

**GAP ANALYSIS OF PUBLIC ADMINISTRATION CAPACITIES TO
IMPLEMENT LOW-EMISSION URBAN DEVELOPMENT PROGRAMMES**

UNDP-GEF Project (PIMS 5462)

“San Salvador Low-emission Urban Development Path”

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**Deliverable 1: Institutional Framework for
Low-Emission Development Governance**

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List of Acronyms

AEAS	Association of Transport Entrepreneurs	Asociación de Empresarios de Transporte
AECID	Spanish Agency for International Development Cooperation	Agencia Española de Cooperación Internacional para el Desarrollo
AMSS	San Salvador Metropolitan Area	
ANDA	National Water and Sewage Administration	Administración Nacional de Acueductos y Alcantarillados
APR	Annual Progress Report	Informe Anual de Progreso
ARENA	Nationalist Republican Alliance	Alianza Republicana Nacionalista
ASIMEI	Salvadoran Association of Mechanical, Electrical and Industrial Engineers	Asociación Salvadoreña de Ingenieros Mecánicos, Electricistas e Industriales
AWP	Annual Work Program	Programa Anual de Trabajo
BANDESAL	Salvadoran Development Bank	Banco de Desarrollo de El Salvador
BAU	Business-as-Usual	
BRT	Bus Rapid Transit	Bus de Tránsito Rápido
BUR	Biennial Update Report	Informe Bianual de Actualización
CC(M)	Climate Change (Mitigation)	(Mitigación del) Cambio Climático
CDM	Clean Development Mechanism	Mecanismo de Desarrollo Limpio
CDR	Combined Delivery Report	Informe Combinado de Ejecución
CEL	Hydroelectric Commission for the Lempa River	Comisión Ejecutiva Hidroeléctrica del Río Lempa
CEPA	Autonomous Port Commission	Comisión Ejecutiva Portuaria Autónoma
CDMER	Regional Electricity Market Board	Consejo Director del Mercado Eléctrico Regional
CNE	National Energy Council	Consejo Nacional de Energía
CO	Country Office (UNDP)	Oficina de País (PNUD)
COAMSS	Council of Mayors of the AMSS	Consejo de Alcaldes del Área Metropolitana de San Salvador
CODEMET	Metropolitan Development Council	Consejo de Desarrollo Metropolitano
COMURES	Corporation of Municipalities of the Republic of El Salvador	Corporación de Municipalidades de la República de El Salvador
CONAPYME		Comisión Nacional de la Micro y Pequeña Empresa
CONASAV	National Council for Environmental Sustainability and Vulnerability	Consejo Nacional de Sustentabilidad Ambiental y Vulnerabilidad
COP	Conference of Parties	Conferencia de las Partes
COPLAMSS	AMSS Planning Committee	Comité de Planeación del AMSS
CO _{2eq}	Carbon Dioxide Equivalent	Equivalentes de Dióxido de Carbono
CPAP	Country Program Action Plan	Plan de Acción de Programa del País
CPEIR	Climate Public Expenditure and Institutional Review	Análisis del Gasto Público e Institucionalidad para el Clima
DACGER	Directorate for Climate Change Adaptation and Strategic Risk Management	Dirección de Adaptación al Cambio Climático y Gestión Estratégica del Riesgo
DG	Directorate-General	Dirección General
DGOA	Directorate- General for Environmental Observatory	Dirección General del Observatorio Ambiental
DIIS	Directorate for Inclusive and Social Infrastructure	Dirección de Infraestructura Inclusiva y Social
DPC	Direct Project Costs	Costos de Proyecto Directos
DPS	Direct Project Services	Servicios de Proyecto Directos
DSA	Daily Service Allowance	Asignación de Servicio Diario
EE	Energy Efficiency	Eficiencia Energética
EHPM	Multi-purpose Household Survey	Encuesta De Hogares De Propósitos Múltiples
ENCC	national strategy for environment	Estrategia Nacional de Cambio Climático
EOP	End-of-Project	Final de Proyecto
ERC	Evaluation Resource Centre	Centro de Recursos de Evaluación
EU	European Union	
FA	Financial Assistant	
FECOTRANS	Federation of Transport Cooperation Associations	Federación de Asociaciones de Cooperativas de Transporte

FIDSL	Social Investment Fund for Local Development	Fondo de Inversión Social para el Desarrollo Local
FMLN	Farabundo Martí National Liberation Front	Frente Farabundo Martí para la Liberación Nacional
FODES	Fund for Economic and Social Development of Salvadoran Municipalities	Fondo para el Desarrollo Económico y Social de los Municipios de El Salvador
FONAES	Environmental Fund of El Salvador	Fondo Ambiental de El Salvador
FONAVIPO	National Fund for Popular Housing	Fondo Nacional de Vivienda Popular
FOSEP	Salvadoran Fund for Pre-investment Studies	Fondo Salvadoreño para Estudios de Preinversión
FOVIAL	Road Conservation Fund	Fondo de Conservación Vial
FSV	Social Housing Fund	Fondo Social para la Vivienda
	Cabinet for Environmental Sustainability and Vulnerability	Gabinete de Sustentabilidad Ambiental y Vulnerabilidad
GCF	Green Climate Fund	Fondo Verde para el Clima
GDP	Gross Domestic Product	Producto Interno Bruto
GEF	Global Environment Facility	Fondo para el Medio Ambiente Mundial
GHG	Greenhouse Gas	Gas de Efecto Invernadero
GIZ	German International Cooperation	Cooperación Internacional Alemana
GNI	Gross National Income	Producto Nacional Bruto
GOES	Government of El Salvador	Gobierno de El Salvador
GWh	Gigawatt (GW)-hours (1 x 10 ⁶ kWh)	
HDI	Human Development Index	Índice de Desarrollo Humano
HQ	Headquarter (UNDP)	Sede (PNUD)
I(A)DB	Inter-American Development Bank	Banco Interamericano de Desarrollo
ICT	Information and Communication Technology	Tecnología de Información y Comunicación
IEO	Independent Evaluation Office	Oficina de Evaluación Independiente
ILP	Institute for Legalization of Property	Instituto de Legalización de la Propiedad
IP	Implementing Partner	Socio de Implementación
IR	Inception Report	Informe de Arranque
IW	Inception Workshop	Taller de Arranque
JICA	Japan International Cooperation Agency	Organismo Japonés de Cooperación Internacional
kV	kilovolt	
kWh	kilowatt (kW)-hours	
LACAP	Public Procurement and Contracting Law	Ley de Adquisiciones y Contrataciones de la Administración Pública
LOA	Letter of Agreement	
LMA	Environmental Law	Ley del Medio Ambiente
LODT	Territorial Planning and Development Law	Ley de Ordenamiento y Desarrollo Territorial
LDOT-AMSS	Development and Territorial Planning Law for the AMSS	Ley de Desarrollo y Ordenamiento Territorial del Área Metropolitana de San Salvador y de los Municipios Aledaños con sus Anexos
LPAC	Local Project Appraisal Committee	Comité de Evaluación de Proyectos Local
NC	National Communication	Comunicación Nacional
MAG	Ministry of Agriculture and Livestock	Ministerio de Agricultura y Ganadería
MARN	Ministry of Environment and Natural Resources	Ministerio de Ambiente y Recursos Naturales
MbA	Adaptation-based Mitigation	Mitigación basada en la Adaptación
MIGOBTD	Ministry of Government and Territorial Development	Ministerio de Gobernación y Desarrollo Territorial
MH	Ministry of Finance	Ministerio de Hacienda
MINEC	Ministry of Economy	Ministerio de Economía
MINED	Ministry of Education	Ministerio de Educación
MINSAL	Ministry of Public Health	Ministerio de Salud
MINTUR	Ministry of Tourism	Ministerio de Turismo
MIREX	Ministry of Foreign Affairs	Ministerio de Relaciones Exteriores
MOPTVDU	Ministry of Public Works, Transport, Housing and Urban Development	Ministerio de Obras Públicas, Transporte, Vivienda y Desarrollo Urbano
MRV	Measuring, Reporting and Verification	Medición, Reporte y Verificación
MTR	Mid-term Review	Revisión de Medio Término

MW	Megawatt (1 x 10 ³ kW)	
MWh	Megawatt (MW)-hours (1 x 10 ³ kWh)	
MYWP	Multi-Year Work Plan	Plan Plurianual de Trabajo
M&E	Monitoring and Evaluation	Seguimiento y Evaluación
NAMA	Nationally Appropriate Mitigation Action	Acción de Mitigación Nacional Apropriada
NAPA	National Adaptation Programme of Action	Programa Nacional de Adaptación
NDC	Nationally Determined Contributions	Contribución Nacionalmente Determinada
NGHGI	National Greenhouse Gas Inventory	Inventario Nacionales de Gases de Efecto Invernadero
NIM	National Implementation Modality	Modalidad de Implementación Nacional
ODA	Official Development Aid	Asistencia Oficial para el Desarrollo
OFP	Operational Focal Point	Punto Focal Operativo
OPAMSS	Planning Office of the AMSS	Oficina de Planificación del AMSS
OSA	Salvadoran Accreditation Organization	Organismo Salvadoreño de Acreditación
O&M	Operation & Maintenance	Operación y Mantenimiento
PAC	Project Appraisal Committee	Comité de Evaluación de Proyectos
PB	Project Board	Comité Directivo de Proyecto
PD	Project Director	Director de Proyecto
PEN	National Energy Plan	Plan Energético Nacional
PESAE	Programme El Salvador Saves Energy	Programa EL Salvador Ahorra Energía
PIF	Project Identification Form	Formato de Identificación de Proyecto
PIMS	Project Information Management System	Sistema de Gestión de Información de Proyecto
PIR	Project Implementation Review	Revisión de Implementación de Proyecto
PM	Project Manager	Gerente de Proyecto
PMU	Project Management Unit	Unidad de Gestión de Proyecto
PNCC	National Climate Change Plan	Plan Nacional de Cambio Climático
PNMA	National Environment Policy	Plan Nacional de Medio Ambiente
PNODT	National Plan for Territorial Planning and Development	Plan Nacional de Ordenamiento y Desarrollo Territorial
POPP	Programme and Operations Policies and Procedures	Políticas y Procedimientos para Programas y Operaciones (PNUD)
PPG	Project Preparation Grant	Donación de Preparación de Proyecto
PQD	Five-Year Development Plan	Plan Quinquenal de Desarrollo (2014-2019)
PRODOC	Project Document	Documento de Proyecto
PSC	Project Steering Committee	Comité Directivo de Proyecto
PV	Photovoltaic	
RAPS	Secure and Conditioned Pedestrian Network	Red Ambiental Peatonal Segura
RE(T)	Renewable Energy (Technology)	(Tecnología de) Energía Renovable
RCU	Regional Coordinating Unit	Unidad Regional de Coordinación
ROLAS	Network of Local Observers	Red de Observadores Locales
RTA	Regional Technical Advisor	Asesor Técnico Regional
SAV	Secretariat for Vulnerability	Secretaría para Asuntos de Vulnerabilidad
SBAA	Standard Basic Assistance Agreement	Acuerdo Básico Modelo de Asistencia
SDG	Sustainable Development Goals	Objetivos de Desarrollo Sustentable
SECULTURA	Secretariat for Culture	Secretaría de Cultura
SESP	Social and Environmental Screening Procedure	Procedimiento de Revisión Social y Medioambiental
SETEFE	Technical Secretariat for External Funding	Secretaría Técnica del Financiamiento Externo
SETEPLAN (STP)	Technical and Planning Secretariat	Secretaría Técnica y de Planificación
SIGET	General Superintendency for Electricity and Telecommunications	Superintendencia General de Electricidad y Telecomunicaciones
SINAMA	National Environment System	Sistema Nacional de Medio Ambiente
SITRAMSS	AMSS Integrated Transport System	Sistema de Transporte Integrado del Área Metropolitana de San Salvador
SMART	Smart, Measurable, Achievable, Relevant and Time-bound	
SME	Small and Medium Enterprise	Pequeña y Mediana Empresa (PyME)
SRF	Strategic Results Framework	Marco de Resultados Estratégicos

STAP	Scientific Technical Assistance Panel (GEF)	Grupo de Asesoramiento Científico y Técnico
TA	Technical Advisor	Asesor Técnico
TA	Technical Assistance (GEF)	Asistencia Técnica
TE	Terminal Evaluation (GEF)	Evaluación Final
TNA	Technology Needs Assessment	Evaluación de Necesidades Tecnológicas
TNC	Third National Communication	Tercera Comunicación Nacional
TOD	Transit-oriented development	Desarrollo Orientado al Tránsito
TOR	Terms of Reference	Términos de Referencia
TRAC	Target for Resource Assignment from the Core	Objetivo de la Distribución de Recursos con Cargo a los Fondos Básicos (PNUD)
UGS	Social Management Unit	Unidad de Gestión Social
UNDAF	United Nations Development Assistance Framework	Marco de Asistencia de Desarrollo de la ONU
UNDP	United Nations Development Programme	Programa de las Naciones Unidas para el Desarrollo
UNEP	United Nations Environment Programme	Programa de las Naciones Unidas para el Medio Ambiente
UNFCCC	United Nations Framework Convention for Climate Change	Convención Marco de las Naciones Unidas sobre el Cambio Climático
USD = US\$	United States Dollar	Dólar Americano
UT	Transactions Unit	Unidad de Transacciones
V	volt	voltio
VMOP	Viceministry of Public Works	Viceministerio de Obras Públicas
VMT	Viceministry of Transport	Viceministerio de Transporte
VMVDU	Viceministry of Housing and Urban Development	Viceministerio de Vivienda y Desarrollo Urbano
W	watt	vatio
WRI	World Resource Institute	Instituto de Recursos Mundiales

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1 Introduction

The present document “Institutional Framework for Low-Emission Development Governance” reflects the outcomes of an exercise to assess the status of El Salvador’s governance structures to move towards a low-emission development path. The work comprises a mapping of relevant institutions and a review of existing policies and plans, complemented with information from selected stakeholders. The consultancy will feed into the design of the Project “Sustainable Urban Development” funded by the Global Environment Facility (GEF ID 9038) and implemented by the United Nations Development Programme (UNDP) and the Ministry of Environment and Natural Resources (MARN) of the Government of El Salvador (GOES).

The purpose is to take benefit from earlier experiences and efforts by the public administration in El Salvador to address territorial planning, climate change and transport, and identify partners and interventions that can serve as a baseline to be supported by the GEF project (deliverable 1). Based on the findings, a capacity-building plan will be outlined including mechanisms for dissemination across relevant public administration entities (deliverable 2).

In this document it is decided to refer to the original names of national institutions, policies and plans (in Spanish). For the English translation, reference is made to the list of acronyms and abbreviations.

2 Scope of Work and Methodology

In accordance with the Terms of Reference, the consultancy encompasses the following activities:

- Review of baseline situation using existing national documents (NCs, BUR, NGHGI, National Five-Year Development Plan, and National Climate Change Plan);
- Collection of additional information from relevant documents and through interviews with identified key stakeholders;
- Mapping of mandates and competences of key public stakeholders relevant for low-emission urban development policy design and implementation;
- Identification of weaknesses and gaps in existing institutional framework (through analysis and interaction with stakeholders and consultants); and
- Identification of opportunities for enhancement of governance structure for low-emission urban development, including assumptions and boundary conditions.

3 Information sources

A longlist of information sources has been compiled to support the design of the GEF Project, attached to the GEF Project Document (Annex A). The longlist covers transversal themes such as the relation between the Central Government and the Municipalities, territorial planning and climate change, as well as the sectoral themes transport and energy. The longlist further contains international publications that feed into the Global Platform for Sustainable Cities – supported by the GEF – as well as some reviews and critics produced by national experts and civil society organizations in El Salvador. Relevant for the GEF Project is further background information on the SITRAMSS Bus Rapid Transit System.

In June 2018, El Salvador completed its Third National Communication (TNC) and first Biennial Update Report (BUR). A draft National Greenhouse Gas Inventory (NGHGI) was submitted to MARN in 2017 for review. A useful relevant recent publication is further the Climate Public Expenditure and Institutional Review (CPEIR) for El Salvador, which was released April 2018 and funded through a UNDP project to prepare El Salvador to access the Green Climate Fund (GCF).

Another publication which takes a much broader view on the matter and is therefore an excellent starting point for the current review, is the Initial Adaptation Plan for the AMSS, published in December 2017. Key national sources include the *Plan Quinquenal de Desarrollo (2014-2019)* (Five-

Year Development Plan), the National Climate Change Plan (PNCC), the National Plan for Territorial Planning and Development (PNODT), and discussions and analyses by several stakeholders.

A shortlist of relevant information sources (all in Spanish) is presented hereunder:

- Estudio de Análisis del Gasto Público y la Institucionalidad para el Cambio Climático. - CPEIR, by Almeida Sánchez, M. Dolores (ed.), draft version 2018.
- Primer Reporte Bienal de Actualización (BUR) de El Salvador, Antonio Cañas, Lorena Argueta, Ernesto Durán et al., MARN (2018)
- Plan inicial de Adaptación del AMSS, Carlos Tucci, Lilliana Arrieta Quesada, e.a., for COAMSS/OPAMSS, MARN, CODEMET and UNDP, December 2017.
- Política de Cambio Climático para el sector de la obra pública, transporte, vivienda y desarrollo urbano 2018-2036, Ministerio de Obras Públicas, Transporte, Vivienda y Desarrollo Urbano (MOPTVDU), Ryna Ávila consultant, San Salvador, 20 November 2017.
- SITRAMSS - Mejorando el transporte público del área metropolitana de San Salvador, Nevo, M., Granada, I., Ortíz, P., IDB, 2016.
- Esquema Director, Área Metropolitana de San Salvador, OPAMSS, editor Consejo de Alcaldes, Oficina de Planificación de Área Metropolitana de San Salvador (OPAMSS), 1ª ed. San Salvador (2016).
- Prevención del crimen en el transporte público en El Salvador, Fundación Salvadoreña para el Desarrollo Económico y Social (FUSADES), Project SolucionES under USAID contract AID-519-A-12-00003, June 2015.
- Contribución Prevista y Determinada a Nivel Nacional de El Salvador (NDC), Ministerio de Medio Ambiente y Recursos Naturales (MARN), San Salvador (2015).
- Plan Nacional de Cambio Climático de El Salvador, Ministerio de Medio Ambiente y Recursos Naturales (MARN), El Salvador (2015).
- Informe Final "Estimación Preliminar acerca del Potencial de Reducción de Emisiones de Gases de Efecto Invernadero y otros Contaminante Atmosféricos" by BioSistemas SA de CV, Juan Pablo Domínguez Miranda e.a, 5 January 2015.
- El Salvador Productivo, Educado y Seguro – Plan Quinquenal de Desarrollo 2014-2019, Secretaria Técnica de Planificación (SETEPLAN), Gobierno de El Salvador (2015).
- Ley de Ordenamiento y Desarrollo Territorial, Decreto No. 644, D.O. No. 143, Tome 392 (2011)
- Propuesta de Política Nacional de Descentralización, Secretaría Técnica de la Presidencia, San Salvador (2007).
- El proyecto de Ordenamiento Territorial de El Salvador - Reflexiones globales sobre los avances, límites y posibles debates, COMURES, by Karim Ben Amar, Silvia Rosales Montano (2005).
- Plan Nacional de Ordenamiento y Desarrollo Territorial (PNODT): Una lectura desde la Sociedad Civil, Fundación Nacional para el Desarrollo (FUNDE), by Carlos Ferrufino e.a. (2004).
- Plan Nacional de Ordenamiento y Desarrollo Territorial – PNODT, Ministerio de Medio Ambiente (MARN) y Viceministerio de Vivienda y Desarrollo Urbano (MOPTVDU), (2004).
- Ley de Desarrollo y Ordenamiento Territorial del Área Metropolitana de San Salvador y de los Municipios Aledaños con sus Anexos, Alcaldía Municipal de San Salvador, D. No. 732 (1993) and its Regulation (1995).
- Estatutos de la Oficina de Planificación del Área Metropolitana de San Salvador OPAMSS, D.O. No 23, Tome 306 (1990).
- Código Municipal, Asamblea Legislativa – República de El Salvador Decreto No 274 (1986).
- Constitución de la República de El Salvador, Decreto No.38, D.O. 234, Tomo 281 (1983).

The Consultant acknowledges that the presented set of sources may present some voids but believes that, as a whole, they provide good insight in the key issues relevant for sustainable territorial development in El Salvador (including urban development). Acknowledging that El Salvador’s politics is quite polarized along the “right-wing” (ARENA) and the “left-wing” (FMLN) parties, the consulted documents demonstrate a remarkable continuity in the perception of the key challenges by subsequent governments indifferent of their political color.

4 Institutional Framework

The most relevant institutions for sustainable territorial development in El Salvador can be classified as follows: (i) presidency; (ii) sector ministries;¹ (iii) municipalities. To this can be added: (iv) the commonwealth (*mancomunidad*) of 14 municipalities represented by the *Consejo de Alcaldes del Área Metropolitana de San Salvador* (COAMSS), and: (v) the national corporation of municipalities (COMURES). It is important to note that the Constitution of El Salvador (1983) recognizes the State and the Municipalities as the only two political and government levels in the country. Municipalities can associate into clusters for implementing one or more governance tasks but this should happen on a voluntary basis. The State cannot force them to do so, neither can a commonwealth of municipalities have a government of its own. El Salvador counts 262 municipalities and there is no history of mergers between them.

At presidency level the key actors are: (1) the *Secretaría Técnica de Planificación (STP, or SETEPLAN)* and the recently created (2) *Gabinete de Sustentabilidad Ambiental y Vulnerabilidad*. This level engages with civil society through (3) the *Consejo Nacional de Sustentabilidad Ambiental y Vulnerabilidad (CONASAV)*.

At the level of sector ministries, the key institutions are: (4) the *Ministerio de Ambiente y Recursos Naturales (MARN)*, (5) the *Ministerio de Obras Públicas, Transporte, Vivienda y Desarrollo Urbano (MOPTVDU)*; and (6) the *Consejo Nacional de Energía (CNE)*. It is observed that the latter is not a Ministry but a Council (see below).

At the municipal level there are, as mentioned, the 262 autonomous (7) Municipal Governments bound by their territories. The (8) *Consejo de Alcaldes del Área Metropolitana de San Salvador (COAMSS)* is the commonwealth of the 14 municipalities in the area, with its technical office (9) the *Oficina de Planificación del AMSS (OPAMSS)*. Coordination of development between the AMSS and the Central Government is arranged through (10) the *Consejo de Desarrollo Metropolitano (CODEMET)*. Finally, the national association of municipalities is (11) the *Corporación de Municipalidades de la República de El Salvador (COMURES)*. This is an entity established under private Law and is not a government institution.

The following table outlines the described institutions and their mandates. One can observe that the OPAMSS is a unique experience in El Salvador as it is the only case where autonomous political entities transfer a series of formal tasks to a body that is not directly controlled by them. The implications of this set-up will be discussed later.

EL SALVADOR – KEY INSTITUTIONS FOR SUSTAINABLE TERRITORIAL DEVELOPMENT (SIMPLIFIED SCHEME)					
LEVEL	Political mandate	Coordination		Delegated tasks	Civil Society Dialogue
PRESIDENCY	(1) Secretaría Técnica de Planificación (STP, or SETEPLAN)	(2) Gabinete de Sustentabilidad	lo de Conse (10)		(3) Consejo Nacional de Sustentabilidad Ambiental y Vulnerabilidad (CONASAV)

¹ The Presidency, Secretariats and Sector Ministries together form the Executive Organ.

SECTOR	(4) Ministerio de Ambiente y Recursos Naturales (MARN)	Ambiental y Vulnerabilidad		
	(5) Ministerio de Obras Públicas, Transporte, Vivienda y Desarrollo Urbano (MOPTVDU)			
	(6) Consejo Nacional de Energía (CNE)			
MUNICIPALITY	14 Municipal Governments AMSS	(8) Consejo de Alcaldes del Área Metropolitana de San Salvador (COAMSS)		(9) Oficina de Planificación del AMSS (OPAMSS)
	(7) All 262 Municipal Governments	(11) Corporación de Municipalidades de la República de El Salvador (COMURES)		

For the sake of simplicity, decentralized public agencies such as the national water agency *Administración Nacional de Acueductos y Alcantarillados* (ANDA) are not included in the diagram. With respect to consultation with civil society, mandatory mechanisms are foreseen as part of policy making and legislative processes. Extensive consultation has taken place for example, in the context of the current National Five-Year Development Plan (PQD, 2015), the National Plan for Territorial Planning and Development (PNODT, 2004) and the National Climate Change Plan (PNCC, 2012).

The municipalities are grouped into 14 districts (*departamentos*), which provide a larger-scale entry point for the Central Government to interact with the municipalities. In fact, the Territorial Planning and Development Law (LODT, 2011) is based on a hierarchical system of national, regional and municipal plans. The sector ministries engage at different levels with a host of stakeholders from civil society.

The identified institutions will be described in more detail in the following sections. During the review, some more entities were identified that play a role in sustainable development of the territory. A brief description is included when relevant.

4.1 Secretaría Técnica y de Planificación (SETEPLAN)

The *Secretaría Técnica de Planificación* (SETEPLAN, or STP) is one of a total of seven secretariats ascribed directly to the Presidency of the Republic of El Salvador, which is the highest political organ of the State. It consists of the *Subsecretaría Técnica y de Planificación* with three Directorates; (i) *Dirección General de Planificación del Desarrollo*; (ii) *Dirección General de Coordinación de Gobierno y Cooperación Internacional*; and (iii) *Dirección General de Transformación del Estado*. SETEPLAN is conceived as a support unit for the Presidency and plays a pivotal role in many aspects of government policy making and control. It is headed by the *Secretario Técnico*, which is appointed by the President.

The main role of SETEPLAN is to purview the technical viability of the most important government interventions. In conformity with the Internal Regulation of the Executive Organ (Art. 53-D), SETEPLAN is invested with, among others, the tasks as presented in the following table.

SECRETARÍA TÉCNICA Y DE PLANIFICACIÓN (SETEPLAN) – COMPETENCES AND RESPONSIBILITIES		
SUPPORT TO THE PRESIDENCY	To advise the President for taking strategic decisions concerning economic matter	To lead the preparation of the Five-Year Plan of the Executive Organ

		To coordinate directly the <i>Gabinete de Gestión Económica</i> ensuring optimization of and coherence between planned actions;
PURVIEW OF PLANNING AND SECTOR ENTITIES		To organize the <i>Sistema Nacional de Planificación</i> and the <i>Sistema Nacional de Estadísticas e Indicadores</i> . To participate in and coordinate the process of policy design and formulation assigned to public sector entities, with the objective to maintain their compatibility with the <i>Plan General del Gobierno</i> , ensuring optimization of resources and simplification of functions
SUPERVISION OF INTERNATIONAL COOPERATION	OF	To coordinate, prioritize and consult with the relevant Ministries and Secretariats, the distribution of technical cooperation and non-reimbursable grants obtained by the State from foreign Governments, International Organizations and foreign entities. To steer the design of reimbursable financial cooperation and negotiate – in coordination with the <i>Ministerio de Relaciones Exteriores (MIREX)</i> , Ministerio de Hacienda (MH) or other competent Secretariat or entity; and to convey to established priorities for accessing international cooperation resources to the MIREX
GOVERNANCE OF TERRITORY AND MODERNIZATION OF THE STATE	OF AND	To participate in the <i>Consejo Nacional de Ordenamiento y Desarrollo Territorial</i> . To promote the <i>Política de Modernización del Estado</i> , aimed at increasing the efficiency of Government processes, optimize human resources within the public administration and enhance the service to all citizens.

In its search for a more effective administration, the Government has decided to move towards a Results-Based Management System, a process that has started in 2015 coordinated by SETEPLAN. This process aims at aligning institutions and their budgets to achieve strategic objectives in accordance with the priorities established in the PQD and the sectorial Cabinets.

In 2018 SETEPLAN presented the national *Sistema de Seguimiento y Evaluación (SEV)*, which is an information management system supporting policy decisions and the collection of data for measuring results and feed-back for public policy development. It is part of the national planning system (SINAPLAN) and integrates a number of existing institutions as presented in the following figure.²

² Source: Website SETEPLAN, consulted 24 Aug 2018. <http://www.seteplan.gob.sv/indicadores/>

Sistema Nacional de Planificación



4.2 Gabinete de Sustentabilidad Ambiental y Vulnerabilidad

The *Gabinete de Sustentabilidad Ambiental y Vulnerabilidad* was created in June 2014. It is composed of the following members:

GABINETE DE SUSTENTABILIDAD AMBIENTAL Y VULNERABILIDAD – PARTICIPATING INSTITUTIONS ³		
PRESIDENCY	Secretaría Técnica y de Planificación de la Presidencia (SETEPLAN)	Secretaría para Asuntos de Vulnerabilidad (SAV)
SECTORS	Ministerio de Medio Ambiente y Recursos Naturales (MARN) - chair	
	Ministerio de Gobernación y Desarrollo Territorial (MIGOBTD)	Viceministerio de Cooperación para el Desarrollo del Ministerio de Relaciones Exteriores (MIREX)
	Ministerio de Agricultura y Ganadería (MAG)	Ministerio de Obras Públicas, Transporte, Vivienda y Desarrollo Urbano (MOPTVDU)
	Ministerio de Turismo (MINTUR)	Ministerio de Defensa Nacional
AUTONOMOUS ENTITIES	Administración Nacional de Acueductos y Alcantarillados (ANDA)	Comisión Ejecutiva Hidroeléctrica del Río Lempa (CEL)

The function of this Cabinet is to coordinate effectively the various initiatives pursued during the five-year term of the Executive, in order to attain a productive and economic development that is in harmony with the environment under the framework of the PQD 2014-2019. Under coordination of the MARN, the Cabinet will monitor the work agendas and establish agreements between entities to start prioritized actions and measures. The Cabinet will receive information, studies and proposals of national or strategic interest for analysis and definition of policy choices.

³ Note: present SETEPLAN website indicates a slightly different group of member entities.

4.3 Consejo Nacional de Sustentabilidad Ambiental y Vulnerabilidad (CONASAV)

One of the objectives of the National Five-Year Development Plan 2014-2019 is to advance towards a sustainable and climate-resilient society and economy. In support of this objective, the Presidency of El Salvador issued in 2016 the *Decreto Ejecutivo No. 8* to create the *Consejo Nacional de Sustentabilidad Ambiental y Vulnerabilidad (CONASAV)* as an entity for consultation, dialogue and consensus building. The CONASAV reunites various sectors and agents from society in a joint effort to facilitate an integrated approach of environmental issues and vulnerability, and to pursue commitments, actions and short, medium and long-term solutions. The following government entities take seat in the CONASAV.

CONASAV – PARTICIPATING INSTITUTIONS		
PRESIDENCY	Secretaría Técnica y de Planificación de la Presidencia (SETEPLAN)	Secretaría para Asuntos de Vulnerabilidad (SAV)
SECTORS	Ministerio de Hacienda (MH)	Viceministerio de Cooperación para el Desarrollo
	Ministerio de Medio Ambiente y Recursos Naturales (MARN)	Ministerio de Gobernación y Desarrollo Territorial (MIGOBTD)
	Ministerio de Economía (MINEC)	Ministerio de Agricultura y Ganadería (MAG)
	Ministerio de Obras Públicas, Transporte y de Vivienda y Desarrollo Urbano (MOPTVDU)	Viceministerio de Transporte (VMT)
	Ministerio de Salud (MINSAL)	Ministerio de Educación (MINED)
	Consejo Nacional de Energía (CNE)	Secretaría de Gobernabilidad of the Presidency
AUTONOMOUS ENTITIES	Administración Nacional de Acueductos y Alcantarillados (ANDA)	Comisión Nacional de la Micro y Pequeña Empresa

The CONASAV engages with Civil Society Organizations (CSOs) and representatives from the private sector. CONASAV has established eight thematic working groups: (1) risks; (2) hydrological security; (3) climate change; (4) sanitation; (5) environmental territorial planning; (6) recovery of soils, ecosystems and landscapes; (7) environmental education; and (8) green economy.

4.4 Ministerio de Ambiente y Recursos Naturales (MARN)

The *Ministerio de Ambiente y Recursos Naturales (MARN)* was created by *Decreto Presidencial No. 27* on May 17, 1997. MARN assumes, as part of the Executive Organ, the responsibility assigned to the State in Art. 117 of the 1983 Constitution. The role and executive mandate of the MARN are guided by the *Ley del Medio Ambiente (LMA)* approved by *Decreto Legislativo No. 233* (1998) and subsequent amendments. The competences and responsibilities of the MARN are defined in the Regulation of the Executive Organ, Art. 45, the most relevant ones being summarized in the following table.

MINISTERIO DE AMBIENTE Y RECURSOS NATURALES (MARN) – COMPETENCES AND RESPONSIBILITIES		
	To assume the purview, control, inspection, promotion and development of matter concerning environment and natural resources.	
POLICY AND SECTOR GOVERNANCE	To define, plan and implement policies concerning the environment and natural resources.	To propose legislation concerning conservation and rational use of natural resources in pursuit of their sustainable development, and to supervise compliance with such legislation.

	To update and promote the national strategy for environment (ENCC) and its action plan (PNCC), as well as sectoral strategies.	To coordinate national committees concerning the matter within the Government and civil society sectors.
	To implement legal measures for the protection and exploitation of the natural resources in the country.	To foster compliance with national legislation and international treaties.
ENGAGEMENT WITH SOCIETY AND PRIVATE SECTOR	To foster engagement of all sectors of society with the sustainable use of natural resources and the environment.	To research, develop and disseminate technologies aimed at the rational exploitation of natural resources.
INTERNATIONAL COOPERATION	To represent the country in national, regional and international organizations in the matter.	To manage the International Cooperation in coordination with the Ministerio de Relaciones Exteriores in the matter.
	To foster and maintain national and international relations and agreements concerning the environment.	To collaborate with the competent Government entities and international organizations to prevent and combat contamination of the environment.
RISK PREVENTION AND REDUCTION	To develop research and studies for risk prevention and reduction and convey the outcomes and recommendation to the incumbent authorities.	To deploy the instrumentation for continuous and systematic monitoring of natural processes and phenomena with the purpose of forecasting and warning.
	To validate and disseminate information concerning threats and vulnerabilities to authorities and the general public, in an adequate and efficient manner	To assess the spatial extension of the impact of natural phenomena and threats and specify the likely nature of expected losses and damage.
	To stimulate and coordinate capacity building activities concerning risk management for decision makers, private sector, and local and community organizations.	To issue guidelines for prevention and reduction of current and future risks for incorporation in development plans, programs and projects.
	To prepare and update a National Map of Risks and Disasters and ensure support from communities for mapping of local risk scenarios and associated risk mitigation plans.	To provide technical and scientific assistance for the design, installation and operation of Early-Warning Systems, in coordination with other competent institutions and entities.
	To assess and verify damage caused by natural phenomena and processes as a basis for estimating risk patterns	To study the atmospheric and climatic conditions of the country for the appropriate interpretation of the benefits or risks of natural phenomena.

To implement its tasks, the MARN is organized in five Directorates-General (DG) as outlined in the next table. Total staff in Government service is 596 individuals, of which nearly 80% (479) active in the DGs. The overall gender ratios is: 34% female and 66% male. In 2017, the MARN counted with a fiscal budget of USD\$ 23,805,453, of which 96.24% was effectively executed.⁴

MARN – OPERATIONAL DIRECTORATES AND STAFFING ⁵			
DIRECTORATE-GENERAL	PERSONAL		
	(male)	(female)	(total)
Dirección General del Observatorio Ambiental (DOA)	44	99	143
Dirección General de Evaluación y Cumplimiento Ambiental (DEC)	38	30	68
Dirección General de Saneamiento Ambiental (DSA)	12	12	24
Dirección General de Atención Ciudadana e Institucional (DCI)	19	11	30

⁴ MARN Informe de labores 2016-2017, p.11

⁵ Source: Informe de Personal en Estructura Organizativa, MARN, 11 September 2017.

Dirección General de Ecosistemas y Vida Silvestre (DEV)	32	172	204
Total	145	324	479

A detailed organigram of MARN is provided in Annex B. There is no dedicated DG for climate change but a Gabinete Técnico assigned to the Office of the Minister, with a staff of 17 individuals. MARN represents El Salvador as the focal point for international conventions in the field of environment, including the UNFCCC. The international conventions have legal status in El Salvador and as such, MARN plays an important role for coordinating and articulating climate change policies, plans and other initiatives across sectors and territories. This role is strengthened since 2016 as it is the chair of the *Gabinete de Sustentabilidad Ambiental y Vulnerabilidad*.

Underpinning El Salvador's perspective on its role in global climate change is the principle of mitigation through adaptation (*mitigación basada en la adaptación - MbA*) as reflected in the NDC and PNCC. As observed in CPEIR (p.31), the effective implementation of international covenants is hampered by low awareness among national actors and insufficient national capacity to ensure enforcement. The implementation of environmental legislation still relies heavily on international (donor) funding and technical assistance as fiscal resources are insufficient. This weakness extends to the reporting obligations under the UNFCCC, specifically the BUR and NCs, which represent a serious effort for the country and are produced with significant delay.

4.4.1 Fondo Ambiental de El Salvador (FONAES)

The *Fondo Ambiental de El Salvador (FONAES)*⁶ was established by *Decreto Legislativo No. 23* on 16 June 1994 as a decentralized entity under public Law with juridical personality and autonomy to acquire and manage assets; it is ascribed to the MARN. FONAES is one of the main instruments for funding of the National Environment Policy (PNMA) as foreseen in Art. 11 of the LMA, 1998. It is established to capture and administer financial resources for the funding of plans, programs, projects and other activities aimed at the two main goals of this Policy: (i) reversal of environmental degradation; (ii) reduction of climate change vulnerabilities. As such, it addresses the four thematic areas in the *Estrategia Nacional de Cambio Climático (ENCC)*: (1) Hydrological Resources; (2) Climate Change; (3) Biodiversity; and (4) Environmental Sanitation.

In the period June 2016-May 2017, the projects executed by FONAES added to a total of US\$624,859 obtained from a debt swap France-El Salvador (US\$417,590) and resources from the *Fondo de Compensación Ambiental* (US\$207,269).

4.4.2 Sistema Nacional de Medio Ambiente (SINAMA)

The SINAMA was created by the LMA with the objective to integrate the municipalities into the environmental management competences and actions of the MARN. The SINAMA envisages continuous strengthening of environmental staff units in the municipalities, autonomous public agencies, and ministries. The environmental units will be composed of staff from the respective host entities and be funded from their budgets. The units will be set up as specialized entities with the function to supervise, coordinate and monitor the policies, plans, programs, projects and environmental actions within the host entity, and ensure compliance with environmental regulation.⁷

The TNC foresees an increased mobilization of the network of local observers (*Red de Observadores Locales - ROLAS*), strengthen the monitoring capacity of local governments and promote enforcement of national Law, specifically concerning changes in land use.⁸

⁶ www.fonaes.gob.sv.

⁷ Ley de Medio Ambiente, Art. 6, 7 (1998).

⁸ TNC, p. 164.

4.4.3 Observatorio Ambiental (DGOA)

The *Observatorio Ambiental* was created in 2011 and is hosted by a dedicated General Directorate (DGOA) under the MARN. It performs the role of a centralized information mechanism for vulnerability, risk management and the multiple threats as faced by El Salvador. With support from international cooperation, the Observatory has become one of the best equipped and most advanced environmental information centers in the region.⁹ Previously, environmental data collection was a competence of the Ministry of Agriculture and Livestock (MAG), but in 2017 this was transferred to the *Servicio Nacional de Estudios Territoriales (SNET)* under MARN.¹⁰

The provided institutional capacity building included enhancement of technical-scientific know-how and equipment, upscaling of meteorological, hydrological and rainfall measurement stations, and the creation of a network of meteorological radars. The Center of Integrated Monitoring of Threats was set up and remote monitoring units were implemented in a variety of territorial sites. As can be derived from the table above, the DGOA counts with 143 individuals staff.

4.5 Ministerio de Obras Públicas, Transporte, Vivienda y Desarrollo Urbano (MOPTVDU)

The *Ministerio de Obras Públicas, Transporte, Vivienda y Desarrollo Urbano (MOPTVDU)* is a large Government body that is composed of three Viceministries:

- 1) Viceministerio de Obras Pública (VMOP);
- 2) Viceministerio de Transporte (VMT); and
- 3) Viceministerio de Vivienda y Desarrollo Urbano (VMVDU).

Its mission is to initiate, lead and manage the areas of public works, housing and transport from an integrated focus on the living environment, to promote human development, productivity, logistical performance and mobility.¹¹ The Regulation of the Executive Organ, Art.43 (1989) assigns, among others, the following competences and responsibilities to MOPTVDU, which are relevant for sustainable territorial and urban development, and transport.

MINISTERIO DE OBRAS PÚBLICAS, TRANSPORTE, VIVIENDA Y DESARROLLO URBANO (MOPTVDU) – COMPETENCES AND RESPONSIBILITIES		
PUBLIC WORKS (VMOP)		
INVESTMENT, CONSTRUCTION AND MAINTENANCE		To plan, control and monitor the road infrastructure in the country and construction and conservation thereof in alignment with the development plans and legal provisions.
TRANSPORT (VMT)		
POLICY, GOVERNANCE AND TARIFFS	SECTOR AND	To perform the necessary actions corresponding to the role as Governing Organ of the transport sector with the objective to ensure the efficiency and security of land, air and sea transport services.
		To determine, prior investigation, the needs for land, air and sea transport and recommend about the policies for importation or production of vehicles to meet new demand or replace existing vehicle stock.
		To plan, analyze, coordinate and implement State policy concerning land transport and regulate and approve applicable tariffs.

⁹ DGOA Dirección General del Observatorio Ambiental - > Servicio Nacional de Estudios Territoriales (SNET) (<http://www.snet.gob.sv/>)

¹⁰ Reglamento Interno del Órgano Ejecutivo (Decreto Ejecutivo No.42 de fecha 02 de mayo de 2007, publicado en el DO No. 89 Tomo 375 de fecha 18 de mayo de 2007).

¹¹ MOPTVDU, Memoria de Labores 2016-2017.

PRIVATE ENGAGEMENT AND SUPERVISION	SECTOR AND	To foster the formation of entities or enterprises capable of developing identified transport systems, taking into account supply and the demand from end-users.	To verify compliance with stipulated conditions to receive the benefits assigned by the State to private entities offering collective passenger transport services, in case such benefits are granted. This verification will be done by VMT through the incumbent entities in the transport area.
		To grant and withdraw authorizations for the use of transport networks.	To grant and withdraw authorizations for the functioning of transport companies of various modalities.
DIRECT EXECUTION		To create and control transport terminals, ports and airports.	
HOUSING AND URBAN DEVELOPMENT (VMVDU)			
POLICY AND GOVERNANCE	SECTOR AND	To act as the governing authority for national housing and urban development policies, defining when required the competences and respective activities of State entities concerning the implementation of these policies and providing guidance to private sector participation in such policies.	To define and direct the national housing and urban development policies; prepare national and regional plans; and general provisions applicable to urban developments, land parcelling, settlements and building constructions in the territory of the Republic;
		COORDINATION AND AUTHORIZATION	
		To plan, coordinate and approve activities in the housing and urban development sectors in the territory of the Republic;	

Overarching the three viceministries there are a number of management units and strategic directorates, most notably the *Dirección de Infraestructura Inclusiva y Social (DIIS)*, and the *Dirección de Adaptación al Cambio Climático y Gestión Estratégica del Riesgo (DACCGER)*. Another relevant body is the *Unidad de Gestión Social (UGS)*. For a complete overview of the Ministry reference is made to the organigram (Annex B).

Figures from the Ministry¹² provide an indication of the share of the three viceministries in public expenditures on investment and administration of public work projects over the period June 2016-May 2017, as summarized in the following table.

MOPTVDU – SHARE OF VICEMINISTRIES IN PROJECT EXPENDITURES (06/2016-05/2017)				
VICE-MINISTRY	PROJECT EXPENDITURES (US\$)		PROJECT NUMBER	
VMOP	32,231,426	44%	137	81%
VMT	4,459,173	6%	7	4%
VMVDU	35,961,568	49%	25	15%
Subtotal	72,652,167	100%	169	100%

No information has been made available to assess budget execution and staffing of the relevant entities.

4.5.1 Fondo de Conservación Vial (FOVIAL)

In this context, the existence of the *Fondo de Conservación Vial (FOVIAL)*¹³ must be highlighted, which executed US\$ 155M and 213 projects in the same period (2016/17). FOVIAL is an autonomous public entity created by Law.¹⁴ Its main competence and responsibility is to preserve and maintain the *Red Vial Nacional Prioritaria* and the *Red Vial Urbana Prioritaria* (Art. 5) and assure the quality of these

¹² MOP, 2017.

¹³ <http://www.fovial.com/>

¹⁴ Decreto Ejecutivo No. 73, Reglamento de la Ley del Fondo de Conservación Vial, 19 de julio 2001 (D.O. 150 tomo 352)

roads for the users. It is funded through a levy on hydrocarburant fuels (US\$ 0.20 / gallon) established by the same Law, complemented with other funding sources approved by the Assembly.

In accordance with the Law (Art. 3), maintenance can be routinely (minor corrections), periodic (reconditioning and refurbishment of road surfaces); installation and supervision of traffic signs; and maintenance of bridges and crossings, including underground and aerial structures, ramps and water management elements. In justified cases (Art. 46) FOVIAL can allocate budget for upgrading and improvement of the road systems under its responsibility. An interesting aspect of FOVIAL is its approach to involve local micro and small enterprises in the execution of civil works to foster local employment and income generation.

4.6 Consejo Nacional de Energía (CNE)

The *Consejo Nacional de Energía (CNE)*, established by *Decreto Legislativo N° 404 (2007)* is the highest governing and legislative authority implementing energy policy in El Salvador.¹⁵ The CNE oversees both the electricity and fuel subsectors, which have as regulatory bodies the *Superintendencia General de Electricidad y Telecomunicaciones (SIGET)*, respectively the *Ministerio de Economía (MINEC)*.

The CNE is invested with the following responsibilities: (1) to prepare the National Energy Policy and carry out short-, medium- and long-term energy planning; (2) to foster the establishment of regulatory frameworks that stimulate investment and progress of the energy sector, and oversee the correct functioning of the energy markets; (3) to promote the rational use of energy; (4) to develop and expand the share of renewable energy sources; and: (5) to foster the integration of regional (i.e. Central American) energy markets. The Executive Secretary of CNE is responsible for coordinating and monitoring their implementation by all actors in the sectors (see next table).

CNE – INTER-INSTITUTIONAL RELATION WITH THE ENERGY SECTOR		
ENERGY POLICY AND COORDINATION	CNE	
	Electricity sector	Fuel sector
REGULATORS	SIGET	MINEC
SECTOR AGENTS	Transactions Unit (<i>UT</i>)	Producers of biofuels
	Electricity generators	Importers of hydrocarbons
	Electricity distributing and commercialization companies	Fuels and biofuel distributors and retailers
	Transmission companies	
	Investors in electricity market	

The CNE is governed by its Board of Directors (*Junta Directiva*) presided by (MINEC). The VMT was added after 2011 as CNE assumed oversight of the fuel sector. The decisions taken by the Board have the status of national energy policy and strategy for the electricity and fuel sectors.

CNE –COMPOSITION OF THE BOARD OF DIRECTORS		
PRESIDENCY	Technical Secretary (SETEPLAN)	
MINISTRIES	Minister of Economy (MINEC) – chair	Viceminister of Finance (MH)
	Viceminister of Transport (VMT)	Minister of Environment (MARN)
CIVIL SOCIETY	President of the Consumer’s Ombudsman ¹⁶	

¹⁵ Source: RDC 2017.

¹⁶ The *Defensoría del Consumidor*.

CNE also represents the Government of El Salvador in the Board of the Transactions Unit (UT) of the national Electricity Market; and in the Governing Board of the Regional Electricity Market (*Consejo Director del Mercado Eléctrico Regional - CDMER*).

A permanent Consultative Committee has been established by the Regulation of the CNE Law with the purpose to formalize interaction with societal stakeholders about policy measures and instruments. For the period 2016-2019 the following members were appointed: (i) *Asociación Salvadoreña de Industriales (ASI)*; (ii) *Cámara de Comercio e Industria de El Salvador (CAMARASAL)*; (iii) *Instituto de Ingenierías en Electricidad y Electrónica (IEEE)*; (iv) *Asociación Salvadoreña de Ingenierías Mecánicas, Eléctricistas e Industriales (ASIMEI)*; (v) *Universidad Centroamericana José Simeón Cañas (UCA)*; (vi) *Universidad de El Salvador (UES)*; (vii) *Centro para la Defensa del Consumidor (CDC)*; (viii) *Unidad Ecológica Salvadoreña (UNES)*; (ix) *Programa Salvadoreño de Investigación sobre Desarrollo y Medio Ambiente (PRISMA)*; and (x) *Sindicato de Trabajadores del Sector Eléctrico (STESEC)*.

CNE's total budget in 2015 amounted to US\$ 1,468,260, 75% of which was destined to staff salaries. The budget composition has been stable over recent years (2014-2016). As of May 2017, total staff was 43 people (16 female and 27 male).

4.7 Municipal Governments

The Constitution of El Salvador (1983) defines, recognizes and regulates the position of the Municipalities in the Articles 202-206: "The Municipalities will be autonomous in economic, technical and administrative matter and will be governed by a Municipal Code that shall establish the general bases concerning their organization, functioning and execution of autonomous competences." It further defines that: "the faculty to regulate its territory is based on the development plans duly approved by the Municipal Council." And: "the Institutions of the State shall collaborate with the Municipality to their development."

The Municipal Code (Art. 4) stipulates that the promotion and implementation of public health programmes such as environmental sanitation and prevention and fight against diseases is a municipal competence. Art. 48 further stipulates that it is the role of the Mayor to ensure an effective relation between the Municipality and the central Government and its institutions.

The municipalities are expected to produce territorial development plans as stipulated by the LODT, as well as plans for implementing sector policies including adaptation to climate change.¹⁷ The Central Government still faces a void to engage with the municipalities¹⁸ while on the other hand, the latter lack the institutional capacity and resources to implement national law and policies. Financially the municipalities are constrained as the Municipal Code offers few options for them to generate revenues. Municipal tax levels are low, property registers are outdated, and many municipalities simply have too small populations to become self-sufficient. In most municipalities, contributions and municipal services account for only 30% of total revenues.

In fact, they mostly depend on the transfers by the national Government to the municipalities through the Fund for Economic and Social Development of Salvadoran Municipalities (FODES), which presently amounts to 8% of the national fiscal budget. In 2017, this was a total of US\$ 396 mln for 262 municipalities (at a total fiscal budget of US\$ 4,958 mln). Formally, FODES was established as a fund for investment in municipal infrastructure and other social development projects but in practice it is also used to close financial gaps for payment of salaries. Government disbursements into FODES in 2017 were delayed and reportedly there is an accumulated deficit built up.

¹⁷ TNC, p.156.

¹⁸ Note that SINAMA is a similar attempt by MARN to secure engagement with municipalities.

4.8 Consejo de Alcaldes del Área Metropolitana de San Salvador (COAMSS)

The *Consejo de Alcaldes del Área Metropolitana de San Salvador (COAMSS)* is a collegial entity presided by the Mayor of San Salvador, which regulates, coordinates and purviews policies and programmes to foster the integrated development of the AMSS and its inhabitants. The initiative to establish the COAMSS was triggered by the 1986 earthquake to collectively rebuild the area and jointly implement projects. Building upon the provisions in the Constitution of El Salvador and the Municipal Code, the mayors of the AMSS municipalities legally established the COAMSS in 1987. Awareness grew that the involved municipalities had in fact become a metropolitan area that required integrated solutions. Hence in October 1989 the *Oficina de Planificación del AMSS (OPAMSS)* was created as a technical support body to identify, analyze and propose solutions to the problems affecting the integrated urban development of the AMSS.

In November 1992, a Law proposal was prepared under leadership of COAMSS; in December 1993, the national Assembly approved the *Ley de Desarrollo y Ordenamiento Territorial del Área Metropolitana de San Salvador y de los Municipios Aledaños con sus Anexos (LDOT-AMSS)*. The Law has the objective to regulate territorial planning and urban and rural development in the defined area. Among other things, the Law: (i) defines the AMSS and neighboring municipalities as one urban entity or agglomeration; (ii) defines the entities responsible for planning, coordination and fiscalization of territorial development in the AMSS; (iii) establishes an institutional framework which acknowledges the COAMSS and OPAMSS; (iv) assigns to COAMSS the faculty to approve the regulation of the Law; and (v) grants to OPAMSS legal competencies related to territorial planning, zoning and permitting (which normally rests with the individual municipalities).

The main competences and responsibilities of COAMSS are summarized in the following table.

CONSEJO DE ALCALDES DEL AMSS (COAMSS) – COMPETENCES AND RESPONSIBILITIES		
INSTITUTIONAL POWERS	To create the <i>Consejo de Desarrollo Metropolitano (CODEMET)</i>	
	To approve the Regulation of the LODT-AMSS (which was issued in 1995).	
TERRITORIAL PLANNING AND COORDINATION	To approve the <i>Esquema Director</i> of the AMSS (prior consultation of the Municipal Councils composing COAMSS) ¹⁹	To coordinate – through OPAMSS – the municipal and Central Government sectorial plans with the competent entities of the Municipalities and the Central Government
	To ensure that the provisions in the Plan Metropolitano are aligned with the local plans approved by the Municipal Councils	To approve the Technical Standards concerning land use in agreement with the policies, plans and projects previously agreed with CODEMET

There is a notable delay between the enactment of the LDOT-AMSS (1993) and the effective installation of CODEMET (2015) and the finalization of the first Master Plan (*Esquema Director*) in 2016, the latter published with financial support from international cooperation.

4.9 Oficina de Planificación del AMSS (OPAMSS)

The *Oficina de Planificación del AMSS (OPAMSS)* was created by Statute²⁰ in October 1989 following an agreement by the COAMSS to this purpose with legal basis derived from the Constitution (Art. 206) and the Municipal Code (Art. 14, 15 and 16): (a) the Constitution confers to the Municipal Councils the faculty to approve their own urban and rural development plans; (b) the Municipal Code allows two or more municipalities to collaborate to address issues that are of common interest; (c) the municipalities that compose the AMSS have grown into a metropolis whose problems cannot be dealt

¹⁹ This provision is necessary to respect the autonomy of the municipalities granted by Constitution.

²⁰ Estatutos de la OPAMSS – Acuerdo de la Creación de la OPAMSS, approved by the Consejo de Alcaldes del Area Metropolitana de San Salvaro, 29 October 1989.

with in an isolated manner but which require integrated solutions; and (d) the COAMSS, in pursuit of its objectives, requires the support of a decentralized technical advisory body that identifies, analyzes and proposes solutions for integrated urban development in the AMSS; and which performs the function of supervision and control.

As such, the OPAMSS is a technical support body that acts as the Executive Secretariat of the COAMSS. Its competencies are outlined in the next table.

OFICINA DE PLANIFICACIÓN DEL AMSS (OPAMSS) – COMPETENCES AND RESPONSIBILITIES		
ADVISORY BODY	Advisory role to COAMSS through programmes and projects that enable the integrated development of the AMSS.	
DEVELOPMENT SCENARIOS AND LEGALIZATION OF DEVELOPMENT PLANS	Preparation of the <i>Esquema Director de Ordenamiento Metropolitana</i> for approval by the COAMSS.	Identification and analysis of challenges concerning the development of the AMSS.
	Legal approval and verification of territorial development plans and the execution thereof.	

OPAMSS is established as a municipal institution for an undefined time period. It has juridical personality and is autonomous in terms of administration, budget and asset management. The OPAMSS receives financial inputs from the Municipalities through a levy on the services provided to them. The Statutes further mention that COAMSS can enter into agreements with the Municipal Councils, Central Government, international organizations, bilaterals, etc., to secure the additional financial resources for implementing the OPAMSS's Action Plans.

In 1993, the COAMSS and OPAMSS were incorporated in the *Ley de Desarrollo y Ordenamiento Territorial del Área Metropolitana de San Salvador y de los Municipios Aledaños con sus Anexos (LDOT-AMSS)*. This Law further articulates the competencies and tasks required.

4.10 Consejo de Desarrollo Metropolitano (CODEMET)

The *Consejo de Desarrollo Metropolitano (CODEMET)* was created in 1993 by the LDOT-AMSS (Art. 9). Its purpose is to ensure mutual collaboration between the AMSS municipalities and the Central Government. The CODEMET is presided by the Mayor of San Salvador, with the *Viceministro de Vivienda y Desarrollo Urbano (VMVDU)* as its Secretary. CODEMET acts as a body for coordination, consensus-building and management of development and territorial planning of the AMSS, with the following functions: (1) to build consensus and agree upon the policies for the AMSS; (2) to coordinate the actions of the municipalities of the AMSS with those of the Central Government to pursue the social welfare of the communities in the AMSS; (3) to facilitate the management of the resources needed for the preparation and execution of the *Plan Metropolitano de Desarrollo y Ordenamiento Territorial del AMSS*; and (4) to build consensus about the provisions in this Plan.

Public investment programs and projects concerning urban development of the AMSS will be channeled to the Council of Ministers through CODEMET. The LDOT-AMSS further creates an expert commission (COPLAMSS) to advise CODEMET. This entity is not further included in the present analysis. Notwithstanding its creation in 1993, COAMSS effectively established CODEMET only in August 2015²¹.

The current structure consists of three levels: (1) Coordinating Board (*Junta de Coordinación*); (2) Strategic Technical Board (*Junta Técnica Estratégica*); and eight specialized working groups (*Mesas Técnicas Especializadas*). The participating entities are depicted in the following table:

²¹ COAMSS – Memoria de labores 2015/16, p.18.

CODEMET – STRUCTURE AND PARTICIPATING INSTITUTIONS (2015)				
LEVEL		INSTITUTION		
TOP LEVEL	COORDINATOR	GOVERNMENT	SECRETARIAT	
	COAMSS (Alcalde de San Salvador)	Secretario Técnico y de Planificación de la Presidencia (SETEPLAN)	Viceministro de Vivienda y Desarrollo Urbano (VMVDU)	
COORDINATING BOARD	Comité Ejecutivo Metropolitano (CEM)	COAMSS (Alcalde de San Salvador)	Director General de Transformación del Estado – Directora de Territorialización del Estado	
STRATEGIC BOARD		Ministerio de Medio Ambiente y Recursos Naturales (MARN)	Ministerio de Obras Públicas, Transporte, Vivienda y Desarrollo Urbano (MOPTVDU)	
		Ministerio de Hacienda (MH)	Ministerio de Gobernación y Desarrollo Territorial (MIGOBTD)	
		Ministerio de Educación (MINED)	Ministerio de Salud (MINSAL)	
		Ministerio de Economía (MINEC)	Ministerio de Justicia y Seguridad Pública (MJSP)	
		Administración Nacional de Acueductos y Alcantarillados (ANDA)	Comisión Ejecutiva del Río Lempa (CEL)	
		Fondo de Inversión Social para el Desarrollo Local (FISDL)		
Oficina de Planificación del AMSS				

The established working groups are the following: (1) Hydrological infrastructure and energy; (2) Human settlements, public spaces and social amenities; (3) Mobility; (4) Economic infrastructure; (5) Environment and health; (6) Promotion of local development; (7) Civil security; and (8) Institutional strengthening and finance.

The following table offers a comparison of the working groups established under CODEMET and CONASAV. With a view on efficiency it is worthwhile exploring potential synergies between both Councils and seek common approaches and solutions. It is acknowledged that CONASAV departs from environment and risk management and CODEMET from a more conventional sectorial framework. The challenge is to make both perspectives compatible and merge them into one common agenda.

CONASAV – CODEMET - COMPARISON OF WORKING GROUPS		
	CONASAV	CODEMET
1	Risks	
2	Climate change	
3	Hydrological security	Hydrological infrastructure and energy
4	Sanitation	Environment and health
5	Environmental territorial planning	Human settlements, public spaces and social amenities
6		
7	Recovery of soils, ecosystems and landscapes	Promotion of local development Mobility
8	Environmental education	
9	Green economy	Economic infrastructure
10		Institutional strengthening and finance
11		Civil security

4.11 Corporación de Municipalidades de Municipalidades de la República de El Salvador (COMURES)

The *Corporación de Municipalidades de la República de El Salvador (COMURES)* is the association of Municipalities in El Salvador. It is a non-political, not-for-profit entity under private Law with juridical personality hence it is not a government body. COMURES was established under *Acuerdo No. 1343* (29 August 1941) with its Statutes based on Art. 543 of the Civil Code and subsequent Decrees under the current Constitution. COMURES can acquire assets and administer these in alignment with its Statute.

COMURES works along three lines of action: (i) to unite and represent municipalities; (ii) to foster the process of financial, economic, political, functional and administrative decentralization of the State; and (iii) to foster an appropriate legal framework for strengthening the response capacity of the municipalities. The National Congress of Mayors (*Congreso Nacional de Alcaldes*) is an instrument established under COMURES' Statute. The Congress is the highest organ and authority of the Corporation. The Congress is an important platform for the exchange of viewpoints and for building agreements.

COMURES has established a number of Permanent and Special Committees (Statutes, Art 38-40) including: (i) *Comisión Permanente de Asuntos de Medio Ambiente y Ecología*. Its role is to ensure the incorporation of environmental and ecological aspects into the municipal development plans; to promote the active participation of municipalities in matter related to environment and ecology; and to develop proposals aimed at strengthening municipal capacities in this matter; (ii) *Comisión Permanente de Asuntos Financieros y de Cooperación*. Its function is to propose to the Executive Board, strategies for strengthening funding of the municipalities and COMURES and to follow-up on institution building actions in the municipalities through national and international cooperation.

5 Other Identified Relevant Entities

5.1 Ministerio de Gobernación y Desarrollo Territorial (MIGOBDT)

The *Ministerio de Gobernación* is among the oldest institutions in the Executive Organ as it dates back to the 1914. The current *Ministerio de Gobernación y Desarrollo Territorial (MIGOBDT)*²² was established under *Decreto No. 1* (June 2014) and adds new competences compared to the previous ministry which was based on *Decreto No. 125* (2006). It is typically concerned with the political organization of the country, relation with municipalities, state security, holding of state services, press licenses, citizenship, and more. MIGOBDT is member of various committees relevant to sustainable territorial development. Its key competences and responsibilities in this area (as per June 2014) are summarized in the next table.

MINISTERIO DE GOBERNACIÓN Y DESARROLLO TERRITORIAL (MIGOBDT) – COMPETENCES AND RESPONSIBILITIES		
POLITICAL SUPERVISION	To purview and protect the political and administrative organization of the Republic.	To endorse and communicate decrees, agreements, instructions and ordinances from the Presidency of the Republic.
AUTHORIZATION OF JURIDICAL ENTITIES	To authorize Presidencial Decrees and Executive Decisions granting juridical personality to not-for-profit foundations and associations, and religious institutions, and allowing foreign associations and foundations to operate in the country.	
RESPONSE TO EMERGENCIES	To set up and maintain a national system for prevention, orientation, mitigation and response to disasters and emergencies of any nature.	

²² <https://www.gobernacion.gob.sv/>

DECENTRALIZATION AND LOCAL AND TERRITORIAL DEVELOPMENT	To coordinate the implementation of guidelines and strategies for decentralization and local progress as a tool for territorial development.	To advise on, and foster, local initiatives seeking decentralization, local development and association between municipalities; and to coordinate the <i>Gabinetes Departamentales</i> .
	To coordinate articulation of decentralization processes with participation of actors from economic organizations and civil society.	To integrate the organizational, political, social and economic capacities of the territories in their function as local drivers of development; to empower the various actors in the territories of the vision of territorial development, in particular the popular sector.
	To collaborate in the management, negotiation, coordination and administration of necessary support from international cooperation.	To systemize and disseminate, at the national level, experiences and best practices.

The portfolio of MIGOBBDT is very broad; however one can observe a notable increase in focus towards engagement and empowerment with the territories and their municipalities, communities and economic actors and an effort made to foster local organization capacities and social participation.

5.2 Escuela Nacional de Formación Pública (ENAFOP)²³

The *Escuela Nacional de Formación Pública* (ENAFOP) responds to Art. 40 of the Constitution, which determines that it is a duty of the State to implement a system for professional training and qualification of human resources in the public sector. ENAFOP strives at developing the high-quality human resources required for an effective public administration and as such, contributes to the transformation of the State and the society.

ESCUELA NACIONAL DE FORMACIÓN PÚBLICA (ENAFOP) – GOALS AND OBJECTIVES	
GOALS AND OBJECTIVES	To contribute to the professionalization of the public services in El Salvador via education, training and career development of public servants at the various government levels.
	To ensure the development of skills and capacities and the further improvement of work competences of directions and management of public institutions, including access to modern management technologies.
	To facilitate research, knowledge management and strategic thinking about the State and the public administration

ENAFOP collaborates with strategic and ad-hoc partners to deliver its programmes, which is instrumental for addressing the wide scope and complexity of public sector training, as well as to compensate for its own restrained financial resources. ENAFOP fosters alliances and e-learning. Its immediate focus is on institutions and organizations specialized in education, training and capacity building including universities, public training centres and thinktanks. Bilateral support is provided by, among others, the French Embassy in El Salvador.

²³ <http://www.secretariatecnica.gob.sv/francia-y-enafop-intercambian-experiencia-en-formacion-de-las-y-los-servidores-publicos/>

6 National policies and sector plans

The next table brings together some of the relevant plans and policy instruments issued by key public stakeholders for promoting sustainable territorial development and energy supply in El Salvador. Most of the plans are linked to existent legislation (such as the Constitution, *Ley del Medio Ambiente*, *Ley de Ordenamiento y Desarrollo Territorial*) or anticipate on future legislation (such as the *Ley de Cambio Climático*). A selection of these plans will be described in more detail in the next sections.

OVERVIEW – GOVERNMENT ENTITIES AND THEIR KEY POLICIES AND PLANS		
PRESIDENCIA		
<ul style="list-style-type: none"> • Plan Quinquenal de Desarrollo 2014-2019 (2015) 		
GABINETE DE SUSTENTABILIDAD AMBIENTAL Y VULNERABILIDAD (SAV)		
<ul style="list-style-type: none"> • Planes de Gestión 		
SECRETARÍA TÉCNICA Y DE PLANIFICACIÓN (STP)		
<ul style="list-style-type: none"> • Política Nacional de Descentralización (2007) 		
CONSEJO NACIONAL DE SUSTENTABILIDAD AMBIENTAL Y VULNERABILIDAD (CONASAV)		
<ul style="list-style-type: none"> • Plan El Salvador Sustentable (2017) 		
MARN	MOPTVDU	CNE
<ul style="list-style-type: none"> • Tercera Comunicación de El Salvador (2018) • Primer Reporte Bienal de Actualización –BUR (2018) • Contribución Prevista y Determinada a Nivel Nacional de El Salvador – NDC (2015) • Plan Nacional de Cambio Climático de El Salvador – PNCC (2015) 	<ul style="list-style-type: none"> • Política de Cambio Climático para el sector de la obra pública, transporte, vivienda y desarrollo urbano 2018-2036 (2017) • El Salvador Logístico - Política Integrada de Movilidad y Logística para el Desarrollo Productivo y la Facilitación del Comercio (2017) • Factibilidad de Desarrollo de una Red no Motorizada Integrada a los Sistemas de Transport en el AMSS (2017) 	<ul style="list-style-type: none"> • Plan Energético Nacional de El Salvador 2010-2024 • Plan Indicativo de la Expansión de la Generación Eléctrica de El Salvador 2018-2035 • Plan Maestro para el Desarrollo de la Energía Renovable en El Salvador, CNE (2012)
<ul style="list-style-type: none"> • Plan Nacional de Ordenamiento y Desarrollo Territorial - PNOTD, MARN, VMVDU / MOPTVDU (2004) 		
COAMSS/OPAMSS/CODEMET		
<ul style="list-style-type: none"> • Plan inicial de Adaptación del AMSS (2017) • Plan de Acción 2017 (2017) • Esquema Director – Área Metropolitana de San Salvador (2016) • Plan Estratégico 2016-2020 (2015) • Política de Movilidad Urbana – Esquema de Coherencia Territorial (2010) 		

The recent CPEIR report (2018, p.30 ff) provides an updated review of a series of plans and their relation to national legislation and international laws and conventions. This provides a convenient point of departure.

In Art. 117, the Constitution of the Republic of El Salvador assigns to the State the responsibility to protect the natural resources and the diversity and integrity of the environment to assure sustainable development. It declares of common interest the protection, conservation, rational use, restoration or substitution of natural resources in the terms defined by Law. According to the CPEIR study, the Constitution is complemented with at least 29 laws concerning the environment and the use and management of natural resources.²⁴ To these can be added legislation supportive for urban

²⁴ Ley Agraria (1941), Ley de Fomento Agropecuario (1961), Ley de Riego y Avenamiento (1970), Ley de Certificación de Semillas y Plantas (1971), Ley sobre control de pesticidas, fertilizantes y productos para uso agropecuario. (1973), Ley sobre Gestión Integrada de los Recursos Hídricos (1981), Ley de fomento y desarrollo ganadero (1984), Ley de Creación del Distrito

development, mobility and energy. It is observed that the national legal framework is a relatively recent achievement that responds to a growing concern about environmental issues and sustainable development.²⁵

As part of the international environmental agenda, El Salvador is signatory to at least 19 instruments, including: Vienna Convention for the Protection of the Ozone Layer (1985); United Nations Framework Convention on Climate Change (1992); Convention on Biological Diversity (1993); United Nations Convention to Combat Desertification (1994); Stockholm Convention on Persistent Organic Pollutants (2004); the Montreal Protocol on ozone-depleting substances (1989) and the Kyoto Protocol of the UNFCCC (1997).

Since 1994, when El Salvador ratifies the UNFCCC, until 2009, climate change was exclusively dealt with as part of the portfolio of MARN, essentially responding to the commitments made under the various COPs. The country signed the Kyoto Protocol in 1998 and presented its first national Communication in April 2000. In 2012, a reform was made to the LMA to include several provisions related to climate change. In the years 2012-2016 a substantial number of sector policies, strategies and programs is produced to incorporate the effects of climate change in a number of sector. These are presented in the next table.

NATIONAL POLICIES AND PLANS RESPONDING TO LMA			
ITEM		YEAR	SECTOR
1	Política Nacional del Medio Ambiente (PNMA)	2012	environment
2	Política Energética Nacional de El Salvador 2010-2024	2010	energy
3	Política Forestal para El Salvador 2011-2030	2011	forestry
4	Estrategia Nacional de Medio Ambiente (ENMA)	2012	environment
5	Estrategia Nacional de Cambio Climático (ENCC)	2013	environment
6	Estrategia Ambiental de Adaptación y Mitigación al Cambio Climático del Sector Agropecuario, Forestal, Pesquero y Acuícola	2015	agriculture, forestry
7	Estrategia Nacional de Recursos Hídricos (ENRH)	2013	water and sanitation
8	Estrategia Nacional de Saneamiento (ENSA)	2013	water and sanitation
9	Estrategia Nacional de Biodiversidad (ENB)	2013	biodiversity
10	Plan Nacional de Cambio Climático (PNCC)	2015	environment
11	Plan Nacional de Gestión Integrada de Recursos Hídricos (PNGIRH)	2016	water and sanitation
12	Plan Nacional de Implementación del Convenio de Estocolmo	2012	environment
13	Centro de Monitoreo de Amenazas Naturales	2011	disaster control
14	Programa Nacional de Restauración de Ecosistemas y Paisajes	2013	environment
15	Programa Nacional para el Manejo Integral de los Desechos Sólidos	2010	waste
16	Programa de Fortalecimiento de Gobiernos Locales (PFGL) ²⁶	2012	governance
17	Propuesta de Política de Riego y Avenamiento para El Salvador	2011	agriculture, forestry
18	Propuesta Política y Plan de Acción de Convivencia con la Sequía en El Salvador	2003	water and sanitation

de riego y avenamiento nº 3 Lempa – Acahuapa (1986), Ley del Fondo Ambiental de El Salvador. (1994), Ley de Conservación de Vida Silvestre. (1994), Ley de Sanidad Vegetal y Animal. (1995) Ley de Medio Ambiente. (1998) y sus reformas (2012), Ley de la producción, industrialización y comercialización de la agroindustria azucarera de El Salvador. (2001), Ley de Semillas (2001), Ley General de Ordenación y Promoción de Pesca y Acuicultura. (2001), Ley Forestal. (2002), Ley de Áreas Naturales Protegidas (2005), Ley de Ordenamiento y Desarrollo Territorial. (2011), Ley de Desarrollo y Ordenamiento Territorial del Área Metropolitana de San Salvador y de los municipios aledaños. (1994), Ley de Protección Civil, Prevención y Mitigación de Desastres. (2005), Ley de Creación del Fondo de Protección Civil, Prevención y Mitigación de Desastres. (2005), Ley de la Administración Nacional de Acueductos y Alcantarillados. ANDA (1961), Ley de la Comisión Ejecutiva Hidroeléctrica del Río Lempa (1948), Ley del Fondo de Inversión Social. FISDL (1990), con reformas últimas de 1996, Ley Orgánica de la Comisión Ejecutiva Portuaria Autónoma. (1965), Ley de creación del Centro Nacional de Tecnología Agropecuaria y Forestal. (1993), Ley del Fondo de Inversión Nacional en Electricidad y Telefonía. FINET (1998), Código Municipal (1986) y Ley Orgánica del Instituto Salvadoreño de Desarrollo Municipal (1987).

²⁵ However, it is valid to question how much of this concern has originated from within El Salvador and what is due to the international agenda and the (potential) access to finance it may bring along. There is still a large gap between ambitions and actual capacities and domestic funding, let alone the active involvement of the private sector and civil society.

²⁶ BIRF 7916-SV.

6.1 Presidency - Plan Quinquenal de Desarrollo 2014-2019

The Five-Year Development Plan (*Plan Quinquenal de Desarrollo*) 2014-2019 is the overarching vision and policy document issued by the current Government. It is prepared by SETEPLAN instructed by the President. It is based on a vision that fosters participation of citizens in development processes in an effort to improve articulation between public administration and society. It is built around three main priorities: employment, education and security. The Plan reflects the Government’s focus on results according to the five leading principles: (i) strategic; (ii) results-based; (iii) participatory; (iv) verifiable; and (v) realistic and viable.

The design and consultation process was supported by a host of multilateral and bilateral agencies including UNDP, the UN system, the Spanish Development Agency (AECID), the Grand Duchy of Luxembourg, the Economic Commission for Latin America and the Caribbean (ECLAC), the World Bank (BM) and the Inter-American Development Bank (IDB).

The PQD sets forth eleven identified national development priorities for the period 2014-2019 from the perspective of the “Buen Vivir” (Good Life). This concept envisions targeting public policies at the development of peoples’ lives, development of individual capacities, strengthening of social networks and a reconciliation of the relation between the State, the economy and the natural environment. It involves a human rights and a gender equality perspective, as well as a consideration of all stages in the life of a human being. Guidance for funding is provided, addressing fiscal policy, public investment and current expenditure, and mobilization of non-public sources.

The following table provides an overview of the eleven priorities and the corresponding strategies most relevant for sustainable territorial development and energy in the AMSS.²⁷ The CPEIR 2018 observes the integration of climate change as a transversal theme into the PQD induced by the overarching focus on risk management and the effects of climate change. The objectives 3, 7 and 11 illustrate the challenges in terms of institutionality, legal framework, and capacities for planning and management of public policies, which must be overcome to move forward effectively.

PRESIDENCY – PLAN QUINQUENAL DE DESARROLLO 2014-2019		
OBJECTIVE		STRATEGY
1	To foster the national economy to create opportunities and wealth for families, businesses and the country	E.1.4. Diversification of the energy matrix by prioritization of renewable and sustainable energy sources.
3	To progressively assure to the population access and to adequate housing and habitat	E.6.1. Enhancement and expansion of financing mechanisms for the construction and acquisition of housing, urbanizable land and adequate habitats, in conformity with the economic capacity and needs of families, with a focus on prioritized groups and those who live in poverty conditions. E.6.2. Closing the gaps concerning housing and habit that exist between urban and rural areas and the territories. E.6.3. Strengthening of the legal and institutional framework concerning habitat and housing.
7	To transit towards an economy and society that are environmentally sustainable and resilient to the effects of climate change.	E.7.1. Progress in sustainable planning of the territories. E.7.3. Decrease of the levels of pollution and unhealthy environment to contribute to improved public health and adequate functioning of ecosystems.
11	To progress towards the construction of a State that puts its citizens centrally, builds consensus and is focused on results.	E.11.2. Construction of a government with capacity for planning and management of development and a public administration that can assure access to public infrastructure and services and the quality thereof.
Special programme 5		5. Transport of the future for the AMSS: SITRAMSS.

²⁷ Elaborated by the Consultant based on CPEIR 2018, p.33-36.

As one can observe in the table, renewable energy (RE) generation is considered as a strategy to promote socio-economic development. The SITRAMSS is explicitly included in the PQD to push forward low-emission transport in the metropolitan area.

6.2 MARN - Plan Nacional de Cambio Climático (2015)

The National Climate Change Plan (PNCC) was launched in 2015 with the aim to guide and integrate adaptation and mitigation measures at the national and local levels. The PNCC and the Nationally Determined Contributions (NDC, 2015) are the core policy instruments in the field of climate change. The PNCC consists of eight (8) components, the implementation of which shall rely on the initiatives of identified responsible public entities in accordance with their mandates and competences, as outlined in the next table.

MARN - PLAN NACIONAL DE CAMBIO CLIMÁTICO (PNCC)		
COMPONENTE - PROGRAMA PNCC		INSTITUCIONALIDAD RESPONSABLE
1	Programa de incorporación del cambio climático y la reducción de riesgo a desastres en los planes de desarrollo, en las políticas públicas y en la modernización de la institucionalidad pública.	STPP, MARN, SAV, Todas las entidades públicas
2	Programa de protección de finanzas públicas, reducción de pérdidas y daños asociados a los efectos adversos del cambio climático.	MH, MARN, VMCD
3	Programa de manejo de la biodiversidad y los ecosistemas para la adaptación y mitigación al cambio climático.	MARN, MAG, CEL, FISDL, municipalidades
4	Programa de transformación y diversificación de las prácticas y actividades agropecuarias, forestales y agroforestales.	MAG, FISDL, municipalidades, MINEC
5	Programa de adaptación integral de los recursos hídricos al cambio climático.	MARN, MAG, ANDA, CEL, FISDL, municipalidades, MOP
6	Programa de promoción de energías renovables, eficiencia y seguridad energética	CNE, CEL, municipalidades, FISDL-FINET, entidades públicas.
7	Programa de desarrollo urbano y costero resiliente al clima y bajo en carbono.	VMVDU, municipalidades, FISDL, MOP, FOVIAL, FSV-FONAVIPO, MINEC, CEPA
8	Programa de creación de condiciones y capacidades para afrontar el cambio climático	MARN, MINED, MAG-CENTA, municipalidades, MOP, MINEC

The Consultant has identified the programmes 1, 6, 7, and 8 as particularly relevant for the GEF Project. It is observed that the institutions in the AMSS (OPAMSS, CODEMET) are not mentioned here but are implicitly covered being municipal institutions. The listed stakeholders coincide with those earlier identified, adding MINED and FISDL to the list.

Two years after its launch the PNCC, in June 2017 the first Monitoring Report was compiled.

6.3 MARN - NDC

During the COP 21 in Paris, El Salvador presented its intended NDC to the UNFCCC. Given El Salvador's economic, financial, social and environmental vulnerabilities, the NDC (2015) highlights a number of conditions that must be in place in order to commit to its contributions. These include: (i) macro-economic stability, economic growth and poverty reduction; (ii) availability of international funding additional to ODA to ensure capacity building and access to technology; (iii) absence of extreme climate events with severe losses in the next years that might force a redirection of public funds; (iv) absence of any mayor national event that might affect the allocation of public resources; and (v) guaranteed access to efficient technologies under the mechanisms established by the Convention to achieve the proposed GHG emission reductions.

The indicated technology and finance assistance mechanisms include: (i) effective access to finance mechanisms such as the Green Climate Fund (GCF); and (ii) the Climate Technology Centre and Network (CTCN). Other modalities considered include debt swaps to fund CC adaptation measures.

A critical review of the NDC was made by the World Bank Group in 2016²⁸ according to a standardized template. It highlights that: (a) political decision of adoption of the NDC relies at the inter-ministerial level (SAV) rather than the Assembly or the sector ministries; (b) no concrete plans (NAMA, NAPA) are currently in place; (c) private sector involvement is not intended; (d) international market mechanisms or carbon pricing are not pursued; and (e) barriers are not identified.

The Consultant can add to this the absence of quantified (SMART) impact indicators and targets, and an unrealistic timeframe for many items. In essence, the NDC is more of a wishlist of next steps rather than a commitment and road map to deliver quantified global GHG reductions. The next table summarizes the items in the NDC that are most relevant for the GEF Project, including the original timeline.

NDC EL SALVADOR – ITEMS RELEVANT FOR THE GEF PROJECT SUSTAINABLE URBAN DEVELOPMENT		
	ITEM	TIME HORIZON
1. Strengthening of the institutional and legal framework for the definition and implementation of El Salvador's NDC		
1.1	Preparation, acceptance and approval of a national Climate Change Law	before 2019
1.2	Enforcement of the LODT as an instrument to assure compliance with adaptation and mitigation actions and control of land uses.	before 2018
1.3	Updating and approval of (i) Ley Urbanismo y Construcción; (ii) LDO-AMSS; (iii) building code and technical standards	before 2019
2. Infrastructure		
2.1	The CODEMET has designed and presented an initial adaptation plan for the AMSS and estimated the GG emission reduction by 2025, indicating financing, technology transfer and capacity building needs.	before 2018
2.5	El Salvador has prepared a diagnostics of structural and non-structural measures concerning adaptation to CC of infrastructure (case AMSS)	before 2018
2.6	El Salvador will put into operation the 2nd phase of the SITRAMSS covering the axis N-S; the VMT will present the technical studies to quantify the GHG reduction potential.	2018-2025
5. Energy		
5.1	Updating of the regulatory framework and the National Energy Policy	no timeline
5.2	The energy sector will define a GHG reduction target for 2025 in comparison to the business-as-usual scenario.	before COP22 ²⁹
5.3	The energy generation sector will define and meet a target for GHG reduction for the year 2025 through EE processes and measures; or will define EE improvement targets (%) per sector with respect to the 2010 baseline.	before COP22
5.4	The electricity generation sector will determine and commit to an increase of renewable energies for 2025 of at least 12% of total electricity generating capacity (2014 level).	before COP22
6. Health, environmental sanitation, labor and social security, and transport		
6.1	The sectors (...) and transport will review and update their legislation to respond to the circumstances and threats imposed by climate changes.	no timeline
6.2	El Salvador has promoted clean transport in the AMSS incorporating less polluting engines and promoting a strategy of bicycle paths, including awareness raising among the population.	2018-2025
6.6	El Salvador has presented a proposal to improve and maintain the quality of private car stock, public transport vehicles and cargo trucks, with targets defined for 2025.	before COP23 ³⁰

6.4 MOPTVDU - Política de Cambio Climático 2018-2036 (2017)

The *Política de Cambio Climático para el sector de la Obra Pública, Transporte, Vivienda y Desarrollo Urbano 2018-2036* was drafted for the MOPTVDU in November 2017 under supervision of the MOP-

²⁸ (I)NDC Content Brief El Salvador, Climate Policy Team of the World Bank Climate Change Group, Sebastian Wienes and Ana Bucher (2016).

²⁹ This was in Marrakech, Morocco, in November 2016.

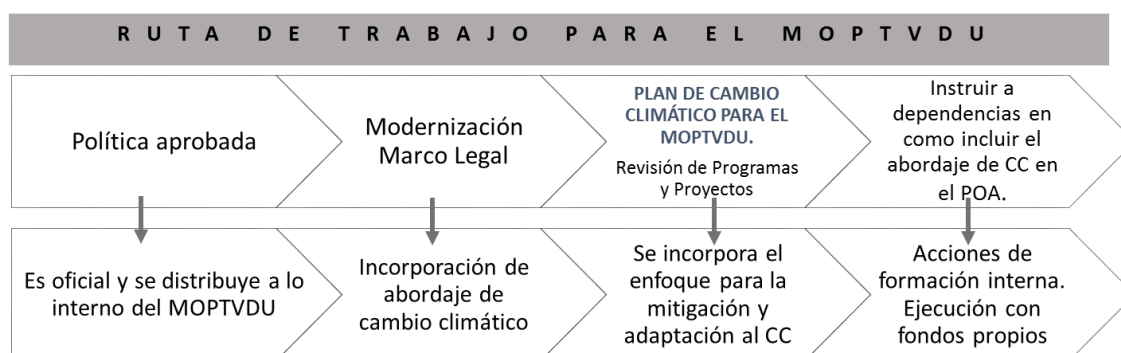
³⁰ This was in Bonn, Germany, in November 2017.

DACGER, with support from UNDP and funding from the Federal Ministry for Environment (BMU) Germany.

A number of guiding principles are outlined for which not all conditions are met in El Salvador as yet, specifically: (a) integration principle, which assumes an agreement between actors to constitute a collective information system comprising data in the fields of environment, economy, legal status, and physical, social and urbanistic spatial information; (b) internalization of environmental costs by the generator of such costs; (c) the principle that costs are borne by the generator of such costs – instead of socializing these. The policy identifies six strategic objectives.

The work is a white paper rather than a policy and explores the key aspects and challenges for mainstreaming CC aspects into the competence areas of the Ministry. The actions identified are still very generic and not put in sequential order; neither is checked whether these can be implemented, what resources are needed, and how responsibilities would be shared. In fact, the document acknowledges that the processes are complex and would require a rethinking of the development model as presently followed by the Ministry. It also acknowledges that vulnerabilities must be understood and assessed prior to defining specific actions.³¹

The Ministry’s position is that, as the governing public entity for urban development, housing, public works and transport, it cannot become active in CC adaptation and mitigation without political backup and conceptual guidance to be anchored in Law (p.71). The general process is outlined in the following figure, in which Step 2 is the requested political back-up.



The Ministry departs from an organization according to territorial coverage, which is aligned with the LODT 2011, identifying the following actors.

MOPTVDU – POLITICA DE CAMBIO CLIMATICO 2018-2036 – TERRITORIAL APPROACH			
LEVEL AND SCOPE	INSTITUTION / GOVERNING ENTITY	LAWS	PUBLIC INSTITUTIONS
TERRITORIAL PLANNING	CNOTD	Ley de Ordenamiento y Desarrollo Territorial – LODT (2011)	Consejos Departamentales de Ordenamiento y Desarrollo Territorial
			Concejos Municipales
			Asociaciones de Municipios
URBAN DEVELOPMENT AND PLANNING	VMVDU	Código Municipal	Gobiernos Locales (Individuales o Asociados)
		Ley de Urbanismo y Construcción	
	MOPTVDU	Ley de Desarrollo y Ordenamiento Territorial del AMSS y sus municipios aledaños (LDOT-AMSS, 1993)	Área Metropolitana OPAMSS – COAMSS
			Gobiernos Locales

³¹ Which shows a discrepancy between the actual *modo operandi* of the Ministry, which is built around the delivery of public works according to accepted technical standards rather than a more holistic approach oriented towards services, engagement with local actors and adherence to a subsidiarity principle where possible.

PUBLIC WORKS, TRANSPORT AND HOUSING	VMOP VMT VMVDU	Reglamento Interno del Órgano Ejecutivo, Art. 43	Fondo de Conservación Vial (FOVIAL)
			Instituto de Legalización de la Propiedad (ILP)
			Fondo Social para la Vivienda (FSV)
			Fondo Nacional de Vivienda Popular (FONAVIPO)
			Fondo de Inversión Social para el Desarrollo Local (FISDL)

The Policy identifies six (6) strategic objectives as indicated in the next table:

MOPTVDU – POLITICA DE CAMBIO CLIMATICO 2018-2036 - OBJECTIVES	
STRATEGIC OBJECTIVES	
1:	Legal framework, regulation and technical standards
2:	Climate knowledge for planning
3:	Adaptation to climate change
4:	Mitigation of GHG emissions
5:	Intra- and inter-institutional coordination
6:	Awareness raising for all sector in society

Under these objectives, a large number of subjects, activities and ideas are proposed, partly drawing on solutions piloted in developed countries (such as electric private cars). There is no ranking yet in terms of what is most urgent or feasible and what would generate most benefits for the country. Instead of grouping along the strategic objectives, the Consultant has attempted to cluster the subjects in terms of the challenges they address. Based on a sub-set of all the (potential) interventions outlined in the policy, the following clusters can be deduced:

MOPTVDU – POLITICA DE CAMBIO CLIMATICO 2018-2036 - CHALLENGES		
	CLUSTER	SUBJECTS
1	Legal framework, regulation and technical standards	Creation and modernization of legal framework
		Legislation to introduce new technologies
		Formulation and modernization of technical standards
		Creation of environmental certification system for buildings
2	Mandates, competences and coordination	Clarification of mandates inside MOPTVDU
		Expansion of MOPTVDU mandate to include “soft infrastructure”
		Competences MOPTVDU viz-a-viz other public entities
		Strengthening of CNOTD, CODEMET, OPLAGEST
3	Outreach to local governments	Procedures for institutional interaction with local governments
		Support and advice for local governments
4	Knowledge development and knowledge management (KM)	Development and centralization of technical and scientific know-how within MOPTVDU
		Development of qualified human resources, including policy to retain them inside the organization
		Systematization and dissemination of lessons learned, manuals, methodological and conceptual guidance
5	Business models and finance	Implementation of schemes allowing cost recovery and enforcement of environmental legislation
		Incentives for private sector and public entities to adopt CC adaptation measures
		Design of new fiscal and management models at local and national level
		Creation of a fiscal budget line to assign CC investments under MOPTVDU ordinary budget.
		Introduction of periodic maintenance schemes
6	Information and analytical tools	Elaboration of vulnerability scenarios
		Assessment of climate effects on existing investment (public works)
		Tools for urban development planning and growth scenarios
		Establishment of a baseline for transport (vehicles) and associated emissions

7	Innovative solutions	Green roofs, urban forests, EE in buildings
		Intermodal and sustainable Rapid Bus Transport (SITRAMSS)
		Bicycle paths
		Reduction of vehicle displacements

The indicated subjects provide a fairly good understanding of the perspective of the Ministry on the matter while making evident the existence of a number of barriers that go beyond its competences. This is why political back-up from the Executive and/or the Assembly is requested. One can also deduce that there is an acknowledgement by the Ministry of existing voids in terms of know-how and professional skills to address CC issues successfully.

A series of questions can be raised related to the presented subjects:

- Which entity should be responsible for “soft infrastructure” in urban areas? More generally, what are appropriate business and management models for holding, operating and maintaining urban infrastructure assets to ensure minimum quality standards?
- Are new inter-ministerial committees required? The Policy does not mention the CODEMET Strategic Technical Board which reunites most of the actors identified by MOPTVDU. There are also working groups defined under CONASAV and CODEMET.
- While generation and management of know-how and expertise is critical, who should act as the repository thereof? Should this be under a Ministry or can it be decentralized to ensure access and data quality?
- How to devise a human resources policy that can keep qualified staff working in the public sector? This problem goes beyond the Ministry.
- How can advice and outreach to local governments be organized efficiently? Should this be the role of the MOPTVDU? How would this fit under the PNOTD?
- Should the design of technical standards be under the competence of MOPTVDU or rather be assigned to an autonomous body, perhaps in the Central American region?
- Which entity (or entities) should be in charge of information collection and analysis, including urban development planning and vulnerability analysis?
- What can be the implementation modality and business model for innovative solutions, including green roofs, deployment of bicycles, and SITRAMSS – with a view on impact, and technical and financial sustainability?

From the identified clusters 2 “Mandates, competences and coordination” and 3 “Outreach to local governments” it is evident that mandates between MOPTVDU and the listed entities are not clear and that outreach to lower governments is not always formalized. As a first appraisal, the Policy seems to assume that the Ministry needs to broaden its portfolio. While there is a natural drive among people and institutions to fill existing voids³², an alternative approach can be to restructure competences and roles, specialize, and outsource to public or private partners when appropriate.

The Ministry currently spans the vertical spectrum from legislation, enforcement, development of standards; to project design, execution, supervision; data collection, analysis and knowledge management; to prototyping of new solutions and technical assistance to other public entities. One may question if such role is feasible in terms of quality and delivery and convenient in terms of roles and competences.³³ Also, from a sectorial (horizontal) perspective there are potential conflicts of competences, specifically related to energy efficiency (with CNE), climate change (MARN), and MH (fiscal models and incentives).

The overview further evidences a continuous and inevitable need for coordination to compensate for insufficiently articulated roles and competences. This leads to increased transaction costs and a

³² It is noted that COAMSS in its Urban Mobility Policy follows a similar logic asking for more competences into a Metropolitan Transport Authority..

³³ Indeed, the preparation, execution and business model for SITRAMSS may serve as a showcase.

reduction of effectively available staff and resources. With a view on incorporating CC elements into the portfolio, one would strive at minimizing such costs rather than further increasing the management burden.

While the Policy shows an understanding that legislative processes and technical execution should be separated (hence the demand for political back-up), the Consultant would advocate for an even more precise articulation and adjust sectorial and territorial competences in a more effective and efficient manner. This type of issues should be assessed at the level of the Presidency (SETEPLAN - *Dirección General de Transformación del Estado*).

Notwithstanding, the Policy offers a first reflection on: (i) the functionality of the internal organization of the Ministry; (ii) current issues with management and business approaches (such as preventive management and monitoring of installed infrastructure); (iii) the need for cost recovery; (iv) limitations to the span of the central Government, hence the need to mobilize the local governments; (v) the need for KM and a possible repository for information, best practices and manuals (inside or outside the Ministry); and (vi) the need to redefine technical standards.

6.5 MARN/MOPTVDU - Plan Nacional de Ordenamiento y Desarrollo Territorial (2004)

The term “territories” in El Salvador roughly refers to the areas outside the AMSS and other main cities, which face a long-lasting legacy of poor infrastructure, lack of basic services and low economic development, and generalized poverty levels. This situation is one of the causes of internal migration and, eventually, fuels the efflux of people abroad. The *Plan Nacional de Ordenamiento y Desarrollo Territorial* (PNODT, 2004) aims to lay out a framework for developing the country, its people and resources, in a more comprehensive and sustainable manner than hitherto. In 2001, the central Government, through VMVDU contracted the Spanish firm EPYPSA-IBERINSA to develop the plan including a proposal for the supportive legal framework.³⁴ While the Plan was approved in 2004, the Law (LODT) was passed only in 2011.

The PNODT departs from a specific vision on El Salvador and its (sustainable) development, which pursues two objectives: (a) reduction of poverty including mitigation of environmental risks; and (b) integration of the country into a globalized world based on free trade. Since land in El Salvador is scarce, its use should be rational which imposes a need for planning. Six domains are identified to this purpose: (1) social; (2) economic; (3) housing and urban systems; (4) environment; (5) infrastructure; and (6) institutional.³⁵

The LODT aims to provide a comprehensive legislative framework defining the planning instruments for spatial organization of the territory at the national, sub-regional, micro-regional and municipal levels, thereby establishing a structured planning system. The Law includes elements to impose conditions to land property with a view on ensuring its social function. The PNODT acknowledges the need for a transparent, articulated institutional framework delivering the following functions:

- 1) Strategic guidance for territorial policy;
- 2) Coordination of specific national plans and policies of national interest; and
- 3) Consensus-building between central Government and local governments.

The Plan sets forth (or assumes) strengthening of local capacities in support of their competences in the short term. At the national level, the PNODT foresees the creation of a new National Secretariat of Territories assigned to the Presidency, the creation of a Ministry of Territories, or expansion of the functions and competences of an existing ministry.³⁶ This entity will be in charge of coordination of

³⁴ Plan Nacional de Ordenamiento y Desarrollo Territorial (PNODT) – Una lectura desde la Sociedad Civil, FUNDE, 2005, p.5.

³⁵ PNODT, Volume 1, section 2, p.30

³⁶ The latter option was chosen. MIGOBTD.

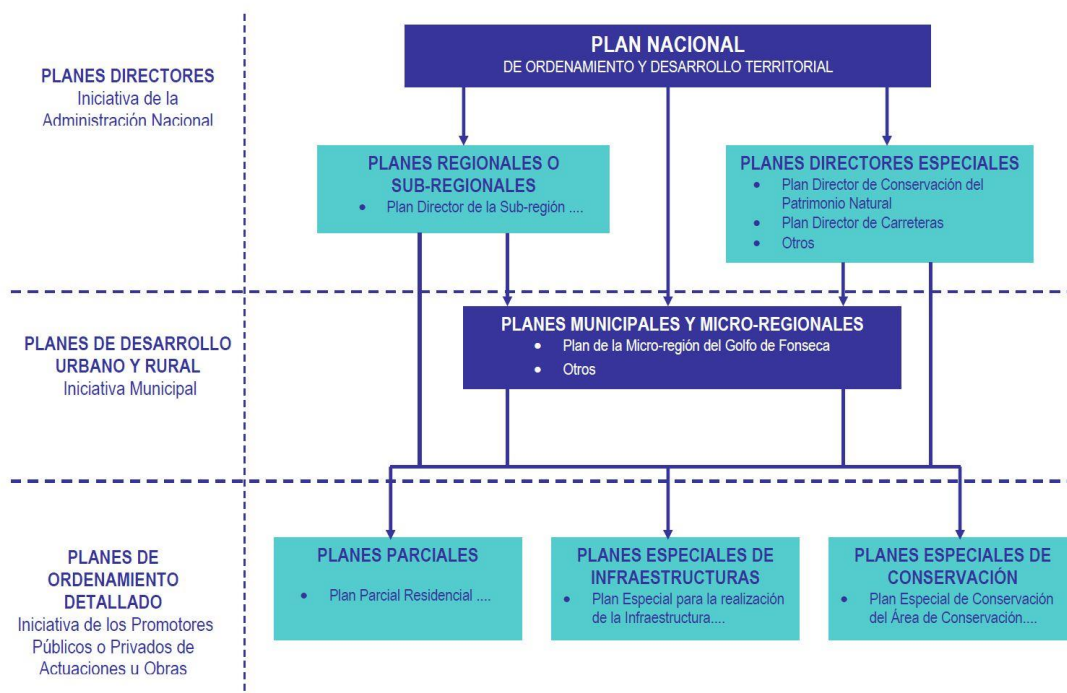
initiatives by the central Government and achieve collaboration with local authorities, civil society, private sector, NGOs, etc.

The PNOTD further identifies a need to foster and strengthen associative structures between municipalities and the establishment of micro-regional offices with technical capacity to implement competences and services on behalf of their municipalities. It is envisaged that these offices can take the simultaneous role to move forward the process of decentralization and modernization of the Public Administration. A Network of Territorial Offices is envisioned consisting of: (a) the mentioned micro-regional offices which will act as independent technical services responding to their Mayors; (b) the territorial services of the central Public Administration; and (c) the offices or services provided by other entities aimed at local development (CSO groups, NGOs, cooperation agencies, etc.). The Plan proposes a division of the country into 3 regions, 14 sub-regions, and 31 micro-regions.

Similarly, a layered system of planning instruments is proposed based on:

- 1) structural plans (*planes directores*);
- 2) urban and rural development plan (*planes de desarrollo urbano y rural*); and
- 3) Detailed spatial plans (*planes de ordenamiento detallado*).

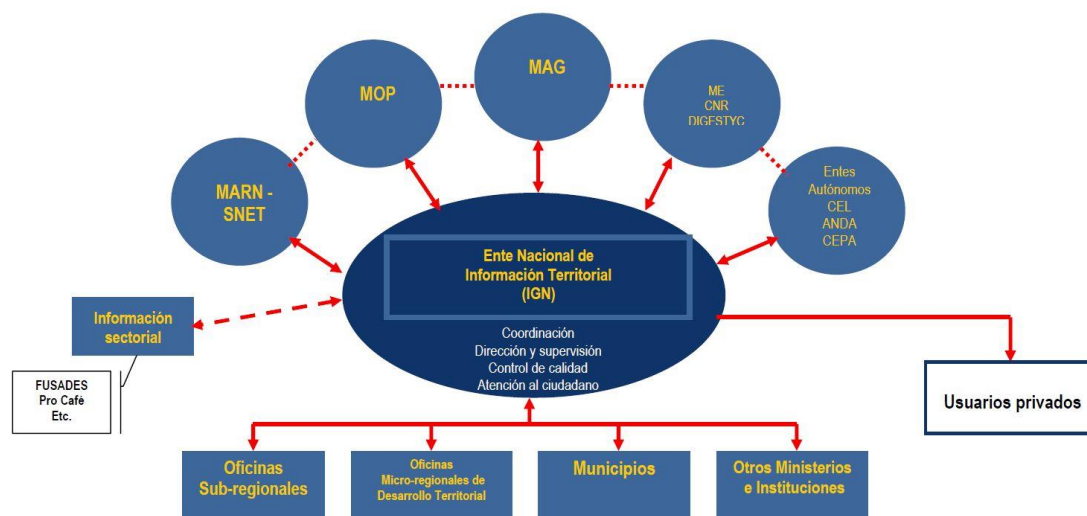
The elaboration of the high-level plans will be in hands of the central Government while the lower-level plans will be the competence of the municipalities, either individually or associated. Several mechanisms of direct or indirect public consultation are foreseen.



Worthwhile mentioning is further the identification of a National System for Territorial Information (SNIT) to reduce the fragmentation of data collection and management among various public and private actors, ensure data quality, facilitate access to information and reduce unnecessary duplication of investment in equipment and human resources.

INSTITUCIONALIDAD TERRITORIAL

SISTEMA NACIONAL DE INFORMACIÓN TERRITORIAL



The reference envisioned by the PNODT is that *“In 2015, El Salvador will be a highly structured territory undergoing an energetic transformation process in all domains, based on a shared and creative understanding of the most efficient, strategic actions from the national, regional and local perspective.”*

To attain this vision, the PNODT defines twelve (12) specific objectives as summarized below.

PLAN NACIONAL DE ORDENAMIENTO Y DESARROLLO TERRITORIAL (PNODT, 2004) – SPECIFIC OBJECTIVES	
1	Provide the Public Administration with a legal framework and institutional capacity
2	Organize urban development and strengthen urban systems
3	Integrate the national territory by means of a modern road network and other necessary infrastructure
4	Develop land, utility infrastructure and services to foster economic development
5	Recover and value cultural heritage in its territorial context
6	Fully develop the productive potential of the rural areas and the territory as a whole
7	Develop the integrated management of hydrological resources
8	Improve conditions to foster tourism
9	Develop and integrate into the national territory the System of Protected Natural Areas
10	Integrate land and sea resources into territorial policy
11	Define transnational projects relevant for Central American integration
12	Incorporate risk management into national systems

This vision did not materialize by 2015 as there are many institutional, political, capacity and financial barriers. The idea of transforming El Salvador into a grid of cities embedded in environmentally conserved natural areas proved not feasible and the timeline was unrealistic as such transformation – if it can be steered at all – may occur in the course of decades or a century perhaps. Clearly, the necessary resources and political consensus to implement the PNODT were not in place by 2004.

The PQD, produced 10 years later, puts more emphasis on making the public administration more effective by mobilizing local human resources. While the PNODT may seem at odds with this change in paradigm, the LODT was nevertheless approved with few amendments in 2011. The assessment of

the PNOTD carried out by FUNDE (2005)³⁷ highlights some of the strengths and weaknesses of the PNOTD as summarized in the next table.

PNOTD – STRENGTHS AND WEAKNESSES	
STRENGTHS	WEAKNESSES
The Plan departs from a broader vision of the country that considers key national development objectives.	The Plan presents a bias towards economic themes and infrastructure rather than social issues, both with respect to the key challenges and the identification of the proposed main interventions, which are poorly justified.
The economic and fiscal challenges are identified, including the importance of investment in infrastructure for economic development and territorial policy.	The Plan does not touch the structural causes of poverty and does not articulate investment in social development (health, education and housing); neither does it address social inequality.
It is acknowledged that territorial policy must be part of strategic national policies, and must therefore envision a medium and long-term process, for which political determination (State policy) and social consensus are key.	An analysis of the interrelation between economic development and the territorial model, underpinning the Plan, is lacking.
	The Plan departs from a negative view on informal sectors without addressing the structural incapacity of the formal economic model to accommodate the major share of the population.
	The proposed system of medium-size cities is not aligned with the economic model which concentrates activity and people in the AMSS.
	While the Plan stresses the need for social consensus and a shared vision, such were not in place when it was written.

Reflections on the PNOTD were also produced by COMURES³⁸, which identifies the determinant role of such plan for El Salvador’s institutions and development far into the 21th century. This review stresses the lack of an understanding of the dynamics of local systems in the Plan, even in relation to El Salvador’s place in Central America. As a result, the Plan reduces to a set of proposed major infrastructure programmes lacking a proper justification. Moreover, the first key objective – to overcome poverty – is hardly addressed but rather taken for granted. While for the second objective, El Salvador is already immersed in a globalized economy but has not led to reduced poverty levels in many areas in the country.

Further the contradiction is observed between the pursued decentralization of the State (which is actually a de-concentration of processes rather than a transfer of competences) and the need for enhanced governance in many areas to deliver public services and infrastructure; this in a context in which local governments lack the capacity and finances hereto. The PNOTD also “imposes” associative structures by defining the micro-regions rather than letting the municipalities find the genuine arguments to associate. The competences of the decentralized territorial planning offices in relation to the associated municipalities are poorly explained.

The Consultant also questions the viability and appropriateness of the PNOTD. Although it includes a number of valuable elements such as articulated planning processes, centralization of information systems, and a vision on development, it assumes a level of control on development processes that is hard to achieve, possibly counter-productive and inefficient. On the other hand, it certainly seeks to fill a void in the territories related to low economic activity and budgets available to local governments. One should also raise the question whether local governments have the capacity to execute larger

³⁷ See footnote 34.

³⁸ El proyecto de Ordenamiento Territorial de El Salvador - Reflexiones globales sobre los avances, límites y posibles debates, Karim Ben Amar, Silvia Rosales-Montano, for COMURES, May 2005.

fiscal budgets. In fact, a differentiated approach in function of municipal capacities and needs might be followed through a system of incentives under the FODES.

6.6 COAMSS Esquema Director – Área Metropolitana de San Salvador (2016)

The preparation of the Master Plan (*Esquema Director*) for the AMSS was stipulated in the LDOT-AMSS 1994; it took 22 years to deliver on this commitment. Earlier, between 1967 and 1969 the first *Plan Integral de Desarrollo Urbano del AMSS* was prepared by the then *Ministerio de Obras Públicas (MOP)*, known as METROPLAN 80. This plan proposed a zoning of the city and a primary road system. In 1988, another planning and urban development instrument was produced under the name METROPLAN 2000, which featured the decentralization of the decisions made by the central Government in favor of the municipalities. This Plan expanded the area defined as the AMSS to 13 municipalities and pursued a controlled and balanced development in the area.³⁹

The present Master Plan is the first element towards the *Plan Metropolitano de Desarrollo y Ordenamiento Territorial del AMSS*, which further requires the development of Sectoral Plans for Public Investment. The development of the Plan took place between 2013-2016 with financial support from international cooperation agencies. The process was structured as indicated in the next figure.



The Plan identifies different land uses and open areas based on a system of categories, and assesses the functionality of the urban systems on a macro-scale. It describes socio-economic conditions per municipality. The bio-physical diagnosis includes threats and risk factors (such as volcanic activity) resulting in a mapping of areas in terms of suitability for urbanization.

The future development of the AMSS is described through three scenarios: (1) no planning intervention (*escenario tendencial*); (2) full compliance with the vision of the Master Plan (*escenario óptimo*); and (3) partial implementation of the Master Plan (*escenario intermedio*). It is acknowledged that the latter is more realistic and can provide basis for evaluating the costs and benefits of planning and urban development interventions.

A set of territorial indicators is proposed that offers a tool for monitoring the status and progress of four sub-systems in the AMSS: (i) population; (ii) environment; (iii) settlements; and (iv) infrastructure. The set of indicators is presented in the following table.⁴⁰

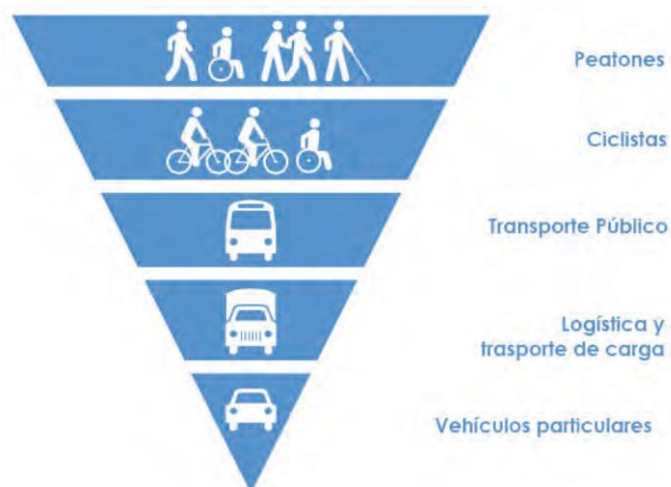
COAMSS MASTER PLAN – PROPOSED TERRITORIAL INDICATORS		
SUBSYSTEM	VARIABLE	INDICATOR

³⁹ Plan Inicial de Adaptación del AMSS, p.100.

⁴⁰ COAMSS, Esquema Director, p.49

Population	Total population	Annual growth rate of the population
	Total population per municipality	Annual growth rate of the population per municipality
	Total rural and urban population, per municipality	Annual growth rate of the rural and urban population
	Population per age and gender	Population pyramid
Environment	Environmental units	Characterization of environmental units by soil coverage
	Protected natural areas	Surface of protected rural areas
	Conservation areas	Surface of conservation areas
	Areas susceptible to natural threats	Surface of areas with presence of natural threats
	Threats affecting urban areas	Surface of urban areas with threats
Settlements	Urban areas with high environmental risk	Surface of vulnerable urban areas
	Ranking of urban nucleus	Spatial distribution of urban nucleus
	Shape and form of nucleus	Urbanization level
	Grouping into subsystems	Relation between urban nucleus
	Land use	Percentage of land use per municipality
	Relations and movements between municipalities	Characterization of relations and movements
	Housing type	Housing stock and density
	Informal housing	Surface of precarious urban settlements per municipality
Infrastructure	Urban mobility	Coefficient of attraction and generation of displacements, per municipality
	Drinking water	Percentage of coverage, average service and unserved population
	Rain water	Percentage of service coverage
	Sewage water	Percentage of service coverage and unserved population
	Solid waste	Percentage of solid waste collected and deposited in a municipal sanitized landfill
	Public spaces	Effective public space available per inhabitant

The Plan identifies a series of problems per municipality as well as opportunities and potential solutions. For 2030, it envisions: "A sustainable, inclusive, competitive and resilient city in the Central American context, with a polycentric configuration and in the process towards densification and structuring around a grid of public spaces; and a new multimodal transport system offering opportunities to all under a financing model that is sound, progressive and diverse."⁴¹ The Plan embraces the concept of sustainable mobility involving more compact urbanization and less dependence on motorized traffic through an inversed ranking of transport modalities according to the "mobility pyramid".



⁴¹ Ibidem, p.58

Based on the analysis and collected spatial information, the Master Plan presents: (i) a classification of land areas; (ii) strategic macro-scale interventions to correct current trends and mitigate identified issues and risks (*tratamientos urbanísticos*); and (iii) zoning (*lineamientos normativos*) of construction areas and land use. The latter would cover land use, building height, impermeabilization of soils, and maximum built area per parcel. However, OPAMSS does not necessarily have the legal attributions to set such parameters.

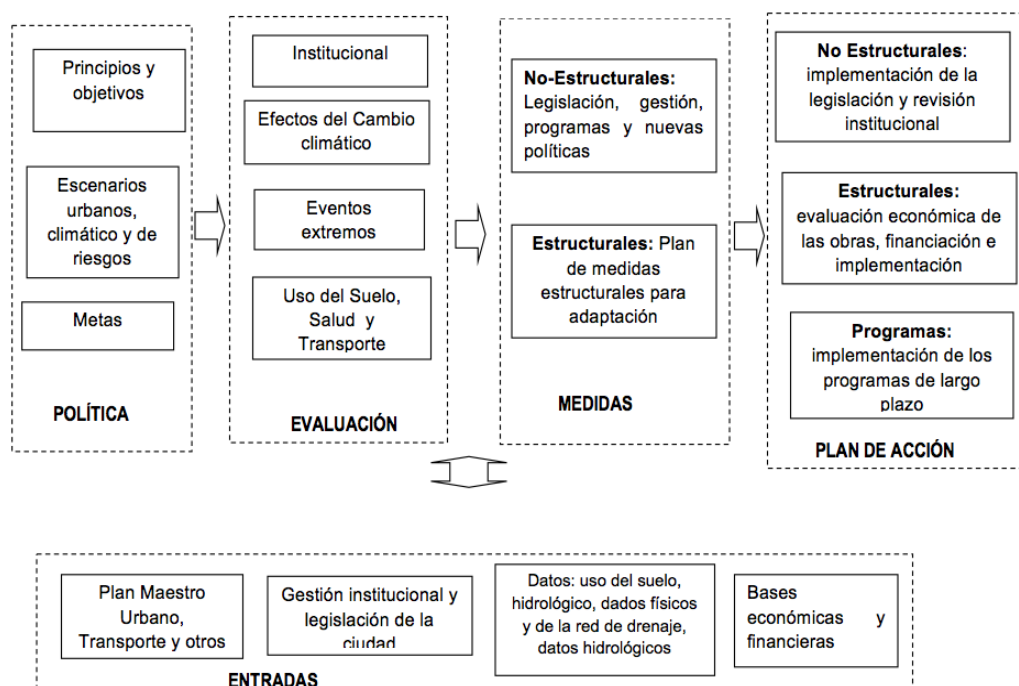
Finally, the Master Plan emphasizes the need for a strategy to foster territorial economic development in engagement with central Government entities, possibly under coordination of the CODEMET.

6.7 CODEMET/COAMSS- Plan inicial de Adaptación del AMSS (2017)

The preparation of the AMSS Initial Adaptation Plan by CODEMET was announced in El Salvador’s NDC. The Plan observes the lack of input data, obsolete information, inconsistencies in forecasts and estimates, changes in methodologies and reporting methods which impedes an adequate comparison between earlier situations and the present status. It also stresses the lack of defined competences for rain water management in the AMSS and in El Salvador in general.

The Plan emphasizes the large disparities between the municipalities that compose the AMSS, in particular the subsystem Nejapa, Apopa and Tonacatepeque which is poorly integrated into the road infrastructure and lacks competitive qualities. This area needs supportive interventions to improve integration into the AMSS. Similarly, Nejapa, Ayutuxtepeque, San Martin and -most of all- Delgado are poorly served in terms of drinking water and sewage systems. In terms of income, there is a large gap between Antiguo Cuscatlán (GDP per capita per year US\$ 20,131) and Nejapa (US\$ 4,409).⁴²

The objective of the Adaptation Plan is: “To develop actions in time to reduce the impacts and social, economic and environmental losses - both current and future- associated to climate change in the AMSS.” The Plan proposes a series of measures and actions based upon the following process.⁴³



The Plan pursues a series of specific objectives as summarized in the following table.

⁴² Power purchase parity. Plan Inicial de Adaptación del AMSS, p.49

⁴³ Ibidem, p.151

AMSS INITIAL ADAPTATION PLAN (2017) – SPECIFIC OBJECTIVES		
	SPECIFIC OBJECTIVE	TIME HORIZON
1	To increase hydrological security to counter drought events	not defined
2	To reduce the frequency of flooding in the AMSS by 50%	15 years
3	To reduce the surface of areas degraded by erosion or waste in the AMSS by 40%	10 years
4	To reduce contamination of rain water in the AMSS by 20%	15 years
5	To increase green areas by 30%	5 years
6	To reduce the occurrence of dengue, zika and chikungunya	not defined
7	To develop economic mechanisms to reduce the vulnerability of the agricultural sector to droughts and flooding	not defined
8	To repair and improve ecological functions through Analog Forestry by 20% in the AMSS	not defined
9	To identify the causes of internal migration due to extreme climate events to develop public policies in response	not defined
10	To improve integrated waste management	not defined
11	To foster biological connectivity and improvement of soils	not defined
12	To incentive non-motorized mobility and diversification of transport options	not defined

A series of actions and projects are proposed aimed at the short term (1-year horizon, 16 projects, US\$ 575,000); medium term (5-year horizon, 14 projects, US\$ 2,900,000) and long-term (15 years, 7 projects, US\$ 219 million). Ten (10) continuous programs are identified involving an initial investment of US\$ 681,000 and annual recurrent costs of US\$ 240,000.

Concluding, the Plan reiterates the importance of developing an adequate institutional structure for its implementation. It also identifies the opportunity to take benefit from the Technical Working Groups established under the CODEMET. A revision of the Plan every 5 years is recommended to consider new scenarios and update the information used.

6.8 COAMSS- Política de Movilidad Urbana – Esquema de Coherencia Territorial (2010)

In 2010 the COAMSS approved its Urban Mobility Policy. It is part of the broader initiative *Proyecto Fortalecimiento Institucional en el Área Metropolitana de San Salvador para la Cohesión Social y la Seguridad Ciudadana, FASE II*, financially supported by AECID, Spain and DEMUCA Foundation. The Policy seeks to incorporate urban mobility into the environmental, social, economic, cultural and political domains of the AMSS municipalities. The document ascertains that “*in general terms, the legal competence for hard mobility is with the central Government while for soft mobility it is with the municipalities*”.⁴⁴

It is observed that the municipalities play a marginal role concerning mobility and transport. They must coordinate with VMT the implementation of civil works or equipment on public roads and obtain its prior permission; they must also coordinate the location of bus and cargo terminals, bus stops and returns. The Policy provides an overview of the current status of public and private transport in the AMSS as well as the applicable legal instruments.

The Urban Mobility Policy aims to establish guidelines to develop an integrated vision on the city, essentially from the perspective to reduce displacements and replace polluting and congesting modalities by other more socially and environmentally amicable. It acknowledges that a successful approach goes beyond transport alone as it involves public policies from other sectors at both the central and local government level. The Policy acknowledges that transport is intertwined with land use and therefore identifies four intervention areas as indicated in the next table.

COAMSS - URBAN MOBILITY POLICY 2010

⁴⁴ Política de Movilidad Urbana – Esquema de Coherencia Territorial, COAMSS/OPAMSS, 21 October 2010, p.7.

INTERVENTION AREA	ACTIONS
1. Land use	Land use changes in areas near to new urban developments or improved road infrastructure
2. Accessibility	Improved or restrained access by influencing ease of access to an area
3. Environment	Improvement of the environment to combat degradation of the territory and pollution.
4. Image	Improved urban image, for example by introducing a high-quality public transport system into an urban landscape.

The Policy is the first attempt into this direction since the PLAMATRANS (1997), which evaluated several strategies with a focus on investment in road infrastructure but also acknowledged the relevance of public transport use. The Policy outlines a series of initiatives under six (6) strategic actions organized in time as presented in the next table. The Consultant has made an attempt to gauge progress in each element which is, at best, modest. As can be deduced from the table, a key barrier is that the Policy relies on a transfer of competences in the realm of transport from the central Government (VMT) to the COAMSS, which has not taken place. Arguably, some activities can be more effectively handled by a lower authority and – in line with the subsidiarity principle – should be organized at this level when feasible.

Immediate (2012)	Short-term (2015)	Medium-term (2020)	Long-term (2025)
1. To achieve consensus about the redefinition of the mobility and transport system			
1.1 To sign an agreement between COAMSS and the central Government for implementing the SITRAMSS	1.2 To achieve consensus about the transfer of competences in transport matter from the central Government to the AMSS and build alliances for a new mobility model		
Achieved	Stalled		
2. To create an inclusive, competitive, environmentally sustainable urban mobility system			
2.1 To advance SITRAMSS as the core of the new mobility system in the AMSS	2.3 To carry out feasibility studies for introducing pedestrian and bicycle routes in the AMSS.	2.5 To improve the efficient use of energy and reduce emissions, pollution and noise hindrance	
Partial	Partial	No competences	
2.2 To advance the relocation of the inter-department bus terminals to the periphery of the AMSS			
Stalled			
	2.4 To promote acceptance of sustainable mobility among politicians, professionals and the general public		
	Partial		
3. To strengthen the institutional and legal framework for urban mobility at the level of the AMSS			
3.1 To advocate for changes in the legal and regulatory framework for mobility	3.2 To advance the creation of a Metropolitan Transportation Authority	3.4 To implement a Municipal Observatory of mobility indicators	3.8 To establish municipal-level focal units for urban mobility
Stalled	Stalled	Partial	Not started
	3.3 To advance institutional strengthening programmes for OPAMSS and municipalities	3.5 To enact municipal ordinances concerning mobility	
		No competences	
		3.6 To promote municipal traffic safety programmes	
		Not started	
		3.7 To regulate and control parking in urban centers and main roads secure	
		No competences	
4. To integrate of mobility into urban development, environment and public space policies			
	4.1 To promote linkages between territorial planning and mobility in the AMSS, specifically public transport and infrastructure		
	Partial		

5. To develop criteria to guide public policies and quantify performance of a new urban mobility system			
5.1 To advance the <i>Plan Maestro de Movilidad Urbana</i> between COAMSS and VMT	5.2 To create facilities and safe for pedestrians in new and existing mobility infrastructure.	5.3 To enable non-motorized transport modalities and deploy initiatives to reduce the use of private transport.	5.5 To induce behavioral changes in citizens concerning mobility
Stalled	Partial	Partial	Not started
		5.4 To create platforms for citizen feedback concerning urban mobility	5.6 To induce a change in civic culture concerning compliance with regulation
		Not started	Not started
6. To implement prioritized infrastructure and management systems for mobility in the AMSS			
	6.1 To implement improved traffic management systems in the AMSS	6.2 To lead the construction of civil works and road infrastructure at critical points in dialogue with central Government	
	not known	Achieved	

MOPTVDU and VMT would need political back-up before engaging in such a transfer but a political dialogue on this issue has not crystallized or has not even begun. There is probably no legislation in place that provides a basis for such transfer, hence a reform of the Regulation of the Executive Organ (Art. 45) may be required, among others. The modest results so far should also be viewed in relation to the timeframe set, which is not realistic. The underlying processes are highly political and stakeholders are not necessarily convinced that a paradigm built around a Municipal Transportation Authority is the appropriate solution.

To conclude, the Policy explores some ideas to finance activities as summarized in the next table.

COAMSS – URBAN MOBILITY POLICY 2010 – FINANCING MODALITIES	
INSTRUMENT	DESCRIPTION
1. FOVIAL Urbano	This option to create a trust for co-funding of the integrated metropolitan transport system through a levy on carburants (gasoline, gasoil) sold within the perimeter of the AMSS.
2. Vehicle license	This involves a surcharge on the price of a car license to compensate for the externalities caused for the general population. This would be proportional to the value of the car and the year of registry as currently done by MH – but the revenues would flow directly to the municipalities.
3. Public-private association	This schemes seeks a substantial participation of the private sector such as direct investors in the new integrated transport system.
4. International cooperation and finance	Funds by international organizations can be accessed to develop master plans and local mobility plans, studies and demand management projects, etc.
5. Bank loans	International and national private banks can play an important role to finance mobility projects, such as the SITRAMSS.

According to the Consultant, the indicated plans still lack maturity and in some cases, would involve changes in tax legislation and control of fiscal budget. Also, private bank loans are not likely to enter the market given its high risks. Indeed, infrastructure for the SITRAMSS Phase I was financed by IDB under a sovereign loan to the State.

6.9 CNE - Plan Energético Nacional de El Salvador 2010-2024 (2010)

The National Energy Plan 2010-2024 was developed under the previous Government (of the same political color). The document describes how structural reform processes in the 1990s reduced participation of the State in the energy sector and eventually triggered an increase in thermal power generation that resulted in high energy prices and a growing dependence on imported fossil fuels. Then, in 2007, the National Energy Council (CNE) was created as an instrument to realign the electricity market again with public interests.⁴⁵

The NEP defines the following challenges for the energy sector in El Salvador. One challenge is to reduce the share of oil in the primary energy demand (26%), since oil is 100% imported. Another challenge is to further push forward the share of RETs. Besides large hydro and geothermal power, this involves promoting other types including biofuels. A third challenge is to improve access to individuals and productive systems in the country. As of 2010, the NEP highlights the importance to strengthen the institutional framework to secure that policy decisions are made in a structured and planned manner, and to have clear legislation and rules in place to guide market actors. To this purpose, it is envisaged to strengthen the national knowledge base by research, development and innovation.

The Plan identifies 4 general objectives and 6 strategy lines as summarized in the following table.

⁴⁵ Ley de Creación del Consejo Nacional de Energía, contenida en el Decreto Legislativo N° 404 de 2007.

CNE – PLAN ENERGETICO NACIONAL 2010-2024	
GENERAL OBJECTIVE	STRATEGY LINE
To assure a uniform, adequate, continuous and high-quality energy supply to the entire population at a reasonable cost.	Diversification of the energy matrix and promotion of renewable energy sources.
	Promotion of a culture of energy efficiency and energy conservation.
To recover the role of the State in the development of the energy sector and strengthen the institutional and legal framework, close existing gaps and weaknesses that impede legal security for the users of energy services.	Strengthening of the institutionalization of the energy sector and customer protection.
	Expansion of energy coverage and preferential social tariffs.
To reduce dependency of the energy sector on oil and oil derivatives by promoting renewable energy sources, a culture of rational energy use, and technological innovation.	Innovation and technological development.
	Regional Energy Integration.
To minimize the environmental and social impacts of energy projects as well as those impacts that generate climate change.	

7 Climate finance

The CPEIR report provides a useful overview of the status of climate finance in El Salvador.⁴⁶ It highlights the current lack of an articulated structure to link financing needs to international sources of climate funding. Creating such a structure should be a priority of national climate change policy.

Between 2012 and 2014, the *Viceministerio de Cooperación al Desarrollo* (part of MIREX), SETEPLAN and MARN led the activities of the *Comité Interinstitucional de Financiamiento para el Cambio Climático*. Its task was to develop policy instruments to access funding for reducing vulnerabilities and implementing adaptation measures. A structure for climate finance is targeted by the *Gabinete de Sustentabilidad Ambiental y Vulnerabilidad* in line with its competences as part of the Executive Organ.

In September 2014, the *Viceministerio de Cooperación para el Desarrollo* was appointed as the National Designated Authority for the Green Climate Fund (GCF). Since then, FONAES has been nominated as a National Implementing Entity (NIE) for the GCF, followed in 2016 by the *Fondo de Inversión Social para el Desarrollo Local (FISDL)* and the *Banco de Desarrollo de El Salvador (BANDESAL)*. In accordance, a start has been made to build the necessary fiduciary and management capacities to meet the GCF accreditation criteria, including compliance with social and environmental safeguards, gender and risk management. Support is provided under the GCF Readiness Programme implemented by UNDP/UNEP/WRI. El Salvador will execute the funds directly through the *Secretaría Técnica del Financiamiento Externo (SETEFE)*.

An important barrier is the lack of experience in El Salvador to combine resources from public and private financial institutions. Similarly, public-private partnerships for developing and operating low-emission infrastructure and services are still a novelty. This would require a modernization of banking law, fiduciary rules, collateral and guarantees. Equally important, the public and private sector lack the skills to generate a pipeline of proposals for funding by climate financiers, which was evidenced already under the CDM. The PNCC would need to address these barriers through targeted action.

8 Conclusions and Analysis

1. The State and the Municipalities are the only two political and government levels in the country. Municipalities can associate into clusters for implementing one or more governance tasks but this should happen on a voluntary basis. High-level policy and decision-making is with SETEPLAN and the

⁴⁶ Climate Public Expenditures and Institutional Review (CPEIR), 2017, p.84-85.

Gabinete de Sustentabilidad Ambiental y Vulnerabilidad. MIGOBDT is member of various committees relevant to sustainable territorial development. Another actor at this level is the *Dirección General de Transformación del Estado* (DGTE).

2. As observed by many, El Salvador is immersed in a process of maturing its institutions; this process is far from completed. Earlier policy documents⁴⁷ highlight the confusion concerning decentralization versus de-concentration of the State. The PQD 2014-2019 expresses a need to “reinvent” the public administration in an effort to make it more effective. While the intention is to empower the municipalities, the provisions in the Territorial Planning and Development Law (LODT, 2011) tend to further centralize decision-making and approval processes.

3. The national legal framework to protect the environment is a relatively recent achievement. The implementation of environmental legislation relies strongly on international (donor) funding and technical assistance as fiscal resources are insufficient. Reporting obligations under the UNFCCC are produced with substantial delay. The underlying problem is the general lack of resources and qualified human capacity within the public administration. There is no strategy to make environmental legislation financially sustainable in the longer term.

4. Targets set in policy documents and plans tend to be overly optimistic and the deadlines are rarely met. Examples are the PNCC and NDC (MARN); the *Esquema Director* and the Urban Mobility Policy (OPAMMS). The complexity of underlying processes is underestimated and barriers are not sufficiently understood or considered. By consequence, legal instruments are not or only partially implemented, without further consequences. Moreover, legislation seems not to be submitted to an evaluation in terms of relevance, effectiveness and efficiency.

5. The lack of adequate mandates and competences is repeatedly mentioned as a key barrier, for example concerning mobility in the AMSS. COAMSS strives at a transfer of competences from VMT towards a Municipal Transportation Authority but there may alternative solutions. In fact, MOPTVDU seeks strengthening its own competences and capacity. The processes to introduce changes in sectorial mandates are political and may involve a revision of the Regulation of the Executive Organ. An organization based on the subsidiarity principle will only work if lower-level governments have adequate capacity to perform their tasks. This type of issues should be assessed at the level of the Executive Organ and the Assembly.

6. Current plans and institutional arrangements demonstrate a continuous need for coordination platforms and committees. This shall compensate for inadequately articulated roles and competences, both horizontally (between sectors) and vertically (territorial), which increases transaction costs. Political processes should culminate in legislation to pass the matter to the domain of public administration but in El Salvador the political arena is polarized and immature. There is a vicious circle of unconcluded political processes, voids in legislation or impossibility to enforce such law, and continuous consensus-building afterwards. Legal issues such as occurred with the SITRAMSS are the result. This cycle can only be broken by upgrading the quality of the legislative processes, which requires strong political commitment.

7. It is widely acknowledged that available know-how and skills are insufficient at all levels to implement mitigation and adaption activities successfully. Human resources management is a big challenge as it is difficult to retain qualified staff in public service. There also seems to be duplication of efforts in planning and design of infrastructure (OPAMSS and MOPTVDU). Internal coordination and management of public administration bodies needs to be strengthened to enable more effective use of available staff and resources.

8. An explicit management and business model for spatial data collection and the delivery of digital products and services seems not in place. Consolidation and analysis of spatial data is scattered and data collected by the *Observatorio Ambiental* could find much broader application. A service-oriented

⁴⁷ Propuesta de Política Nacional de Descentralización, Secretaría Técnica de la Presidencia, San Salvador, July 2007.

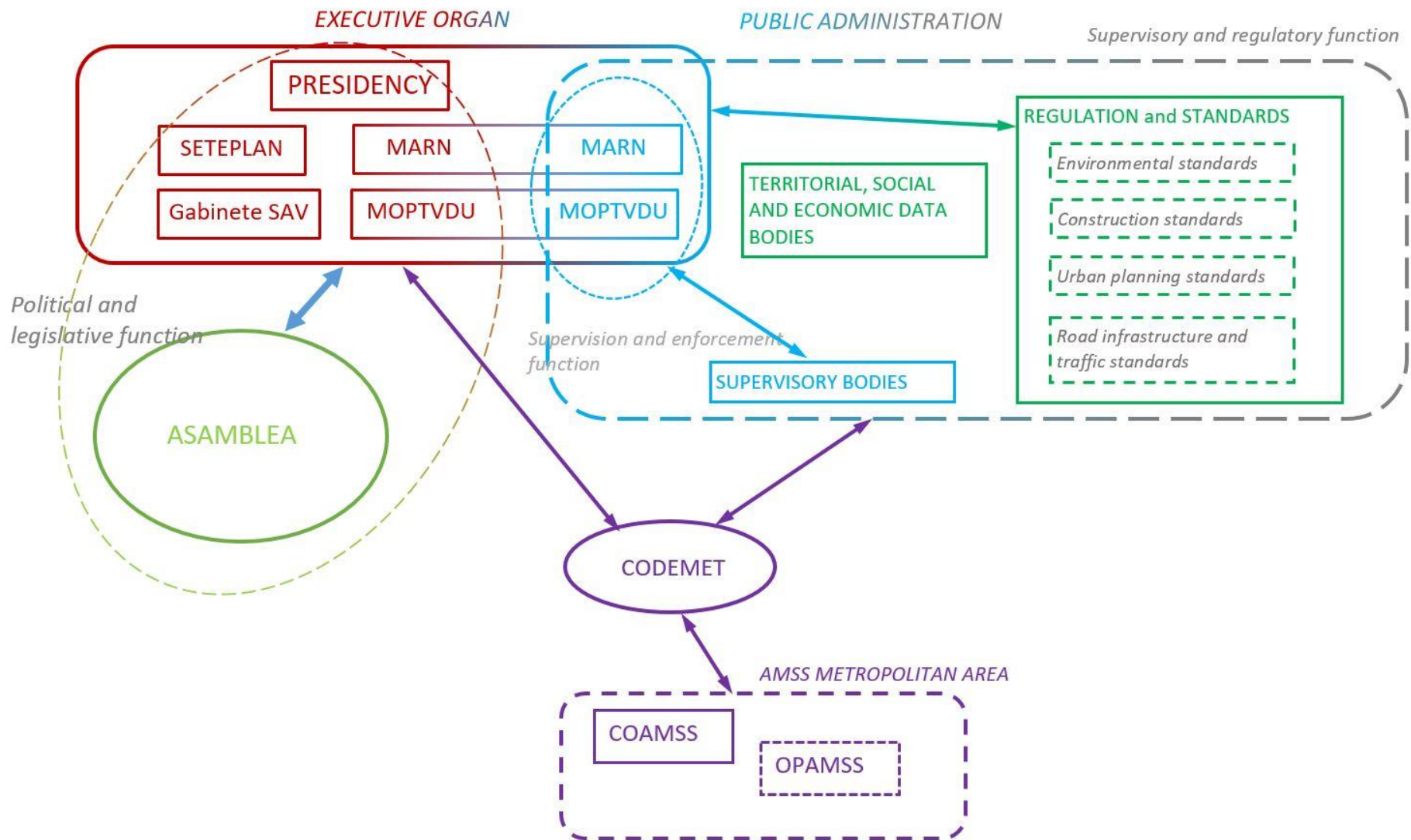
approach could provide a basis for cost recovery and long-term sustainability of critical institutions for sustainable development.

9. There is a notable tension between centralized policy making and the desire for decentralized government and more equitable development across the territories. Most policy documents (PQD, PNODT) fail to identify a mechanism to link the central and local levels. While central Government has limited capacity to encompass the whole territory, there lower-level social and governance structures are weak which is directly related to the (low) economic activity in the territories and the (low) budgets available to local governments. The national economic system still carries a legacy of colonial structures exacerbated by years of conflict and internal migration.

10. Programs and plans tend to focus on the rationale (the *why*) often inspired by trends or examples elsewhere. Strategies and objectives are set but an actual theory of change is not developed. Challenges are mentioned but not addressed hence conditions for changes at systemic level are not created (the *how*). Generally, the *why* just prepares a new series of main actions (the *what*) with a bias towards hardware (road infrastructure, SITRAMSS) implemented under a business-as-usual model (rather than addressing the *how* by defining business models, improving effectiveness of the public sector, training people and mobilizing non-donor finance). This would require a change in paradigm concerning policy design.

11. Rather than complementing lacking national resources with international cooperation support, a serious effort should be made towards a more agile institutional and regulatory framework, perhaps by moving the focus from normative instruments to incentives to foster productivity and civil society systems. Moreover, uncompleted and insufficiently structured legal instruments give rise to legal voids and contradictions with existing Law, including the Civil Code and the Constitution, as well as unclear mandates and responsibilities.

12. The following diagram offers a simplified representation of the functions of the Executive Organ and Public Administration in relation to the AMSS with a focus on environment and transport (MARN and MOPTVDU). It is understood that the ministries have both a political (Executive) and public administration role. Technical elements (data collection and analysis, parameters for regulation, and technical standards) are currently often in the ministries but should be placed at more distance, serving the Central Government, lower governments and third-parties. The Consultant would encourage government stakeholders and UNDP to map existing roles on this diagram as a basis for discussion and exploration of synergies and efficiency gains.



9 Annexes

Annex A List of Documents

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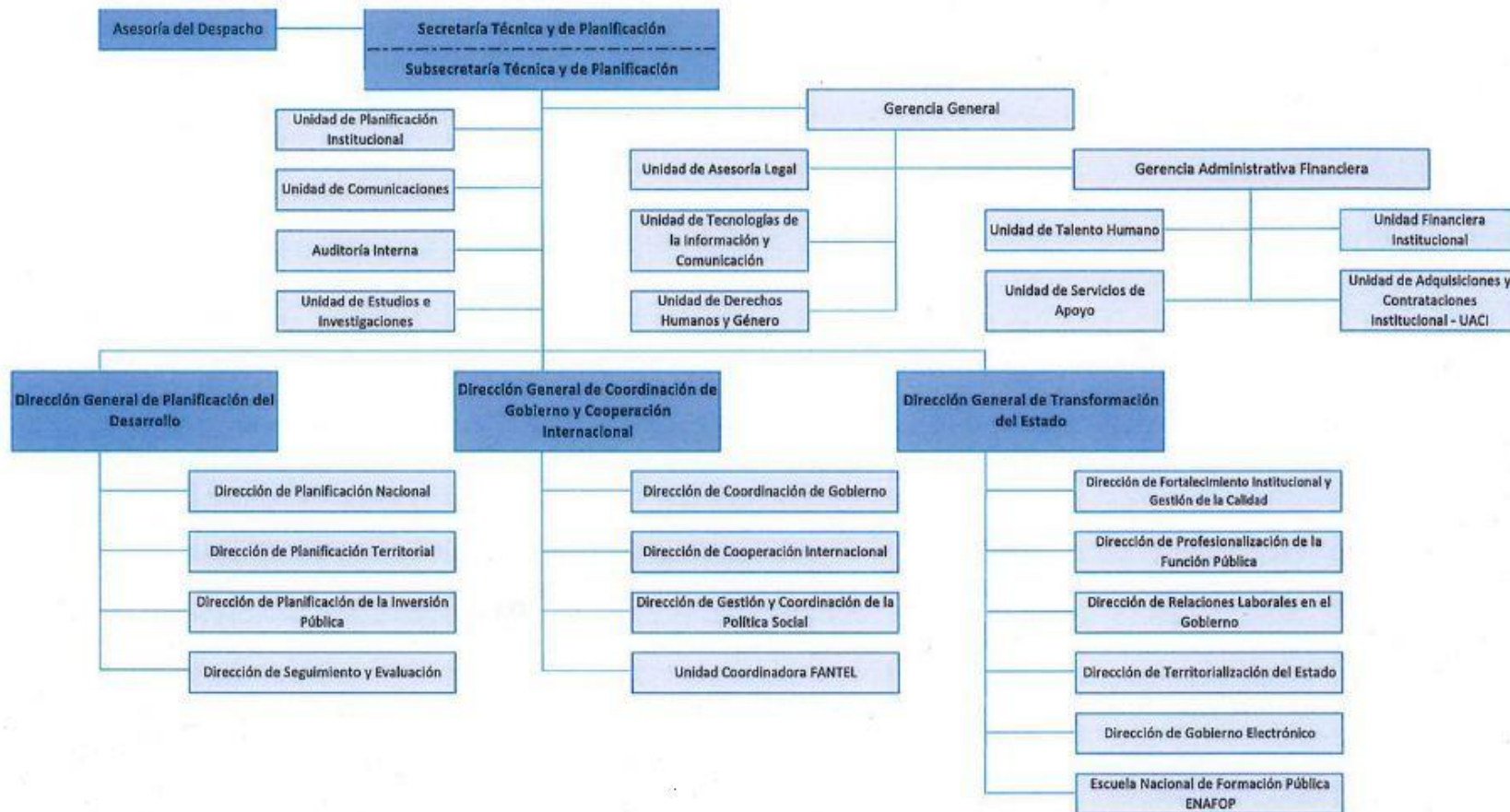
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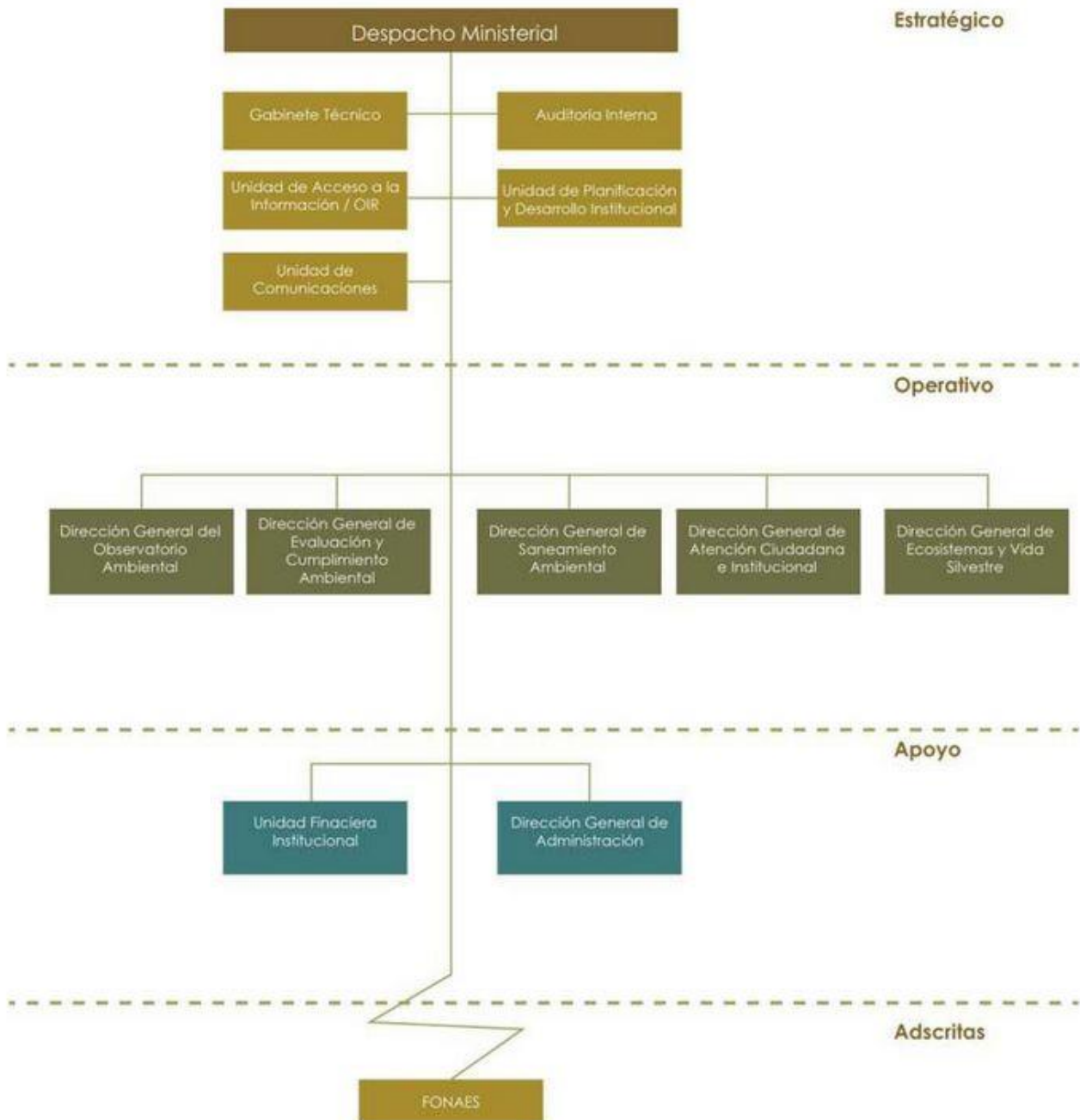
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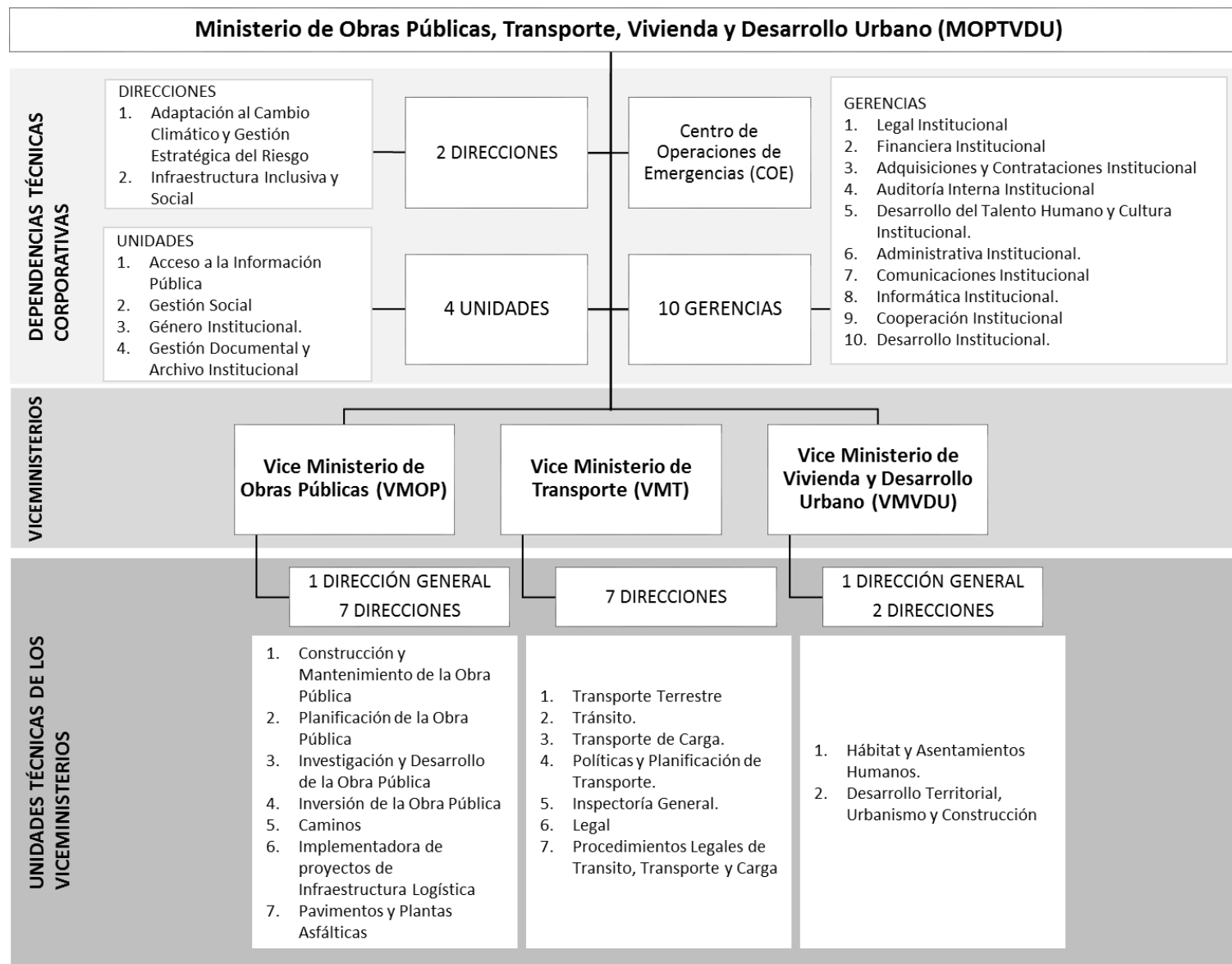
SETEPLAN

ORGANIGRAMA DE LA SECRETARÍA TÉCNICA Y DE PLANIFICACIÓN DE LA PRESIDENCIA



Organigrama General





⁴⁸ Source: MOPTVDU CC Plan based on the Organigrama Institucional 7-abril-2017.

ORGANIGRAMA DEL COAMSS/OPAMSS

