

SUMMIT REPORT 2001-2003
ADVANCING IN THE AMERICAS
Progress and Challenges

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OAS Cataloging-in-Publication Data

Summits of the Americas Secretariat
Summit report 2001-2003 : advancing in the Americas, progress and challenges / [prepared by the Summits of the Americas Secretariat].

p. ; cm.

ISBN 0-8270-4609-X

1. Summit of the Americas.
2. America--Economic conditions.
3. America--Social conditions.
4. America--Economic integration.
5. Democracy.
6. Human rights.
- I. Title.

HC94.S86 I6 2003 (E)

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I. Presentations

Contribution of the Organization of American States

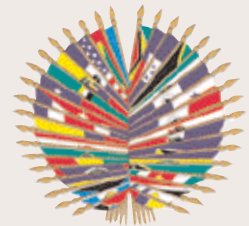
Ten years ago, the Heads of State and Government of the Western Hemisphere launched an innovative and far-reaching multilateral initiative to build a platform for collective action. This initiative was constructed on a foundation of shared values and a strong commitment to cooperation in order to reach our goals of peace and prosperity for all the peoples of the Americas. Since that time, Presidents and Prime Ministers have come together three times to reaffirm their common purpose, and develop a detailed hemispheric strategy to achieve their shared goals. The meetings in Miami, Santiago, and Quebec City were unique in world history: thirty-four democratically-elected governments came together to improve the lives of their 800 million people by working shoulder to shoulder.

Leaders are joined in these efforts by their ministries, legislatures, judiciary branches, civil societies and business communities. The scope of the strategy, or agenda, for the Americas, as reflected in the Summit Plans of Action, is comprehensive—from democracy to environmental protection—and requires engagement from all sectors of our societies. Our family of inter-American institutions, led by the Organization of American States (OAS), is a remarkable resource to tap into these efforts. The specialized agencies—such as the Pan American Health Organization (PAHO), the Inter-American Institute for Cooperation in Agriculture (IICA), and the Economic Commission for Latin America and the Caribbean (ECLAC)—are joined by the development banks such as the World Bank, the Inter-American Development Bank (IDB), the Central American Bank for Economic Integration (CABEI), the Caribbean Development Bank (CDB), and the Andean Development Corporation (CAF) to engage technical expertise and financing in order to serve our nations.

At the mid-point between our Third and Fourth Summit of the Americas, the initiative launched in 1994 is being tested. Leaders recognized the urgency of the challenges facing the region, and are mobilizing their collective energies within the Summit framework by calling for the Special Summit of the Americas on January 12-13, 2004. The Organization of American States fully supports this call to action through the work of our Summits of the Americas Secretariat, our political bodies, and each of our technical units. This report summarizes where we stand to date in meeting our Summit goals.

We are advancing in our joint efforts and have impressive positive results to share. We are also facing enormous challenges in achieving our ambitious goals. I encourage all readers of this report, prepared by the Summit of the Americas Secretariat, to join in our efforts to achieve these Summit goals and make our dreams a reality in the Americas.

CÉSAR GAVIRIA
Secretary General
Organization of American States (OAS)



**Organization of
American States**

Contribution of the United States of America as Host of the First Summit of the Americas



**First Summit
of the Americas
Miami, United States
December 1994**

"We have a great vision before us, a fully democratic Hemisphere bound together by goodwill and free trade." President Bush made this statement in April 2001 at the Third Summit of the Americas in Quebec City, Canada, capturing the essence of what motivates the Summit of the Americas. In Quebec, as they had in Santiago and Miami before, leaders set common goals based on a shared vision. However, they did more than that. The Summit of the Americas process has taken root and borne fruit through deeper cooperation among our countries.

As we prepare for the Special Summit of the Americas in Monterrey, Mexico, this report highlights the progress we have made. One achievement stands out. On September 11, 2001, U.S. Secretary of State Colin Powell joined his hemispheric colleagues in Lima, Peru to approve the Inter-American Democratic Charter, which made defense of democratic government a shared responsibility in the Hemisphere. Now linked forever with the attacks that launched a global war against terror, this historic Charter takes on an even greater significance.



There is much more to be done. Too many people in our Hemisphere still face obstacles to a better life. Through practical, achievable, and measurable steps we must create opportunity for all. That is why we are pressing forward to complete the Free Trade Area of the Americas, a goal that the leaders first set in Miami and reaffirmed in Santiago and Quebec City.

Nine years ago, the United States hosted, for the first time, a meeting of the 34 democratically elected leaders of the Americas, marking a new era in the Hemisphere and in hemispheric relations. Today, the vision of the Summit of the Americas engages Heads of State and Government, ministers, experts, regional institutions, the private sector and civil society organizations. All of us are working through the Summit process toward a common goal: a Hemisphere, as leaders said in Quebec City, "that is democratic and prosperous, more just and generous, a Hemisphere where no one is left behind."

AMBASSADOR JOHN F. MAISTO

*Permanent Representative to the Organization of American States
National Summit Coordinator*

**Official photo of the
Heads of State and
Government in the
Americas at the
First Summit of the
Americas, Miami,
United States, 1994**



Contribution of Chile as Host of the Second Summit of the Americas

The intense preparatory process of negotiation and consultation for the Second Summit of the Americas (Santiago, Chile, April 18-19, 1998) had the broad collaboration of governments in the Americas. The Second Summit of the Americas was characterized by its transparency, confidence, consensus, and reflected a moment of intense regional cooperation that provided evidence of the Americas capacity for defining problems and common interests based on the coordination of regional, sub-regional efforts and our countries' ability to agree on priorities and find their own solutions.



**Second Summit
of the Americas
Santiago, Chile
April 1998**

The work, by Chile as host and President of the Second Summit, consisted of not only the challenge of coordinating the visions of 34 countries. The great value of this hemispheric meeting allowed our country to express its commitment to democracy and equality, values that are reflected in the Declaration and the Plan of Action of Santiago.

To reflect these values it was decided to designate education as the main theme of the Summit as it was understood to be a central component of the varied dimensions of development and the key for progress. Indeed, the Santiago Summit agreed in highlighting education as a decisive factor in strengthening democracy and as a base for individual and collective development in the global world in which we live.

In addition, the Summit emphasized the important link that exists between citizen confidence, governance, and justice, while highlighting as a fundamental priority of the Hemisphere the improvement and reforms of our jurisdictional systems to ensure the quality administration of justice, expeditious and timely access, transparency, efficiency, and effectiveness, and judicial independence. For this reason, the Summit promoted the creation of the Justice Studies Center for the Americas (JSCA), which has become an essential contribution for the development of hemispheric cooperation on these matters.

Also, the Second Summit created the opportunity for Chile to reaffirm the commitment in the Americas to free trade and economic integration as the pathway to prosperity for everyone. Therefore, within the framework of the Summit, the negotiations of the FTAA began and it was Chile's responsibility to manage the first concrete stage of this important project whose ultimate objective is to generate a free trade area that incorporates social aspects of the challenges in the Hemisphere, reinforcing the idea that development is sustainable only to the extent that we achieve social cohesion in our societies, placing emphasis on social investment and equal opportunities to achieve well being for our populations.

Today, the commitment of Chile to the Summit process is expressed through its participation on the SIRG Executive Council and Steering Committee, as organizations to strengthen the Summits and mobilize and coordinate the work of the Foreign Ministries, sectoral ministerial meetings and civil society, making it possible to maintain the spirit of cooperation in the inter-American arena, which was in evidence during the preparations for the Santiago Summit.



For Chile, the Second Summit of the Americas constituted a valuable opportunity to participate, from a privileged position, in a process that reinforces and makes viable democratic governance in our Hemisphere. In this regard, and with the permanent challenge of continuing the work begun in 1998 and to strengthen these values as guiding principles for our community that Chile promoted within the framework of the XXXIII General Assembly of the OAS (Santiago, June 2003), the adoption of an Agenda for Democratic Governance in the Hemisphere to address the enormous challenge that the Americas face today.

Official photo of the Heads of State and Government in the Americas at the Second Summit of the Americas, Santiago, Chile, 1998

MARÍA SOLEDAD ALVEAR VALENZUELA
Minister of Foreign Affairs
Republic of Chile

Contribution of Canada as Host of the Third Summit of the Americas

Canada was honoured to serve as Chair of the Summit of the Americas process from November 1999 to June 2003. Hosting the Third Summit of the Americas in Quebec City in April 2001 was the culmination of a period marked by intense hemispheric activity for Canada which began when we joined the OAS in 1990. The road to Quebec City included chairing the FTAA negotiations for the first 18 months of the process, hosting the Pan-American Games and the meeting of Spouses of Heads of State and Government in 1999, and hosting the 2000 OAS General Assembly.



Third Summit of
the Americas
Quebec City, Canada
April 2001

The Quebec City Summit highlighted Canada's commitment to the Gran Familia of the Americas. It was an important element of Canada's wider foreign policy agenda, in particular to better connect Canadians with the other 33 countries of the Americas; to open our economies and societies as necessary although not sufficient conditions for development; and the particular emphasis we place on human rights, good government, and democratic development.

The Quebec City Declaration also set a precedent with the inclusion of a "Democracy Clause" which sets out that respect for democracy is the sine qua non of participation in the Summit process. Further, the Inter-American Democratic Charter adopted by Foreign Ministers five months later, is a unique instrument in the world. It commits governments to promote and defend democracy, and it provides a shared definition of democracy. It is no exaggeration to say that the Charter has quickly become a key feature of our hemispheric architecture.

We have a long established and sophisticated set of multilateral institutions in the Hemisphere, including the Organisation of American States, the Pan American Health Organisation, the Inter-American Institute for Cooperation on Agriculture, the UN Economic Commission for Latin America and the Caribbean, the Inter-American Development Bank, and the sub-regional development banks. The Declaration of Quebec City underscored that these partner institutions are essential to the success of hemispheric cooperation, and formally incorporated them into the Summit process.

One of the most notable achievements of the Quebec City Summit and the implementation of its Plan of Action has been the advancement of civil society participation in the Summit process. All 34 countries of the Hemisphere have been increasingly innovative in our approach to including civil society in our hemispheric cooperation efforts. The Quebec City Plan of Action reflects the concerns of civil society organizations, which were developed through a series of meetings, conferences, and information exchanges in the lead-up to the Summit. For the Summit itself, Canada invited some 60 organizations to a round-table with hemispheric Foreign Ministers to further promote their engagement and the transparency of the process. This event made an important contribution to changing the way in which hemispheric events are conceived by putting a growing emphasis on citizen participation, a practice which has continued and expanded, perhaps most notably as regular meetings of the Summit Implementation Review Group were opened to civil society for the first time in April 2003.

Connectivity was a significant hemispheric theme which took a prominent place for the first time in Quebec City. Leaders issued a statement on “Connecting the Americas” recognizing that the region has entered a new economy, defined by a vastly enhanced capacity to access knowledge and improve flows of information. Canada showed its commitment to the concept by creating the Institute for Connectivity in the Americas (ICA). The ICA is filling a critical gap by facilitating the coordination, collaboration, and sharing of efforts across countries, serving as an active agent in facilitating strategic partnerships and financing, and providing leadership and support to jurisdictions, providers and stakeholders.

At Quebec City, Leaders laid out a vision for the community of the Americas - a vision based on an agenda designed to strengthen democracy, renew our commitment to the protection of human rights, create greater prosperity, and to foster social justice and the full realization of human potential. That agenda, enshrined in the Quebec City Declaration and Plan of Action, remains the blueprint for a better future for the people of the Americas.

The road from Quebec City has taken us through numerous sectoral Ministerial and experts meetings held across our Hemisphere which have advanced the implementation of our shared commitments. However, that road has also brought our Hemisphere face to face with new and complex challenges. For this reason, Canada proposed holding a Special Summit of the Americas, in order to address these challenges at the highest level. The Special Summit will demonstrate our political commitment to ensuring that our peoples benefit from the Summit process, and will lead the way to a successful Fourth Summit of the Americas in Argentina in 2005.

Official photo of the Heads of State and Government in the Americas at the Third Summit of the Americas, Quebec City, Canada, 2001



MARC LORTIE
*Personal Representative
of the Prime Minister of
Canada for the Summit
of the Americas*

Contribution of Mexico as Host of the Special Summit of the Americas

Mexico has actively participated in the Summits of the Americas Process. Among their commitments at the First Summit, Mexico assumed the responsibilities of coordinating the execution of the Plan of Action initiative, "Universal Access to Education." In response to the Mexican proposal, the Second Summit held in Santiago, Chile, adopted as its central theme: "Education, the key to progress." In addition, at the Third Summit, held in Quebec, the President of Mexico, Vicente Fox, highlighted the strong Mexican support for the adoption of the democracy clause, and the proposal for a social unity fund to help develop the most marginalized communities in our continent.

In this context, Mexico will be the site of the Special Summit of the Americas—to be held in Monterrey, Nuevo Leon, January 12 and 13th, 2004—which will address a range of concerns, including the characteristics of the new international and hemispheric scenario since the Summit of the Americas of Quebec City, as well as the need to involve the 14 new Heads of Government that have been elected since April 2001 in the Summit Process.

The Summit of Monterrey will address three closely linked, yet independent areas of special interest for the Hemisphere: economic growth with equity, social development, and democratic governance. We will promote a Declaration—with the intention of reaching tangible commitments—to update and enrich the agreed upon actions in those areas from the Plan of Action of Quebec City.

The participation of all sectors of society in the countries of the Hemisphere is vital to effectively fulfill the commitments made by the Heads of State and Government of the Americas. Within the inclusive vision, the Hemisphere also has the firm commitment of the Organization of American States, the Inter-American Institute for Cooperation on Agriculture, the Pan American Health Organization, the Economic Commission for Latin America and the Caribbean, the Inter-American Development Bank, the World Bank and the subregional banks, in their capacity as institutions associated with the Summit Process.

Mexico hopes that the Summit in Monterrey contributes to the promotion of development, in all its dimensions. It intends, accordingly, that the leaders' dialogue will result in practical and viable commitments to find solutions to the economic, social and political problems that affect many of our nations, through a common agenda, agreed upon at the highest level.

DR. MIGUEL HAKIM

*Under Secretary for Latin America and the Caribbean,
Ministry of Foreign Affairs of México*

Contribution of Argentina as Host of the Fourth Summit of the Americas

Argentina considers it an honour and a privilege to have been selected by its peers in the Americas to host the Fourth Summit, which will bring together 34 Heads of State and Government of the Hemisphere in 2005.

Our country has supported the process of the Summits of the Americas from the outset. In its capacity as chair, Argentina will continue working to ensure that the results of the three earlier summits—Miami, Santiago, and Quebec City—effectively strengthen the democratic system, the protection of human rights and partnership, trade liberalization through integration, and poverty eradication.

The globalization process we are experiencing offers promising opportunities to develop new fields for sharing and cooperation, yet it also poses formidable obstacles in economic disparities and social inequities that threaten democratic governance by stifling the full exercise of citizenship.

Governance, with the necessary qualifier of “democratic,” is based primarily on principles of efficacy and legitimacy. To be legitimate, a government must reach power by constitutional means and function transparently, with strict respect for the rule of law. And to be effective, it must respond to society’s needs and demands, seeking the common good through collective interests and consensus building.

In this context, we nations of the Americas must be innovators, efficiently solving social problems with public policies that guarantee sustained economic growth, equitable distribution of benefits, the generation of conditions that favor productive investment and job creation, and the design of fairer tax and revenue systems.

To achieve these objectives, it is critical to reaffirm the State’s role as guarantor of social cohesion. But at the same time, mindful of global influence, it is indispensable to have an international order based on partnership, equity, and multilateralism. In this respect, the Monterrey consensus recognized not only the responsibility each country has for its own economic and social development, but also the relationship that exists between national economies and the world economic system. Today’s subsidies and trade barriers, the foreign debt burden, the international financial architecture and the role of multilateral lending agencies restrict the countries’ ability to meet society’s legitimate demands.

Working together, we can more effectively address these problems and those involving the scourges of discrimination, organized crime, drug trafficking, terrorism, and environmental degradation, which also negatively impact on living conditions in our Hemisphere.

As host of the upcoming Fourth Summit, Argentina will spare no effort to consolidate the progress achieved thus far, and to move forward to build a brighter future for the peoples of the Americas.

AMBASSADOR EDUARDO SGUIGLIA
*Under Secretary for Latin American Policy,
 Ministry of Foreign Affairs of Argentina*



II. Introduction and Executive Summary

The Summits of the Americas: Toward regional governability in the context of globalization

The leaders of the Americas have once again acknowledged that collective dialogue is a valuable mechanism for grappling with the challenges facing the Hemisphere. Political fragility, slow economic growth and unmet social demands are at the top of the agenda. These circumstances have caused leaders to propose a Special Summit of the Americas. This Special Summit will pave the way for the Fourth Summit of the Americas, to be held in Argentina in 2005. There are great hopes that the Special Summit and the Fourth Summit of the Americas will provide the necessary leadership to maintain—and perhaps even accelerate—progress toward achieving the ambitious goals of the Summit of the Americas process.

It is against this backdrop that we have prepared the current report which is designed to provide Heads of State and Government attending the Special Summit of the Americas in Monterrey with the OAS Summits of the Americas Secretariat's viewpoint on progress in implementing the mandates of the Quebec City Summit in 2001. The report reviews each of the 18 mandates from a regional perspective, and includes separate sections on connectivity and on Summit architecture and follow-up. In addition, it identifies a number of the challenges encountered in building the hemispheric community and in finding joint solutions to common problems. In view of the upcoming Special Summit of the Americas—to be held on January 12-13, 2004—it is essential not only to assess progress made to date, but also to reflect on the *raison d'être* of the Summits and their impact on hemispheric development and governability, within the framework of globalization. It is also important to think about the challenges facing countries, and institutions, in their efforts to support this hemispheric process, and to translate mandates into reality. Finally, we must determine how the inter-American system can best respond to the demands of the 34 democracies in the Hemisphere.



BACKGROUND TO THE SUMMITS PROCESS

The Summits of the Americas bring together the Heads of State and Government in the Hemisphere to discuss and act on political, economic and social issues concerning us all. The original concept of the Summits of the Americas was to establish a framework of shared values and joint commitments to achieve peace and prosperity in the Hemisphere. It was an attempt to celebrate and protect democracy, and reap the benefits offered by this new reality in the Americas, in terms of more just and transparent governments, and markets that would serve the interests of all. The idea blossomed when the leaders of the Hemisphere—representing the 34 democratically-elected governments—attended the First Summit of the Americas in Miami in 1994, where they discussed and adopted a detailed plan of political, economic and social initiatives. The leaders joined forces in an effort to build modern States within the world economy and to meet the needs of citizens in the Americas.

This momentous beginning gave birth to a process of hemispheric cooperation that continues to this day. A series of summit meetings followed, including the Summit on Sustainable Development in 1996 in Santa Cruz, Bolivia, the Second Summit of the Americas held in Santiago, Chile in 1998, and, more recently, the Third Summit of the Americas held in April 2001 in Quebec City, Canada. At these meetings, leaders committed their countries to consider basic themes that affect the Hemisphere, and to implement

joint actions on commitments stemming from these themes.

We are currently midway between the Third Summit of 2001 and the Fourth Summit of the Americas, planned for 2005 in Argentina. The Presidents and Prime Ministers will use the Special Summit to involve new leaders from the region in the Summits process, to constructively confront the region's difficult economic and social challenges, and to strengthen democratic institutions.

CHALLENGES REACH BEYOND NATIONAL BORDERS

Globalization shows the multidimensional nature of the various aspects of our lives as citizens of this Hemisphere, and of the world. There is absolutely no doubt that communications and connectivity have facilitated transparency and accountability, and helped to publicize collective demands. Globalization has also helped to strengthen the political dialogue between our leaders



and the many stakeholders in our society: civil society, academia, the private sector, and the media. Today there are more agents, more spokespersons, and more organizations pointing out the failings of our institutions, discovering their limitations, and demanding that they be changed. Globalization lifts veils and uncovers old problems that have existed in our societies for decades.

Nowadays, problems are no longer only individual or national; they are global and they affect us all—regardless of borders. Phenomena such as drug trafficking, terrorism,

The Summits of the Americas bring together the Heads of State and Government in the Hemisphere to discuss and act on political, economic and social issues concerning us all.

epidemics, security matters, migration, employment, trade, the defense of the rule of law, and the protection of human rights—to name but a few—demonstrate the need for a common approach. The global and regional debate has also shown us that in today's world there is more room for shared values, for diplomacy, for the prevention of conflicts, for cooperation, for creating synergies and the will to preserve peace and prosperity.

Within the framework of the Summits process, the Heads of State and Government have joined forces to build a modern State in the global economy in order to satisfy the needs and aspirations of the 800 million citizens of the Americas. The Summits are a reflection of the importance of regional governability within the context of globalization, of the need to find collective responses that differ greatly from those of the past.

ACHIEVEMENTS

The goals agreed upon by the community of the Americas within the framework of the Summits process are truly ambitious; in many ways, they are similar to the declarations made during the formation of the United Nations and the Organization of American States. The leaders of the Americas have tried to combine declarations of principle with concrete policies and actions that mirror these principles.

The Summits have already had a significant impact on the lives of the citizens in the Hemisphere, although this fact goes mostly unnoticed beyond the realm of the Ministries of Foreign Affairs and hemispheric institutions. One of the most noticeable achievements is the signing of the Inter-American Democratic Charter in 2001, and its subsequent implementation. Furthermore, we have seen the launching and continuation of the FTAA negotiations,



The Inter-American Democratic Charter is undoubtedly the most innovative mechanism in the world for defending democracy.

despite the reversals suffered during the Doha Round in Cancun last September, under the aegis of the World Trade Organization (WTO). We have also seen notable progress in the fight against poverty through efforts to improve health, education, personal security and the protection of the most vulnerable groups in American societies.

POLITICAL ARENA

We have seen impressive progress in the political arena. At the Third Summit of the Americas in Quebec City in 2001, countries proposed the adoption of the Inter-American Democratic Charter out of concern for the fragility of certain democracies. The Charter is undoubtedly the most innovative mechanism in the world for defending democracy. Adopted in Lima on September 11, 2001 – the very day that Washington D.C. and New York suffered flagrant terrorist attacks – the Charter is a clear example of just how far we have come in defending and promoting democracy in our Hemisphere—and of just how far we have yet to go. The Democratic Charter has been an essential instrument in our ongoing efforts to ensure the constitutional subordination of all State authorities to the duly constituted civil authority. For example, the Charter was used to help preserve democracy in Haiti and Venezuela by providing ways out of the political crises affecting those countries. More recently, action was taken in Bolivia in an attempt to ensure the stability of the constitutional system.

In response to the scourge of drug trafficking, countries agreed on the principles and guidelines of a joint policy, as outlined in the hemispheric strategy against drugs. In 1998, the Multilateral Evaluation Mechanism (MEM) was created within the framework of the Inter-American Commission on Drug Abuse Control (CICAD) of the OAS. The MEM facilitates the evaluation of individual and collective progress, the formulation of recommendations to improve the capacity to control trafficking and drug abuse, and the strengthening of multilateral cooperation.

Through the "Inter-American Convention Against Terrorism" a part of the Summits process—governments now guarantee broad-based and mutual legal assistance to make possible the prosecution of individuals who plan or commit terrorist acts. Mention should also be made of the recent Special Conference on Security held in Mexico in October 2003. The Declaration issued by the Conference proposes a new, multidimensional security approach, and acknowledges the need for a flexible security architecture in the Hemisphere.



ECONOMIC ARENA

Prosperity based on economic opportunity and growth is a goal of the 34 countries participating in the Summits of the Americas. It is widely acknowledged that in today's world, all economic activity is linked in one

way or another to the system of international trade. Hemispheric leaders demonstrated the importance of taking collective decisions in 1994, when they began negotiations to create a Free Trade Area of the Americas (FTAA) by 2005. This goal was reaffirmed at the Third Summit of the Americas in Quebec City. The cooperation provided by international organizations such as the OAS, ECLAC and the IDB—working side-by-side in the Tripartite Committee—has been crucial in supporting countries during the negotiating process. The commitment of countries to achieve an FTAA that is comprehensive and fair for all parties is expressed in the Declaration of Ministers Responsible for Trade in the Hemisphere. The Declaration, which was issued at the Eighth Meeting of Ministers held in Miami in November 2003, reaffirms the commitment to reach an integrated and balanced FTAA that will more effectively promote economic growth, the reduction of poverty, development, and integration through trade liberalization.

Apart from the FTAA, important steps have been taken to create an environment that facilitates the success of private sector activities by bridging gaps in physical infrastructure, including key areas such as telecommunications and connectivity via the Internet.

SOCIAL ARENA

In the social arena, there are a number of examples of the positive impact of collective action in implementing the Summit mandates, such as the fight against HIV/AIDS, growing recognition of the role of women in leadership positions within public service, and achievements in the area of education.

The Quebec City mandates helped the countries of Central America to negotiate successfully with pharmaceutical companies and to achieve an average 50% reduction in the price of anti-retrovirals required for treating HIV/AIDS patients.



With respect to the participation of women, it should be pointed out that women have made great strides in improving their quality of life. Women are having fewer children, education levels have improved and more women are members of the active workforce—though earning lower wages. Similarly, women are attaining positions of greater responsibility in government, although they are still seriously under-represented at the highest levels.

Progress has also been made by Ministers of Education in preparing a detailed plan of action. Countries have reached agreements with bilateral and multilateral agencies to increase activities in this sector, including training teachers, building and maintaining schools in rural zones, creating projects for educating young children and taking advantage of new technologies in the service of education.

INSTITUTIONAL ARENA

The Summit process is paying considerable attention to the institutional architecture in the Hemisphere, and on how to improve the organization of governments, ministries and inter-American institutions to maintain and advance the hemispheric agenda. One important step forward is that under the new hemispheric architecture, dialogue and the search for solutions to hemispheric problems are no longer restricted to governments, inter-American or international organizations. The Summits process has created a space for discussions between the 34 governments and civil society organizations. Today, civil society organi-

zations have access to the Summits web site and all its documents; they participate in regional consultations on political agendas, as well as in the implementation and monitoring of such agendas. One interesting example is the recent participation of representatives of indigenous peoples in negotiations leading up to the Inter-American Declaration on the Rights of Indigenous Peoples—a process managed by the Permanent Council, comprised of the Ambassadors to the OAS. In addition, initial efforts have been made to involve other partners, such as the private sector, the press and the youth of the Americas. It should be mentioned that the private sector has been closely involved in the FTAA negotiations through Americas Business Forum meetings, as well as through a business advisory committee in the labor ministerial process.

CHALLENGES

According to recent data provided by ECLAC, 44% of the inhabitants of Latin America and the Caribbean (220 million people) live in poverty, and 20% live in extreme poverty. The World Bank noted in its recent report, entitled "Inequality in Latin America and the Caribbean," that the richest 10% of the population receive 48% of the income, while the poorest 10% earn only 1.6%. Similarly, according to the International Labour Organization (ILO), 57 million people in Latin America and the Caribbean are unemployed or underemployed. There are currently 80 million informal workers in the Americas. The strengthening of democracy has created great expectations among the people, but they are questioning the benefits that have been produced and see poverty as a serious threat. (Latinobarómetro, 1996-2003)

There are many underlying dangers and potential risks that threaten governability in the region. The challenge is to identify them and to define strategies and approaches for confronting them. It is against this backdrop that the Special Summit of the Americas is being convened. In order to continue confronting problems, it

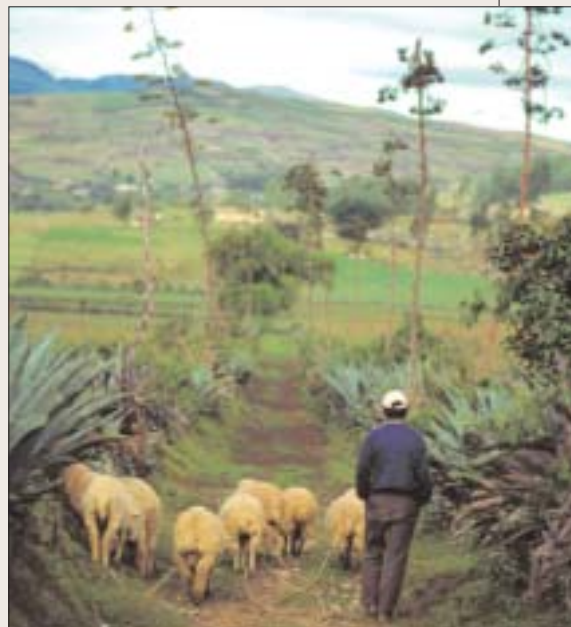
The Summits of the Americas process is a clear manifestation of the ongoing efforts to achieve regional governability.

is urgent that a hemispheric architecture be established on a permanent footing. Institutions must be strengthened to deal with current problems, as well as to enable the creation of a new agenda that focuses on the future of the Americas.

The Summits of the Americas process is a clear manifestation of the ongoing efforts to achieve regional governability, and seems to be here to stay. It is a process that has encouraged us to redefine the role of international organizations such as the OAS. The OAS is now acting as the Summits Secretariat in support of these hemispheric processes, and is facilitating an extensive range of joint government initiatives through its various institutional mechanisms. According to the Secretary General of the OAS, César Gaviria, the Summits of the Americas have provided the institutions of the Hemisphere with a new compass for guiding their agendas. The Inter-American Institute for Cooperation on Agriculture (IICA) is another example of the impact of the Summits on the work of Inter-American institutions. The IICA restructured its operations to focus on the Summits process; it called on Ministers of Agriculture to develop a coherent overview of needs, to design plans, and to mobilize resources for implementing these plans. The result was a clear

consensus on the actions necessary to create opportunities for agricultural producers, to improve food security and compete in international markets.

This process has also enabled us to envision a system of international institutions with the ability to work together in support of countries dealing with complex, multi-sectoral challenges. The formation of the Joint Summit Working Group—which brings together all the inter-American agencies working to support the Summits process—is only a first step. It will be essential to consolidate and expand the work of this Group, and to ensure that the governing bodies and various institutions respond to Summit mandates and get involved early in the preparation and follow-up processes. These institutions have a fundamental role to play: they prepare analyses, create and finance programs and projects designed to solve problems and overcome setbacks, and develop monitoring and evaluation mechanisms and indicators. Although efforts have been made in the past, it is still necessary to prepare a joint, comprehensive report on the progress of countries in implementing the mandates of the Summits in each area. Such a report could be similar to the World Bank's annual World Development Report (WDR), or the Human Development Index published by the United Nations Development Program (UNDP).



At the same time, in order to meet the expectations of countries for sustained support from hemispheric and multilateral mechanisms and institutions—such as the OAS and other specialized agencies—it is necessary that any new demands be accompanied by renewed confidence on the part of these countries in their own regional institutions, along with an increase in their budget allocations. Only then can such institutions truly become a relevant part of the process. It is not possible to expect these institutions to take on an ever-increasing number of man-

dates without allocating the necessary resources to carry them out.

Another fundamental challenge is the sheer number of Summit mandates, as well as the political commitment of each country to implement them, and to be held accountable for them. The Quebec City Plan of Action contains 245 initiatives. In view of the sometimes-limited political will of governments and the scarcity of governmental resources, an agenda of this magnitude is difficult to implement. It will be crucial to identify priority areas for immediate action, and to make best use of the limited existing resources in order to have a real impact on the welfare of the population. With this in mind, each new mandate should be reviewed in light of the actual feasibility of carrying it out.

We can succeed in identifying priority areas and improving implementation if we increasingly link the formulation and implementation of mandates to ministerial work in the various sectors. Government ministries must take on these mandates and establish reliable mechanisms for assessing progress based on clear, measurable indicators. Recommendations produced by ministerial processes must both inform and enhance government discussions and decisions at the highest political level. Finally, the specialized organizations have an important role to play in advising governments in their efforts.

We must continue to refine national progress review and reporting mechanisms. The mechanisms used in the past—whereby each country had to report on each of the 18 mandates—were overly complex: governments have experienced difficulty applying them and providing comparable results on a timely basis. We need to consider new, innovative options. For example, perhaps each review could be focused on specific themes and could include all the countries, similar to what is being done concerning the follow-up to the Millennium Development Goals. Another option would be to design a mul-



We must all share in the great responsibility of strengthening democracy and governability, and in reducing poverty and increasing opportunities in the Americas.

tilateral review mechanism similar to that used by CICAD to evaluate progress on fighting drug trafficking. Under this new mechanism, governments are assisted by civil society organizations and academic institutions, which would carry out independent studies on progress specific to themes determined by governments within the framework of the Summit Implementation Review Group (SIRG).

Such a vision would enable us to make use of all available national, regional and multilateral instruments to bolster the Summits of the Americas agenda. It would allow us to focus our energies on the benefits, and imperfections, of globalization, thereby ensuring hemispheric governability and welfare of the population. It is vital that we all contribute to this process: from governments to regional and international agencies, from civil society to the private sector. We must all share in the great responsibility of strengthening democracy and governability, and in reducing poverty and increasing opportunities in the Americas.

Dr. Irene Klinger
Executive Secretary
Summits of the Americas Secretariat
Organization of American States



III. Progress and Challenges

1. Making Democracy Work Better

→ MANDATE

We acknowledge that the value and practice of democracy are fundamental to the advancement of all our objectives. The strengthening of the rule-of-law, and strict respect for the democratic system, are—at the same time—a goal and a shared commitment, as well as an essential condition of our participation at the Summits. Consequently, any unconstitutional alteration or interruption of the democratic order in a State of the Hemisphere constitutes an insurmountable obstacle to the participation of that State's government in the Summit of the Americas. Having due regard for existing hemispheric, regional, and sub-regional mechanisms, we agree to conduct consultations in the event of a disruption of the democratic system of any country that participates in the Summit.

Today, threats to democracy take many forms. To enhance our ability to respond to these threats, we instruct our Foreign Ministers to prepare—in the framework of the next General Assembly of the OAS—an Inter-American Democratic Charter in order to reinforce OAS instruments that actively defend representative democracy.

—DECLARATION OF QUEBEC CITY

Inter-American Democratic Charter

→ MANDATE

This mandate stems from the broad consensus that one of the most constructive ways to defend democracy is to work together to prevent backsliding in democratic practices. Negotiations for the Inter-American Charter occurred in the framework of the OAS, with the participation of the 34 Member States, and with valuable input from civil society organizations. The Charter was signed at the special session of the General Assembly held in Lima, Peru, on the morning of September 11, 2001, after the Ministers of Foreign Affairs learned of the terrorist attacks in New York and Washington, D.C. The signing of this important instrument will be remembered as a milestone in the process of strengthening and defending democracy, and as an episode that demonstrates the collective will and solidarity of the countries in the Americas.

Foreign Ministers approved the Inter-American Democratic Charter. Lima-Peru, September 11, 2001.

The Democratic Charter states that: "Democracy is essential for the social, political, and economic development of the peoples of the Americas." In the first article the Charter establishes an important principle: that peoples of the region have a right to democracy and their governments have an "obligation to promote and defend it."

The Charter includes a renewed commitment to strengthen democratic institutions, and sets up procedures for response by the OAS to any crisis that may arise in democratic systems in the region. As OAS Secretary General César Gaviria put it, the Charter reflects our leaders' positions at the Third Summit of the Americas on the con-

stitutional subordination of all state institutions to the legally constituted civilian authority, and respect for the rule of law by all agencies and sectors in the society. Furthermore, the Charter is a clear signal, and warning, to those who seek to undermine the constitutional order of a Member State, or subvert the essential elements of democracy, that they will be faced by a united and deter-



mined community of nations. (Address by the Secretary General, César Gaviria, at the protocolary session of the Permanent Council, on the first anniversary of the Democratic Charter, September 16, 2002)

The Democratic Charter was first applied in Venezuela from April 11 to 13, 2002. Pursuant to Article 20 of the Charter, the Permanent Council of the OAS met immediately. It decided to send a mission headed by the Secretary General, with the aim of carrying out a fact-finding mission and undertaking the necessary diplomatic initiatives—including good offices—to promote, as quickly as possible, the normalization of the democratic institutional framework. (CP/RES 811, April 13, 2002)

To carry out this mandate, a tripartite mission was formed—together with the Carter Center and the United Nations Development Program (UNDP)—that presented the government, and opposition sectors with a Declaration of Principles for Peace and Democracy in Venezuela, which was signed by the parties in September 2002. Later, the OAS Secretary General—supported by the other agencies in the tripartite mission—facilitated the discussions of the Forum for Negotiation and Agreement, which was established as a vehicle for direct negotiation, understanding, exchange of views, and presentation of proposals between the government and the opposition group known as the “Coordinación Democrática.” It was composed of six representatives of each side. The Group of Friends of Venezuela—consisting of representatives of the governments of Brazil, Chile, Mexico, Spain, and the United States—was also formed to support the efforts of the OAS Secretary General.

On May 29, the government and the opposition signed a new agreement, in which both parties agreed to resolve Venezuela’s political “impasse” through elections, applying the provisions established in the Venezuelan Constitution.

Besides the Venezuelan application, the Democratic Charter has helped establish guidelines for actions of the hemispheric community in Haiti—where the OAS has undertaken a series of actions to strengthen democracy and promote free, fair, and transparent elections—in accordance with the terms of resolution AG/RES 1841 (XXXII-O/02) of the General Assembly held in Barbados in June 2002.

The OAS—in both its political organ, the Permanent Council, and the General Secretariat—is strengthening its capability to apply the Democratic Charter to defend and promote democracy in the Americas. These efforts include disseminating of the Charter’s text, encouraging review and discussion of it, promoting education for democracy in the countries, (aimed particularly at children and youth), establishing programs to strengthen democratic structures and political-democratic leadership, supporting formalized political dialogue processes in the countries, and developing strategies to strengthen democratic governance in the region. The Charter should be used not only in times of democratic crises, but also as a guide and inspiration for strengthening all aspects of democracy.

CHALLENGES

The greatest challenge in this area is the application of multiple components of the Inter-American Democratic Charter to strengthen democracy in all facets. As the Secretary General said on the first anniversary of the Charter’s signing: “Our actions must surely go beyond passive application of the Charter precepts.” Considering the broad view of democracy, there are enormous challenges to its defense because there are so many areas where great progress must be made.

PROGRESS

“the Charter must be applied pro-actively, and call for a new political ethic, with stronger political parties and organizations facilitating anew the idea of “a state that is strong, effective and well-respected; a state with oversight, regulatory and control capabilities; a democratic and respectful state that guarantees the rights of everyone.” (Cesar Gaviria, OAS Press release)

...the Inter-American Democratic Charter is a clear signal, and warning, to those who seek to undermine the constitutional order of a member State, or subvert the essential elements of democracy, that they will be faced by a united and determined community of nations. (Address by the Secretary General, César Gaviria, at the protocolary session of the Permanent Council, on the first anniversary of the Democratic Charter, September 16, 2002)

Electoral Processes and Procedures

→ MANDATE

The Third Summit of the Americas called for strengthening hemispheric cooperation and sharing experiences, best-practices and technologies with respect to increasing citizen participation in electoral processes through voter education, the modernization and simplification of voter registration, as well as the voting and counting process. The Presidents and Prime Ministers also pledged to enhance electoral mechanisms and to deploy election observers when so requested, with support from the OAS and other agencies. Finally, the governments decided to convene, under the auspices of the OAS and IDB, meetings of experts to examine in more depth issues such as: political party registration, access of political parties to funding and to the media, and campaign finance.



The main objective of the EOM is to observe and report on the electoral process in the framework of the constitution and laws of the member state where the elections are being held.

Electoral observer missions (EOM) of the OAS are one of the key tools for promotion and consolidation of democracy in the Hemisphere. There have been an increasing number of country requests for electoral observer missions in recent years. This reflects the positive impact of these missions in promoting transparency and honesty in electoral processes, which has resulted in increased voter turnout. The missions—organized and carried out by the Unit for the Promotion of Democracy (UPD) of the OAS—respond to invitations from governments of the Member States of the Organization. The main objective of the EOM is to observe and report on the electoral process in the framework of the constitution and laws of the member state where

the elections are being held. OAS activities in the electoral sector have evolved from short-term missions to more systematic and extensive programs that embrace the whole electoral process: from monitoring campaigns to voter registration, and from casting and counting ballots to the verification of results by electoral officials.

In the effort to modernize and simplify voter registration and the voting process, there is an initiative to use electronic voting in several countries. One of the first to try was Brazil, and the result was increased turnout. The UPD has facilitated horizontal cooperation project between Brazil's Supreme Electoral Tribunal and Paraguay's Superior

Tribunal for Electoral Justice (TSJE). The project sought to transfer Brazil's experience in development and use of voting machines to Paraguay's TSJE. The initiative involved a pilot project in five Paraguayan municipalities in the elections of November 18, 2001. The experiment included the use of 172 voting machines used by 1.5% of the voting population. For the April 2003 presidential elections there were 6,000 electronic polling stations for an electorate of 1,140,000. As a result, procedures for vote counting and certification were expedited, making it possible to know the outcome within hours of the voting. (Preliminary report of the head of the OAS Technical-Electoral Monitoring Mission, Santiago Murray, to the Permanent Council, May 7, 2003)

Drawing on this experience, the OAS/UPD is expanding the program of horizontal cooperation between Brazil and the following countries: Ecuador, the Dominican Republic and Colombia.

In the area of electoral technical assistance, the OAS/UPD has provided assistance for modernization of computer systems to have precise statistics on the percentage of registered voters in the population, the average number registered by

ELECTORAL OBSERVER MISSIONS OF THE OAS <i>since the Third Summit of the Americas</i>		
COUNTRY	TYPE OF ELECTION	DATE
Nicaragua	Presidential and Legislative	November 4, 2001
Honduras	Presidential and Legislative	November 23, 2001
Nicaragua	Regional elections	February 2, 2002
Dominican Republic	Legislative	May 16, 2002
Colombia	Presidential	May 26, 2002
Bolivia	Presidential	June 30, 2002
Ecuador	Presidential	October 20, 2002
Peru	Regional and Municipal	November 17, 2002
Paraguay	Presidential	April 27, 2003
Argentina	Presidential	April 27, 2003
Guatemala	Presidential	November 9, 2003

precinct, the cost of election materials per voter, etc. (www.oea.rite.org).

The UPD has also designed the Inter-American Program of Electoral Technology (PITE), which will contribute to the holding of more modern, transparent, and efficient elections throughout the Hemisphere. The objective of the PITE is: to identify practices and technologies that are effective in the electoral area, to develop technological programs and services within the OAS itself, and to generate projects that permit horizontal cooperation and advisory services to electoral officials as requested.



The "election observer missions have been a guarantee of honesty, impartiality, and reliability in the electoral processes." (Secretary General's speech on the first anniversary of the signing of the Democratic Charter, September 16, 2002.)



The major hurdles to modernizing the electoral systems are obtaining economic resources to buy new and modern equipment, installing computer programs and applications

To fulfill the mandate on more meaningful debate on the question of political parties, the OAS/UPD—with the support of various organizations—has established the Inter-American Forum on Political Parties as a mechanism for dialogue between parties, social sectors, academicians, election officials, the media, and international cooperation agencies. The main objective is—through dialogue, exchange of experiences, and implementation of specific actions—to contribute to the process of strengthening and reforming political parties and party systems in the Hemisphere. Three annual meetings have been held in the framework of the Forum: the first in the United States in December 2001, the second in Canada in December 2002, and the third in Colombia in November 2003. These encounters are open to participation by stakeholders from different kinds of institutions and ideological persuasions in a climate of national, regional, and gender balance. The discussions have focused on three basic areas: campaign finance and political parties; new challenges to parties in the context of democratic governance; and the consideration of reform policies recently undertaken in countries and regions such as Canada, Guatemala, Bolivia, Brazil, Colombia, Peru,

and Central America. These initiatives include making a comparative analysis of campaign finance in the 34 countries.

The major hurdles to modernizing the electoral systems are obtaining economic resources to buy new and modern equipment, installing computer programs and applications, and training personnel in election offices. It will also be important for countries to make the necessary adaptations to the new automation technologies, such as implementing modern, and appropriate, laws to incorporate the technology into the electoral system and to facilitate voting.

In the area of political parties, it is necessary to reform and modernize the legal framework that governs the operation of political party systems. It is also necessary to improve the capability and efficiency of political parties for fulfillment of their functions—especially in governance—and to establish good relations between political parties, organized civil society, the media, the private sector, and the general public.

Transparency and Good Governance

→ MANDATE

The Heads of State and Government of the Americas acknowledged that effective, representative, transparent and publicly accountable government institutions are essential to ensure the sound administration of public affairs. With this in mind, one of the main mandates in this area is to establish cooperative ties among the respective national legislative bodies in the Hemisphere. This will enable the exchange of experiences concerning issues such as: public accounts, supervision of the collection, allocation and expenditure of public funds and management of and access to personal information held by governments. At the regional level, leaders encourage cooperation and the exchange of experiences among national legislators in the Hemisphere through mechanisms such as the Inter-Parliamentary Forum of the Americas (FIPA).

Compliance with the majority of these mandates is taking place through national initiatives. It should be pointed out that over the past few years many activities have been carried out among parliaments in the Americas that provide the opportunity for inter-parliamentary cooperation, and the exchange of experiences and best-practices. These activities include seminars such as that held in Brazil, entitled "Parliaments and the Control of Corruption: Political Challenges in Latin America", which resulted in the formation of a group called the Latin American Parliamentarians Against Corruption (LAPAC) and a roadmap for parliamentary action in the Americas on this issue.

Other activities worthy of mention include the Inter-Parliamentary Cooperation Meeting, held between representatives of the legislative branches of Venezuela and the United States, and the development of the

Regional Parliamentary Strategy in the Fight Against Terrorism, which will outline the main activities, commitments, and agreements to be carried out by legislative bodies in order to strengthen joint parliamentary action and combat terrorism. In addition, the Forum of Presidents of the Legislative Branch of Central America (FOPREL) drafted a regional legislative action plan against terrorism, the objective of which is to harmonize existing legislation and draft new legislation against terrorism. Finally, the Andean Parliament and the Parliamentary Commission of Mercosur have made efforts to promote legislative modernization and to harmonize and adopt regulations on issues of common interest.

At the inter-American level, support was provided for the Inter-Parliamentary Forum of the Americas (FIPA). The objective of FIPA is to create an environment that enables legislators within the Hemisphere to share



The Chair of the Inter-Parliamentary Forum of the Americas (FIPA), Senator Hervieux-Payette, acknowledging, on behalf of FIPA, the contribution made by the Secretary General of the OAS to strengthening the role of the legislative branch in the Americas – October 2003

experiences and best-parliamentary practices designed to bolster the role of the legislative branch in furthering democracy and integration. Since being established, FIPA has held three meetings: the first in Canada in March 2001, the second in Mexico in March 2002 and the third in Panama in February 2003. FIPA has set up a working group dedicated to the FTAA negotiating process and another on terrorism. As well, FIPA has created a Virtual Parliament, where legislators in the Americas can debate issues and exchange information concerning legislative matters. The Virtual Parliament provides

tools, information and training services, and conducts virtual meetings among parliamentarians from different countries. Through the Unit for the Promotion of Democracy (UPD), the OAS has provided technical support to FIPA's executive bodies and working groups, and initiated the first phase of the Virtual Parliament (www.e-fipa.org). FIPA's main challenge is to consolidate and strengthen the virtual parliament as a method for increasing citizen participation. The legislative branch is an essential component of democracy and FIPA is contributing to strengthen it.

Media and Communications

→ MANDATE

At the Third Summit of the Americas, the components for developing democracy were dealt with separately, and one of the themes discussed was that of Communications Media. As outlined in the Quebec City Declaration, the media play a major role in promoting democratic culture, and should be free of arbitrary interference from the State. In the light of this declaration, improving the access of individuals to current and new information technologies will play a predominant role in promoting a democratic culture.



With respect to State interference, and restrictions placed on journalists and communications media owners, the media in Latin America continue to be the object of attacks against their freedom. These attacks take the form of violations, threats, assassinations with impunity (between October 1988 and December 2002, some 263 journalists have been assassinated), as well as the failure to protect journalistic sources. In an effort to come to grips with this reality, governments and civil society organizations, among others, have worked together to find ways to combat such attacks. For example, at the 59th General Assembly of the Inter-American Press Association (IAPA), held from October 10 – 14, 2003, the IAPA

announced that progress had been made for the first time in years: by eliminating the impunity of those responsible for crimes against journalists by prosecuting them in the courts, and by training journalists to avoid risks.

Nevertheless, the communications media face immense challenges. Although new technologies have provided many communities in the Hemisphere with better access to information and more contact with the outside world, thereby increasing their standards of living. Despite this progress, however, many of these same communities do not have the necessary resources to continue developing in this area.

Fight against Corruption

→ MANDATE

The Hemisphere governments recognize that corruption gravely affects democratic political institutions and the private sector, weakens economic growth and jeopardizes the basic needs and interests of a country's most underprivileged groups. In the Action Plan of the Third Summit of the Americas, the Hemisphere countries agreed to consider signing, ratifying, or acceding to—as soon as possible and as the case may be—the Inter-American Convention Against Corruption, in accordance with their respective legal frameworks, and to promote effective implementation of the Convention. They also decided to support, as soon as possible—taking into consideration the recommendation of the OAS—the establishment of a follow-up mechanism for the implementation of this treaty by States Parties to this instrument; and to strengthen the Inter-American Network of Institutions and Experts in the Fight Against Corruption—in the context of the OAS—as well as initiatives aimed at strengthening cooperation among officials responsible for enforcing codes of conduct and members of civil society.

The Inter-American Convention Against Corruption seeks to promote and strengthen cooperation among the States Parties and develop necessary mechanisms to prevent, detect, punish, and eradicate corruption. The Convention was adopted by the States Parties on March 29, 1996, in Caracas, Venezuela, and thus far has been signed by 28 countries and ratified by 29 of them.

Shortly after the Third Summit of the Americas, and pursuant to its mandates, the countries that had ratified the Convention met in Buenos Aires, Argentina, from May 2 to 4, 2001, to establish the Follow-up Mechanism for the Inter-American Convention Against Corruption, specified in the Summit

Action Plan. The mechanism enables OAS member States that have ratified the Convention to promote its implementation, contribute to the attainment of its objectives, follow-up on the commitments made in it, and facilitate technical cooperation, including the exchange of information, experiences, best-practices, and concordance of legislation.

The first review round of the mechanism started in 2002. So far the Committee of Experts of the Mechanism for Follow-up of Implementation of the Inter-American Convention Against Corruption has had four regular meetings. During last year's meetings, the Committee of Experts established the rules of procedure and the methodology for



The Inter-American Convention Against Corruption seeks to promote and strengthen cooperation among the States Parties and develop necessary mechanisms to prevent, detect, punish, and eradicate corruption.

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Mexico is a leader in the region when it comes to implementation of anti-corruption measures, as shown by its new laws, such as the one that governs the administrative responsibilities of civil servants, and the federal law on freedom of information in the public domain.

To combat this scourge there must be a change in the collective attitude, as well as a strengthening of institutions to make them more transparent and efficient.

the review process, as well as the timeline and other technical details of the process. It also negotiated and adopted the questionnaire that would be used to collect the information that will serve as the basis for reviewing each country. This year the Committee of Experts began the review procedure with considera-

tion and approval of the report on Argentina, which was approved during the Committee's third regular meeting, held February 10-13, 2003. During the Committee's fourth regular meeting, held July 14-18, 2003, it reviewed and approved final reports on Colombia, Nicaragua, and Paraguay. The review procedure is accomplished by experts appointed by each State Party of the Mechanism represented on the Committee. During the process, representatives of civil-society organizations had the opportunity to meet with members of the Committee of Experts and present pertinent information for its consideration.

Even before adoption of the mechanism, the OAS has been actively involved in technical cooperation, especially activities to support implementation of the Convention in domestic legislation. For example, the OAS has undertaken activities in countries such as the Dominican Republic, Barbados, St. Lucia, Brazil, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Suriname, Belize, and countries of the Eastern Caribbean to review domestic legislation, and consider reforms that might be needed, to ensure that it accurately reflects the principles and standards established in the Inter-American Convention Against Corruption. Likewise, the World Bank has been actively working to encourage institutional reforms to combat corruption in the region, as shown in its recent work in Honduras and Guatemala. For its part, the Inter-American Development Bank (IDB)

approved a grant of US\$1,230,000 in June 2001 to help Argentina, Bolivia, Brazil, Chile, Ecuador, Peru, Uruguay, and Venezuela establish and strengthen Financial Intelligence Units to uncover money laundering operations. (World Corruption Report 2003—Transparency International)

The Technical Secretariat for Legal Cooperation Mechanisms of the Assistant Secretariat for Legal Affairs of the OAS General Secretariat established the Inter-American Anti-corruption Network, whose web page on the Internet carries timely and accurate information for the general public on OAS developments, decisions, and activities in the fight against corruption.

Among actions taken to guarantee access to information, we should note the "Freedom of Information Act," approved in June 2002, and the "Public Administration Transparency Act," approved in Panama in December 2001. We should also mention the new e-government initiatives throughout the region as a tool for bringing greater transparency to contracting and public bidding. For examples, consult the websites in Brazil (www.comprasnet.gov.br), Chile (www.compraschile.cl) and Colombia (www.gobier-noenlinea.gov.co).

Responsibility for preventing and combating corruption lies with the governments as well as the legislative and judicial branches. The battle against corruption can only be won with the "shared commitment" of all sectors of society. To combat this scourge there must be a change in the collective attitude, as well as a strengthening of institutions to make them more transparent and efficient. It will only be possible to effectively and decisively defeat corruption if there is an effective implementation of the recommendations from the review rounds, and support by member States for the Convention and its Follow-up Mechanism.

Empowering Local Government

→ MANDATE

At the Third Summit of the Americas, Heads of State and Government pledged to facilitate citizen participation in public life, particularly in local or municipal governments. In this respect, Governments supported the OAS's Program of Cooperation in Decentralization and Local Government.

The leaders also promoted the development, autonomy, and institutional strengthening of local governments, as well as the exchange of information and best-practices among local government functionaries, associations of municipalities, community associations, and citizens in general.

They also decided to hold a meeting in Bolivia, attended by ministers and/or other high-level authorities responsible for policies on decentralization, local government, and citizen participation at the municipal level.

Decentralization and the strengthening of regional and municipal administrations have taken on importance as instruments for reinforcing democracy and improving public administration in the Hemisphere, as well as for dealing with challenges such as globalization and equitable territorial development. The processes—and the results—have varied from country to country, but are generally positive. They include major advances, such as: the desire to continue developing the processes, efforts to improve regulatory frameworks, the development of decentralization methodologies, innovations in public administration and the provision of services, the development of new axes of economic and social development, an increase in citizen participation at the local level, the incorporation of citizens into the decision-making process, and exchanges on successful experiences, among other achievements.

The high-level meeting approved by the leaders was convened by the OAS in La Paz, Bolivia, from July 29 – 31, 2001, initi-

ating a process of hemispheric co-operation, as well as systematic follow-up by the Organization in order to implement the mandate in this area. In Bolivia, States agreed on the Declaration of La Paz on Decentralization and Strengthening Regional and Municipal Administrations and Participation of Civil Society. The Declaration established the High-Level Inter-

There have been advances in new e-government initiatives in order to improve transparency in contracting and public expenditures.



“Decentralization (is an) instrument for strengthening democracy and consolidating economic and social development in Latin America”
César Gaviria, Secretary General of the OAS



American Network on Decentralization, Local Government and Citizen Participation (RIAD) (www.upd.oas.org/riad) as an Inter-American mechanism for cooperation on these issues, and as an instrument for exchanging information and best-practices among all stakeholders.

The process initiated in La Paz was moved forward at the Second Meeting of Ministers and High-Level Authorities Responsible for Policies on Decentralization, Local Government, and Citizen Participation at the Municipal Level in the Hemisphere, held from September 24-26, 2003, in Mexico City, Mexico. This meeting produced the “Mexico City Plan of Action on the Decentralization and Strengthening of Regional and Municipal Administrations and Citizen Participation.” The Plan of Action establishes strategic guidelines and priority areas for action over the next two years; it also calls for the creation of a Financial and Technical Support Group to be coordinated by the RIAD Technical Secretariat, with the objective of ensuring

resources for the Plan of Action. The Third Ministerial Meeting on this issue will be held in Brazil in 2005, with the objective of evaluating progress in the implementation of the Plan of Action. It should be pointed out that the Unit for the Promotion of Democracy within the OAS General Secretariat (UPD/OAS) was designated as Technical Secretariat of the process initiated in La Paz. The UPD provides technical support to the ministerial meetings of the RIAD; it is also implementing a Program of Support for Decentralization, which involves activities such as forums, seminars, technical co-operation, publications and training. An example of such program activities is the concluding of a non-reimbursable Technical Cooperation agreement in the amount of \$US 100,000 on April 15, 2002, with the Inter-American Development Bank; this agreement will be implemented by the UPD/OAS.

Among the challenges posed by the processes underway are the need to: continue fine-tuning juridical and institutional frameworks, pay attention to the macroeconomic risks of decentralization, ensure integral processes and the transfer of resources in accordance with assigned tasks, exchange information and best-practices in areas such as decentralization methodologies, pay attention to the political dimension of decentralization, as well as ensure collaboration and consensus-building in the design, implementation and sustainability of these processes. Similarly, it is essential to: ensure coordination among the technical cooperation and financing agencies, make appropriate use of new information and communication technologies as tools for coordination and interaction, and strengthen the capacity of national agencies to plan, design, coordinate, implement, supervise, monitor and adjust decentralization policies and strategies. Empowering RIAD as an instrument for hemispheric exchange and collaboration is key, as is the network’s involvement and ongoing dialogue with other stakeholders in the decentralization process.

2. Human Rights and Fundamental Freedoms

→ MANDATE

Leaders at the Quebec City Summit recognized that universal protection and promotion of human rights are fundamental to the functioning of democratic societies. The mandates are focused on six main areas: national governments adherence, in both the spirit and the letter of the law, to international human rights obligations and standards; strengthening the inter-American human rights system, including the Inter-American Commission for Human Rights (IACHR); migrant workers and their families; the human rights of women and children; and freedom of expression. Particular attention has been paid to populations that have historically suffered the consequences of discrimination and social exclusion.

The Summit Process has been a dynamic multilateral forum to place key human rights challenges squarely on the regional agenda and establish new mandates for progress. Since the Quebec City Summit, democracy and human rights in the Hemisphere have been challenged on many occasions by economic and political crises, and by a lack of confidence in public institutions and politicians. Impunity and weak systems for the administration of justice remain key pending challenges in countries throughout the region. While there has been increased attention to placing economic, social and cultural rights on the regional agenda, concrete advances remain incomplete and limited. The region continues to suffer the consequences of situations of inequality, discrimination and social exclusion for many populations and social sectors.

IMPLEMENTATION OF INTERNATIONAL OBLIGATIONS AND RESPECT FOR INTERNATIONAL STANDARDS

The implementation of international obligations at the national level is the ultimate objective of the regional human rights system. As set forth in the Quebec City Summit, ratification of the inter-American human rights treaties is a key step in consolidating the efficacy of regional guarantees at the national level. Since that Summit, one country has ratified the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights ("Protocol of San Salvador"), two have ratified the Inter-American Convention on Forced Disappearance of Persons, one has ratified the Inter-American Convention on the Prevention, Punishment and



The region continues to suffer the consequences of situations of inequality, discrimination and social exclusion for many populations and social sectors.

Eradication of Violence Against Women (“Convention of Belém do Pará”), and eight have ratified the Inter-American Convention on the Elimination of All Forms of Discrimination Against persons with Disabilities. (IACHR)

One of the Inter-American Commission for Human Rights’ (IACHR) recent initiatives in the area of implementation of international obligations has been to advise governments on how national anti-terrorism initiatives must be made compatible with the preservation of democratic values and human rights. As governments in the Americas refocused their security efforts to confront the threat of terrorism, the Commission published its comprehensive “Report on Terrorism and Human Rights” in October of 2002. The report provides advice to governments on their international human rights obligations in the struggle against terrorism, and offers specific recommendations on how to implement the rules when developing and applying anti-terrorism initiatives. (IACHR)

More generally, in March of 2003, the IACHR held a “Working Session on the Implementation of International Human Rights Commitments and Standards in the Inter-American System,” with the cooperation of the International Justice Project. Fifteen panelists from both governments and civil society addressed legislative, judicial and intra-governmental mechanisms to implement such commitments and more than 70 representatives of OAS member States participated in the dialogue. (www.oas.org)

In October of 2003, the IACHR issued its Resolution N° 1/03 on International Crime to address the need for further measures to combat impunity for genocide, crimes against humanity and war crimes. The Resolution urges states to adopt the legislative and other means necessary in order for such crimes to be punished. It specifically calls for States to ensure that presumed perpetrators are subjected to jurisdiction at the national level or to extradition where merited.

The treaty establishing the International Criminal Court (ICC) entered into force on July 1, 2002. The ICC was established to prosecute individuals accused of committing genocide, crimes against humanity and war crimes. In the Americas, 19 countries are state parties to the ICC treaty. Several countries have incorporated international obligations and joined the ICC. Brazil, for example, adopted the Rome Statute for the ICC as national law. Argentina and Ecuador made progress with draft implementing legislation, while Peru, Bolivia, and Venezuela were beginning the implementation process. (Human Rights Watch World Report 2003: Americas Overview)

In the area of racism, racial discrimination, xenophobia and related forms of intolerance, the Regional Preparatory Conference in Chile prior to the Quebec Summit, and the World Conference in Durban following the Summit helped mobilize both governments and civil society to renew their approaches to these issues and put them on the regional agenda. The Americas played a leadership role on this topic. The OAS is moving forward in this area through its recent resolution calling for studies by the IACHR on affirmative action and by the Justice Studies Center of the Americas (CEJA) on racial discrimination in the area of administration of justice.

STRENGTHENING HUMAN RIGHTS SYSTEMS

The human rights movement in the Americas has shown impressive grassroots strength. Numerous local and regional civil society organizations have dedicated themselves to the defense of human rights, including concerns such as women’s rights and freedom of expression, often working under threats of intimidation, assault and even death.

In order to address the Quebec City Summit mandate on human rights defenders and their situation in the Hemisphere, as well as the priority assigned to this issue by the OAS General Assembly, the IACHR created the Unit of Human Rights Defend-

ers in late 2001. The Unit coordinates the Executive Secretariat's work with human rights defenders and the problems they face, receives relevant information and maintains contacts with a broad range of actors including the office of the UN Rapporteur on this issue, government sources, and representatives of civil society. It serves as a focal point to ensure urgent attention to situations of imminent risk, as well as to promote strategies of promotion and protection for the role of human rights defenders. The Unit has provided support during on site visits of the Commission, as well as during hearings on particular themes or cases. The Commission is currently preparing a study on the situation of human rights defenders in the region.

Finally, in the area of strengthening the regional human rights system, both the IACHR and the Inter-American Court have implemented revised Rules of Procedure aimed at clarifying and strengthening procedures, particularly with respect to the individual petition system. For example, changes to the Commission's Rules clarify the different stages and consequences of the petition process. In accordance with the Summit mandate to facilitate the access of individuals to the protection mechanisms, another key change is the greater role for victims and petitioners in the sending of individual cases to the Inter-American Court, with the opportunity to present their own arguments and evidence during the proceedings. One result of the new Rules is that the number of contentious cases submitted to the Inter-American Court has substantially increased. In this regard, it must be noted that the positive aspects of these changes also bring additional challenges. The increase in the number of contentious cases before the Inter-American system is stretching its limited resources. For its part, the Commission is consistently called upon to respond to new and amplified mandates, as well as urgent situations, and is receiving an increasing number of individual petitions. However, insufficient funding for the IACHR to meet the increasing demands of



mandates from countries remains a major obstacle. (IACHR)

The inter-American human rights system has made important progress in recent years. The rise of democratic governments in the region has been a basic requirement for achieving advances in respect for the rule of law and human rights. The strengthening of democratic systems has brought with it an increased awareness of the regional human rights system and the protections it offers, and greatly enhanced the potential for the inter-American human rights system to play its role in advancing respect for basic rights and liberties at the national level. This heightened awareness and the existence of more open societies have, for example, resulted in an increase in the number of petitions submitted to the Inter-American Commission on Human Rights in recent years. The Commission's recommendations

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on individual cases have produced changes in national laws, policies and practices, as well as reparation for the victims of violations. Through the friendly settlement process, the Commission has facilitated constructive dialogue between parties aimed at resolving conflicts, and this mechanism has become increasingly fruitful in achieving solutions that benefit petitioners, member states and the system as a whole. The work of the Commission serves to save lives, safeguard fundamental freedoms, restore justice and achieve reparation. Through the case system and the other protection mechanisms, the Commission and Court play an increasingly vital role in the ongoing challenge that remains the priority for the system: achieving the effective implementation of the human rights protections at the national level.

MIGRATION

The IACHR decided to make the situation of migrant workers and their families a priority, considering that they are an especially vulnerable social group, often subjected to abuse and systematic violation of their basic rights. Although created before the Quebec City Summit, the OAS Special Rapporteurship on Migrant Workers and their Families is a vital component in the implementation of leaders' commitments. The role of the Rapporteurship is to raise awareness of the duty of states; to present specific recommendations to encourage states to take progressive measures in favor of migrant workers; to prepare reports and studies; and to act promptly on any petition regarding violation of rights of migrant workers. The Summit leaders decided to request the creation of an inter-American program within the OAS for the promotion and protection of the human rights of migrants. In response to this mandate, the Commission presented its initial recommendations in a report to the Permanent Council. (Rapporteur on Migrant Workers)

The Rapporteurship carried out its first thematic on-site visits in 2002, to Guatemala,

Costa Rica and Mexico, in order to obtain first hand information on the situation of migrant workers in these countries. On-site visits enable the Rapporteurship to carry out its work by establishing important contacts and collecting valuable information on the situations of migrant workers and their families. The Rapporteurship must have an overall view of the issues at play for migrant workers, their status and any developments at the national and regional level. The Rapporteurship achieves this goal through many different mechanisms, and observation and monitoring activities are a crucial means to this end. (Fourth Progress Report of the Special Rapporteurship on Migrant Workers and their Families).

Some of the key issues of concern that the Rapporteur and his team are following closely include due process guarantees available for migrant workers and their families; heightened controls on migration designed to enhance national security and combat terrorism, particularly the implementation of measures that may erode the fundamental rights of migratory workers and their families; the smuggling and trafficking of persons; and the effects of political and economic crises on migration flows in the Americas. Recent economic and political crises in Argentina, Venezuela, and the ongoing conflict in Colombia have had a dramatic effect on migration. The UN Economic Commission for Latin America and the Caribbean (ECLAC) calculates that at least 20 million of the migrants in the world were from Latin America. According to estimates, 70% of these migrants from Latin America and the Caribbean live in the United States. Another critical issue being closely followed by the Rapporteurship is the situation of migrant workers and their labor rights in the Hemisphere. As of June 2003, only seven countries had ratified the UN Convention on the Protection of the Rights of All Migrant Workers and their Families.

Human Rights of Women

→ MANDATE

Created just prior to the First Summit of the Americas in 1994, the OAS Rapporteurship on the Rights of Women has given priority to ensuring women's effective access to justice, particularly those who have been subjected to violence. The twin pillars of equality and nondiscrimination serve as the basis for the Rapporteurship's mandates, given that prompt access to effective judicial protection and guarantees are the first line of defense for the protection of basic rights. The work of the Rapporteurship on the Rights of Women indicates that the experience of women with respect to access to justice and its administration in the Americas has a common denominator: the inability of many victims to obtain prompt access to effective judicial protection and guarantees. Violence against women and impunity remain major obstacles to the realization of women's human rights in the Hemisphere. According to PAHO, 20 to 60 % of women in the Americas have been victims of intra-familial violence. (OAS, 2002 Update on the Work of the Rapporteurship on the Rights of Women).

The Rapporteurship also collaborates in the preparation of reports on specific cases concerning the rights of women, as well as with those concerning specific countries or themes, and assists in coordinating hearings on issues concerning the rights of women before the Commission. Another key component in the work of the Rapporteurship is the dissemination of information as a means of promoting women's access to effective remedies as well as a means to raise awareness within civil society of the regional mechanisms to enhance the protection of rights, including the individual petition system.

In an effort to integrate a gender perspective in the work of the OAS and in accordance with the Inter-American Program on the Promotion of Women's

Human Rights and Gender Equity and Equality, the Inter-American Commission of Women (CIM) has developed two comprehensive plans for the incorporation of a gender perspective in two of the Summit's Ministerial processes: Labor and Justice. These have been incorporated into the work of the Labor and Justice Ministers since 2001, and continue to be expanded. Plans are currently being developed for this program to also be incorporated into the work programs of the Education and Science and Technology Ministers.

ECLAC has developed an elaborate set of indicators for the areas identified in the Regional Programme of Action for the Women in Latin America and the Caribbean 1995-2000 and the Beijing Declaration and its Platform for Action,



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as well as indicators by country and region. These indicators cover many of the issues within the Summit mandates on gender equality, including poverty reduction, infant mortality, primary education, combating HIV/AIDS, maternal health and violence, however the data available predates 2001. (Report of the Joint Summit Working Group)

Initiatives at the local, national and regional levels aimed at confronting human rights violations with gender specific causes and consequences have succeeded in establishing some key minimum standards, particularly with respect to discrimination and violence against women. Within the region, we have seen the adoption of new or improved legislation, programs and policies to combat these problems. The priority challenge that continues to confront us is the gap between these standards and the actual experience of the women of the Americas. (Rapporteur on the Rights of Women).

The ongoing challenge remains funding for these crucial activities. It must be emphasized that the mandate of the

Inter-American Commission on Human Rights is based directly on the OAS Charter, the American Convention, its Statute and the other applicable instruments of the system. These responsibilities must be fulfilled, and require the allocation of the corresponding funds. Furthermore, the Commission is regularly tasked with additional or expanded mandates by the political organs of the OAS. In the context of the budgetary restrictions currently affecting the Organization as a whole, it is important to recognize that the Permanent Council appropriated limited additional funds for both the Inter-American Commission and Court in 2002 and 2003. While both the Quebec City Summit and subsequent OAS General Assemblies have strongly affirmed the need to increase funding for the Inter-American Commission and Court, both remain severely challenged by resource limitations.

Decisive regional action is required to overcome the serious challenges the region faces in advancing the hemispheric agenda of democracy, the rule of law and respect for human rights.

Human Rights of Children and Adolescents

→ MANDATE

There are two specific mandates on the human rights of children and youth in the Quebec City Plan of Action. The first is for countries to consider, sign and ratify, or accede to the two Optional Protocols to the UN Convention on the Rights of the Child as well as integrate fully their obligations pursuant to this Convention into national legislation, policy and practice. The second is that the human rights of children and adolescents are to be integrated into hemispheric institutions such as the Inter-American Court on Human Rights, the IACHR, and the Inter-American Children's Institute (IACI).

