

Final Report
Upstream: the Battle for the Future of El Salvador's Water
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During the summer of 2008, I documented a variety of water management scenarios across a geographically diverse sample of communities in El Salvador to examine the ways people obtain their daily water, and to examine the social relationships that have developed between people, elected officials and the water that sustains them and their communities. I returned in December 2008 and will return again in March 2009. The footage will be edited into a video documentary about the efforts of everyday Salvadorans to defend their right to water access, a right declared by the UN Committee on Economic, Social and Cultural Rights in 2002.

The current phase of this struggle began in 1998, when the Inter-American Development Bank closed a \$60 million water infrastructure improvement loan with then-Salvadoran President Francisco Flores. A principal objective of the loan was to “create an institutional and business environment that will invite public and private investment in water and sanitation services.”¹

The loan stipulated that money would be dispersed only to those municipalities that adopted a decentralization. The loan also provided money for consultants to assist the Salvadoran government in developing a General Water Law, thus overhauling provision and regulation in the sector.

¹ Reform Program for the Water Sector and Potable Water and Sanitation Sub-sector. Inter-American Development Bank. Washington, DC. 1998.

Despite the loan and a 20-year trend toward neo-liberal reform in the provision of public services throughout Latin America, it is perplexing that El Salvador, while following the privatizing trend generally, has not implemented a neo-liberal style water-sector reform. The national water agency, ANDA, remains a central player in water provision and regulation, though it has been weakened by severe funding cuts, corruption scandals and declining institutional morale. However, ANDA and traditional water regulation forms have atrophied in the neo-liberal era, and the absence of comprehensive water reform has disallowed any regulatory alternative to rise in their stead. Two competing versions of water reform legislation have wallowed in the National Assembly for years. It is a powerful testament to El Salvador's defenders of public water that they have been able to stave off the most nefarious policies. But these accomplishments do little to address the grave deficiencies that echo throughout the water and sewerage sectors. Under the looming cloud of potential privatization, El Salvador's water crisis teeters on the verge of intractability and disaster.

The Contested Meaning of Water

Two opposing perspectives toward water dominate the worldwide debate over water provision and regulation. One view, championed by advocates of neo-liberal economics, posits that the most efficient way to regulate (indeed, *conserve*) water is to subject it to market-based norms, like any other commodity. Decentralization and privatization are distinct (and mutually exclusive) policies that re-characterize state regulatory roles. Under a decentralized system, central water administration is nixed and new regulatory "monitoring" agencies are created in its stead. Local governments, then, are obligated to concession water provision to private, for-profit entities, under a variety

of potential schemes.² “Full-cost recovery,” is also a commonly adopted policy, which allows water providers to charge the full per unit cost of water delivery (which includes a nominal surplus value) to consumers. This has meant huge increases in monthly water bills when privatizations take effect and a change in the choreographies of power of water management away from democratic control.³ While a diverse combination of “policy salads” are to be found wherever water privatization is implemented, water-as-economic-good to be subjected to market norms to ensure proper management and environmental control is the driving ideology.

An opposing view states that water is a public good essential for all life and thus cannot be subjected to market norms. In this view, access to water is a considered a human right, as declared by the United Nations Committee on Economic, Social and Cultural Rights in 2002:

“The human right to drinking water is fundamental for life and health. Sufficient and safe drinking water is a precondition for the realization of all human rights.”⁴

According to this perspective, to derive profit from water is unethical while water scarcity prevails. Also, collective management—either by the state or community control—is essential because private ownership will eventually conflict with the public character of the resource.⁵ People and organizations acting upon this larger logic also contest the individual policies implemented under privatization. Full cost recovery, they argue, lays a disproportionate burden on poor people to pay for service. Water delivery

² Bakker, Karen. “Water is Life!” Not for Sale, Decommodifying Public Life. Ontario, Canada: Broadview Press, 2006. pp. 148.

³ Swyngedouw, Erik. “Dispossessing H₂O: The Contested Terrain of Water Privatization.” In Hayden et al. *Neoliberal Environments: False promises and unnatural consequences* Routledge. New York. 2007. pp.57

⁴ “Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights (Advance Unedited Version).” UN Committee on Economic, Social, and Cultural Rights. New York. 2002.

⁵ Bakker. pp. 151.

should be subsidized for the poor, since it is essential for the functioning of society. Furthermore, since water is a *social* good, it follows that its management should be democratically controlled. A corollary to this argument is that corporate entities make democratic control impossible, since the profit-generating motive of the corporation ultimately trumps all others, rendering an equitable weighing of interests impossible.⁶

The operative questions here are: Who is contesting privatization and why? What types of *de facto* regulation arise in the “regulatory no-man’s-lands” created by the lack of reform? And finally, how are Salvadorans working to preserve and advance the character of “water as commons” (and alternatives to privatization) in the context of regulatory collapse?

Methodology/Achievements

The Upstream project was able to document a diverse cross-section of water procurement and delivery scenarios in spanning the Salvadoran geography. A number of insightful interviews will compliment the various community visits to create a final video that will not only analyze a complex political and social context, but also the forms in which communities struggle to achieve their right to water access. I brought a crew of two or three to most towns in July and the first week of August. After that, I traveled alone with a video camera and microphone. I utilized both verité and traditional interviews. In some towns, we utilized verité style to interview a number of community leaders and have them show us the forms of water management utilized in their communities.

The following towns were visited along the way and are contained within the video footage:

⁶ Swyngedouw, 2007. pp 57.

- El Polvo, La Unión—In spite of the work of many well-funded NGOs which paid for technicians, provided expensive equipment and drilled wells, this town is watered by an unregulated, clandestine water system that was designed by a 25 year old engineering school graduate.
- La Peña, Usulután—we examined a community-run water system and spoke with community members about their ecological sustainability projects that protect the water “recharge zones” that rest above the community.
- Ishuatán, Sonsonate—interviewed a number of community members who resisted attempts by local elected authorities to pipe part of the municipality’s ample water supply to a neighboring municipality. Those we interviewed dug up the piping and argued that they were defending the community’s right to water access.
- Juayua, Ahuachapan—interviewed community members who resisted local officials’ attempts to apply a “full cost recovery” policy to public faucets, where about 75% of residents obtain their daily water needs. This policy was rejected, but the installation of water meters has sparked fears that the mayor could once again attempt to charge community members for use of the *cantareras*. In Juayua, I also interviewed the mayor.
- Ataco, Ahuachapan—where people are charged for their use of public faucets.
- Altavista—where folks took over a major highway when their water was cut for eight days in a row.
- Mejicanos—an interview with the mayor, Roger Blandino Nerio, who speaks about the impact of World Bank loans on his ability to finance local water-infrastructure renovation projects.
- Santa Maria Ostuma, La Paz—interviewed local residents who had dug up piping that was dedicated to transferring water from locally derived sources to a series of resort hotels along the Pacific coast 40 miles south of here.
- San Salvador—followed sewer maintenance workers in their daily rounds clearing out San Salvador’s sewers. Later we spoke with them about why they oppose privatization of water and sewers.

I also interviewed elected officials, ecologists, consumer rights advocates, and community-based water “warriors,” including:

- Salvador Sanchez Céren- leader of the FMLN party’s delegation in El Salvador’s 84-member national assembly. He is also the FMLN’s candidate for vice-president in the March 2009 elections.
- Mauricio Funes—Journalist and candidate for President of El Salvador. Recent polls put Funes leading 53%-39% over Rodrigo Avila.
- Lourdes Palacios- member of the Commission on the Environment and Natural Resources within El Salvador’s National Assembly.

- Angel Ibarra—President of the National Ecological Unit of El Salvador.
- David Morales—member of FESPAD. attorney for the defendants arrested on July 2, 2007.
- Lorena Martinez —President of CRIPDES, the Association for Development in El Salvador. Arrestee from the July 2, 2007 protests against water privatization.
- Rosa Valle Centeno—vice president of CRIPDES
- Ana Ella Gomez—Director of the Consumer Defense Center’s program on water.
- Gloria Silvia Orellana- reporter for the news daily *Diario Co-Latino*.

Challenges

A cascade of challenges arose upon my arrival in El Salvador starting with the frying out of the audio chip on my video camera. I had intended to do my own shooting, taking the “one-man-band” approach to documentary video, but when the camera broke I had to decide whether to hire a camera person (w/camera) or rent a camera and continue with my original plan. Economics dictated that hiring a camera person and camera was cheaper. Opting for the cameraman route also freed me up to focus more on the interviews and bigger picture stuff, rather than the image and sound etc. Or so I thought. What the decision really did was to convert me into a real director—actually directing a crew—something I had never done before. This became apparent when I reviewed the first day of shooting with my cameraman. The subject was low in the frame, sometimes out of focus and there was little attention paid to the audio quality.

I would’ve had a hard enough time meeting the challenges of constructive criticism in English, but it was much harder to do in Spanish, complete with all of the requisite culturally appropriate cues and signs...so as to not offend my cameraperson or send him home crying. I’m sure I didn’t do a perfect job of it: I was far too direct in my critique, but things did improve over time and our working relationship became curiously more cordial.

Having a crew also affected our “impact” in the communities that we visited. Instead of one, we were often times three, each holding an assortment of strange and out-of-place video gear. It is hard to gage whether we were more or less effective than I would have been alone. There were definitely advantages to having three people, but I think in the end, I prefer the more discreet method of being able to blend in with a camera. Obviously, I’m still out of place, but after a while, almost everyone becomes comfortable with the camera. With a three-person crew, blending is much more difficult to pull off.

Another challenge I faced was access. Frankly, it was difficult to find anyone willing to go on camera to speak *favorably* about what types of policies are being implemented in El Salvador. I was able to find a mayor, eventually. And later, a retired veteran IMF official.

Finally, given the electoral contests that are scheduled for January and March of next year, not many people were willing to go out into the streets. So, in the end, I could not film the types of dynamic protests that were filling streets as recently as October 2007.

When the audio chip on my camera blew out within one week of my visit, I had to send the camera back to the US for repair and I was forced to hire a camera operator and production assistant for the about half of the remainder of my time in-country.

Also, we modified over time the ways in which we covered/filmed communities in conflict over water. At first, we utilized a “democratic” approach by having entire communities accompany us and show us key water-related sites in each town. This method had advantages. It allowed us to show, visually, the power of community with

regard to water issues. It also created a synergy between folks that allowed stories to emerge that wouldn't have otherwise. However, with so many people, it became very hard to make sense of a place because there were too many spokespeople under this model. We modified the model and chose one person to lead us around the "landmarks" and introduce us to folks along the way. This allowed for an orderly "script" to follow without a cacophony of voices to decipher, and it also created a fair amount of spontaneity for the camera between our "guides" and the folks they would "meet" along the way, whether the meetings were planned or occurred by chance.

Relations with the Partner Organization

My relationship with the partner organization, the Salvadoran National Ecological Unit (UNES), is solid. The UNES, one of El Salvador's leading environmental organizations, provided ample suggestions, ideas, field information, written reports, contacts and logistical support for me throughout my 2-month stay in country. I was able to interview Director Angel Ibarra on camera at length about Salvadoran efforts to defend the right to water access. Program directors Carlos and Carolina both assisted me with ideas, information and contact numbers to delve into the grassroots base organizations that have spear-headed the most inspiring moves to defend public water.

UNES communications director Alfredo "Chino" Carías assisted me in numerous interviews as camera and sound person. He was also key in developing contacts within El Salvador's Legislative Assembly, including with Lourdes Palacios, head of the FMLN's environmental commission within the Assembly. Mr. Carías also was able to obtain critical news footage for me that will be invaluable in the final editing of this video.

The future of *Upstream*

The Salvadoran election cycle, which began with the municipal elections in January 2009 and terminates on March 15, 2009 with the awaited Presidential election, holds the answers to many water questions in its balance. The right wing parties that are largely responsible for government inaction on water were able to maintain a majority in the Legislative Assembly. However, the arrival of Mauricio Funes is seen as a potential for change. If he wins the election, Funes will have to end around the Assembly, but he will have some tools with which to maneuver toward a more sustainable water future. Given the hopes that a Funes Presidency holds for the movement for equitably-priced water access, the DC-based Committee in Solidarity with the People of El Salvador (CISPES) has agreed to feature *Upstream* as part of a Fall 2009 informational tour to educate the US public about the challenges facing the Salvadoran movement for “Blue Democracy.” Video presentations will be accompanied by a representative from a member organization of *Foro Nacional Pro-Agua*, who will elucidate themes touched on in the video. The tour will raise money for the *Foro* and identify key contacts to maintain a strong international solidarity movement to support the demands and defend the gains of Salvadorans in their quest for just water access. The video will also be submitted to Latin American and environmental themed film festivals for screening.