



CAFTA-DR Secretariat for Environmental Matters Public Participation in Compliance with Environmental Legislation

The Bahoruco mountain range under threat.



Case Summary

In 2016, Ariel Sing and Carlina Duran, representing the organization S.O.S. Ambiente RD, presented a Submission asserting the "extensive and accelerated deforestation of the southern slope of the Bahoruco Mountain Range National Park for the purpose of planting crops." This park is extremely important in and of itself but is also one of the most important core zones of the Jaragua-Bahoruco-Enriquillo Biosphere Reserve, which is also being affected by squatter settlements and other illegal activities.

According to the Submitters, occasionally, laborers receive plots of land adjacent to the avocado and coffee fields where they practice subsistence agriculture. This has resulted in the expansion of the agricultural frontier, new human settlements and new demands for resources from the park.

According to the Submission presented by SOS Ambiente RD, if these patterns of human settlements, deforestation, monoculture farming and pressure on the Reserve's core zone, then the viability and survival of the park is in jeopardy. As such, SOS Ambiente RD and its representatives decided that one option to increase the number of public participation opportunities was to use the SEM's Environmental Submission Mechanism.

Challenges faced

According to the submitter, the illegal activities that were cited put this protected area's "exceptional regional, national and worldwide biodiversity value" in great danger.

The southern slope is being seriously affected by avocado and coffee farms. Different types of activities are carried out on these agro-industrial farms that run contrary to the park's goals despite the fact that this area "has been considered an Important Bird Area (IBA), a Key Biodiversity Area (KBA) and is also one of two priority sites in the Dominican Republic by the Alliance for Zero Extinction (AZE).

In addition, these activities are putting at risk forests that preserve rain catchment needed for the Pedernales River basin as well as the bi-national water basin on which thousands of people from the Dominican Republic and Haiti depend.

These threats to this important park are directly affecting more than 9 million Dominicans who are the owners of this natural heritage. In addition, the threats to the Biosphere Reserve affect all humanity.

Participation opportunities are being created.

"The Minister and myself are committed to ensuring participation opportunities for civil society with regard to the protection of our parks and decision-making on these matters."

Patricia Abreu
Vice-minister of Environment.

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Actions taken

Area residents were tired of the situation but did not want to start any legal action. They wanted to participate in the creation of a solution to the problem. Something had to be done.

Strategic Actions

1. Forming a new commission for the Batoruco Mountain Range National Park with solid civil society representation and avoiding interests that conflict with those of the Park.
2. Said commission will be headed by the Ministry of Environment, represented by the Vice-minister and the Minister's Advisor.
3. Said commission will focus on improving the conservation of the Park.
4. To this end, the commission will develop an action plan with goals and objectives that are specific, attainable and measurable.
5. The parties agreed to make another trip to the Park but this time when conditions are appropriate in order to evaluate the situation
6. The parties also agreed to hold a meeting with the Minister in order to improve communication even more.

After the Submission was presented, the Ministry of Environment asked the Secretariat to facilitate a meeting with the Submitters to begin dialogue and explore the different perspectives on the problem that both parties had.

This initiative was directly promoted by the Ministry of Environment, Vice-minister Patricia Abreu and the Dominican Point of Contact Rosa Otero. These officials opened the door to the Ministry for the Submitters and an agreement was reached on how to address the problem, recognizing that the problem exists and should be resolved despite its complexity and the time it will take.

The path to a solution that was agreed to, includes extensive participation opportunities for the Submitters and other social actors in all phases of the process.

After the Submitters saw the Ministry's actions and filing of formal complaints, they decided to ask the Secretariat to suspend the processing of the Submission to give the Ministry an opportunity to resolve the situation while, at the same time, maintaining the right to resume the processing of the Submission should those efforts end.

Achievements reached

1. The Ministry of Environment facilitated a high-level meeting (Minister, Vice-minister, SEM point of contact and personal advisor to the Minister) to discuss possible solutions to the problem.
2. The parties were given the opportunity to express their concerns, the problems they had faced and the fears they had regarding the Park and the conflicting interests.
3. Over the course of more than two hours, the parties explored possible paths to a solution, scenarios and different ways of understanding the problem (that both parties recognized existed) and gradually came up with strategies to address the matter that satisfied both parties.
4. Given the important progress that was made during the first meeting and the formal commitment of the Ministry, the Submitters requested a temporary suspension of the case, stating that "This request is motivated by the openness and willingness of the Minister of Environment, Francisco Dominguez Brito, to resolving the problem."

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The Secretariat for Environmental Matters (SEM) is an international organization that was created within the framework of the Free Trade Agreement between the Dominican Republic, Central America and the United States of America (CAFTA-DR). The mission of the SEM is to administrate the CAFTA-DR Environmental Submissions Mechanism in accordance with CAFTA-DR articles 17.7 and 17.8.