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

**Company name**: ACCIONA

**Projects registered under the UN Clean Development Mechanism (if applicable):**

In 2015, ACCIONA has 8 CDM projects registered in Chile, Costa Rica, India and Mexico, representing a total of almost 750 MW of installed renewable capacity.

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

1. Does your company have a (publicly available) commitment to uphold human rights? If so, please include the link.

Since 2013, ACCIONA has had a public human rights policy included in its Policy Book. <http://www.acciona.com/media/1028713/humanrights.pdf>

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

1. Does your company have a way to identify emerging human rights problems? And does it have a due diligence process to handle them? If so, please list the problems and describe the due diligence process (the key processes include: evaluation of the impact, integration and action based on the findings, monitoring of responses and communication of how the impacts were tackled).

ACCIONA is implementing a due diligence process in connection with human rights. In 2015 it completed the diagnosis of human rights risks, following the UN's Guiding Principles on Business and Human Rights.

For this purpose, 21 risks in four categories were analysed:

* Labour risks
* Risks for communities
* Risks for vulnerable groups
* Risks relating to personal safety

The findings were used to assign a risk rating to each business unit in the countries where ACCIONA operates that are most vulnerable in terms of human rights.

The analysis revealed that: ACCIONA conducts its business in 17 countries with a high or extreme risk of human rights breaches. The main risks of human rights breaches affecting the company arise indirectly via third parties. The main risks are linked to labour rights and the rights of vulnerable groups. Moreover, in 2015, based on the standards of the Danish Institute for Human Rights and the UN Global Compact, we analysed the corporate rules and procedures to ensure that ACCIONA applies the proper human rights controls.

In 2016, the specific internal rules in the scope of ACCIONA Group's business will be studied in order to strengthen (at this level) the measures to prevent potential breaches and remedy any that do occur.

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

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

The Social Impact Management methodology, implemented at ACCIONA since 2012, aims to integrate social impact management into all levels of the process of identifying opportunities, bidding and executing projects at ACCIONA, with a proactive focus on commitment to the communities where it operates.

Communities are identified mainly in the social baseline phase, but are taken into account throughout the entire project cycle:

* The initial phases of pinpointing opportunities and developing the project are when information is first exchanged and the main stakeholders are identified, thereby providing valuable information that helps to conduct an initial identification and assessment of social risk.
* Once the project has been approved, its catchment area is defined to determine the geographic scope for impact assessment and the process of impact management. To establish the geographical scope, it is necessary to ascertain the basic project data, as well as the baseline information. The geographic scope varies from one project to the next, but is based on aspects such as: proximity to the project, proximity to the power line, use of roadways and transport networks, use of environmental resources, main communities and inhabited areas, etc.
* Based on the geographic demarcation and the information obtained in the early phases, the conditions existing prior to the adjudication or implementation of the project in the identified populations and townships are analysed. This is generally performed using primary and secondary data, resulting in a social baseline comprising a series of socio-economic, historical, political and cultural indicators, along with primary data harvested from various sources (interviews, meetings, surveys, participatory workshops, etc.). The stakeholders potentially affected or having an interest or expectations in the project are then identified and classified exhaustively.

It is important to note that this is an open process that is continually under review. As the diagnosis continues and more information on the area is obtained, new stakeholders to be taken into account may emerge, and the catchment area is delimited more accurately.

1. How does your company consult affected communities (on impact assessment, relocations, shared benefit plans, etc.)? Please describe how the consultations are carried out and at what point of the project cycle they take place.

ACCIONA consults stakeholders linked to projects as part of the evaluation of the social and environmental impact of its projects.

Dialogue with communities enables ACCIONA to ascertain and manage the concerns and expectations produced by its activity. In this way, the Company seeks to integrate its projects into the social and environmental context, establishing communication channels with the local communities in order to identify opportunities for sustainable development.

The consultations take place at various stages of the project's lifetime:

* Initial project design and development phases. The first exchanges take place with some of the most significant players involved, including landowners, municipal governments, communities and residents associations. Based on these first exchanges, and on the detailed information compiled during the diagnosis phase in regard to the various stakeholders, their expectations and needs, the consultation measures can be targeted specifically.
* Applying for and obtaining permits. The company must consider the legal requirements in place in the countries where it operates, so that, in addition to the internal consultation processes during this phase, the applicable regulations are identified, as these also represent another source of consultation and information. This phase must also be used to detect the affected communities in detail and establish the necessary contacts to resolve queries and doubts, analyse envisaged impacts and propose measures that address any concerns that have arisen.
* Construction Phase. A communication mechanism is established during construction in order to: provide general and specific information regarding the project; designate a contact person with whom to interact at any time; share and disseminate the communication mechanism; detect and analyse the impacts found ahead of time, in order to coordinate mitigation measures and ascertain the needs so as to be able to invest adequately in social measures.
* Operating phase. Establishment of a social action plan aimed at minimising the negative effects of the project and enhancing the positive ones, improving the social welfare of the communities involved, and maintaining a permanent communication mechanism throughout the facility's lifetime.

(Examples in the answer to question 6).

1. Does your company ensure that the consultations include the points of view, and uphold the rights, of all members of an affected community (including those who might be marginalised for reasons of gender, ethnic/racial group, social status, age, religion, financial means or income or any other consideration)? How is this guaranteed?

The Company understands the aforementioned social impact management methodology as a means of analysing and addressing the social consequences, both positive and negative. In all its phases, the methodology allows us to prevent risks affecting local stakeholders, such as:

* Impact on communities' basic services: electricity, water, education, healthcare and communications.
* Changes to the continuity of local communities' economic activities.
* Impact on the rights of vulnerable groups, such as the indigenous and low-income populations, children and the elderly.
* Impact on the rights of direct and indirect employees.

Once the various stakeholders have been identified and classified (specifying also any vulnerable groups among them), consultation methods must be adapted to the individual conditions and characteristics of the various players involved, paying particular attention to the most vulnerable groups. This takes place over time:

* From the identification of groups and their representatives: taking special care that the persons involved in the consultations are representative of the identified groups, express the various positions identified in the previous studies, and are advocates for vulnerable groups.
* When preparing the consultations: adapting materials and information to the appropriate language, technical knowledge and degree of literacy.
* When conducting the consultations: ensuring accessibility in terms of the location and times, and holding specific meetings for different groups where there are added difficulties (for example, for reasons of gender or ethnicity).

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

1. In what circumstances does your company undertake to seek a free and informed prior consultation with an indigenous or Afro-descendent community affected by a project? Please provide examples of projects where such free and informed prior consultations were sought (if applicable).

In developing projects conducted by the Company, engagement is fundamental to learn the needs and opinions of the communities where it operates; to respond to their concerns, ACCIONA establishes various channels of communication and dialogue with local communities.

There follow some examples of projects in the Company's various business lines (for more information, see the Sustainability Reports for [2014](http://annualreport2014.acciona.com/pdf_EN/SOS_Acciona_Libro_ENG.pdf) and [2015](http://www.acciona.com/media/2055134/12_memoria_sostenibilidad_acciona_2015.pdf) –available in English in a few days-):

* Alcántara wastewater treatment plant (Brazil). From commencement of construction, ACCIONA Agua Brazil sought dialogue with local communities through various channels of communication. Periodic meetings were held with the community to provide all affected persons with details of the project, and a team specialising in social matters canvassed door-to-door and participated in social events at schools near the project, to which both the client and political representatives of the municipality were invited.
* Mt Gellibrand wind farm (Australia). ACCIONA's team conducted consultations and door-to-door canvassing with locals affected by the project. As well as providing a contact e-mail and phone number, its newsletter offered locals the chance to contact the team in order to talk, in the event of not being available during the visits.
* Rt. Hon. Herb Gray Parkway (Canada). While the road was being built, periodic informative meetings were held with local communities, and specific information files were published, containing project updates and specifying the sites of environmental value to be protected. Furthermore, a programme to control and monitor endangered species enabled local inhabitants to participate in recovering plant species for use according to ancestral customs.
* Hydraulic optimisation of the distribution network and demand management for the Riohacha municipality drinking water supply system (Colombia). This was implemented within the framework and assessment of a Project Social Management Plan, aimed at preventing, mitigating and addressing the impact on the community before, during and after completion of the works; and an Action Plan for the social component in demand management, aimed at strengthening processes of reflection, comprehension and action (awareness-raising), along with the communities, regarding the interaction of technical, operating and other factors associated with consumption that may influence the problems faced by the water supply service in Riohacha.
* Rehabilitation of local sewer and storm drain networks in the Muzú district (Colombia). A Social Management Plan for Interventions was implemented to channel actions to classify the catchment area, as well as the following programmes: information and communication programme; organisation and participation programme; education programme; sustainability, monitoring and evaluation programme.
* Chiripa wind farm (Costa Rica). Since 2012, stakeholders at the settlements where the Chiripa wind farm project is located have been consulted regularly. As a result of the various consultations with the community, a deficiency was identified in the drinking water supply. To remedy this, ACCIONA drew up an improvement plan that included, among other actions, drilling a well to supply the community: Monseñor Morera.

1. What is your company's process to obtain and evaluate the consultation and free and informed prior consent?

Dialogue and communication with stakeholders is an integral part of the social impact management methodology

ACCIONA's social impact management methodology and, specifically, the dialogue and exchange process with stakeholders that is implemented from the early stages of projects, ensures that the specific needs and characteristics of vulnerable groups (in particular, indigenous communities) are taken into account. Identifying and characterising the various groups is the first step to be able to adequately manage relations with the community. The priority groups are then selected in order to commence a process of engagement, focusing particularly on vulnerable groups among the stakeholders. To properly inform all parties involved, taking into account the limitations faced by vulnerable groups, particularly indigenous people, various consultation techniques are chosen on a case-by-case basis, using techniques, methods, approaches and calendars that will have to be adapted to the local situation and the stakeholders being consulted.

In this connection, the consultation process focuses on the chosen stakeholders, taking into account the specific aspects of the most vulnerable groups (intelligible in terms of language and tone, accessible in location and time, two-way, so that both parties can exchange their views, and inclusive, to allow the involvement of the most vulnerable people).

Furthermore, this dialogue continues throughout the duration of the project, with a permanent communication channel established in each project phase, as well as a mechanism to handle complaints.

1. Has your company faced any challenges in its attempt to set up a free and informed prior consultation for renewable energy projects? If so, please describe what steps your company took to overcome the challenges.

This is the case of a wind farm in the development phase in a South American country that presented challenges due to the social and environmental context: indigenous and local communities and a high quality natural environment.

During preliminary environmental impact studies, the community became involved in the project, and the social complexity of the intervention area became apparent. In order to avoid tensions and reduce levels of distrust, it was decided to conduct a process of formal consultation within the framework of what is known as Advance Citizen Participation, i.e. voluntary involvement that is initiated by the company prior to the formal processes for approval of the Environmental Impact Study.

A specialist external consultant was hired and the following steps were taken:

* Identification of territories in which the project would intervene.
* Identification of key players and stakeholders.
* Establishment of a schedule of meetings and semi-structured interviews in various on-the-ground working drives, differentiating between indigenous and peasant communities.
  + Peasant communities: the first campaign was aimed at interviewing representatives of the social organisations in these territories. Systematically logging this information made it possible to classify the players for subsequent contact. Three workshops open to the previously identified communities were then conducted. Each of these offered increasing detail in terms of the information provided and compiled, with specific meetings aimed at each of the stakeholders based on their location.
  + Indigenous communities: with regard to the process of consultation with indigenous and tribal communities, ILO Convention 169 expressly establishes that this must be free and informed and conducted beforehand. This convention also indicates that the signatory States must take responsibility for its implementation. However, given the location of the project, it was decided to arrange an advance participatory process aimed specifically at indigenous communities. The plan for advance consultation with indigenous communities was divided into four stages (planning of the consultation; delivery of information and verification; dialogue comprising three workshops; systemisation and reporting of findings).

At this time, the project is in the environmental assessment phase.

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

1. What measures does your company take to ensure that its personnel, the security companies which it engages and/or State forces providing security to its projects respect the rights of workers and persons in the communities, including those who oppose its projects?

The Code of Conduct sets out the principles that should guide the behaviour of all the companies belonging to the ACCIONA group and is aimed at fostering the establishment of a form of business conduct that is accepted and respected by all employees and managers.

It is aimed at establishing the values that should guide the behaviour of all persons in the Company. (<http://www.acciona.com/media/1002790/codigo_conducta_2011.pdf>)

This code, approved in 2007 and amended in 2011, seeks to guide relations between employees; actions by the latter vis-à-vis customers, shareholders, suppliers and service providers; and relations with public and private institutions and with society in general. Following approval, a Code of Conduct Committee was set up and a whistle-blower channel was created.

ACCIONA fosters respect for these rights throughout its supply chain, via the ethical principles and commercial relations with its suppliers, contractors and collaborators.

ACCIONA has a book of policies approved by the Board of Directors' Sustainability Committee in April 2013, which comprises four sections (<http://www.acciona.com/shareholders-investors/corporate-governance/corporate-policies-book/>):

* Sustainability and Innovation: highlighting the sustainability policy which acts as a global policy establishing the framework principles for the rest of ACCIONA's policies.
* Finance and Governance: including anti-corruption, antitrust, risk management and quality policies.
* Social sphere: including human rights, human resources, workplace health and safety, and social action policies.
* Environmental sphere: including environmental and biodiversity policies and policies to combat climate change.

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

1. Does your company have a remediation mechanism in place in each location where it undertakes projects, for the affected communities and workers to file complaints regarding local impacts, including human rights abuses? If so, are the affected communities involved in designing this remediation mechanism, including its structure and the kind of reparations offered?

The specific internal rules included in the ACCIONA Group's business scope are currently being reviewed in order to strengthen (at this level) the measures to ensure that breaches are prevented, and any that do occur are remedied.

The Company has a mechanism to manage queries and complaints which it makes public in all countries where it operates. The complaints mechanism is aimed at receiving, assessing and addressing any complaints by stakeholders. The process of publicising this complaints mechanism focuses on informing stakeholder groups about it in order to render it accessible and transparent. For this purpose, the various stakeholder profiles are considered and the methods of dissemination are adapted accordingly (in regard to times, locations and languages), the person responsible for channelling these communications is specified, the average processing and resolution time is determined, and the records that must be kept as evidence of this communication are established.

**Additional information**Please provide any additional information regarding those of your company's policies and practices in connection with human rights that you consider to be relevant.

For detailed information regarding the Company's social and environmental performance and corporate governance in the last year, see the 2015 Sustainability Report –in Spanish in a few days- (http://www.acciona.com/media/2055134/12\_memoria\_sostenibilidad\_acciona\_2015.pdf).

Thank you for your interest.