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Presentation of the Recommendations of Civil Society on the
Draft Declaration – Fifth Summit of the Americas

**SOUTH AMERICAN CIVIL SOCIETY SUB REGIONAL FORUM
IN PREPARATION FOR THE FIFTH SUMMIT OF THE AMERICAS**

(February 6 and 7, 2009, Lima, Peru)

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**“SECURING OUR CITIZENS’ FUTURE BY PROMOTING HUMAN PROSPERITY,
ENERGY SECURITY AND ENVIRONMENTAL SUSTAINABILITY”**

On February 6 and 7, 2009, over 150 civil society participants from the South American countries met in Lima, Peru to formulate recommendations for the Fifth Summit of the Americas, to be held in Trinidad and Tobago in April 2009. This is the third and final sub regional forum organized by the Summits of the Americas Secretariat and the Department of International Affairs of the Organization of American States (OAS) in preparation for the Fifth Summit.

During the two days of discussions, four open thematic sessions were held in which the respective Working Groups engaged in open dialogues addressing the topics covered by the Draft Declaration of Commitment of Port of Spain: promoting human prosperity, energy security and environmental sustainability, strengthening democratic governance and multidimensional security, and strengthening the Summits of the Americas process and civil society participation.

The recommendations arising from each of the Working Groups dialogues refer to the articles of the Draft Declaration of Commitment of Port of Spain.

HUMAN PROSPERITY

General recommendations:

The title of the Declaration of Commitment should be “*Securing Our Citizens’ Future by Guaranteeing Human Development, Energy Security, and Environmental Sustainability.*”

The States should guarantee development as a human right by meeting all the commitments assumed under the American Convention on Human Rights and all conventions and conferences that work to improve quality of life for the entire population, without any discrimination or exclusion.

Guaranteeing human development

In light of the global financial crisis affecting our societies, particularly the most vulnerable sectors, we suggest that instead of committing not to reduce social spending, the States should commit to increasing it, in order to guarantee real human development. To attain this goal, state policies must be consolidated in our countries aimed at overcoming poverty, inequality, and the different manifestations of discrimination, thereby promoting sustainable development.

Conceptual recommendations:

Bearing in mind the *Declaration on Human Rights, Sexual Orientation and Gender Identity*, adopted by the OAS General Assembly in Medellín (2008), we are concerned by the levels of violence, disparity, quality of life, labor and education conditions, inequality, and hate crimes faced by those

sectors. We therefore remind the States of their commitment to developing comprehensive public policies for individuals with minority sexual orientations and gender identities.

Similarly, clear references must be made to Afro-descendant populations throughout the document, because governments often take classifications of ethnic groups as referring only to indigenous peoples.

A similar treatment is given to women, who are identified as a sector when they account for half of the population. References to vulnerable sectors should be aware that they comprise men and women who are impacted by exclusion and poverty in different ways for reasons of gender inequality.

The member states must speed up the approval of the preliminary draft of the *Inter-American Convention against Racism and All Forms of Discrimination and Intolerance*, which is currently being discussed by the OAS Committee on Juridical and Political Affairs.

ENERGY SECURITY AND ENVIRONMENTAL SUSTAINABILITY

We recommend promoting energy justice by making energy available to the most economically, geographically, and/or culturally marginalized groups to improve their quality of life.

We recommend that the member states undertake actions to tie energy policies in with those for the socioeconomic development of the region's Afro-descendant and indigenous communities.

General recommendations:

1. Governments, the OAS, and civil society should conduct studies into the benefits and problems of biofuel production and use
2. The situation of each country as regards biofuel production and use should be analyzed to assist the decision-making process
3. In order to save energy resources, it is urgent that we encourage States to adopt legislation with provisions that lead to timely actions and investments to build and repair roads and urban transport infrastructure, thereby producing efficient public transport systems to ward off environmental decay.
4. With regard to energy security, governments agree to secure the best possible advice from civil society.

STRENGTHENING DEMOCRACY AND MULTIDIMENSIONAL SECURITY

General recommendations:

We propose that conflicts and social protests that respect human rights and the democratic rule of law be embraced by the States as an opportunity to strengthen our democracies.

We suggest that the States promote systems to prevent and resolve conflicts using simple and effective mechanisms. They should also strengthen the independence of the judiciary and effective access to justice.

We suggest that the States commit to:

- Strengthen the democratic rule of law through respect for the independence of the judiciary.
- Respect the presumption of innocence.
- Strengthen the States' cooperation and joint efforts in human trafficking (including trafficking in organs) in order to prevent this crime and effectively prosecute the international networks that commit those offences in the region.
- Create mechanisms to strengthen crime prevention and the effective social reincorporation of prison inmates. In particular, reassert the importance that civil society can have in this process.

Commit to strengthen democratic governance. States should agree to develop effective mechanisms for implementing the Inter-American Democratic Charter and for involving civil society in monitoring States' compliance with it.”

Commit to strengthen simple and effective mechanisms for the resolution conflict within society.

Step up the approval process of the preliminary draft of the *Inter-American Convention against Racism and All Forms of Discrimination and Intolerance*.

Assume the commitment of supporting the work of the IACHR's Rapporteurship on the Rights of Afro Descendents and against Racial Discrimination.

STRENGTHENING THE SUMMITS PROCESS AND CIVIL SOCIETY PARTICIPATION

General recommendations:

We ask the member states to commit to the creation within the OAS of a permanent advisory council on civil society and to guarantee the funding needed for its operations.

Civil society consultation and participation processes at the Summits' hemispheric, subregional, and thematic forums must continue to analyze and follow up on the commitments assumed by the governments. The OAS must guarantee forums and mechanisms for information on the status of and agreements on the human rights of all sectors of civil society.

The governments must commit to providing financial resources for strengthening civil society participation in the inter-American agenda, the Summits Process, and the OAS, in compliance with Resolution 864.

We suggest that the governments commit to creating greater levels of coordination between the foreign ministry offices responsible for the Summits process and civil society organizations, to facilitate and support the process of following up on and implementing commitments.

The mandate compliance monitoring, follow-up, and evaluation tools must receive technical and financial support from the OAS in order to ensure a sustained evaluation and information mechanism for improving the civil society input process.