

Responsible Renewable Energy: 10 Questions on Human Rights

Name of company: __Lake Turkana Wind Power Ltd._____

Projects registered under UN Clean Development Mechanism (if any):

YES

Human rights policy commitment

[Examples & guidance](#)

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

See our statement on human rights in the document 'Environmental and Social Sustainability Policies' that can be downloaded at the following link:

<http://www.ltwp.co.ke/stakeholder-engagement-a-project-grievances/resources>

Human rights due diligence

[Examples & guidance](#)

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

In 2009 the Lake Turkana Wind Power project underwent a rigorous audit process and completed a National Environmental Impact Assessment, as well as an International Environmental and Social Impact Assessment (ESIA), in compliance with the IFC Performance Standards on Environmental and Social Sustainability in place at the time.

The Construction process commenced towards the end of 2014 and operations are expected to start in quarter four 2017.

LTWP's EPC Contractor undertakes monthly auditing of its subcontractors on labour related aspects that could become human rights issues, such as payroll, accommodation and health and safety. In addition a quarterly review of the Environmental and Social Management Systems are conducted by a third party expert. Following the reviews, findings and corrective actions are identified by the third party, which are documented and tracked on a bi weekly basis.

Community engagement & consultation

[Examples & guidance](#)

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

Prior to the Project inception, LTWP undertook thorough feasibility studies that entailed, among other things, extensive consultation with the local communities. A project area of impact was identified and all communities within the area were considered to be affected.

Community engagement is described in detail in the project-specific Stakeholder Engagement Plan.

<http://www.ltwp.co.ke/stakeholder-engagement-a-project-grievances/public-consultation-and-engagement>

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

Stakeholder engagement has been an ongoing process over the past nine years. Consultations vary from one-to-one interviews to barazas (group meetings) that involve whole communities. LTWP continues to involve the local State administration as well as the community leaders in the area covered by the land lease in the consultation process.

During the construction phase, there is ongoing consultation facilitated by the Community Liaison Officers (CLO) team. This will continue throughout the project lifecycle. The CLO's, who are from the project area and speak the local languages, are also involved in implementing the project grievance mechanism.

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

Community leaders in the wider Loiyangalani Division (representatives of the Turkana, Samburu, Rendille and El Molo communities); gender and youth-based groups; and non-governmental organisations have been consulted throughout the entire Project feasibility and inception process and continue to be consulted through the CLO Team.

LTWP has seen a positive change towards the inclusion of women in consultations, for example initially women did not attend consultations at some villages and nowadays women not only attend, but feel comfortable to raise their opinions freely.

Free, prior and informed consent

[Examples & guidance](#)

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

As per the Lender guidelines that the Project is following, particularly IFC Performance Standards, FPIC is required when indigenous peoples may be adversely impacted by the Project. As mentioned, the LTWP Project underwent rigorous feasibility studies and it was determined that there are no indigenous people adversely impacted by the Project. Therefore the Project was not required to undertake FPIC.

Nonetheless, the communities' consent was ensured through dialogue and negotiations in the land lease acquisition process, and communities have been involved in informed consultation and participation, as part of the ESIA process and the continuous stakeholder engagement process, to ensure that Broad Community Support is in place.

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

As indicated the company ensured that broad community support was obtained from the nine-year stakeholder engagement process which involved various levels of consultations with groups from all of the communities from Laisamis to Loiyangalani. Local dialects were used in the meetings to ensure the affected communities got the opportunity to air their concerns, which were taken into account while developing the impacts mitigation measures. Sarima village (as the only village on the Project site) was consulted extensively and signed a memorandum of understanding (MoU) with the Project.

Independent social experts from the various lenders have been allowed to freely interact with the communities to ascertain that consent was provided by the local communities.

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

Broad Community Support has been obtained through years of consultation with local communities.

Security

[Examples & guidance](#)

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

All contractors on site have committed to adhere to Lake Turkana Wind Power's environmental and social standards, including in relation to human rights and community engagement.

LTWP main Contractors, under supervision of LTWP, undertake monthly auditing of their subcontractors on labour related aspects that could become human rights issues, such as payroll, accommodation and health and safety.

LTWP itself is audited on a quarterly basis by an external party with duty of care to the Project's Lenders.

Remedy

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10. Does your company have a grievance mechanism in place at each project site for affected communities and workers to raise concerns about local impacts, including

human rights abuses? If so, were affected communities involved in the design of the grievance mechanism, including its set-up and the types of remedies it provides?

LTWP operates a community grievance mechanism and a separate worker grievance mechanism. The community grievance mechanism is implemented by the CLO Team.

Affected community members were involved in the design of the community grievance mechanism, including its set-up. The CLOs are from the local community and have been with the project for several years; they play a key role in addressing community grievances.

Worker grievances are primarily managed directly by the construction contractors but can also be escalated directly to LTWP level, in which case CLOs will intervene in order to assist in the resolution of the grievances.

Please see the link to the LTWP grievance mechanism:
<http://www.ltwp.co.ke/stakeholder-engagement-a-project-grievances/grievances>

Other information

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