsidiary company Desarrollos Eólicos Mexicanos (DEMEX), started operating in Unión Hidalgo in 2012. Since then, residents have experienced some of the above-mentioned negative consequences to the environment, their health, and social structures. Members of the Zapotec indigenous community furthermore claim that their community assembly was not consulted properly before contracts were signed. Part of the land in Unión Hidalgo is administered communally which means that the decisions concerning its use must go through that assembly (European Center for Constitutional and Human Rights E.V. [EC-CRH] 2019, 2). The transfer of land to indigenous community assemblies was part of a nationwide process of decolonisation and land redistribution in the early 1900s and therefore carries notions of a historical restoration of justice (Hernández Cortez 2016, 22). On the other hand, some individuals argue that they are the private owners of certain territories, which has led to continuous land conflicts (Lehmann 2018, 12). Moreover, EHRDs have experienced intimidations while negotiating with state authorities and companies (ibid., 22, 24-25, 29; Martínez and Llaguno Davila 2014, 8).

More recently, Électricité de France (EDF) is working on the implementation of the Gunaa Sicarú windfarm in Unión Hidalgo since 2015 and is currently in the process of consulting the

⁶ According to a 2015 census: <https://datamexico.org/en/profile/geo/union-hidalgo> (accessed April 30, 2021).

Zapotec indigenous community. The federal Ministry of Energy is responsible for this process (EDF Renewables n.d.). The ECCHR accompanies local HR movements and describes how the community assembly had not received sufficient information before contracts were signed between EDF and the state government of Oaxaca in 2017. Due to protests from the local population, which demanded the consultation to take place as according to international standards, the District Court of Oaxaca suspended the consultation in 2018 and later the Federal Court urged the authorities to conduct the process following the standards of the ILO Convention No. 169 (ECCHR 2019, 2-3). Further aggravating these circumstances, Unión Hidalgo was seriously affected by an earthquake in September 2017, but this did not stop the plans of decision-makers for advancing the implementation of the Gunaa Sicarú project (Lehmann 2018, 20). Moreover, local activists experienced public stigmatisation based on accusations of being against development as well as direct threats to their physical integrity (Federación Internacional por los Derechos Humanos 2019). When the consultation process was still not implemented properly, the local population decided to file a complaint before the French National Contact Point for the Organisation for Economic Co-operation and Development (OECD)-Guidelines on Multinational Enterprises, which they withdrew in 2019 because they argued that “the procedure was opaque, unpredictable and inequitable, as well as unduly strict in its confidentiality requirements” (ECCHR 2019, 7).

The ECCHR concludes that the communities’ right to FPIC as established in IHRL has not been respected and that “the role of the state in this case is problematic because it is, at best, ambivalent and, at worst, knowingly negligent” (ibid., 4-5). As internal conflicts have arisen and been paired with continuous threats and attacks against EHRDs, the accompanying Non-governmental Organisations (NGOs) report that a general state of violence is present in the community (ECCHR, ProDESC, and CCFD-Terre Solidaire 2020, 3). Currently, the consultation process is paused due to the health crisis that resulted from the COVID-19 pandemic (ProDESC 2020). The affected population, in cooperation with ECCHR and ProDESC, filed a civil lawsuit in France against EDF in October 2020. They invoke the French Corporate Duty of Vigilance Law from 2017, which obliges French companies to issue an annual vigilance plan including an assessment of HR and environmental impacts of their activities (ECCHR 2019, 7–8).

4.2.1 Identifying actor-categories

I lean my understanding of “actors” towards the definition by Lehmann, who situates her analysis within political ecology. She defines actors as

a social group which shares a common position in a given conflict, articulate and act according to this position, and can empirically be separated from other actors (...), without implying that actor groups are totally homogenous (...). (Lehmann 2018, 10)

For understanding the role of each actor, it is furthermore important to mention that most of the wind energy produced in the region is part of a self-supply scheme and therefore privatised (Dunlap 2017, 80). This means that transnational companies build the windfarms and the produced electricity supplies big industrial, commercial or service consumers in other parts of Mexico (Zárate-Toledo, Patiño, and Fraga 2019, 4). These can in turn receive low emissions certificates, thereby contributing to the overall national goal of reducing greenhouse-gas emissions (Martinez and Llaguno Davila 2014, 4).

The actors involved in the case-example will be a guiding parameter for the collection of data presented in the next Chapter. The main actors are the following:

- A. The EHRDs
- B. The transnational companies and their subsidiary companies (EDF, Renovalia Energy, DEMEX, EDF en México and Eólica del Sur)
- C. The state government of Oaxaca, mainly through its Secretary for the Environment, Energy and Sustainable Development (SEMAEDES, according to its Spanish acronym)
- D. The Mexican federal government, mainly through its Ministry of Energy (SENER, according to its Spanish acronym)

Other actors are national NGOs (Código DH, ProDESC); national organisations representing investors, developers and companies, such as the Mexican Wind Energy Association and the parastatal monopoly CFE (Martinez and Llaguno Davila 2014, 3, 6); judicial bodies, such as the District Court of Oaxaca and the Mexican Federal Court; as well as international actors, such as UN regulating bodies, international NGOs (ECCHR) and the French National Contact point from the OECD. The scale of operation and relations of these actors may be visualised in the following manner:

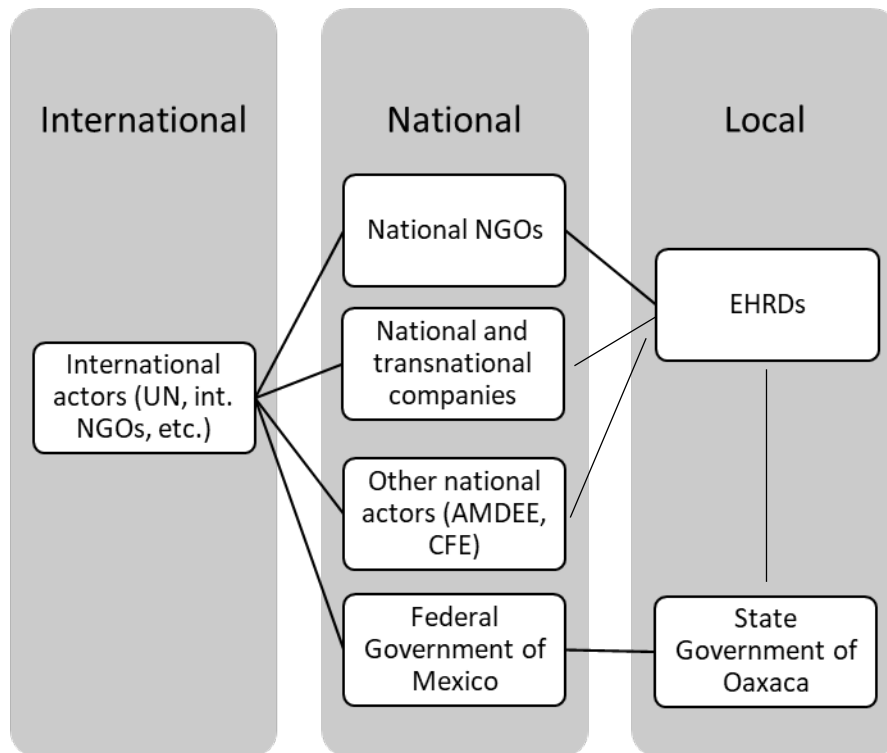


Figure 2 *Relevant actors at the international, national and local scale.*

It can be concluded that the concept SD plays a key role in the discursive practices of the actors involved in wind energy projects in the Isthmus. A HR language is additionally appropriated by the affected communities. Moreover, the inherent legitimacy of decision-makers to produce accepted knowledge is crucial to the way discourse impacts on the realities of affected communities. The discourse analysis carried out within this research project will help to identify how the actors in Unión Hidalgo conceptualise SD, and whether they incorporate a HR language. In combination with the here presented social and political circumstances, the analysis will then approach an answer to the question of how the diverging conceptualisations of SD shape the HR struggles of EHRDs in land and environmental conflicts.

5 Analysis and findings: Conceptualisations of Sustainable Development in Unión Hidalgo

Based on the foregoing insights, the following sub-questions guided the analysis of documents and interviews:

1. *What perception of **SD** do the actors have? How do they refer to different elements of the concept SD as defined in the 2030 Agenda?*
2. *In which ways does a **HR** language influence the discursive practices of the actors?*

3. *How do the actors talk about **wind energy projects** and connect this with the concepts of SD and HR?*

Due to the uniqueness of the narratives of each category, as well as the interrelation of different themes within these narratives, the following section presents the findings according to the actor-categories. Finally, the main interpretation and answer to the three sub-questions will take place in Chapter 6.

5.1 Category A – Environmental Human Rights Defenders

The documents for this category consisted of six videos (A01-A06) and one blogpost (A07) (see Annexe 1 for the list of documents). The videos were published by one local and one national NGO (Código DH and ProDESC), but their content shows the testimonies of EHRDs from Unión Hidalgo themselves. These videos likely intend to raise awareness about the work and experiences of the defenders within a wider audience. The general themes that emerged during this analysis, and their number of mentions, are represented in the following codebook⁷:

Codename	Number of files (out of 7 files)	Number of references
SD		
Economic development	1	6
Environmental protection	3	8
Social development		
Territory	7	18
HR	1	1
Activism	6	21
Risks for EHRDs	2	2

⁷ All codebooks presented here are structured in accordance with the three sub-questions and the overall themes they convey (SD, HR, the windfarms) to allow for a better oversight. As the codes do not always perfectly fit into these categories or overlap, the subsequent descriptions are important for understanding the codebooks. The hierarchical order of the codes (represented by the different shades of colour) merely reflects my own classification but has no relevance regarding the number of files and references.

Table 1 Codebook Category A

Codename	Number of files (out of 7 files)	Number of references
FPIC	4	8
Indigenous identity	2	5
IHRL	2	2
Windfarms in Unión Hidalgo	6	10
Invasion	4	5
Negative consequences of windfarms	7	11
Intergenerational equity	2	3

5.1.1 Perceptions of Sustainable Development

The most striking aspect of this category was that the narratives strongly relied on notions of territory: 100% of the documents comprising Category A mention ideas about territory. Some EHRDs describe a personal connection, such as the fact that the land was inherited from earlier generations (A02, A04), others draw to a spiritual connection (A03), and yet other defenders tie values of social relations to the territory, e.g., “[the territory] means the friendship I have built throughout my life in this space.” (A06, *Territory*)⁸. A common ownership of land is expressed in A03: “we all own this land because this land gave us birth and gave us life.” (*Territory*). The importance of natural resources is also seen in territorial terms on the grounds that without land there are no natural resources either, which in turn are necessary for the life of the community (A01, A04, A05, A06, *Environmental protection*). Descriptions of economic development are not present among the EHRDs, but one person mentions the need to conserve the local economic activities, which again are tied to the land and an indigenous identity (A02, *Economic development*). One person illustrates this importance:

We think that with money we can buy everything. But if we have a lot of money and there is no clean air to breathe, no healthy land to cultivate, no clean and pure water to drink and no fish to eat, where are we going to go? (A05, *Environmental protection*)

⁸ All quotations in Chapter 5 were translated from Spanish to English by the author. The indications in italics refer to the code under which the text segment was categorised (see Table 1).

5.1.2 The inclusion of a Human Rights discourse

General references to HR are not prevailing, only A04 claims the systemic violation of the community's rights (A04, *HR*). On the other hand, more specific references of the right to FPIC are made in A01, A03, A04 and A06. The person in A01 states that “the right to consultation for indigenous communities is a right that has been won with blood and hard work by many indigenous communities and peoples around the world (...).” (A01, *FPIC*). This symbolic character of FPIC is reinforced when one contrasts the right to FPIC from the companies' point of view as a “mere formality” with the EHRDs' understanding of it as “a community's need to have a say, to be able to decide, to be able to dialogue and to be able to make proposals” (A01, *FPIC*). Two EHRDs make an explicit reference to the IHRL framework, saying that the international regulations for FPIC were not followed in Unión Hidalgo (A01, A04, *IHRL*). The fact that the information was not available in Zapotec and only after contracts were signed, as well as the proposal of onerous and unfair contracts, are identified as aspects that led to a violation of the right to FPIC (A03, A04). One EHRD shows a complete disbelief in this system by stating that indigenous consultations generally do not have the power to stop a megaproject (A04, *FPIC*).

The activist work is seen as a defence of the territory rather than a HR defence. Through the notion of territory, the EHRDs express the feeling that something is taken away from them and that the government has “tried to serve on a silver platter” the lands and resources of Unión Hidalgo to foreign companies (A01, *Territory*). The risks for EHRDs are mentioned in A01 and A04, including stigmatisation, threats, and insecurity. According to A04, this creates fear in the population and discourages others to engage in political activities (*Risks for EHRDs*).

5.1.3 Narratives around the windfarms

Finally, the impact of windfarms in Unión Hidalgo is also perceived through a territorial understanding. Four documents refer to the construction of windfarms as an “invasion” (A01, A02, A05, A07, *Invasion*). The following description demonstrates the perception of a direct impact for the lives of the inhabitants through the alteration of land: “by drying up the groundwater table, they are drying up our land, they are drying up our lives.” (A03, *Territory*). The defender in A04 talks about how “easily” the natural richness is destroyed by the operating companies (A04, *Environmental protection*). Moreover, the corruption and lack of transparency, as well as the creation of internal conflict, are identified as problematic (A01, *Negative consequences of windfarms*). Several documents claim that the companies' narra-

tives are false promises or “lies” (A03, A04, A06, *Negative consequences of windfarms*). Other detriments mentioned are the following: the fact that the individuals do not benefit from the projects (A02), that they cannot access their territories (A03), the preoccupation that there will be no space left for the next generations (A05, A06), and the control of private companies over common goods (A07). A05 and A06 apply an intergenerational focus by stating that the negative consequences will adversely affect the future generations of that community. A04 concludes that “[i]t's not worth what companies offer, compared to the damage they do to communities.” (A04, *Windfarms in Unión Hidalgo*).

The fact that the EHRDs have been constantly under attack in public discourses (see Chapter 4.1.2), might explain the figurative and sometimes fierce language used by these EHRDs. Furthermore, as they are represented by two NGOs and made the videos in cooperation with them, their language might be influenced by the organisations’ understanding of the conflict.

5.2 Category B – The companies

The documents analysed in Category B were issued by the companies EDF (France), Renovalia Energy (Spain), DEMEX and Eólica de Oaxaca (Mexico) – all involved in the operation of windfarms in Unión Hidalgo. Apart from website articles of these companies (B01-B10), the Environmental Impact Assessments (EIAs) of the windfarms Gunaa Sicarú and Piedra Larga are included (B11, B13), as well as one press statement published by EDF in response to accusations regarding the right to FPIC in the Gunaa Sicarú project (B12) (see Annexe 1 for the list of documents). The codebook provides a general impression of the most recurring themes:

Table 2 Codebook Category B

Codename	Number of files (out of 13 files)	Number of references
SD	5	11
Economic development	3	4
Efficiency	3	9
Potential	5	12
Environmental protection	5	7
Perception of wind	4	7

Table 2 Codebook Category B

Codename	Number of files (out of 13 files)	Number of references
Social development	3	5
HR		
Inclusion of local communities	8	15
FPIC	2	2
Windfarms in Unión Hidalgo		
Environmental risk mitigation	2	20
Fauna and flora	2	18
Landscape	3	24
National sustainability goals	2	6
Positive outcomes of energy projects	2	2
Emissions reduction	6	11
Meeting sustainability goals	3	4
Energy security	3	7
Improvement of the environment	1	2
Job creation	4	12
Contribution to local development	1	10

5.2.1 Perceptions of Sustainable Development

How the companies describe and understand wind energy gives information about their conceptualisation of SD. The documents include several references to the high efficiency of wind energy, drawing on the relatively low costs of its production (B05, *Efficiency*). In addition, several references are made to the potential for wind energy generation in the region and it is noted that a large part of this potential remains unused (B13, *Potential*). The importance of new technologies for ensuring higher effectivity is also highlighted (B11, *Efficiency*). Consequently, these themes influence the perception of wind as a natural resource, e.g., by describ-

ing it as a “limitless, non-polluting resource that consumes virtually no water, and the power it generates is even more affordable than ever, with a 60%+ reduction in cost over the last five years.” (B05, *Perception of wind*)⁹. The adjectives “abundant”, “renewable”, “green” and “clean” are used in connection with the resource of wind (B09, B11, B13). The generation of wind power is furthermore described as a tool for “promoting sustainable development.” (B13, *SD*). Some documents mention a “sustainable energy future” and the importance to produce energy for the next generations (B03, B05), but specific references to the term SD and international mechanisms for environmental protection are rare (B07, B11, B13, *SD*).

5.2.2 The inclusion of a Human Rights discourse

In their websites, both Renovalia Energy and EDF refer to their corporate social responsibility agendas. Renovalia Energy claims to “respect the idiosyncrasies of the communities in which we operate, their culture and customs.” (B06, *Inclusion of local communities*). The use of the term “idiosyncrasy” in this context is interesting, as it refers to “peculiar” or “eccentric” characteristics, thereby creating the idea that these communities differ from the norm¹⁰. Hence, even though the company promises to take into consideration the effects for local communities, they are represented as standing in the way. B07 mentions the “conservation and promotion of cultural heritage and ancestral traditions” of the communities but makes no reference to the communities’ possible opposition to the projects (*Inclusion of local communities*). Even B12, which is the response of EDF to claims that the consultation process for the Gunaa Sicarú project is illegitimate, does not acknowledge the existence of political resistance by the local population. On the contrary, EDF states that “[t]he Gunaa Sicaru project is quite well accepted by the local communities.” (B12, *Inclusion of local communities*). The right to FPIC is mentioned only twice (B01, B12) and a more general HR protection is not mentioned at all. This stands in contrast with the strongly underlined goal of including local communities in the wind energy projects (15 references) and the idea that the windfarms automatically contribute to the local development of the communities: “Our wind projects support the local communities in which we work through landowner payments and tax revenues, while at the same time

⁹ No translation was needed for the quotations from documents B01-B07 because the original language was English.

¹⁰ <https://www.merriam-webster.com/dictionary/idiosyncrasy#examples> (accessed March 11, 2021). Even though the term has a less negative connotation in Spanish and is often used in relation with indigenous communities, <https://dle.rae.es/idiosincrasia> (accessed May 12, 2021).

creating jobs in manufacturing, construction and wind project operations.” (B02, *Inclusion of local communities*).

5.2.3 Narratives around the windfarms

Six arguments supporting the wind energy projects were identified in the discourse of the four companies: firstly, the arguments of contributing to the reduction of greenhouse-gas emissions **(1)** and meeting national and international sustainability goals **(2)** were mentioned eleven and four times respectively, e.g., in B05: “EDF Renewables and EDF affiliates’ coordinated offerings allow our corporate and institutional clients to meet their sustainability goals while saving them money.” (B05, *Meeting sustainability goals*). This is reinforced with several references to international frameworks for sustainability (e.g., the Kyoto Protocol in B13), as well as the national and state development-plans (B11, B13, *National sustainability goals*). The idea that wind energy helps to provide for national energy security was mentioned by EDF and DEMEX **(3)**. Interestingly, the argument that not only environmental harm is mitigated through planning measures, but that the windfarms even have positive effects on the local environment through a better monitoring of its conservation was named by Eólica de México (B11) **(4)**. On the other hand, socio-economic arguments are brought forward, such as the creation of employment – mentioned in four documents (*Job creation*) **(5)** and the improvement of the local development, e.g., by expanding infrastructure and incentivising capital flow (B13, *Contribution to local development*) **(6)**. Generally, both sets of arguments (socio-economic vs. environmental) find great application across all companies, especially the arguments of job-creation and emissions-reduction (found in documents from three out of four companies).

The EIAs (B11, B13) recognise the potential for environmental and social harm of the windfarms. Negative effects for the landscape, the flora and fauna, as well as for the population are identified as possible detrimental consequences. Arguments explaining that it is nonetheless feasible to carry out the projects are amongst others: the resiliency of the local ecosystem, the relatively insignificant level of impact by the windfarms, and the fact that only a small percentage of the land is used for the wind turbines while the rest can still be used for agricultural activities (*Environmental risk mitigation*). The territory is described as: “private land, the majority of which is used for livestock farming and is compatible with this activity.” (B13, *Landscape*). This suggests that, compared to the descriptions of Category A, the companies neither address any added value in protecting the territory and environment nor the fact that parts of it are owned collectively. Environmental conservation seems to be desired only to a

limited extent, “while making it compatible with economic development.” (B13, *Environmental risk mitigation*).

5.3 Category C – The Mexican Government at the State level

The development strategy of the state government of Oaxaca for 2016-2022 was a key document for analysing the perspective of the Oaxacan government (C01). Other documents included website articles (C02-C05, C07) and the Institutional Strategic Plan (C06), all published by the Secretary for the Environment, Energy and Sustainable Development (SEMAE-DESO) (see Annexe 1 for the list of documents). The following codes were identified within this category:

Codename	Number of files (out of 7 files)	Number of references
SD	5	14
Economic development	2	19
Efficiency	3	9
Special Economic Zone	1	11
Use of natural resources	2	15
Environmental protection	3	28
Indigenous peoples cosmovision	1	4
Social development	2	24
Intergenerational equity	2	3
Territory	3	10
HR	1	21
Indigenous rights	2	7
Culture-related indigenous rights	1	7
FPIC	3	7
Right to environment	2	5

Table 3 Codebook Category C

Codename	Number of files (out of 7 files)	Number of references
Energy management		
International sustainability goals	3	11
RE	4	22

5.3.1 Perceptions of Sustainable Development

In C01, the inclusion of chapters on social development, innovation and productivity, and sustainability indicates that social, economic, and environmental aspects all find their respective place in this vision of development. Furthermore, compared to the previous categories, the term SD itself is more present in this discourse (C01, C04, C05, C06, *SD*). Descriptions about the social dimension of development mention the aim of guaranteeing access to social welfare services as well as the general improvement of the quality of life of the population (C01, *SD*). Aspects of equality, inclusion, the special attention to vulnerable groups and a gender focus form an important part of this vision (C01, *Social development*). The possibility for the development and access to natural resources for coming generations is mentioned three times within all documents and is therefore not a prevailing consideration in the actors' definition of development (C01, C06, *Intergenerational equity*). Interestingly, territorial aspects are brought into the argumentation by explaining that a territorial focus allows the prioritisation of specific areas according to local circumstances and needs, thereby tackling inequality more purposefully and effectively (C01, *Territory*). Contrary to the understanding of territory by EHRDs in Category A, the notion of territory here is based on efficiency and the aim of eliminating territorial inequalities in the region.

At the same time, the development plan of Oaxaca envisions an annual average GDP growth of 4 - 6.5% (C01, *Economic development*). The necessity of incentivising national and foreign investment, as well as improving productivity is mentioned several times (*ibid.*). But it is also combined with social aspects, such as the inclusion of indigenous views:

The economic development of indigenous peoples is neither excluded nor opposed to cultural specificity; on the contrary, it is possible to find multiple opportunities for synergies by establishing an intercultural dialogue on development, where the indige-

nous people contribute or receive proposals for solutions to their recurrent problems. (*ibid.*)

Even though a mutual understanding with indigenous groups is highlighted, the expectation that indigenous peoples adopt proposals from outside is noticeable. Moreover, the fact that the Isthmus was declared a Special Economic Zone shows the political importance given to this region. Even though the goal of an “[e]conomic, social, sustainable and balanced development” is mentioned in this regard, the aim of enhancing the competitiveness and productivity of the region through attracting investment and generating employment appears to be the more recurring theme (C01, *Special Economic Zone*).

Environmental protection is described as the “foundation” for SD and as necessary for preventing potential threats of climate disasters in Oaxaca (C01, C06, *Environmental protection*). The listed measures to achieve environmental protection are among others a stronger normative system, a territorial focus, and emissions reduction policies (C01, *Environmental protection*). The efficient and conscious use of natural resources is described extensively in documents C01 and C06, including references to the Paris Agreement and the SDGs (*International sustainability goals*). C04 explains that the creation of the SEMAEDESO serves the purpose to achieve SDG 7 on Affordable and Clean Energy (*ibid.*). Additionally, C01 mentions the need for including indigenous knowledge on the environment within activities for SD (*Indigenous peoples cosmovision*). The need for HR protection, especially indigenous rights, within programs for environmental protection is described in C06 (*Environmental protection*).

5.3.2 The inclusion of a Human Rights discourse

Across the seven documents, the number of references to HR and indigenous rights was higher than in Categories A and B. However, when the documents refer to indigenous groups, they mostly introduce their cultural rights, such as linguistic rights, thereby highlighting the multicultural patrimony of the region. In C01, culture-related rights are mentioned seven times, while the rights to land and FPIC are not mentioned at all. In C04, C06 and C07, the right to FPIC is associated with the development of wind energy projects and described as an obligation by Mexican law and precondition for their construction (*FPIC*). It was moreover surprising to discover that the right to a healthy environment was mentioned five times in documents C05 and C06, including references to the Mexican legislation that establishes this right (*Right to environment*).

5.3.3 Narratives around Renewable Energies

In stark contrast to the findings in Category B, the natural resources of the region are ascribed with a special value in C06: “[T]he care, protection and good management of natural resources are a priority in order to continue counting on this biological heritage that gives us identity and livelihoods.” (*Use of natural resources*). On the other hand, and more in line with the discourse in Category B, aspects of efficiency and potential also play a decisive role. The inefficiency of certain local economic activities, such as fishing and forestry activities, is pointed out as potentially leading to a loss of the local biodiversity (C01, *Efficiency*). In contrast, RE are described as creating potential for further economic growth. The implementation of RE-projects is strongly associated with economic goals, even though aspects of social equality and HR are also mentioned (C01, C04, *RE*). Furthermore, the Law on RE referenced in C01, mentions RE as an “instrument for the promotion of sustainable development” (*RE*). The contrasting descriptions of local fishing and forestry activities on one hand and RE on the other demonstrate how the Oaxacan government evaluates which management of natural resources is supposedly more effective and environmentally friendly than others.

5.4 Category D – The Mexican Government at the Federal level

The set of documents for this actor-category included the National Development Plan 2018-2024 published by the Secretariat of Governance, which can be seen as the equivalent to document C01 for this scale of governance (D01). D02 (2018) is a voluntary report of the national progress towards achieving the SDGs, and D03-D05 are website articles published by the Ministry of Energy (SENER). The remaining documents are the environmental and social strategic assessment of the wind energy development in the Isthmus (D06, SENER), the Development Program for the national electricity system 2018-2032 (D08, SENER), and finally the Protocol for FPIC according to ILO Convention No. 169 in one municipality in the Isthmus published by the federal government (D07) (see Annexe 1 for the list of documents). The codes for this category are the following:

Codename	Number of files (out of 8 files)	Number of references
SD	3	17
Economic development	2	18
Environmental protection	2	23

Table 4 Codebook Category D

Codename	Number of files (out of 8 files)	Number of references
Social development	2	9
Equality and inclusion	2	10
Intergenerational equity	1	2
Social participation	3	7
HR	3	24
IHRL	2	10
Indigenous rights	2	12
FPIC	3	13
Energy management	7	45
International sustainability goals	4	16
Compliance with SDGs	1	23
Windfarms	2	5
Employment	1	5
Indigenous communities	2	25
Local development	2	11
Territory	2	7

5.4.1 Perceptions of Sustainable Development

This category is the only one mentioning the definition of SD from the Brundtland-Report (D01, *SD*). But even though that definition builds on the notion of intergenerational equity, the needs of future generations are only mentioned once elsewhere in D01 (*Intergenerational equity*). D02 and D03 similarly define SD based on the typically identified three dimensions (economic, social and environmental). D02 adds the internationally formulated slogan of “not leaving anyone behind” as a challenge for Mexico’s development (*SD*).

The most striking observation in this analysis was a special emphasis on the social dimension of development. D01 creates the narrative of a turning point in the history of Mexico (the so-called fourth transformation, “Cuarta Transformación”), which distances itself from a neoliberal agenda (D01, *Economic development*). This discourse is tied to political circumstances in the country, specifically, the government shift in 2018, where President AMLO was elected and discursively marked a left turn in line with other Latin American countries (Romo 2019; Arsel, Hogenboom, and Pellegrini 2016, 881). D01 mentions aspects of inclusion, equality, well-being, and the respect of cultural diversity, amongst others (D01, *Social development*). Social participation is seen as necessary for this vision and public consultation processes are considered appropriate instruments to achieve this (D01, *Social participation*). D02 also mentions the participation of civil society as necessary for Mexico’s compliance with the 2030 Agenda and identifies the country’s inequalities as a main developmental challenge (D02, *Equality and inclusion*). But while the government claims a turn towards social justice, it nonetheless sees the encouragement for private investments as a necessary economic measure (D01, *Economic development*).

Environmental aspects play a marginal role in the narratives of this category, for instance, D01 only mentions environmental protection shortly in its afterword. In other documents, environmental concerns are mostly connected to an international (D02, D03, D08) and national agenda of reducing greenhouse-gas emissions by 22% in 2030 (D02, *Environmental protection*). The establishment of a National Council of the 2030 Agenda in 2017 led by the Federal President shows a commitment to complying with this Agenda (D02, *Compliance with SDGs*). A “sustainable development focus” was also included in the planning and budgetary processes of the National Development Agenda (analysed here, D01) (*ibid.*). SENER is explicitly declared the responsible authority for achieving SDG 7 at the national level. Differently from Category C, the SDGs are more directly connected to HR (*ibid.*).

5.4.2 The inclusion of a Human Rights discourse

A HR language is incorporated in most documents, often including references to IHRL and mentioning the group rights of indigenous communities. The right to “self-determination and the preservation of their territories”, as well as the inclusion of indigenous knowledge are named as important considerations in development programs (D01, *Indigenous rights*). D03, D06, and D07 also mention the establishment of the right to FPIC through international instruments. Like the EHRDs, D07 defines the right to FPIC not as a “simple procedure” but as “a genuine participatory and conciliation mechanism aimed at reaching an agreement between

the parties” (*FPIC*). Besides the ILO Convention No. 169, other HR instruments, such as court decisions of the Inter-American Court for HR and the UN Guiding Principles are referenced (D07, *IHRL*).

5.4.3 Narratives around Renewable Energies

The national energy development strategy is described in connection to issues of sustainability and social participation (D01, *Energy management*). Within this discourse, RE are emphasised as important elements in D02, D03, D04, D07, D08. The mention of Mexico as the fourth most attractive country in the world for clean energy investments illustrates the importance attached to RE (*ibid.*). The document additionally presents the goal of increasing the percentage of RE within the general national energy production to 35% in 2024 (*ibid.*). The measures to achieve this are, among others, a yearly increase of wind energy production by 11%, as well as dedicating 67% of the inversions in energy production between 2018-2032 to RE (*ibid.*). By specifying the targets in numbers, they are given rhetorical strength and associated with a greater sense of commitment.

By contrast, the environmental and social strategic assessment of the wind energy development in the Isthmus (D06) recognizes that “[t]he vast majority of the wind energy projects that have been set up, have not fully complied with the requirements of Convention 169.” (*FPIC*) – a critique that was not found in any other of the analysed documents in Categories B, C or D. The long tradition of social activism of indigenous peoples in the region is acknowledged and attention is drawn to the fact that the generated employment opportunities are often not suitable for locals. Other problems mentioned are low benefits for local inhabitants who are not landowners, as well as the lack of transparency and regulations on compensation. It is also acknowledged that 75% of the land in the state of Oaxaca is collectively owned by community administrations, which implies a complexity for the process of the construction of windfarms and has led to the revival of territorial conflicts (D06, *Territory*). But yet: “[I]n relation to the evaluation of the ex-post cumulative social impact of wind energy developments in the Isthmus area, it is concluded that it is extremely positive.” (*Local development*). Consequently, while D06 is the only document of a decision-making authority that discusses the concerns of local EHRDs and communities, the conclusion is nonetheless that the positive consequences outweigh the negative ones.

5.5 Category E – Interviews with Environmental Human Rights Defenders

The three in-depth interviews were envisaged to gain first-hand impressions of the issues at stake for those who find themselves involved in HR struggles in Unión Hidalgo. The codebook for the interviews is the following:

Codename	Number of files (out of 3 files)	Number of references
SD	3	19
Economic development	1	4
Environmental protection	2	6
Social development		
Community	3	9
Intergenerational equity	2	4
Territory	3	19
HR	2	2
FPIC	3	8
Indigenous identity	1	6
Windfarms in Unión Hidalgo	3	21
Activism	3	37
Risks for EHRDs	3	7
Negative consequences of windfarms	3	39
The role of the Mexican government	3	14

5.5.1 Perceptions of Sustainable Development

Like Category A, the interviewees based their arguments to a great extent on territorial notions, even though perhaps not as strongly as in Category A (Ne riguiidxi, Laura)¹¹. The changes in the region are perceived through a connection with the territory, such as through the “abandonment” of the economic activities related to land, e.g., agriculture and cattle breeding (Ne riguiidxi, *Territory, Economic development*). Furthermore, the collective use and property of the territory and its importance for a personal and collective identity are described (Ne riguiidxi, Laura, *Territory*). Laura observes a discrepancy over how her community and the government perceive land which ultimately leads to conflicts (*Territory*). Confirming the findings of Categories C and D that land is seen through its potential for productivity and effectiveness, Ne riguiidxi describes the emergence of local tv-campaigns in the early 2000s promoting the use of land in more effective ways (*Territory*). Additionally, he explains the highly political disputes over official land titles since the 1970s that have led to a power vacuum and confusion about the lawful property over land, as well as the unofficial acquisition of land by some individuals (*ibid.*). He explains that these characteristics resulted in the land property becoming a grey area and thereby facilitating the later process of “leaving the territory, the land, at the mercy of these projects.” (*Economic development*).

All three interviewees express their wishes for a future development with a view to their collective identity. Laura for example wishes “to be able to flourish from what we have, from what we know, from our knowledge of the territory, from our spirituality.” (*Community*). The importance of protecting and conserving natural resources mainly serves the goal to guarantee their existence for future generations (Ne riguiidxi, Marco, *Intergenerational equity*), as well the ability to carry out economic activities and traditions that are tied to these natural resources, thereby maintaining the control over land and independence as a community (Ne riguiidxi, Laura, *Environmental protection*). These aspects show a similar understanding and language as the EHRDs in Category A but express an even stronger focus on the need to maintain a cultural distinctiveness and independence as an indigenous community.

The inclusion of the term “development” within SD shapes the interviewees’ perception of SD. They associate “development” with the disruption of a specific way of life and the introduction of consumerism and greed, e.g., by stating that the entrance of industrialised products

¹¹ This text uses the following pseudonyms: Ne riguiidxi, Interview April 15, 2021; Laura, Interview April 15, 2021; and Marco, Interview April 18, 2021.

“severely impact[ed] what this link between man and nature is all about” (Ne riguiidxi, *SD*). Ne riguiidxi moreover describes how these processes led to a loss of food self-sufficiency and he ultimately formulates a question that describes his view on SD: “how can we, with our own means, with our own resources, be able to live without being dependent?” (*ibid.*). Laura expresses an even stronger opinion with regards to the term “development”: “[f]or me that is an imposition, I don't accept that word” and she furthermore states that “most of what modernity and development brings us is to strip us of what we know, what is ours, what is collective, in order to sell it.” (*SD*). With such a strong stance on “development”, it is no surprise that her view of SD is critical:

[T]his view from outside has made some of us feel that we are above nature and therefore we damage it, we do not respect it and we want to extract everything from it. That is the vision of development. And sustainability is perhaps to say: well, a little less [damage], so that we can stay alive longer. (*ibid.*)

This formulation shows a complete denial of international and national prevailing understandings of SD. Ultimately, she sees the resistance against governmental efforts of any form of development, including SD, as an act of defending her identity (*ibid.*). Furthermore, Marco explains that the term “development” limits his ability to openly criticize megaprojects (*SD*).

5.5.2 The inclusion of a Human Rights discourse

When describing experiences of marginalisation based on a collective indigenous identity, the EHRDs sometimes mention their indigenous rights (Laura, *Indigenous identity*). Furthermore, and similarly to Category A, all of them refer strongly to the right to FPIC as a legitimisation for their claims against the Mexican government and the responsible companies (*FPIC*). The example of the judicial process against EDF with regards to the wrongful consultation of the Gunaa Sicarú project is described as a tool for gaining more power to influence the development of windfarms in Unión Hidalgo (Ne riguiidxi, *FPIC*). On the other hand, the interviewees' observation that responsible actors do not take the right to FPIC seriously and cannot guarantee its correct implementation prevails in this discourse. Laura describes the problem of the non-binding nature of the decisions by the National Commission for HR and states that even the national judicial system has not acted in their support, but has rather been part of a system of manipulation, thereby allowing for the persecution of defenders (*HR*). She also explains the different factors leading to a consultation that is neither prior nor free, concluding that: “the consultation has become an element only to validate the dispossession” (*FPIC*).

Moreover, Marco describes how the assemblies that are part of the consultation process are manipulated to impede open discussions. He describes that this is achieved through mechanisms that oppress possible counterarguments and prevent a serious dialogue, as well as by limiting the number of participants in the community assemblies (*FPIC*). He finally states that “[i]t's not a dialogue, it's all shouting, it's very tiring. So, I personally have stopped going (...) because it really is a circus.” (*ibid.*). These descriptions point to a perceived gap between formally established standards of FPIC and real-life experiences.

5.5.3 Narratives around windfarms

The interviewees were directly asked about possible positive consequences of the windfarms but answered that they have only experienced disadvantages, some of which included: the feeling of being “encapsulated” by the surrounding wind turbines; the explosive increase in land value in the region; the creation of violence and social conflict as well as a highly polarized atmosphere, partly caused by the simultaneous presence and involvement of narcotraffic; the companies’ failure to fulfil their promises and the perception that the local community does not benefit; the loss of control and freedom to access the land; the environmental effects such as deforestation, the drying out of the soil and the danger for the fauna; health risks, mainly caused by a lack of governmental regulation and investigation; and the alteration of the possibilities to carry out agricultural activities which even leads to further impoverishment of the population (*Negative consequences of windfarms*). Laura additionally brings in a gender perspective by stating that the contracts with the companies are mainly signed by men, thereby taking away the women’s economic independence they possessed previously (*ibid.*). Marco even argues that the continued construction of windfarms might cause the disappearance of Unión Hidalgo: “I think they are aiming for the town to disappear. What they really want is for people to leave, in other words, the resource is there, and we are standing in the way.” (*ibid.*).

Besides the wrongful implementation of the right to FPIC, the interviewees see the lack of information and transparency, as well as the companies’ untruthful and corrupted ways of operating as main problems (*Windfarms in Unión Hidalgo*). Laura describes a perception of indifferent, arrogant and Eurocentric attitudes exercised by the companies: “It is from the disdain they have for our way of life that they arrive, and that is where I feel harmed, that is where I feel affected.” (*ibid.*). In line with this argumentation, Ne riguidxi compares the current situation to the process of dispossession by Spanish colonizers (*ibid.*). Marco describes a similar experience: “I felt that these companies somehow underestimate the intelligence of the

people here.” (*ibid.*). Additionally, all interviewees describe the role of Mexican state authorities at different government levels as “complicit”, “in favour of the companies” and even acting as “employees for the companies” (Ne riguiidxi, Marco, *The role of the Mexican government*). How the new government administration of AMLO affects this situation is evaluated differently by the interviewees: Laura describes the situation as equally bad or even worse than before because it is more difficult to openly criticise the current government, while Marco observes some improvements since the companies are not as confident in their wrongful activities anymore (*ibid.*).

All interviewees describe the goal of defending the collective territory, preventing further destruction of the environment and ensuring social participation in local decisions. Laura sees her activist work as an important contribution to the mitigation of climate change in the world: “What we are defending is life, not our life, but everyone's life.” (*Activism*). Surprisingly, one of the main problems identified by all interviewees is the lack of support from the rest of the community: “We were hoping that more people would join in on the way. We are fighting a giant that has many ears, many hands.” (Ne riguiidxi, *Activism*). Additionally, the serious security risks for the work as EHRD are mentioned with more emphasis than in Category A. Some of the aspects are stigmatisation – being labelled as “anti-progress”, “anti-AMLO”, or “anti-wind energy” -, persecution, threats, legal issues, physical attacks and murders (*Risks for EHRDs*). Laura summarises that “[t]hey are threatening your life because here it is not just a matter of them taking your job, but of them killing you.” (*ibid.*).

6 Discussion: Sustainable Development and Human Rights in land and environmental conflicts

The theoretical assumptions of this dissertation have shown that discourses have the power to influence real-life practices and experiences because they are embedded within contexts of power relations. On that basis, different factors influence the impact of discourses, such as the authors of a discourse, the alliances between actors, and the knowledge-circulating systems (Chapter 2.1). Additionally, the background research on windfarms in the Isthmus in Chapter 4, demonstrated the great political attention placed on the development of the region, especially with regards to its potential for wind energy production. This has been connected with arguments for achieving a global sustainability agenda and national energy security. On the other hand, indigenous groups in the Isthmus discursively connect struggles over land rights

to their indigenous identity and experiences of discrimination. These key assumptions allowed a first approximation to the research question of this thesis, which was the following:

How do conceptualisations of Sustainable Development shape human rights struggles within land and environmental conflicts?

With these assumptions in mind, the present chapter will interpret the empirical findings obtained during this research. Firstly, Table 6 summarises the most important issues that emerged in each actor-category. The subsequent sections will then analyse and compare the findings for each of the three guiding sub-questions, the results of which will then be discussed on a more abstract level in the last section of this chapter.

Table 6 Overview of findings for each actor-category and theme

	<i>SD</i>	<i>HR</i>	<i>Windfarms and RE</i>
EHRDs (Categories A and E)	Social development and environmental protection; Anti-SD; Territory and identity as an indigenous community; Intergenerational equity	Right to FPIC for territorial defence	Social and environmental detriments; Wrongful consultation process and no respect of the communal land property; Risks for EHRDs
Companies (Category B)	Economic development	No inclusion of HR; Benefits for local communities	Benefit for local development and meeting sustainability goals
The Mexican government at the State level (Category C)	Holistic perspective including all three dimensions; Territory	Cultural rights, right to FPIC and right to a healthy environment	Importance of RE for achieving SD; Efficiency
The Mexican government at the Federal level (Category D)	Social and economic development; Connection to HR; Achieving SDGs	Indigenous rights and right to FPIC; References to IHRL	Importance of RE for achieving SD; Efficiency

6.1 Perceptions of Sustainable Development

Chapter 2 of this paper showed how contested and diverse the understandings of sustainability and SD can be. The term SD includes typically three elements (economic growth, environmental protection, and social justice), which are negotiated differently in each conceptualisation. The 2030 Agenda emphasised the importance of striking a balance between all three elements. Notions of intergenerational equity and HR were also included in this global definition (Chapter 2.2.1). The actors analysed here have very different interests, activities, and visions and each of them operates on a different scale. It is therefore likely, that their conceptualisations of SD differ significantly. This section will summarise these main differences.

Firstly, all actors use anthropocentric understandings of sustainability and SD, but their goals diverge. While the EHRDs, both from Categories A and E, do not include the term SD in their language, their goal for development appears to be tied to intergenerational equity and the formation and conservation of a collective identity as an indigenous group. Even though they bring forward arguments of social justice and environmental protection, references to their indigenous identity and a deep territorial connection are the main elements of their conceptualisation of SD. The analytical models of SD described in Chapter 2 are therefore not a precise fit for the narratives used by them. The fact that a great part of the territory of Unión Hidalgo is a collective property and has symbolic significance for the indigenous groups' historical struggles, as described in Chapter 4, is key for this understanding. These findings confirm the assumptions of the symbolic importance of land for the identity of indigenous groups and their experiences of discrimination (Bhatt 2019, 9; Gilbert 2016, 1-2). The EHRDs additionally embedded an intergenerational vision in their narrative by emphasising that the territory is supposed to be passed on to future generations. Even though the aspect of intergenerational equity plays an important role in the international conceptualisation of SD, it was only adopted to a limited extent by the other three actor-categories and is therefore not as prominent in mainstream SD discourses. Additionally, the interviews revealed strong disapproval of the term “development” provoked by past experiences of injustice that were discursively linked to it. As SD includes the term “development”, the ability to involve and represent indigenous views with this concept is arguably limited.

Within the discourse of the state and federal governments, the term SD, the SDGs, and other international frameworks for environmental protection were more dominant. Only the federal government mentioned the Brundtland-Report, the slogan of the 2030 Agenda of “not leaving anyone behind”, as well as its interrelation with HR. This can partly be explained with the

political context of the documents in Category D, especially regarding the National Development Plan, which is connected to a shift in the government administration. But it is also natural that discourses on the national scale are influenced to a greater extent by existing international frameworks. Even if the impression arises, that these frameworks do not have significant effects on other actors and scales, it can be argued that their influence is indirect. In the narrative of the companies, for instance, the goals of contributing towards meeting national and international sustainability goals and the inclusion of local communities are expressed. This might indicate that they embrace and use both concepts in a more indirect way as explained by Miller (2019) and described in Chapter 2.2.1. Although the impact of this implicit adoption of the discourse of SD may have positive results, in this context it seems to be used as a content-empty term and with the strategic purpose of justifying corporate economic activity, as the elements of SD are not formulated as goals in themselves. Furthermore, the companies prefer referring to “sustainability goals” or a “sustainable future” instead of the specific term SD – thereby perhaps avoiding a declaration of commitment regarding the international SD standards.

The language around the use and conservation of natural resources reveals a great deal about the actors’ perception of SD, too. For the interviewed EHRDs (Category E), the availability of natural resources is tied to the possibility to continue being independent of the government and therefore carries great importance for a collective identity. Similarly, while the EHRDs of Category A argued that natural resources are more worth than money because they ensure the continuation of human life in the territory and must therefore be conserved, the companies described the natural resource wind mainly in connection with its potential for more effective energy production. Both, the state and federal governments also highlight the importance of effectiveness with regards to reducing costs and greenhouse-gas emissions and see RE as a key tool for achieving that. At the same time, the Oaxacan government uses a similar narrative to that of the EHRDs by placing a special value on natural resources and arguing that they are a fundamental element of the region’s identity and a basis for further development. Consequently, the paradigm of ecological modernisation as described by Avila-Calero (2018; see Chapter 4.1.1) can be assigned to the companies and both governments, while arguments for environmental conservation are used by the EHRDs and partly by the Oaxacan government.

When taking internationally defined views of SD as a starting point, the conceptualisation of SD by the Oaxacan government is the most holistic and inclusive one. This might be since

regional government authorities have the obligation to do their best in including the interests of different sides, e.g., investors and companies but also the general population. The naming of a right to a healthy environment and intergenerational equity, even though not extensively, shows an open-mindedness towards non-traditional views on development. Nonetheless, aspects of efficiency and economic growth are also dominant within the RE discourse and create contradictory goals: on one hand the need for economic growth and more effectiveness, and on the other hand, the importance to conserve the environment and include indigenous views on economic development and the environment. This contradiction is not addressed or explained.

In conclusion, the actors have diverging conceptualisations of development and adopt the concept SD only to certain degrees. While the Oaxacan government seems to use the broadest understanding of SD, the federal government uses a stronger interrelation of economic development with social justice and HR. The companies appear to use SD for strategic purposes. Finally, the perspective of the EHRDs is the most divergent view from international conceptualisations of SD because it is influenced by the way they identify themselves collectively and therefore comprises other elements for development. All actors aim for more “sustainable” activities, but while this means environmental conservation and the survival as a social group for the EHRDs, it means more effectiveness for the other actors. The discourses of the decision-making actors show several inconsistencies with regards to compromising different aspects of SD, which are not acknowledged nor explained, similarly to what Connelly (2007) has observed in other contexts. Furthermore, the expressed critique towards the term “development” by EHRDs in the interviews shows that the SD discourse has little strength to speak to them, let alone make them embrace the concept themselves.

6.2 The inclusion of a Human Rights discourse

Chapter 2 explained the potential of an inclusion of a HR discourse within the perspectives of SD to give more legitimacy to the claims of vulnerable groups such as EHRDs and making responsible actors more accountable and committed. But the actors’ understanding of HR is decisive for the outcomes of its use. Even though there exists a legal trend towards interconnecting the environmental, developmental and HR sphere, e.g., through the right to a healthy environment and the right to FPIC, these mechanisms are transferred to local contexts only to a limited degree, as will be demonstrated in this section.

A HR language within the EHRDs' discourse is mainly used to underline their claims against the construction of windfarms, even though they rarely use explicit references to IHRL and do not name the 2030 Agenda at all. The right to FPIC is explicitly mentioned by most EHRDs, who embed it within a wider narrative of the perpetual struggles over territory and identity as indigenous peoples since colonial times. Moreover, the interviewees bring up the right to FPIC to highlight their experiences of manipulatory and corrupted processes of consultation when wind energy projects were installed in Unión Hidalgo. But interestingly, general references to HR are rare. Hence, a HR discourse is used with the specific purpose of demanding their participation in decision-making processes with regards to the windfarms and through this mechanism, defending territorial rights.

While the companies do not adopt a HR language at all – they only mention the right to FPIC twice – they include statements of a strong commitment towards including views of the local population. But there is no further explanation of how this can be achieved, and the attitude of companies not to take the communities' views too seriously was noted. As a result, a general language describing positive effects for local communities is preferred over a concrete reference to HR frameworks and a commitment to their protection. Moreover, the discourse creates the image that benefits for the local development are generated almost automatically through increased capital flow and the creation of employment. In general, the narrative assumes that the local views are always in agreement with the projects because potential clashes or opposing views are not included in these statements.

This idea of including local views, but only as long as they are consistent with development programs, can also be found in the discourses of the state and federal government. The high number of references to indigenous rights by the Oaxacan government illustrates this: while it embraces social and cultural rights of indigenous peoples, it does not mention their rights to land and FPIC – rights that involve material benefits and that might incentivise claims for more self-determination. This detail is crucial as it demonstrates a disregard of the most important element for the defence that EHRDs carry out: their territorial claims. The responsible actors for ensuring the implementation of the right to FPIC seem to see the communities, to put it in the words of Keenan, as “waiting for development and ready to embrace it, devoid of their own preferences, agency, or flaws” (2013, 2). This corresponds with the experiences of all three interviewees of being treated as inferior and not taken seriously by any decision-making actor.

Similarly, the references to the right to a healthy environment by the Oaxacan government could be interpreted as giving legitimacy to the EHRDs claims and supporting their viewpoints. But there are two problems: the EHRDs themselves do not mention that right, either because they are unaware of it or because they do not think that it adds rhetorical strength to their claims – both reasons pointing to a limited importance of that right in local contexts, at least up until now. Secondly, even though the right to a healthy environment has received increased attention in the last years and was successfully implemented in the jurisdiction of the Inter-American Court of HR (Rutherford 2018; see Chapter 2.2.1), it is not yet as established and straightforward as the right to land. The latter has been recognised and applied both as a right to collective property and a cultural right in IHRL (Gilbert 2016, 107, 169). I therefore argue that, compared to an acknowledgement of concrete land rights, the references to the right to a healthy environment have less potential to jeopardise development projects in Oaxaca.

The discourse on the national level is the one most permeated by a HR language and IHRL. The rights to land and FPIC are more dominant than in the discourse of the state government and include the acknowledgement that the right to FPIC is not a mere procedure but a crucial mechanism for participation, similar to the conception of the EHRDs. This means that the international standards and requirements for EHRDs are only fully considered at the national level. This is additionally evident because of the lack of references to other international standard-setting instruments, such as the UN Guiding Principles, by the other actors. The varying understandings of the meaning and degrees of engagement with the right to FPIC by different actors could lead to the conclusion that the law sets too high and unrealistic standards and is therefore ineffective in practice (Keenan 2013, 2). The finding that FPIC is rather downplayed in the discourse of decision-makers confirms the assumptions that it is not connected to serious commitments and is even used instrumentally as “political risk insurance” or to pacify opposing views by governments, companies and investors – as suggested in Chapter 2.2.1 and observed by the interviewed EHRDs. The potential for the real empowerment of local communities through these legal instruments is therefore bound to the good will of the decision-makers which in this case are driven by ideas of cost-effectivity and international standing, and hence not as powerful as they might seem at first glance.

Another alarming aspect is that none of the decision-making actors refers to the concept of EHRDs (or HRDs in general) – a term that was created to bring attention to the fact that indi-

viduals who speak out in these contexts find themselves in insecure and dangerous situations because of the often highly political and controversial atmosphere within land and environmental conflicts. The risks of being an EHRD and the symbolic importance of defending the territory are taken up by the EHRDs themselves in Category A and E but not in any other category, even though the Mexican state is obliged to provide for the EHRDs' protection according to IHRL (HRC 2018; Centro Mexicano de Derecho Ambiental 2019; UN Special Rapporteur on the situation of HRDs 2016). This lack of acknowledgement for the work and claims of EHRDs shows an attitude of denial of the existence of resistance against development projects, and therefore considerably hinders the defenders' possibilities to speak out against the injustices they experience.

As other scholars have concluded (see Chapter 4.1.2), this analysis showed that a HR language is appropriated by the EHRDs themselves and strengthens their demands for participating in decision-making processes. It could even be argued that they adopt an “ecoauthoritative voice” as suggested by Howe (2014) because they allude to environmental destruction for supporting their arguments. But they do not use references to international frameworks for environmental protection and the 2030 Agenda to underline this connection of environmental protection and HR, which might be explained by the fact that the term SD itself is viewed with critical eyes¹². Moreover, the trend towards a stronger emphasis on social aspects of SD and the introduction of a HR language on an international scale is most dominant in the national sphere. The decision-making actors operating in the local context (the state government and the companies) do not fully incorporate HR mechanisms or respect the views of indigenous communities and EHRDs. The fact that EHRDs often face stigmatisation and physical threats, that their arguments are being dismissed as “anti-development” in public discourses and that decisions are taken far away from the local context, as described in Chapters 4.1.2 and 4.2 and found in the analysis, cumulates in the experience of being subject to the power imbalances notwithstanding the official HR recognitions. This demonstrates that the mere acknowledgement of the right of FPIC on paper does not guarantee its full implementation as required by the ILO Convention No. 169, which leaves vulnerable groups exposed to the interests and strategies of powerful actors.

¹² In a more extensive research, it would be interesting to analyse the discourse of the NGOs which work with this community, to see whether they make a connection between HR and SD, thereby assuming that their discourses are influenced by international narratives and in turn impact the communities they work with.

6.3 Narratives around windfarms in Unión Hidalgo

The EHRDs perceive the construction of windfarms in their region as an “invasion” - a term that can be understood as referring to the occupation of Mexican territory during colonial times -, thereby first and foremost understanding the changes brought about by the windfarms through a perspective of collective territory as well as in connection with indigenous experiences of injustice. The identified problems of the windfarms are mainly political, such as a lack of transparency, the emergence of internal conflicts and violence, and the false promises made by the companies. The contrast of discourses between the EHRDs and the companies becomes most evident when looking at the arguments that the companies bring forward to support the wind energy production, because it seems as if they talk completely past the EHRDs’ arguments: the described local benefits do not address the political and territorial aspects mentioned by the EHRDs, but rather focus on the health risks for the population and the possible detriments for nature; they do not mention the fact that the territory belongs, at least in parts, to the indigenous community and that the region has been shaken by constant land conflicts, but describe the territory merely as “private land”; the environmental conservation is not an intrinsic goal of the companies, as the EIAs show the compromise they are willing to take with regards to environmental aspects - they even de-value the importance of the local ecosystem by stating that it has already been used for agricultural activities, thereby justifying the alteration of the natural environment caused by the windfarms.

On the other hand, it becomes evident that the companies’ arguments speak to government authorities by arguing that wind energy brings Mexico closer to achieving internationally and nationally set sustainability goals as well as energy independence - elements that were pointed out as development priorities in the narratives of the state and federal government, including quantified targets. A similar line of argumentation to the one Arsel et al. found in relation to the extractive industries in Latin America was identified in the discourse of the federal government: “poverty reduction, environmental protection and national development can be best and most rapidly achieved if the full potential of extractive industries is harnessed.” (2016, 885). The fact that the Isthmus was declared a Special Economic Zone additionally demonstrates the government’s attention on this region as a source for boosting investment and economic growth, which in turn legitimises the claims of the companies of being key drivers for the local and national economic development. The conclusions of other scholars presented in Chapters 2 and 4 can therefore be confirmed: decision-makers create a powerful joint discourse by emphasising the need for economic growth, reducing greenhouse-gas emissions,

and investing in RE, thereby presenting the construction of windfarms in Unión Hidalgo as a priority. The above-described - more or less extensive - HR commitments of these actors are a weak counterweight to this discursive power, as they appear to be up for negotiation when they stand in the way for wind energy projects. Especially the lack of protection of indigenous land rights by the government in combination with an already uncertain and conflicted atmosphere with regards to land ownership can facilitate the utilisation of this situation by the companies for their benefit and at the same time limit the ability of defenders to stand up for their territorial rights.

Furthermore, the exercise of a governmental authority over local development strategies is expressed through descriptions of certain agricultural activities as ineffective, thereby creating an idea of inferiority as compared to the technologies of RE. It is worrisome that the environmental and social strategic assessment of the wind energy development in the Isthmus by the federal government (D06) recognizes the concerns declared by the EHRDs, but nonetheless concludes with an approval of the windfarms and suggesting “extremely positive” outcomes of wind energy projects. Coming back to Dunn and Neumann, who describe “the practice of knowledge as a socially constructed system, within which various actors articulate and circulate their representations of ‘truth’” (2016, 54), the use of scientific arguments in combination with the authoritative power for circulating knowledge, make the governments claims appear to be the ultimate and only possible version of truth (see Chapter 2.1). Consequently, even though the federal government critically reviewed the project, addressed the claims of the EHRDs and included HR aspects, this did not lead to serious requirements for an improvement in the management of the windfarms to the benefits of the local population.

From a cautiously optimistic view, the discursive shift by the new government administration under AMLO identified in the National Development Plan, as well as the assumption that language ultimately results in real-life impacts, could suggest that a change towards more social participation and equality in Mexico with regards to development projects is on its way. Unfortunately, the present analysis demonstrates that the government discourse is contradictory and that the aspiration to continue expanding REs remains a priority that might not always take consideration of local opinions. This may be supported by the observation of a tendency to maintain a developmental and exploitative strategy with the argument of poverty reduction among similar left government administrations in Latin America (Arsel, Hogenboom, and Pellegrini 2016, 885). Furthermore, while many have pinned their hopes on the prospect of

improvement with the new administration, numerous media reports show that these hopes have already been disappointed (e.g. Godoy 2021).

6.4 Zooming out: the practical implications of discursive concepts in land and environmental conflicts

In light of these results, it becomes evident that the SD discourse, despite references to social aspects and HR to a greater or lesser extent by actors on different scales, does not necessarily have positive implications for the HR struggles of local communities. In fact, the findings serve to reveal a powerful alliance of decision-makers and the national interests with regards to RE, which are also connected to sustainability goals. Such forces, as suggested by Moyn (2018; see Chapter 2.2.1), imply more generally that in response HR are very limited. The reasons for this are the contextual circumstances where these discourses take place, as they are strongly characterised by power imbalances that leave the voices of EHRDs and indigenous groups unheard. These findings confirm therefore the gap between the discourse and practice around wind energy projects in the Isthmus (Martinez and Llaguno Davila 2014, 1,3; see Chapter 4.1.1)

It is evident that Unión Hidalgo is not the only case. The Business & Human Rights Resource Centre reported 197 allegations of HR abuses related to RE-projects since 2010. They conclude that none of the companies analysed in their assessment fully comply with the HR standards established in the UN Guiding Principles (Business and Human Rights Resource Centre 2020, 5). Furthermore, while the average performance of these companies with regards to HR was not satisfactory at all, it is nonetheless shocking that none of them scored any points in the areas of respecting land rights and the rights of EHRDs (ibid., 15-16). This confirms the findings of the present analysis, which identified that while these two areas are crucial aspects for the EHRDs themselves, they are not sufficiently acknowledged by decision-making actors.

Consequently, a more critical view of these discourses is needed. As stated by Dunlap:

The movement protesting climate change tends to take a narrow view, focusing on carbon, greenhouse gas emissions and often uncritically supporting renewable energy systems. As I have shown, however, wind energy is renewing destruction and market growth while continuing the process of assimilating Indigenous populations. (2017, 265)

Such a critique on RE is rarely found in popular discourses and hence the question arises as to how the prevailing SD discourse, which is still mostly associated with the goal of reducing greenhouse-gas emissions, can be challenged. The aim here is not to discredit the necessity to reduce greenhouse-gas emissions by expanding RE for guaranteeing the future development and well-being of humans and other species on this earth. I rather want to conclude this thesis by drawing attention to the fact that energy development must more determinately acknowledge how other factors are at stake: apart from the need to respect human and indigenous rights in all economic activities, many have argued that the protection of biodiversity and the halt of deforestation, are equally important for the goal of guaranteeing future human development and mitigating climate change (Glazebrook and Opoku 2018, 94).

The EHRDs' aim of protecting their land and natural resources is therefore paramount for this common interest of guaranteeing a sustainable future *including* healthy ecosystems and a rich biodiversity. As observed by other scholars, the EHRDs are key actors - sometimes the only ones - in contexts where ecosystems are destroyed and there is little resistance to the powerful economic and political interests at play. Most of them do so not because they choose to, but because they (and their communities) depend on the conservation of the environment for sustaining their lifestyles and identities – thereby being forced to put themselves in dangerous situations and even paying with their lives (Glazebrook and Opoku 2018; Gilbert 2016, 173). Ultimately, and not least because the enjoyment of a healthy environment of all of us and of the future generations depends on their work, the injustices they face must be uncovered and remedied. A more inclusive and holistic definition of SD has the potential to incentivise and legitimise a critical perspective on RE projects, but only in a discourse that allows for critical reflection. This also means thinking outside the box when defining SD theoretically by looking at the existence of dimensions outside of the popular interpretations. Perhaps the term SD itself needs to be challenged to mark a disruption with historical processes of dispossession and exploitation of indigenous peoples in the name of any form of development – be it sustainable or not.

The remaining question is, therefore: What measures need to be taken to achieve this transformation and what role can HR play in this? Similarly to Moyn, I argue that it is not sufficient to merely draw on a superficial HR language because this leads to a strategic use that does not benefit the affected groups and in the worst case even creates more harm. The responsible local actors – government authorities and companies alike – need to be made fully

accountable for HR violations. This could be achieved through efforts from international and national HR bodies to ensure that these actors engage more with the already existing international instruments that demand such standards, e.g., the UN Guiding Principles or the Escazú-Agreement (see Chapter 2.2.1). But this research has also demonstrated that HR mechanisms need to be more attentive towards the local perspectives of the affected: if local EHRDs mainly frame their concerns as land rights without using other HR mechanisms that are intended to address their HR struggles, then perhaps their realities and needs are not sufficiently considered. Further research could analyse the discourse used by HR bodies and NGOs to understand how their narratives can facilitate a more profound understanding of local contexts and increased cooperation between the development sector and mechanisms that protect the environment and HR. One such approach could be to move beyond a rights language that only demands the *consent* of local communities, and start implementing a discourse about the *negotiation* of land with them as equal partners, as suggested by Gilbert (Gilbert 2016, 213, 299). This could potentially ensure their greater involvement in decision-making processes and self-determination.

7 Conclusion

This thesis took its point of departure from a curiosity about the discrepancy between a growing global attention to SD and the alarming risks for EHRDs involved in land and environmental conflicts in Mexico and other parts of the world. The research project intended to answer the question of how diverging conceptualisations of SD can shape the HR struggles of communities affected by land and environmental conflicts.

With that purpose, Chapter 2 introduced CDA as an analytical perspective that enables the detection of discursive practices within their contexts and power-structures. The variety of dimensions underpinning SD and the possible internal contradictions they might imply were presented through theoretical models. With regards to the current international SD discourse, as formulated in the 2030 Agenda and through the SDGs, an increasing acknowledgement of social aspects, equality and HR was found. Subsequently, the methodology of a single case-study helped to understand the context of Unión Hidalgo in the Isthmus more profoundly, including its diverse actors, as well as underlying political and historical circumstances. The literature review showed that existing power-structures have the potential to hinder the affected communities in the Isthmus to effectively demand the respect of their HR. The discourses of decision-makers vs. affected communities were furthermore found to be diverging, especially regarding how much importance was given to environmental conservation.

These assumptions were confirmed through the discourse analysis of documents and interviews in this dissertation. But going beyond some of the limitations of the existing literature, the analysis conducted showed that EHRDs did not only argue for conserving the environment but also applied an intergenerational perspective and mainly pursued the aim of protecting their indigenous identity and territorial connection. Some of them were disapproving of the inclusion of the term “development” in SD because of its historical use for justifying processes that brought about experiences of injustices and forced assimilation. The other three actors tended to prioritise a narrative of the effective use of the territory and natural resources, where the need to expand RE seemed to outweigh other considerations. This means that the hypothesis of this dissertation can be confirmed: while SD is understood in almost opposite ways, the views of the EHRDs are left unrepresented in powerful joint discourses of decision-makers that justify the expansion of RE with national and international agendas towards SD.

Regarding the inclusion of a HR language, another clash of discourses was found. Whereas the EHRDs linked FPIC to their struggle for greater participation and self-determination as indigenous peoples, the companies failed to address how they intend to fulfil specific commitments and deal with possible resistance from local communities, as they did not include references to FPIC, HR or the EHRDs' criticisms. The more expansive HR discourse by the federal government appeared to have little impact on actors more directly involved in the conflict. Moreover, the fact that none of the decision-making actors mentioned EHRDs and the risks connected to their work – as emphasised by the EHRDs themselves – is deeply worrying and shows their lack of commitment to ensuring that local interests are considered, and defenders protected.

To summarise, this dissertation demonstrated that the growing inclusion of social aspects and HR into the concept SD on an international scale does not necessarily have positive effects on the communities' HR struggles in land and environmental conflicts. Quite to the contrary, SD discourses seem to allow an uncritical view towards RE-projects that does not accept opposing arguments, such as issues of HR and the protection of indigenous identities, the complicit role of the state, as well as the need to protect the world's ecosystems and biodiversity for future generations. Though explicitly addressing discourse construction rather than practice, the findings nonetheless reveal highly significant potential power imbalances: a strong cooperation between governments and companies, and the marginalisation of certain groups are systematic and ongoing – ultimately constraining the EHRDs' possibilities to make themselves heard. It is, therefore, necessary to allow and promote a more nuanced view of SD that acknowledges alternative dimensions, both in academia and in official discourses at all scales. Relevant HR mechanisms need to be implemented more effectively and their language reconsidered, thereby not only holding responsible actors accountable but also looking at contextual factors and facilitating a real dialogue on an equal footing between the involved actors. Only then can a participative process take place that perhaps replaces the slogan of “not leaving anyone behind” with the aim of “not impeding anyone's flourishing”.

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Annexe 1: List of documents for document analysis

Documents for Category A

Docu-ment nr.	Publishing institution	Type of document	Title	Link
A01	Código DH (2019)	Video transcript	Gabriel Sánchez: En defensa de los sueños por Unión Hidalgo [Gabriel Sánchez: In defence of dreams for Unión Hidalgo]	https://www.youtube.com/watch?v=ek8g59TJBc0
A02	Código DH (2018)	Video transcript	Laureano Toledo “Palmerito”, Unión Hidalgo [Laureano Toledo “Palm-worker”, Unión Hidalgo]	https://www.youtube.com/watch?v=8jHIDXSd7Qo&feature=youtu.be&fbclid=IwAR1_LYtM4JL6S0FTcdZqqKU3CbS6FcVbDOaO7GfOcPu-PhCSXbOahorL8kZk
A03	Código DH (2019)	Video transcript	Para que no muera el sol [So that the sun does not die]	https://www.youtube.com/watch?v=9KSVvWE3PX4
A04	Código DH (2020)	Video transcript	Mujeres gubiñas en la defensa del territorio [Gubiñas women in defence of the territory]	https://www.youtube.com/watch?v=uw eo94cV-vs
A05	Código DH (2020)	Video transcript	Mujer Guie’stía [Woman Guie’stía]	https://www.youtube.com/watch?v=9-x57oH6d2c
A06	ProDESC	Video transcript	Unión Hidalgo, Oaxaca	https://www.youtube.com/watch?v=Y7EAE-9Qmm8&feature=youtu.be

A07	APIIDTT (Assembly of the indigenous communities in the Isthmus in Oaxaca in the defence of their land and territory) (2020)	Blogpost	No lo queríamos decir, pero lo vamos a decir; “Se los dijimos” [We did not want to say it, but we will say it; “We told you”]	https://tierrayterritorio.wordpress.com/2020/05/25/no-lo-queriamos-decir-pero-lo-vamos-a-decir-se-los-dijimos/
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Documents for Category B

Document nr.	Publishing institution	Type of document	Title	Link
B01	EDF Renewables, France (n.d.)	Website article	Gunaa Sicarú Wind	https://www.edf-re.com/project/gunaa-sicaru-wind/
B02	EDF Renewables, France (n.d.)	Website article	What we do, Onshore Wind	https://www.edf-re.com/what-we-do/onshore-wind/
B03	EDF Renewables, France (n.d.)	Website article	About us, Core Values	https://www.edf-re.com/about-us/core-values/
B04	EDF Renewables, France (n.d.)	Website article	About us, Corporate Social Responsibility	https://www.edf-re.com/about-us/csr/
B05	EDF Renewables, France (2020)	Brochure	Energy innovation for the next generation – Creativity. Ambition. Imagination.	https://www.edf-re.com/wp-content/uploads/EDFR-Capab-broch-2020-NA-FINAL-low-res.pdf
B06	Renovalia Energy, Spain	Website article	About us	https://www.renovaliaenergyg-

	(n.d.)			roup.com/about-us/
B07	Renovalia Energy, Spain (2019)	Policy document	Renovalia Corporate Social Responsibility Policy	https://www.renovaliaenergygroup.com/wp-content/uploads/2019/09/WEB-Corporate-Social-Responsibility-Policy.pdf
B08	DEMEX, Mexico (n.d.)	Website article	Quienes somos [About us]	http://demexrenovables.mx/quienes-somos/
B09	DEMEX, Mexico (n.d.)	Website article	Areas de actividad [Activity areas]	http://demexrenovables.mx/areas-de-actividad/
B10	DEMEX, Mexico (n.d.)	Website article	Parque eólico Piedra Larga [Piedra Larga windfarm]	http://demexrenovables.mx/sedes/
B11	Eólica de Oaxaca, Mexico (2017)	Executive summary of the Environmental Impact Assessment for Gunaa Sicarú	Resumen Ejecutivo - Manifestación de Impacto Ambiental Modalidad Regional [Executive Summary - Manifestation of Environmental Impact Regional Modality]	https://avispa.org/wp-content/uploads/2017/11/UH_MIA_20OA2017E0031.pdf
B12	EDF, France (2019)	Press release, Response to accusations	Respuesta de EDF sobre “México: Defensores comunitarios declaran ilegítima y parcial la consulta para construir otro parque eólico en el Istmo” [EDFs response about “Community defenders declare the consultation to build another windfarm in the Isthmus illegitimate and biased”]	https://www.business-humanrights.org/en/latest-news/edf-respondi%C3%B3/

B13	DEMEX, Mexico (2011)	Environmental Impact Assessment for Piedra Larga II	Modificación del Proyecto Central Eoloeléctrica Piedra Larga, Etapa II – Manifestación de Impacto Ambiental Modalidad Particular [Modification of the Piedra Larga Wind Power Plant Project, Stage II - Manifestation of Environmental Impact Particular Modality]	http://sinat.semarnat.gob.mx/dgiraDocs/documentos/oax/estudios/2011/200A2011E0012.pdf
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Documents for Category C

Document nr.	Publishing institution	Type of document	Title	Link
C01	State Government Oaxaca (n.d.)	Policy Document	Plan Estatal de Desarrollo [State Development Plan 2016-2022]	https://www.finanzas.gob.mx/pdf/planes/Plan_Estatal_de_Desarrollo_2016-2022.pdf
C02	SINFRA, Secretary for Infrastructure and Sustainable Land Management (n.d.)	Website article	Misión, Visión y Objetivos [Mission, Vision and Goals]	https://www.oaxaca.gob.mx/sinfra/mision-y-vision/
C03	SEMAEDESOS (n.d.)	Website article	Energía Eólica [Wind energy]	https://www.oaxaca.gob.mx/semaedesos/energia-eolica/
C04	SEMAEDESOS (n.d.)	Policy document	Justificación del apartado de Energías Alternativas y Renovables de la Secretaría del Medio Ambiente, Energías y Desarrollo Sustentable de Oaxaca [Justification of the Alternative and Renewable Energies section of the Ministry of Environment,	https://www.oaxaca.gob.mx/semaedesos/antecedentes-energias/

			Energy and Sustainable Development of Oaxaca]	
C05	SEMAEDES0 (n.d.)	Website article	Misión, Visión y Objetivos [Mission, Vision and Goals]	https://www.oaxaca.gob.mx/semaedes0/mision-y-vision/
C06	SEMAEDES0 (n.d.)	Policy document	Plan Estratégico Institucional 2020-2022 [Institutional Strategic Plan 2020-2022]	https://www.oaxaca.gob.mx/semaedes0/plan-estrategico-institucional-pei/
C07	SEMAEDES0 (2018)	Website article	Compañía Francesa tiene confianza en Oaxaca y prepara inversión [French company has confidence in Oaxaca and prepares to invest]	https://www.oaxaca.gob.mx/semaedes0/compania-francesa-tiene-confianza-en-oaxaca-y-prepara-inversion/

Documents for Category D

Document nr.	Publishing institution	Type of document	Title	Link
D01	SEGOB, Secretariat of Governance (2019)	Policy document	Plan Nacional de Desarrollo 2019-2024 [National Development Plan 2019-2024]	https://www.dof.gob.mx/nota_detalle.php?codigo=5565599&fecha=12/07/2019
D02	Federal Government (2018)	National Report	Informe Nacional Voluntario para el Foro Político de Alto Nivel sobre Desarrollo Sostenible [Voluntary National Report to the High-Level Political Forum on Sustainable Development]	http://www.agenda2030.mx/docs/docs/InfNaIVol_FPA_N_DS_2018_es.pdf
D03	SENER (2015)	Website article	Desarrollo Sostenible [Sustainable Development]	https://www.gob.mx/sener/articulos/de

				sarrollo-sostenible
D04	SENER (2020)	Website article	Avanza en 2 años la transición energética con el Gobierno de México en forma ordenada [The Mexican government's energy transition is progressing in an orderly fashion in 2 years]	https://www.gob.mx/sener/es/articulos/avanza-en-2-anos-la-transicion-energetica-con-el-gobierno-de-mexico-en-forma-ordenada?idiom=es
D05	SENER (2020)	Website article	El Gobierno de México fortalece el Sistema Eléctrico Nacional [The Mexican government strengthens the National Electricity System]	https://www.gob.mx/sener/es/articulos/el-gobierno-de-mexico-fortalece-el-sistema-electrico-nacional?idiom=es
D06	SENER (n.d.)	Executive summary of the Strategic Evaluation for the Wind Energy Development in the Isthmus	Evaluación Ambiental y Social Estratégica para el Desarrollo Eólico en el Sur del Istmo de Tehuantepec, Resumen Ejecutivo [Environmental and Social Strategic Evaluation for the Wind Energy Development in the South of the Isthmus of Tehuantepec, Executive summary]	https://www.gob.mx/cms/uploads/attachment/file/136647/18439_EASE_Eli-co_Tehuantepec_Resumen_ejecutivo_espa_ol.pdf
D07	Federal Government (n.d.)	Protocol for a Free, Prior and Informed Consent according to ILO Convention 169 in the Municipality of Juchitán	Protocolo para la Implementación del Proceso de Consulta Previa, Libre e Informada sobre el Desarrollo de un Proyecto de Generación de Energía Eólica, de Conformidad con Estándares del Convenio 169 de la Organización Internacional del Trabajo sobre Pueblos Indígenas y Tribales en Países Independientes [Protocol for the Implementation of the Process of Free, Prior and Informed Consultation on the Development of a Wind Energy	https://www.gob.mx/cms/uploads/attachment/file/25581/Protocolo_Consulta_-_Versi_n_16_Octubre.pdf

			Project, in Accordance with the Standards of Convention 169 of the International Labour Organisation on Indigenous and Tribal Peoples in Independent Countries]	
D08	SENER (n.d.)	Policy document	PRODESEN Programa de Desarrollo del Sistema Eléctrico Nacional 2018-2032 [PRODESEN Development Programme for the National Electricity System 2018-2032]	https://www.gob.mx/cms/uploads/attachment/file/331770/PRODESEN-2018-2032-definitiva.pdf

Annexe 2: Interview-guide in Spanish and English

GUÍA PARA LA ENTREVISTA

Un clima conflictivo: Conceptualizaciones del desarrollo sostenible en un conflicto de la tierra y del medio ambiente – Un estudio de caso sobre Unión Hidalgo, México

Bienvenida

- Bienvenida y agradecimiento por el tiempo de los entrevistados
- Breve resumen del tema; mi propio interés en el tema
- Descripción del procedimiento de la entrevista y del tiempo estimado
- Información sobre el tratamiento posterior de los datos, formulario de consentimiento

Preguntas introductorias

1. ¿Desde cuándo vive usted en Unión Hidalgo?
 - ¿Cuáles fueron los cambios más importantes en su comunidad en los últimos años?
2. ¿Desde cuándo y cómo se ha sentido afectado por la construcción de proyectos de energía eólica en su comunidad? ¿Cuál es su opinión general sobre ellos?
 - ¿Qué ha sido problemático?
 - ¿Ha experimentado efectos positivos? ¿Cuáles?

Sus actividades en respuesta a los proyectos de energía eólica

3. ¿Cómo ha respondido usted y/o su comunidad a los proyectos de energía eólica?
 - ¿Qué acciones ha emprendido y cómo lo ha organizado?
 - ¿Cuál era o es el objetivo?
 - ¿Todos los miembros de su comunidad tuvieron la misma respuesta o hubo desacuerdo?
4. ¿Qué ha sido un apoyo para este trabajo? ¿Ha experimentado algún reto en particular?
5. ¿En qué medida se siente escuchado y sus opiniones tomadas en serio por los responsables de la toma de decisiones?
 - ¿Tiene algún ejemplo?
 - ¿Qué mecanismos ayudan a que su opinión sea escuchada?
6. ¿Cómo ha cambiado su situación en los últimos años y especialmente ante la nueva administración gubernamental de AMLO desde 2018 y la pandemia de COVID-19 en 2020?

Su concepto de desarrollo sostenible

7. ¿Qué papel juegan el territorio, el medio ambiente y/o los recursos naturales en su vida personal?
 - ¿Cree que estos elementos también son importantes para su comunidad en general?
En caso afirmativo, ¿qué papel desempeñan?
8. Esta pregunta se refiere a su opinión personal: ¿cuáles son los elementos más importantes de un desarrollo ideal (un desarrollo que usted desea para su comunidad y su región)? ¿Cómo se relacionan esos elementos entre sí?
 - ¿En qué medida estas ideas son escuchadas y representadas por los responsables de la toma de decisiones? ¿Cuáles elementos están bien representados y cuáles no tanto?
 - ¿Qué actores/instituciones/personas comparten una idea similar?

Conclusión

9. ¿Hay algo más que considere que debería saber?

INTERVIEW-GUIDE

A Climate of Conflict: Conceptualisations of Sustainable Development in land and environmental conflicts – a case study of Unión Hidalgo, Mexico

Welcome

- Welcome and appreciation for the interviewees' time
- Short summary of the topic; statement of my personal interest
- Description of the procedure of the interview and the estimated time
- Information about the further processing of the data; consent form and data protection

Introductory questions

1. Since when do you live in Unión Hidalgo?
 - What were the most important changes in your community in recent years?
2. Since when and how have you felt affected by the construction of wind energy projects in your community? What is your general view of them?
 - What has been problematic?
 - Have you experienced positive effects? Which?

Your activities in response to the wind energy projects

3. How have you and/ or your community responded to the wind energy projects?

- What actions have you undertaken and how have you organised this?
 - What was or is the goal?
 - Did everyone in your community have the same response (or was there disagreement)?
4. What has been a support for this work? Have you experienced any challenges in particular?
 5. To which extent do you feel heard and your opinions taken seriously by the relevant decision-makers?
 - Do you have any examples?
 - Which mechanisms help for your opinion to be heard?
 6. How has your situation changed in recent years and especially in light of the new government administration of AMLO since 2018 and the COVID-19 pandemic in 2020?

Your concept of Sustainable Development

7. What role do the territory, the environment and/ or natural resources play in your personal life?
 - Do you feel that these things are also important for your community as a whole? If so, what role do they play?
8. This question is about your personal opinion: what are the most important elements of an ideal development (a development that you desire for your community and region)? How do those elements relate to each other?
 - How well are these ideas heard and represented by decision-makers? Which elements are well represented and which not so well?
 - Which actors/ institutions/ individuals share a similar idea?

Conclusion

9. Is there anything else that you think I should know?