

Almanac of the Future

A STORY OF SUCCESS

Motivational experience No. 28

A photograph of a lush green courtyard. In the foreground, there are various tropical plants, including a large green leafy plant on the right. A gravel path leads towards a building in the background. The building has a terracotta roof and a facade with horizontal stripes. In the distance, there are more buildings and mountains under a clear sky.

IT DOES HURT ME

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In Loma del Esmeraldal, residential sector of the municipality of Envigado in the valley of the Aburra (Colombia), the indiscriminate urban densification, product of the speculation and misrepresentation of the regulations to facilitate construction licenses provoked a response from the citizens. The Ciudadano Envigado Collective (Citizen's Collective Envigado) managed with resistance and proposals the recovery of lands ready for construction and turned them into public spaces, improving the quality of life of the residents.

Loma del Esmeraldal

“In the mid-nineties, Don Julio and his family bought a green lot, full of humidity, flora and fauna, and they immediately set about building a house so big and beautiful that they would never want to leave it. But fate played a trick on them and after many years of elaborate and patient work, they had to sell their hidden paradise”, extract from the documented history of the La Guayacana Cultural Park, located in the Loma del Esmeraldal. The sector is part of the municipality of Envi-

gado, which borders the city of Medellin, in the valley of Aburra, located at a height of approximately 1,700 m.a.s.l. Originally, the area characterized by rolling hills, was covered with coffee plantations that radiated an emerald green with the sun's radiance, a special feature that gave the sector its name (Emerald Hill). Over the years, and the densification of the population, the houses in this area were surrounded by apartment buildings to become a green enclave, threatened by the avalanche of urbanism.





Detonator

In 2013, when a dump truck from the Brezzo construction company knocked down an energy pole blocking the only access road to the 95th Street sector for several hours, the community met at Lilia Fernandez's house and decided to call the mayor and the director of municipal planning, to request information on why the construction of three buildings in the lot previously owned by Don Julio had been authorized without having the approval of the community. Each tower was programmed for 22 floors and the narrow road, also made and paved by the residents, would be insufficient. Some of the houses were located in the limits of this road, to widen it meant their possible demolition.

Since 2012, in the Loma del Esmeraldas, with less than two hectares in area, 25 apartment towers with approximately 2,000 new housing units had been built. Such an amount of construction had erupted alarmingly in the landscape of the sector that still conserves the Mina

Honda creek surrounded by bamboos and many guayacan trees that embellish the sector. This urban invasion had already led to the collapse of the few access roads. Distances that were previously traveled in five minutes, now took half an hour. The excessive densification was consequence of the Land Use Plan, POT. From one moment to another the mayor's office of Envigado had expanded the POT, allowing from 70 housing units for every hectare, to 170 and extending the height of buildings from 12 to 22 floors. In some cases it even allowed the so-called aerial densification, which authorized the builders to build up to 180 housing units per hectare of land.



Indignated neighbors

Liliana Fernandez, in previous years had managed to save a thirty-foot Ceiba, a tree that was under protection because of its age. To construct an apartment building, the construction company was about to cut down the tree. Liliana found out and developed a Right of Petition, a legal recourse that allows citizens in Colombia to make claims based on the constitution. On that occasion it was possible to save the Ceiba and the construction company was forced to redesign the construction. Subsequently, to sell the apartments, the Ceiba was given relevance as proof of the friendliness of the company with the environment and the landscape of the area. Apparently there are no scruples or respect where money reigns.

At the request of the community, the mayor accepted to review the plans and conduct a tour of the sector. The tour yielded positive results for Ciudadano Envigado. The mayor determined that indeed the place where it was planned to build was crossed by a spring of water and not by a “run-off”, as initially said. The Regional Autonomous Corporation - Corantioquia as the regulating entity to which a corresponding analysis of compliance with environmental regulations was concerned, in order to facilitate the path towards the approval of the construction license of the three towers in question, had classified the body of water as runoff and not as a creek. With this move the minimum construction distance to the body of water was reduced from thirty to only ten meters.

After a second verdict, Corantioquia determined to temporarily suspend the construction of the work. With the new provision, the construction company could only build a 12-story tower, which is why it decided to fight with its pool of lawyers. Faced with the threat of the construction company, the mayor retracted again, indicating that suspending the construction license would mean facing a legal demand from the company. Faced with the refusal of the autho-



city and while the construction company continued with the preparatory work, the collective armed itself with courage, summoning all the neighbors of the hill, both the new ones that lived in the towers of apartments already built, as well as the original settlers, living in their homes, to defend themselves against the irregularities of an unscrupulous urbanism.

Citizen's collective Envigado


The citizen movement grew very fast, since most were not willing to have more buildings built. Faced with the breach of regulations, urban speculation and the constant deterioration of the quality of life in the area, the Colectivo

Ciudadano Envigado (Envigado Citizen's Collective) was born. The first major action was a protest march in 2015, where more than 250 people participated. One Friday at six o'clock in the morning, the group marched, with placards and protest fences towards the mayor's office; the slogan was: "It does hurt me". Media and

even television channels accompanied this citizen initiative, providing coverage and interviewing the participants of the march, including Liliana Fernandez, Blanca Rocio Bernal, Daniela Londoño, Juan Pablo Piedrahita, Paloma Gonzalez, Alberto Gonzalez, Marta Villafañe, Juan Guillermo Londoño, Gilberto Arango, Maria Helena Morales,

Jorge Melguizo, Freddy Sanchez and others. The protest was directed against the construction and urban densification, the lack of playgrounds or recreational spaces, sidewalks and the progressive destruction of fauna and flora. The inhabitants were not willing to endure further abuses by the administration and the builders.





Upon the arrival of the march to the mayor's office of Envigado, the megaphones allowed their just protest to be heard. Given the large number of people in the march and the presence of the media, the mayor preferred not to face it. The mayor's silence was answered eight days later when the collective made another protest action: This time, artists such as Freddy Sanchez and Pablo Melguizo, who were part of the collective, created a mural on a public road, expressing on the wall the indignation of the citizenship towards the arbitrariness of the mayor's office to grant construction licenses. This time the mayor's answer did not wait, calling members of the collective to remove the mural. The response of Ciudadano Envigado was unanimous: no, as long as the POT was not modified again, returning to the old rules and respecting the environmental norms, and particularly respecting the minimum distances of the buildings to the bodies of water. The mayor refused again indicating that the POT is renewed only every four years.

Oversight and legal demand

Evaluating the strategy to follow, the group decided to raise money among the inhabitants to hire first an expert in urban planning and then a legal expert specialized in environmental law. Both studies coincided in the illegality of the construction licenses of the three towers. The road for the Right of Petition seemed unlikely as this legal procedure allows the mayor to delay his response to the claims to win time while the preparatory work to build the three towers continued. Against this background, the decision made was to advance a legal claim. The question now was: against whom - against Corantioquia for the violation of the environmental regulations giving the green light to the mayor's office enabling it to grant the license, against the construction company or against the mayor's office?

Finally, the lawsuit was filed against the mayor's office and particularly its Plan-

ning Direction. The complainant's role was assumed by Paloma Gonzalez, a neighbor, so that other members of Ciudadano Envigado would not be disqualified as witnesses. Parallel to the legal process, the collective did not tire of denouncing each time a vehicle of the construction company entered the bamboos and the wetland. The lawsuit indicated that the mayor's office had authorized the occupation of the riverbed, by license, to favor the interests of the construction company, reducing the minimum distance to the water body to a mere ten meters. The court admitted the claim and immediately requested a ruling from Corantioquia on the case. The result of this new inspection showed the lack of normative support to grant the construction license. From there, events rushed: the judge ordered precautionary measures, including the prohibition to build less than thirty meters away from the creek. The construction company stopped work and the new license authorized only the construction of a 16-story tower. The 6,400 sq.mt. of land, originally intended for the construction of the other two towers was transferred by the company to the mayor's office as urban compensation, a percentage that by law corresponds to be given to the community's benefit.





The Guayacana

Citizen Envigado had achieved its initial purpose of protecting the creek with its bamboos and avoiding the construction of the multi-tower building in question. Now, the group set out to protect the entire sector of the Loma del Esmeraldal against urban speculation and achieve that the new Land Use Plan - POT again reduce the parameters of densification. The mayor's office, already with a new mayor, sought coordination with the citizen group. With its demand and its oversight, Ciudadano Envigado, since then, has avoided the construction of seven apartment towers. The current policy of the mayor's office is to invest in better equipment in the area, expanding the roads, adequate lighting and pedestrian paths.

The 6,400 sq.mt. of saved land, originally from Don Julio, at the proposal of Ciudadano Envigado has been destined to install a cultural park, renovating the original house and enabling passive, playground and recreational areas. On August 19, 2017 the cultural park La Guayacana opened its

doors. For many, the Guayacana is the most tangible result of the protest with the proposal of Ciudadano Envigado. It has managed to stop speculation and indiscriminate urban densification and in the process it was possible to recover areas for a public recreation space. Ciudadano Envigado, currently has formed work commissions: for the environment, culture, roads and mobility, politics and local development. Currently the collective is accompanying a recovery process of a space of 17,000 sq.mt. that the mayor's office is designing as the Entre Senderos park. On different architectural proposals for the park, the mayor now invites citizens to give their opinion and participate in the decision.

The process, initially characterized by resistance and pressure, has gradually become more of a relationship based on a dialog between citizenship and the mayor's office. But this does not mean lowering your guard. The lawsuit is still ongoing and with the ruling, Ciudadano Envigado hopes to achieve binding jurisprudence, helping avoid urban speculation abuses throughout the national territory. In the last municipal elections, the group called the

six candidates for Mayor and all attended the citizens' meeting at Loma del Esmeraldal, answering questions and also taking note of the demands of the citizenship. By mid-2018, the municipal council will reform the POT and most likely reduce the degree of urban densification allowed. Ciudadano Envigado has identified new challenges for the POT including the protection of aquifers in the upper part of the municipality. In the framework of the Participatory Budget, the proposal of the collective, the repair of pedestrian paths, achieved the highest score. There are also pending tasks: for Ciudadano Envigado it is complex to supervise from the citizenship's standpoint investments of the mayor's office, particularly when it comes to larger amounts as in the case of the cultural park La Guayacana; there are few young faces in the ranks of the collective and many like the protest and few the action.

Zone 4 of the municipality of Envigado, which belongs to the Loma del Esmeraldal is the sector with most recovered public space throughout the municipality, thanks to the collective. The emerald color has returned to the hill due to the brightness of the sun on the coffee plants, planted around the roads.

Sharing a glass of wine with Freddy Sanchez, Liliana Fernandez and Jorge Melguizo, the group mentions several achievements, associated with the citizen's collective: ... We met ... we became friends ... we became a reference for others ... we managed to get the mayor's office to listen to us ... we have achieved our goals without entering into the clienteles' logic ... it has improved the quality of life in the sector ... we have grown as citizens ... we know when to dialogue and when to put pressure ... we have achieved an ingenious activism ... we avoided the construction of nine new towers, four of them already licensed ... the construction companies are warned ... speculation has been curbed ... what started with protest over time has evolved towards proposal and action ... it is a movement between new and old neighbors ... it is a space of personal fulfillment ... we have stopped the destruction of the flora and the disappearance of the local fauna ... we build cultural spaces and ties ... we have recovered hope in a way of life friendly with the environment that brought us here ...



Messages to the future

Defending collective interests, based on resistance with proposals, manages to curb urban speculation and recover public space and quality of life.

Social cohesion and organization that replaces anonymity and individualism, generate tissues with a focus on the community, the public and the cultural.

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Author: Jorge Krekeler, jorge.krekeler@scbbs.net - Misereor advisor / AGEH

Translation: Olaf Niemtschik

Layout: Nicole Maron

Photo Material: Colectivo Ciudadano Envigado, Jorge Krekeler

Contact information to the Story of Success:

Colectivo Ciudadano Envigado,

Liliana Fernández, email: lilianafernandez@escuelariqueza.com

Jorge Melguizo, email: melguizojorge@gmail.com

Freddy Sánchez, email: fscaballero@hotmail.com

Facebook: <https://es-la.facebook.com/ColectivoCiudadanoEnvigado/>

Video link Cultural Park La Guayacana: <https://youtu.be/ABMbMSC31oI>

Video link of the Popular action:

<https://www.facebook.com/ColectivoCiudadanoEnvigado/videos/17337619968889900/>

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