



CAFTA-DR Secretariat for Environmental Matters Public Participation in the implementation of Environmental Legislation

Villa Veranda: Access to public environmental information and public participation in El Salvador



Case Summary

The San Salvador area of El Salvador is one of the most active seismic zones in Central America and any housing project developed on mountains or hills is potentially at risk.

Beginning in 2008, the Northwest Santa Tecla Ecological Defense Committee sent letters to diverse public institutions stating their concern about the future deforestation of an area of forest located on the upper part of a hill that is adjacent to the neighborhood where the Submitters live. According to the Submitters, said deforestation would take place in order to construct the Villa Veranda Housing project and that residents in that area were unable to learn anything about the potential impacts of said project as they were not consulted appropriately during the environmental impact evaluation process.

The Submitters asserted that both municipal and national authorities were not flexible in providing access to information about the project and that the environmental license for the construction of the project was issued without giving them an opportunity to comment. Faced with this problem, the residents decided to use the SEM's Environmental Submission Mechanism to facilitate access to public environmental information and learn about the potential implications of the project.

Challenges faced

The Northwest Santa Tecla Ecological Defense Committee was organized by low-income residents from the area that were concerned about the potential damage to their homes. They turned to municipal and national authorities to request information. However, according to the Submitters, they encountered several significant challenges common to community organizations:

1. Members with few resources to be able to follow-up on the case and access information.
2. The resistance of public officials to share all available information.
3. The submitters did not always have technical assistance needed to comprehend information related to the case.
4. The disinformation and rumors that circulated freely through the community regarding the potential impact of the project.
5. The organizational weaknesses of the submitters (at the end of the process with the Secretariat the group had almost ceased to exist).
6. The costs associated with accessing public environmental information.

Access to public environmental information.

“More environmental submissions are needed in order to alert us to problems with access to environmental information.” René Salazar, Ministry of the Economy.

MINISTRY OF THE ECONOMY
REPUBLIC OF EL SALVADOR
Alameda Juan Pablo II y Calle
Guadalupe Edificio C1 - C2,
Government Center. San Salvador
(503) 2590-5600

Actions taken

In this case, the submitters felt that they could not access public information and thus the Secretariat, based on the Environmental Submission and the supposed lack of a response from the Party, decided to recommend the preparation of a factual record. This recommendation was made and the following actions were taken:

Strategic Actions

1. Played a permanent mediation role between the actors in the case
2. Prepared a factual record while seeking cooperation between the actors in the case.
3. Held a reflection workshop after the factual record was published in order to compile lessons learned.

1. A group of experts was identified to participate in the preparation of the factual record.
2. Several visits to the area to physically inspect the site were carried out.
3. The process was expanded to include public documents, studies, and information sent by the Government and generated by independent experts.
4. The Secretariat held a series of public hearings with the goal of ensuring that any person interested in providing information could do so at a neutral location (the International Fair and Convention Center of El Salvador) and participate in the manner that was most convenient for them.
5. The Secretariat held meetings with government officials to expand the amount of information available on the case.
6. During the last step of the research phase, the Secretariat prepared the Factual Record and the Environmental Affairs Council approved its publication.
7. The Secretariat held a workshop with key actors from the Submission including, government officials, construction associations, the project owner, UCA's Human Rights Institute, FUNDE and the Submitters, in order to reflect and evaluate the results that were achieved by publishing the factual record as well as to learn about their opinions on the process.

Results achieved

Achievements for this case include:

1. The community had access to all information for this case.
2. The costs associated with following-up on the case were almost non-existent.
3. The following lessons learned were compiled during the reflection workshop:
 - a. It is likely that the community would not have needed to use the submission mechanism if more information was available.
 - b. Public officials recognized there were coordination issues between public entities, which made it difficult to address the submitter's needs.
 - c. Government representatives stated that more environmental submissions could help identify problems early on and respond to them in a participatory manner.
4. A support fund was established for any future damage to the homes of area residents that was caused by constructing the housing project.

Contact Us

Secretariat for Environmental Matters
4a Av. 10-25, Zona 14
Guatemala, Guatemala
Postal Code: 01014
+502 2368-2151
info@saa-sem.org
www.saa-sem.org



Visit our website for more information
www.saa-sem.org

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.