

# Civil society of the Americas in multilateral scenarios

Socorro Ramírez





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**Semillas**  
para la Democracia



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# Abbreviations and acronyms



# ABBREVIATIONS AND ACRONYMS

**ACS:** Association of Caribbean States  
**ALBA:** Bolivarian Alliance for the Peoples of our America  
**ACTO:** Amazon Cooperation Treaty Organization  
**CACI:** Central American Council for Intersectoral Coordination (Consejo Centroamericano de Coordinación Intersectorial)  
**CAN:** Andean Community of Nations (Comunidad Andina de Naciones)  
**CAOI:** Andean Coordinator Committee of Indigenous Organizations (Coordinadora Andina de Organizaciones Indígenas)  
**CARICOM:** Caribbean Community  
CAS: Coordinator Committee of Civil Society Action  
**CCAD:** Central American Commission for Environment and Development (Comisión Centroamericana de Ambiente y Desarrollo)  
**CCSICA:** Advisory Committee for the Central American Integration System (Comité Consultivo del Sistema de Integración Centroamericano)  
**CCSCS:** Coordinator of Trade Unions of the Southern Cone (Coordinadora de Centrales Sindicales del Cono Sur)  
**CELAC:** Community of Latin American and Caribbean States  
**CIDI:** Inter-American Council for Integral Development  
**CISC:** Committee of Summits and Civil Society Participation of the OAS  
**CLIA:** Indigenous Leaders' Summit of the Americas (Cumbre de Líderes Indígenas de las Américas)  
**CMG:** Common Market Group  
**CMS:** Council of Social Movements  
Conpes: Economic and Social Policy Council (Consejo de Política Económica y Social)  
**CPDC:** Caribbean Policy Development Center  
**CRG:** Caribbean Reference Group  
**CRIES:** Regional Coordinator of Economic and Social Research  
**CSOs:** Civil Society Organizations  
**ECLAC:** Economic Commission for Latin America  
**ESCF:** Economic-Social Consultative Forum

**FOCAL:** Canadian Foundation for the Americas  
**FTAA:** Free Trade Area of the Americas  
**GIEI:** Interdisciplinary Group of Independent Experts  
**IACHR:** Inter-American Commission on Human Rights  
**ICIC:** Civil Initiative for Central American Integration (Iniciativa Civil para la Integración Centroamericana)  
**IDB:** Inter-American Development Bank  
**IDN:** Interamerican Democracy Network  
**IIRSA:** Initiative for the Integration of the Regional Infrastructure of South America  
**INVESP:** Venezuelan Institute of Social and Political Studies (Instituto Venezolano de Estudios Sociales y Políticos)  
**JCG:** Joint Consultative Group  
**JSWG:** Joint Summit Working Group  
**LAYF:** Latin American Youth Forum  
**LGBTI:** Lesbian, Gay, Bisexual, Transgender and Intersexual groups  
Mercosur: Southern Common Market  
**OAS:** Organization of American States  
**NGO:** Non-governmental Organization  
**PAHO:** Pan American Health Organization  
**PASCA:** Participation of Civil Society in the Summit of the Americas  
**PC:** Permanent Council of the OAS  
**PEAS:** Strategic Plan of Social Action (Plan Estratégico de Acción Social)  
**REDLAD:** Latin American and Caribbean Network for Democracy (Red Latinoamericana y del Caribe por la Democracia)  
**SAI:** Andean Integration System (Sistema Andino de Integración)  
**SICA:** Central American Integration System (Sistema de Integración Centroamericano)  
**SIRG:** Summit Implementation Review Group  
**TCP:** Trade Treaty of the Peoples (Tratado de Comercio de los Pueblos)  
**TIC:** Talent and Innovation Competition of the Americas  
**UNASUR:** Union of South American Nations  
**UWI:** University of the West Indies  
**WB:** World Bank  
**YABT:** Young American Business Trust



# Presentation



It is not easy to analyze the participation of Civil Society Organizations (CSOs) in multilateral organizations, be they Latin American and Caribbean or hemispheric, since neither have released systematic assessments of their achievements and frustrations in this field. Notwithstanding this deficiency, it is possible to confirm that the participation of these organizations in different spaces, with different modalities, with some contributions, many limitations and still modest results has been gradually multiplying. The limitation of results must be attributed, on the first hand, to the unstable and changing nature of the same social organizations and, to the same extent, to the institutional weakness, improvisation and informality of sub-regional integration, cooperation and regional coordination organisms that serve as a framework for the participation of civil society as well as the uncertain hemispheric transition. Throughout the democratic world today, the most diverse social initiatives are proliferating, often giving rise to movements, organizations and networks that seek to represent their own interests in the public arena. These dynamics seek to complement or replace, to a certain extent, the role of political parties, which -held at national borders while globalization and its problems have already overflowed the narrow borders of nations- are plunging into an increasingly acute crisis of

representation. Social movements and organizations have been reinforced since the first decade of this century by the so-called social networks. These networks increasingly intervene in public opinion, occasionally provoking great momentary mobilizations whose scope we do not analyze in this document. The result of this growing social effervescence is the emergence of a much more active civil society than in the past, although structurally weak, since it is based on widely dispersed and changing interests. All this political activation of civil society is not a marginal phenomenon of democracy. It is a growing and irreversible process, which will be increasingly intense, and to which it is necessary to find suitable institutional channels. In some ways, today's civil society is demanding the development of spaces and mechanisms of direct democracy within representative democracies. Latin American and Caribbean integration, cooperation and political dialogue agencies are trying to respond to these challenges, at least on a regional or sub-regional level. But many of these efforts have been confined to the economic sphere -commercial especially, and perhaps financial- bypassing the challenge of the political integration of Latin American and Caribbean societies, which are very heterogeneous and fragmented. Recent efforts, which have sought to establish political community, have gone into crisis,

either because they have done so on the basis of economic and political models that are not feasible -such as socializing the means of production when productivity is increasingly linked to knowledge and innovation- or because they have tried to turn civil society into a mere instrument for the legitimation of states that claim to represent it, and in political support at the service of governments that seek to control it. This text constitutes a first collection of experiences that aims to stimulate the reflection within the region's CSOs about their most significant experiences of participation in multilateral spaces and about what has made their achievements or their limited results possible. The first part is dedicated to sub-regional and regional organizations and the second part to the hemispherical scope, and it finally concludes with some proposals for discussion.

# Social participation in groups of the region



# 1. SOCIAL PARTICIPATION IN GROUPS OF THE REGION

The participation of CSOs in the different Latin American and Caribbean groups has been affected by the subsequent processes of redefinition of these entities and the emergence of others in the wake of the reconfigurations of the international system. In this changing framework of the old and new groups, we must examine the variable role of the various civil society organizations in the region and specify the meaning and possibilities of their participation.

In addition to the context, for this examination, the nature of the regional group in which integration, cooperation, or concertation social actors are inserted, should be considered. Although some of these groups sometimes combine several of these modalities, they predominate in them a specificity that marks the greater or lesser social participation as well as its institutionalization or its more informal character, and its achievements or limitations. This is what we will see in this first part, which examines three types of organisms: integration, cooperation and dialogue or political agreement.



## 1.1. Experiences in integration organizations

Integration groups have been taking a sub-regional form in countries that are neighbors or have strong historical links; their binding agreements lead to processes of economic and commercial intersections, social agendas, border development and even attempts to coordinate their foreign policy and common security. Although some integration organizations in Latin America and the Caribbean came from the 1970s, in the 20th century, new groups were redefined and emerged under the idea of an 'open regionalism' promoted by the Economic Commission for Latin America (ECLAC) in the 1990's in order to deal

with the threat of being excluded or marginalized from the international economic system. In the first decade of the 2000s, there was an expansion of the commercial matters towards a more multidimensional agenda, and in the second decade all sub-regional groupings have come to a standstill or are facing an uncertain future. Each of these stages has affected the social participation. Let us look at this evolution in the groups in order to evaluate the Latin American and Caribbean trends as well as sub-regional specificities.

## 1.1.1. Caribbean Community (CARICOM)



CARICOM arose in line with the decolonization and as of the 1970s its goal consisted of economic cooperation through a common market and the collaboration in agriculture, industry, transportation and telecommunications. Business and work sectors were the first involved in the Joint Consultative Group (JCG), which was created in 1973 (Hinds 2013). The labor and business sectors were involved in first place in the Joint Consultative Group (JCG), which was created in 1973 (Hinds 2013). In 1995, CARICOM incorporated its Joint Consultative Group the Caribbean Policy Development Center (CPDC), which organized the Caribbean Reference Group (GRC) with more than 1,000 organizations and participated in the Civil Society Forum in the discussions on the replacement of the Lomé Agreement of the European Union with the former colonies. A Charter of the Civil Society, established in 1997, stimulated civil, political, economic, social and cultural rights and assumed the social participation as essential for the good management and sustainability of the integration process.

Through the Free Trade Area of the Americas (FTAA) negotiations, CARICOM's Regional Negotiating Machinery allowed the business sector to follow the process; then in October 2001 it consulted civil society organizations in member countries and in July 2002 it consulted the regional conference for CSOs. In 2005, upon the preparation of the 'Regional Integration: Carrying the Process Forward' balance sheet, CARICOM linked a private sector representative but did not invite the labor sector or the social organizations, despite the fact that the report

acknowledged that sub-regional governance could not be state-centric and that the participation of social actors was required. In 2007, the proposal to restructure CARICOM's institutions did not include the JCG but the Assembly of Caribbean Community Parliamentarians and provided a quota for non-state actors.



A 2011 report from the University of the West Indies (UWI) and a consultancy in 2012 contracted by the CARICOM Secretariat showed that a number of national, regional and international actors perceived stagnation and even a step backwards of the Community. The difficulties in building the market and the single economy, supranational bodies and processes, among other reasons, were remarkable. In this regard, they underlined the increasing economic differentiation within them, the inequitable distribution of costs and benefits among their members, the limited institutional capacity, the proliferation of threats

to small insular states because of their extreme vulnerability to the economic crisis and to climate change, and the classification of most countries as middle income countries, which prevents them from accessing multilateral loans and programs to relief their growing indebtedness. All this would have delayed the achievement of social goals, increased the breach

of commitments and caused the CARICOM loss of credibility and support among governments and civil society. The XXXV annual summit of Heads of State and Government of CARICOM, on July 1, 2014, defined a five-year strategic plan to reinvigorate the integration of its economies and societies in order to promote sub-regional development.

## 1.1.2. Central American Integration System (SICA)

In the Central American case, in the 1980s, the negotiated political end of national armed conflicts and tensions between neighboring countries relaunched sub-regional integration since 1991, transforming the Central American Market into the Central American Integration System (SICA). This process was accompanied by a great social initiative, which promoted the early formation of the Consultative Committee of SICA (CC-SICA) as an organ of social participation. Its problems of functioning, its poor articulation with the rest of the system and the business dominance caused a reaction of the social actors. Its revival in 1996 helped a double process: the construction of national chapters that facilitated links and inter-sectoral dialogues with

labor, ethnic, environmental, academic and gender organizations, as well as the emergence of civil society organizations from sub-regional articulation. This is the case of the Central American Council for Inter-sectoral Coordination (CACI), promoted by companies, which expanded with the confederations of workers, cooperatives and university associations; the Civil Initiative for Central American Integration (ICIC), which brings together networks of small entrepreneurs and peasants, trade unions and cooperatives, NGOs and communal sectors; the Coordinator Committee of Civil Society Action (CAS), which articulates sub-regional networks; the Central American Field Coordinator Committee, which brings together indigenous, peasant, black and women's

organizations. In 2001, the Central American Social and Environmental Forum expanded the action of the Central American Commission for Environment and Development (CCAD) and, by complementing it, increased its impact on the definition of environmental policy through its link with each country and with international cooperation.

As in the other groups, in Central American ones, the breach of intergovernmental agreements and the erosion of confidence in national and sub-regional institutions have grown. There has been a lack of coordinated action and

difficulties have arisen for the integration system to help its members cope with the aggravation of cross-border economic and social problems, drug trafficking and money laundering, insecurity and violence -especially in the so-called northern triangle:

Guatemala, El Salvador and Honduras. In December 2015, the government of Costa Rica suspended its participation in the political table of SICA when not receiving support to face the Cuban migratory crisis in its country. That panorama discourages social participation.





### 1.1.3. Andean Community of Nations (CAN)



In the Andean process, at the import substitution stage in the 1970s, national guilds were linked with industrial, agricultural and agro-industrial programs as integration axes, and the formation of sub-regional organizations of entrepreneurs, transporters, farmers, Cultivators, trade unionists and jurists was encouraged. With the conversion of the Andean Pact (Pacto Andino) into the Andean Community (CAN) and the Andean Integration System (SAI), integration took on a multidimensional agenda and expanded the participation of civil society. In 2007, the Indigenous Advisory Council, and in 2009, the High Authorities of Women and Equal Opportunities were added to the Business and Labor Advisory Councils of 1983. These Councils are composed of representatives elected by their respective sectors in each of the Member States and can participate with a voice, make recommendations and follow up on the decisions of the Commission, the Council of Ministers of Foreign Affairs, the General Secretariat and other bodies of the SAI.

The CAN also launched the Andean Round Tables (Mesas Andinas) as spaces for dialogue between governments and certain social sectors. In 2003, the Defense of Consumer Rights was created, then the Indigenous Bureau, which in 2007 became the Consultative Council and, in 2011, the Afro-descendant People Bureau. In the perspective of generating identity and integration between and for the citizens of the Andean territory, the CAN agreed on a policy of border development and integration, citizenship, flag and Andean passport, and -with a fund to compete for projects- implemented the project Action with Civil Society for Andean Integration (Socican) of sub-regional societal articulation, however, it was short-

lived (from 2008 to 2010). The Andean Parliament promoted since 1993 the Social Summit and in 1994 it approved the Social Charter; in 2012, culminated the its updating process through a dialogue with social actors and the contributions of NGOs and groups of young people, peasants, indigenous peoples, afro-descendants, women, workers, people with disabilities, in order for the Charter to serve as an instrument and guide for the CAN. Unfortunately, sub-regional integration has lost momentum.

The growing breach of community commitments, the retreat from supranational institutions, differentiation of political, economic and international insertion models of governments, individual negotiations between Colombia and Peru with the United States and the European Union, tensions between neighboring countries (Ecuador-Peru War in the 1990s, the breakdown of relations between Ecuador and Venezuela with Colombia, the territorial conflict between Bolivia and Chile), the total withdrawal of Venezuela in 2006 and the partial withdrawal from Bolivia, who are getting involved in Mercosur, brought out the degradation of the sub-regional integration perspective.



**COMUNIDAD ANDINA**



In February 2010, the four remaining countries in the CAN agreed to apply reengineering to the Community that would allow them to make more flexible and dismantle some of their decisions. There was, however, no review of achievements and failures of integration attempts or how redefinition would have an impact in its institutional structure, over its four decades. Governments agreed on a “strategic Andean Agenda”

with 12 axes, including human development -with goals such as eradicating illiteracy and child malnutrition, gender focus, productive inclusion, quality and equity in education. The agenda says nothing about the low incidence of social participation in the balance sheets and redefinitions and the lack of legitimacy of the sub-regional integration process, since it did not achieve strong articulations between Andean societies.

#### 1.1.4. Southern Common Market (Mercosur)



Regarding Mercosur, the Treaty of Asuncion of 1991, which defined its structure, did not include social actors. A number of pressures, notably the “ and a business sector, were able to open the Economic and Social Consultative Forum (ESCF) in 1994 with a representation of the so-called “third sector”, meaning “civil society organizations”, which can make recommendations to the Common Market Group (CMG) on a wide range of issues. The Forum is attended by nine national delegates from three sectors: trade unions, business and consumers; with mechanisms to collect opinions and recommendations in each country. The Women’s Forum in 1995, the Socio-Labor Commission in 1998, and several specialized meetings, high-level groups or working subgroups were set up: women, family agriculture, cooperatives, employment growth, human rights, labor issues, employment and social security.

With the economic problems in the first years of the new century, intra-subregional trade in decreased, levels of poverty and unemployment increased. Through social pressures, Mercosur added a social dimension to its agenda, and launched a bi-annual protection plan aimed at preventing or remedying vulnerability and social risk, promoting opportunities for families and communities. In June 2006, the Social Summit emerged as a meeting between governments and sub-regional civil society -which approved the Charter on Social Commitment as a contribution to the development of policies to combat poverty and other social problems.

Subsequently, spaces emerged within and outside the sub-regional institutions in order to promote the social dimension and the participation of CSOs. Social and Solidarity Mercosur, for instance, acts since 2003 at

the local, national and sub-regional levels, outside the official institutional structure of the bloc, as a platform of NGOs and grassroots movements of several countries to claim rights, to do training, to achieve communication and incidence, and reach formulation and articulation of proposals. The Buenos Aires Declaration “For a Mercosur with a Human Face and Social Perspective”, of July 2006, assumed the social dimension as part of a development with equitable and inclusive distribution, organized a social secretariat as an operational instance of national committees, and promoted the monitoring of agreements, the exchange of experiences and cooperation. The Social Fund, the Structural Convergence Fund and Somos Mercosur were also set up to meet the request for participation from social organizations and local governments and to make the benefits of integration visible to the citizenship. In 2007, the Social Institute of Mercosur and the Coordination Commission of Ministries of Social Affairs were created to prepare the Strategic Plan of Social Action (PEAS), approved in 2011 by the Common Market Council with guidelines for ministries and secretariats with competence in social policies and sub-regional projects. Since late 2013, the Social Participation Support Unit promotes dialogue with organizations and social movements in the sub-region. The Economic Research Network and the Human Rights Public Policy Observatory create links and proposals among sub-regional actors. In 2014, the Social Summit debated a citizenship statute and the cities of Mercosur (Mercociudades) network began working with local authorities on social and municipal participation to build identity and horizontal cooperation in the integration process.

Despite the proliferation of these spaces, the balance of their achievements and integration is not satisfactory. More than advances in its goal of building a common customs and market zone, amidst China’s penetration, Mercosur was able to reduce sub-regional exchanges and expand disputes between its members for several reasons: double charging of the common external tariff, unequal distribution of customs revenues, the increase of protectionism between the two great partners (Brazil and Argentina), claims of minor partners (Uruguay and Paraguay) for decisions and strategies that have increased asymmetries and generated negative repercussions, non-construction

of consensus in relation to the insertion in global scenarios and disagreement over the full entry of Venezuela, which strengthened the character of Mercosur as an intergovernmental political forum to the detriment of its commercial dimension (Ramirez, 2013). Since July 2016, Mercosur has fallen into deep disagreement with Venezuela’s “self-proclamation” as pro tempore president of the bloc, a claim rejected by three of its five members (Paraguay, Argentina and Brazil) because the bylaws do not provide for automatic transfer but they demand consensus, and because four years after its membership, Venezuela has not met the commitments to be a full member, it is in deep crisis and Paraguay has asked to apply the democratic clause. With the recent change of governments in the two largest countries, there have been calls for Mercosur to become more flexible by allowing its members to enter into agreements with third countries, to regain its trade focus and to become closer to the Pacific Alliance. Within this framework, social participation is now being developed.



## 1.1.5. The Pacific Alliance



In April 2011, Peru, Chile, Mexico and Colombia created the Pacific Alliance in order to deepen cooperation among its members, based on their convergence around an economic and political model of insertion, investment attraction and conversion into export platforms for the global market. All countries have opted for a pragmatic path of bilateral relations articulated around free trade agreements with the United States, the European Union and Asian countries.

This group is part of the processes of fragmentation and rapprochement that have characterized the economic and political evolution of Latin America and the Caribbean during the last decade and its dynamism -marked by successive presidential summits, concrete declarations, imperative timetables for its goals and review of commitments at each meeting- contrasts with the paralysis of integration, cooperation or concertation groups. It is seen as an ideological and geopolitical counterweight by the other Alliance, the ALBA. The four governments defend it as a deeper economic integration (as defined by the WTO, not multidimensional but rather of economic links), broader and faster than that achieved so far in Latin America, aimed at building the free circulation of goods, services, capital and people, as well as deepen cooperation and intensify investment and trade with other markets, and generate greater bargaining power to get closer to China in better conditions. It is defined as a complementary system with other agreements in the region, compatible with the construction of Unasur and CELAC, and open to linking other countries. Panama and Honduras, Costa Rica and Honduras[DM1] have requested to become full members, Guatemala has approached it as well, and more recently Mercosur countries -Uruguay, Argentina and Brazil.

The Alliance has made progress in removing obstacles to mutual trade, tariffs and rules of origin in order to stimulate economies of scale, e-commerce, air connectivity and financial, electrical, infrastructure, stock market and central security depositories. In addition, visas between the four countries were eliminated with the expectation of generating a positive impact on tourism and business activity, and began police and customs cooperation with the exchange of information in real time to control the migration of criminals.

Regarding the social sectors linkage, since 2012, the Alliance set up the Business Council which articulated the export promotion agencies to share offices, information, experiences, sectorial projects and offer products and services in international fairs as a bloc, "macrorruedas" and market studies, and trade missions in China, South Korea, Japan and India. In addition, a cooperation fund was created, which includes calls for scholarships for academic and student mobility, initiatives to improve the competitiveness of micro, small and medium-sized enterprises, and a work and youth exchange program. However, education has not become an articulating axis of academic networks and social links between member countries. Nor has it taken on other central dimensions such as the vulnerability of the Pacific coasts to the threats of climate change, which could lead to the articulation of civil society networks. Neither has it promoted a strategy of rapprochement and dialogue with Pacific local actors of each of the member countries -Universities, Indigenous and Afro-descendant organizations- that allows them to be informed about the Alliance's developments, to stimulate their own considerations as a region, and to coordinate with them spaces of participation and

taking advantage of the opportunities that could be opened in favor of those areas.

In sum, the sub-regional integration groups examined, have tried different ways of participation of social actors according to the moment they have gone through. In its revival or launch in the 1990s under the scheme of open regionalism, the effort was focused on linking the business sector to the “next room” of the one where the free trade negotiations took place, and in the Consultative Councils which were created in CARICOM, SICA, Pacto Andino (Andean Pact) and Mercosur. These Advisory Councils were then extended to the labor sector in tripartite mechanisms with governments and employers. Movements and social actors such as indigenous, women, human rights NGOs, were linked to advisory spaces that at some circumstances reached a certain projection, as the social dimension of integration was expanded. However, these councils have not been convened on a regular basis, they have had no direct impact on the decision-making of the integration process or its redefinitions. Its recommendations have not always been taken into account in the four sub-regional groups: CARICOM, SICA, CAN and Mercosur.

The gradual blurring of the multidimensional sub-regional perspective, the growing breach of commitments, the predominance of national strategies of international insertion in line with the agricultural export and mining-energy-exporting model of economic development of each country, has decreased in the usefulness, value and content of the groups and dismantled any vision of supranationality. That is why it could not be said that in the four processes examined, there have been substantive social advances, neither in the social interpenetration between its member countries, nor in the construction of sub-regional actors or community citizenship,



# Alianza del Pacífico

<sup>2</sup>Macrorrueda: Business matchmaking forum



## 1.2. Opportunities in cooperation agencies

The cooperation organizations are directed towards the achievement of specific goals in which interested members are involved through specific processes of coordination and collaboration.

### 1.2.1. Organization of the Amazon Cooperation Treaty (ACTO)



The Amazon Cooperation Treaty began in 1978 and in 1995 gave rise to the Amazon Cooperation Treaty Organization (ACTO). Since 2009, the foreign ministers of the eight member countries spoke about the need to expand and deepen their initiatives to relaunch the Organization. At the end of 2011, they decided to undertake a process of strengthening of the permanent national commissions and expanded their functions: implementing the Treaty in each country, articulating relevant public policies and interacting with various Amazonian sectors. These commissions then convened national reflection workshops in each country on the Amazon and its challenges, which were the first opportunity for participation of subnational and local authorities, social actors, experts and cooperators, in dialogue with national and ACTO officials. Authorities of municipalities or Amazonian provinces and social organizations knew about the projects of the Organization; the indigenous people reaffirmed their request to participate in the processes of Pan-Amazonian cooperation and respect for their ancestral territories that are affected because of extractive, energy, agro-industrial and

road megaprojects without prior consultation. The meeting of ministers of foreign affairs of 2013 included this process and agreed to promote a network of research centers, a regional observatory, to open channels of information and interaction with Amazonian populations and promote the defense of their rights and cultures (XII Meeting of Ministers of Foreign Affairs of the Member Countries of ACTO, 2013).

Notwithstanding these processes and agreements, national and regional commissions remain only inter-ministerial. Rather than implementing multilateral agreements, governments push megaprojects -some as part of the South American Infrastructure Integration Initiative (IIRSA)- on behalf of sovereignty and national development regardless of the environmental, social and cultural costs and without even provide local information. But faced with the devastating challenges of some of these megaprojects, it is the affected communities, civil society organizations and some international organizations that are coming out in defense of the Amazon. This is shown by examples such as those outlined below.

With the construction of 48 hydroelectric dams -one for the Belo Monte hydroelectric plant, the third largest in the world- Brazil flooded 48,000 hectares in the Xingu river basin and expelled 40,000 indigenous people from its land; Their protest reached the Rio + 20 Summit and the Inter-American Commission on Human Rights (IACHR), which in 2011 granted them precautionary measures, later rejected by the government. In Colombia, there was a strong reaction to President Santos' announcement at the 2012 Rio+20 Summit (Ardila, et al, 2013) of declaring as a mining reserve 17.6 million hectares in biodiverse areas of the eastern Amazon, Chocó and The Orinoco region in order to practice "sustainable" mining. In Ecuador, social mobilization for the water law and to request the government not to do exploration in the vicinity of the Yasuní reserve thus conserving the oil in the subsoil. In 2014, due to local protests, the Bolivian government had to cancel the construction of the road between Beni and Cochabamba, financed by Brazil. It would go across the Indigenous Territory Isiboro Sécore National Park (Tipnis). Guyana stopped a cross-border road after social protests, fearing Brazilian migration and exports. Resistance to the dispossession of their territories for extraction of minerals, hydrocarbons and agribusiness has increased by indigenous communities and among small Peruvian farmers in the Amazon. In 2009, in Bagua, indigenous people demanded to stop the construction of the Peruvian-Brazilian dams and the government had to postpone or cancel twenty hydroelectric plants in the Marañón river basin, whose construction was planned for large mining and for export of energy to Brazil. The South Inter-oceanic Highway, which connects the Brazilian Atlantic with the Peruvian Pacific, has generated protests for the

damages caused by exposing to the world economy a vast conserved sector of the Amazon. There are already deserts miners where there was bush jungle; the peoples of the tri-border jungle -Acre in Brazil, Pando in Bolivia, and Madre de Dios in Peru- saw the number of inhabitants doubled because of massive immigration without basic facilities or institutions. Throughout the five years of construction of the highway and during the time of operation, crime organizations, which articulate drug trafficking, extractivism, human trafficking, etc., take advantage of interconnection rather than intergovernmental cooperation or commercial activity (Ramírez, 2012).



# OTCA

**Organización del Tratado  
de Cooperación Amazónica**

Social pressures have failed to ensure that governments implement what was agreed in ACTO, concerning planning of infrastructure development in response to environmental and population requirements, and interconnection is not designed to invigorate cross-border protection and development in order to benefit first and foremost local people. The issue about the real interest that governments and member countries have over ACTO has revived, since the cumulative of agreements that are scarcely operational and deployed make the Organization insignificant.

<sup>3</sup>Rio+20 was the United Nations Conference on Sustainable Development that took place in Rio de Janeiro, Brazil on June 22nd, 2012.





## 1.2.2. Association of Caribbean States (ACS)



The Association of Caribbean States (ACS) emerged in 1994 with several developments. First of all, it was a rapprochement between sub-regions -proposed from CARICOM and gained the support of SICA and the G-3 (The free trade agreement between Mexico, Colombia and Venezuela) that existed at the time- to promote a process of regionalization involving all boundary nations of the Caribbean Sea. In addition, it emerged with a commitment to a complex multilateralism that involves the participation at various levels of four types of members: full members (independent states), Associate Members (dependent territories or their metropolis), Observers (countries or agencies interested in the macroregion), and social actors.

actors, however this interest decreased because the mechanisms of participation and the recognition process based on the demonstration of ties to various regional processes and their ability to contribute to the achievement of the goals of the Action Plan and the decisions of the Council of Ministers and the Special Committees, were not clear. In addition, when filling the agenda of diverse subjects, this emergent entity showed neglect by lacking conditions to implement them. Then came the redefinition of the ACS as a cooperation zone in four areas -trade, sustainable tourism, transport, disaster risk reduction. By not giving any priority to the social or cultural issue, which gave greater possibilities of participation to social actors, brought their involvement to a halt (Ramírez, 2011).



The ACS had a rapid validation of the founding treaty but soon focused on trade issues, as it had been driven by CARICOM to constitute a step in the FTAA negotiations in order to put the needs of island micro-states on the table. But it was impossible to articulate the diversity of agendas, asymmetries and speeds in which the countries of the Greater Caribbean operate; moreover, the FTAA failed. The ACS then pointed to a very wide range of issues, which aroused the interest of some social

There are other reasons that have hindered the participation of civil society in the ACS. There are different conceptions about what social actors are and their role in the process of regionalization. There are as well remarkable differences between the experiences and political cultures of the various sub-regions derived from the political history of the three major continental countries of the G-3, the Central American members, Cuba and the Dominican Republic, Haiti and Suriname, and the English-speaking Caribbean islands. In addition to this complex political heterogeneity, the emergence of a regional civil society is determined by linguistic and ethnic barriers as well as the paralysis and regression of sub-regional processes, as we have just seen. Neither has the ACS generated participation modalities that are not limited to consultations, nor is there “regionalization from below” that promotes initiatives. The same idea of the construction of the Greater Caribbean has had a limited validation since countries like Colombia and the Central American ones continue talking about their belonging to an Atlantic ocean rather than to the semi-closed Caribbean Sea (Serbin, 1997).

### 1.2.3. Bolivarian Alliance for the Peoples of our America (ALBA)

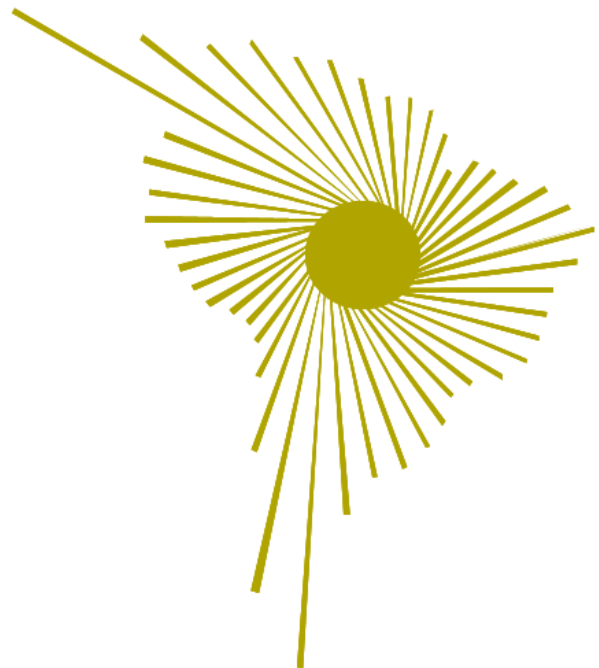


The Bolivarian Alliance for the Peoples of our America (ALBA) emerged in 2004 from the agreement between Cuba and Venezuela. That year and in 2005, the Bolivarian Congress of Peoples and forums “Building the ALBA from the peoples” was held. In 2006, it agreed to establish the People’s Trade Treaty (TCP) among its members, which already have commercial commitments by belonging to different sub-regional integration groups almost entirely, but their tie to the ALBA is due to the interest to cooperate in the generation of ideological convergence or strategic alliances and ‘grand-national’ projects.

In 2007, the Fifth Summit of the Council of Presidents of the ALBA included in the official structure -alongside the Political, Economic and Social Councils- the Social Movements Council (CMS) of ALBA as a mechanism that facilitates the articulation and participation of these social movements, with the responsibility to strengthen the mobilization around ALBA-TCP, to follow up on its projects, to contribute to its development and expansion. Governments activate social movements and consequently social movements assume several duties: to present proposals, projects, declarations and other initiatives to the Council of Presidents, receive, evaluate and channel collaborative programs of movements from non-member countries that are identified with this integration model; disseminate the objectives, actions and results of ALBA-TCP and participate in its initiatives. The Fifth Summit created an operational secretariat for combating poverty and social exclusion, and a Social Charter with 21 topics -land, land reform, migration and identity, participatory and proactive democracy, gender, education, science and technology, health and media- and prioritized to overcome illiteracy and achieve social productive networks and food sovereignty for its member

countries, issues in which all Councils including CMS should act.

It also launched a network of women, national chapters of articulation between governments and peoples, and meetings of social movements in support of ALBA-TPC, which were held in Venezuela 2007, Bolivia 2009 and 2010. In 2013, Continental Assembly of Social Movements including non-ALBA countries was held, with the perspective of the incorporation of local and regional governments even if their States were not participating; and created the Continental Platform of Social Movements to ALBA-TCP (Effective Articulation between governments and peoples).





Often the presidents of the Alliance speak on behalf of the social spaces and these movements in different areas, especially in relation to the possibility of moving towards “other alternative integration”, based on different principles from the market-based and neoliberal logic of the sub-regional groups. However, this demonstration of receptivity does not diminish the inter-state and, more specifically, inter-presidential character of the ALBA, where the same limitations persist and a similar “democratic deficit” is indicated for other integration processes (Serbin, 1997). Although Venezuela announced in 2013 the formation of an ALBA-Petrolcaribe common area, the economic and political problems that are intensifying in that country affect these organisms that have been instruments of its foreign policy. In fact, the ALBA website does not record more actions of the social movements,

which is the only form of participation of CSOs. In short, in the cooperation entities, the participation of civil society has depended on the nature of the intergovernmental grouping. If this grouping points to a process of regionalization, in particular circumstances, it consults or interact with local CSOs based on existing social ties, and recognizes a role in concrete circumstances or projects. In groups that cooperate to construct an ideological convergence, the governments that drive the process decide which movement would be linked, the tightly bind the movement to the project, speak on its behalf, carry out a controlled institutionalization or relegate their participation in difficult conditions. In both cases, the response or the disregard of social proposals depends on the existence and the initiative of a “regionalization from below.”

<sup>4</sup>ALBA website: <http://alba-tcp.org/>



## 1.3. Spaces in dialogue and intergovernmental conciliation

The spaces for political dialogue and conciliation are more flexible, the interaction has an interstate nature and usually occurs at the diplomatic level in order to adopt joint positions with other States or international organizations.

### 1.3.1. Union of South American Nations (UNASUR)



The Union of South American Nations (Unasur) is the first case, a name that -at the sixth South American summit held in Margarita in 2007- was taken by the South American Community that had emerged in December 2004 in the process of meetings of the presidents of the twelve member countries. The project had already started in 2000 with the idea of building a process of regionalization. Previously or in parallel, social summits were being held. The third one was the most significant, the Social Summit for the Integration of the Peoples, held in December 2006 in Cochabamba, and had three forms of interaction with governments: 1) workshops in which some government delegates attended to listen CSOs discussions; 2) seven social and governmental dialogue panels on energy, trade, financial and infrastructural integration, major social problems, environmental and water problems; and 3) a delegation from the Social Summit, invited to the South American Summit of Nations to discuss their proposals; the idea of replacing the name of South American Community of Nations by Unasur emerged

from here. This third Social Summit was not a counter-summit but a space for dialogue that, although it had the support of some governments, it was convened by social movements and social organizations grouped into alliances and networks, e.g. the fight against the FTAA (Informative Minga of Social Movements, 2007).

In May 2008, in Brasilia, Unasur approved its constitutive treaty in which citizenship appears as a membership with individual rights and duties and as a plural and diverse set of social actors, synonyms of civil society. In addition, the full participation of citizenship is presented as dialogue, interaction, and innovative spaces. Unasur came into force in 2011. In its first four years it held twelve presidential meetings, half extraordinary, and many with foreign ministers, to conciliate positions and act quickly by sending missions to national and intraregional conflicts. When a balanced consensus was reached, its timely and efficient action was made possible, the approach between conflicting parties was strengthened, coexistence and cooperation were stimulated

in the midst of differences within countries and between neighbors as a stage for the formalization of bilateral agreements. On the other hand, Unasur has failed when it has taken sides in some sector or when some governments have intervened on their own to impose the terms of a negotiation in an internal conflict. That happened in Paraguay and now happens in Venezuela. Its successes have gained it social legitimacy, whereas its failures raise questions about its meaning (Ramírez, 2011).

Unasur inherited the IIRSA, which identified energy, infrastructure and inter-oceanic connection projects. These projects have aroused a big social reaction and have tried to limit the participation of society to avoid opposition from the local population. Indigenous and Afro-descendants peoples have reiterated in various events -at the Third Social Summit of 2007 and the Third Congress of the Andean Coordinating Committee of Indigenous Organizations (CAOI) in 2012, among others-, the demand for suspension of some of these projects and their reorientation based on prior consultation, free and informed consent of peoples and citizenship (Moncayo & Chaparro, 2016). Unasur's Infrastructure and Planning Council (COSIPLAN) has accepted that the social sector could support strategies for the development of transboundary regions in order to help the articulation of the national territory, integration with neighbors and international insertion, but this recognition has not had any effect. The megaprojects are promoted without sustainable environmental management and without active participation of authorities and social organizations of the areas where they go through. As it turned out, in the Amazon, damage to indigenous communities, biodiversity and ecosystems has fueled protests against extractivism, megaprojects and agribusiness. Indigenous and environmentalists have resorted to precautionary measures of the IACHR or to global forums (South American Community of Nations, 2006).

Given their differences, the presidents have been jealous of preserving the intergovernmental character of Unasur rather than giving it any margin of supranationality. Despite its predominantly political nature, which depends on the permanent renewal of the inter-presidential agreement, the declarations of the summits are very comprehensive. Ministerial and sectoral councils have been multiplied – there are 12 in 2016: defense, drugs, electoral, education, health, culture, science and technology,

energy, infrastructure and planning, economy and finance, social development, others only stated, without leading to better consensus or greater thematic coordination. In addition, a technical secretariat has promoted projects in Haiti related to healthcare, food sovereignty, local production, infrastructure, energy matrix change, environmental conservation, local capacities and human rights.

In none of these councils and initiatives has there been any participation of CSOs (Unasur, 2014). This participation has occurred in previous or simultaneous meetings to the intergovernmental summits by sending of letters or declarations (Serbín, 2007). In July 2007, a seminar on civil society participation mechanisms convened by UNASUR defined civil society as a broad, diverse, popular, autonomous and democratic whole of social actors in member countries; and more than institutionality for participation, the seminar proposed flexible mechanisms but at the same time spoke of continuing with the Social Summit that was carried out under the South American Community.



The only space open to society has been the Citizen Participation Forum, created in July 2012 (Unasur, 2013), which had its first session in August 2014 in Bolivia, where its structure and functioning was approved: the plenary as the maximum body under the leadership of the country's representative holding Unasur's pro tempore presidency (PPT), general coordination with two representatives of each country-government, thematic commissions for representation in 12 sectoral councils with one holder and one alternate members per country; the decision-making is done by total or majority consensus and the General Secretariat certifies the participation of networks, organizations and movements. The

Forum asked governments to create more entities: ten other sectoral councils, a communication and dissemination network, seven working groups (gender, indigenous, peasants, Afro-descendants, food sovereignty with the exchange of technologies and ancestral knowledge, youth with their network and technical table), observatories of transnational

companies, and national chapters assisted by a focal point of the Ministries of Foreign Affairs. At the outset, the Forum made anti-imperialist statements and in defense of sovereignty over natural resources, urged South American citizenship, funds to hold meetings, permanent dialogue with governments and a direct channel with the Council of Presidents (Unasur, 2014).

<sup>4</sup>ALBA website: <http://alba-tcp.org/>

<sup>5</sup>In Bolivia, in 2008, Unasur defended the state unity in the confrontation between autonomists of the region of Santa Cruz and the Government. In 2009, Unasur articulated regional discontent with the agreement for the use of Colombian military bases by the United States. In Ecuador, in 2010, it supported the institutionality of the police riot. In August of that same year it acted as guarantor of the agreement between Colombia and Venezuela. In 2011 it was the stage for the reestablishment of relations between Ecuador and Colombia.

<sup>6</sup>At the summit in Quito on August 10, 2009, the Permanent Assembly of the Civil Society for Peace (Asamblea permanente de la sociedad civil por la paz), with the support of one hundred Colombian organizations, a document of proposals for overcoming the crisis caused by the agreement of use of Colombian military bases by the United States and to ask for a solution to the armed conflict, was presented to the foreign ministers.

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## 1.3.2. The Community of Latin American and Caribbean States (CELAC)



The second body of political dialogue that has emerged in the midst of a changing Latin American and Caribbean panorama and that has opposing political pursuits is the Community of Latin American and Caribbean States (CELAC), which is built in 2010 as an intergovernmental space for political dialogue thanks to the primacy granted to their peaceful coexistence and the presence of the region in the global context by the governments to that, on top of political homogeneity. Its non-institutionalized forum character with flexible functioning, without binding decisions, subject to consensus and that does not intervene in internal affairs, allows that the tendencies that are expressed in the region do not antagonize increasing fragmentation. Perhaps for these reasons and because not everyone recognizes that plural visions of regional heterogeneity should include societies, governments do not consider the permanent participation in CELAC of citizen and social organizations in which conflicts between different political alternatives are brought up (Ramirez, 2014, 2016).

At the CELAC summits there have been no spaces for participation of social actors since not all governments agree to include them respecting their autonomy. Only a few “independentistas” from Puerto Rico participated in two Summits, the 2nd one in 2014 at the invitation of Cuba as host, and the 3rd one in 2015 when the president of Nicaragua gave them his voice before leaving the meeting, against the calls of his Colleagues, who adjourned the session in which only the leaders should participate. At the Second Summit, Amnesty International reported that the simultaneous initiatives taken at the Summit by

the “Damas de Blanco”, the Cuban Commission for Human Rights and National Reconciliation and other groups, which wanted to hold a democracy forum and request interviews with Governments, were interfered. However, the representatives of these organizations managed to be welcomed by the leaders of Costa Rica and Chile. Costa Rica announced that during its presidency of CELAC, it would encourage the Community to build its consensus with the contributions of different sectors of civil society.

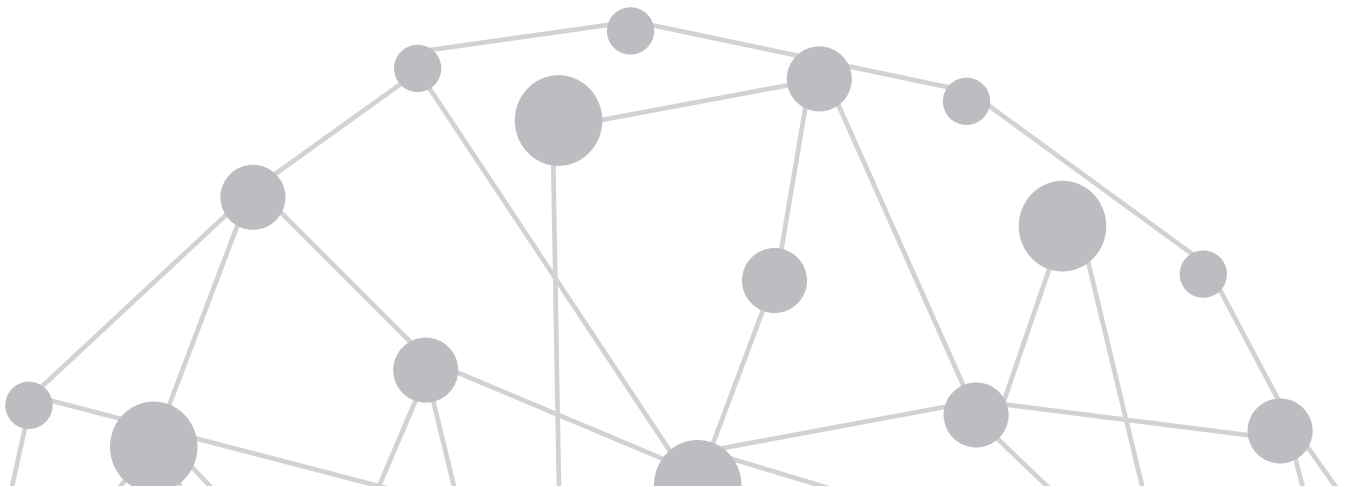
Latin American and Caribbean civil society has been able to intervene in the forums of the region's meetings with the European Union. The First CELAC-EU Summit (Chile, 2013) was preceded by the VII bi-regional meeting, which had already been linking States with social organizations and citizen and non-governmental interest groups on both sides of the Atlantic; and, in Santiago de Chile numerous civil society organizations were found, 200 university centers and 800 entrepreneurs, and parliamentarians (Ramírez, 2013). In June 2015, the Second Summit that took place in Brussels, brought together six sectors: the eighth session of civil society -with confederations, networks, sub-regional initiatives and national associations-, the seventh meeting of trade unionists, the second academic meeting, the business forum, the second congress of media publishers and the youth meeting (Ramírez, 2015).

Several CSOs have called on CELAC to open spaces for participation. On the occasion of the Second Summit, from the Communication Forum for the Integration of Our America, social organizations



indicated that the Community is strengthened with a rich social participation (Latin American Information Agency - ALAI, 2014). In 2015, there was another call to consider the possibility of promoting concrete spaces for a pluralistic, broad and diverse citizen participation, which includes the declaration of the Third Summit (Croce, 2015). Simultaneous to the Fourth Summit of CELAC in 2016, a Forum of the Peoples was held in Ecuador.

In short, in the political dialogue developed by UNASUR and CELAC, social participation has yet to be built. Both organizations would enhance their dialogue and the implementation of some of their consensuses, if they recognize the contribution and the importance of many social actors in this regard, if they build channels for their autonomous expression and provide an opportunity to expand and improve their participation and impact. This would create a feeling of belonging, help build a common vision and enable joint action that would result in the construction of community subjects and shared identities between Latin American and Caribbean citizens.



# Social participation in hemispheric multilateralism



## 2. SOCIAL PARTICIPATION IN HEMISPHERIC MULTILATERALISM

During the Cold War (1948-1991), the Inter-American System helped consolidate US hegemony. After the end of it, it goes through a long and uncertain period of transition. With the end of the bipolar conflict, the globalization process became more evident, a retreat from the superpower and its relative disengagement from Latin America and the Caribbean, a very heterogeneous and fragmented region. The ongoing transition is pushing for redefinitions of hemispheric multilateralism, some of which are problematic, such as those of the Inter-American Human Rights System, others are hopeful, such as those created by the Organization of American States (OAS) and Hemispheric Summits. The participation of CSOs in these processes increase, as will be seen in this second part.



### 2.1. In the struggles of the Inter-American Commission on Human Rights

The inter-American system as a whole has become the scene of new struggles for a long and complex transition that still fails to redefine hemispheric relations, both because of the ambiguous attitude of withdrawal or distance from the United States and Canada, as well as the Latin American and Caribbean political fragmentation, and national crises and tensions or between neighboring countries. All this influences social participation and forces CSOs to rethink the meaning and priorities of their intervention.

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tensions or between neighboring countries. All this influences social participation and forces CSOs to rethink the meaning and priorities of their intervention. The Inter-American System of Human Rights was created in 1959; as of 1979 it has been made up of the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human



Rights, and has some spaces for social participation. It is the only hemispheric instrument that can be used by citizens, particularly by the victims of the hemisphere, or when the justice of their country does not hear or acknowledge their rights; it is the only one that can supervise and condemn States because it handles individual complaints, makes reports and thematic hearings, grants precautionary measures. Therefore, it relies, in general, on the opposition of the governments according to the situation of the region or the country in which it intervenes. When it acted against the dictatorships of Augusto Pinochet, Jorge Videla and Anastasio Somoza, received critics from the right wing of the continent, even after these dictators left the power. When it has questioned the cutting of democratic freedoms and the control of media or its contents by leftist governments, or when it has addressed requests from sectors affected by its measures, it has received questions from those same sectors (Uprimny, 2016).

In the recent years, there has been an unusual convergence of governments of different political and ideological attachments that question the IACHR and the Court and have been willing to control their operation depriving them of the autonomy that has made their achievements possible. That is why the fear of different CSOs has grown over the continuity of a system that has helped to defend citizens and victims –as it was seen in the preparatory process and in the Sixth Summit of the Americas. The discussion on the attributions of the Commission and the Court -developed between 2011 and 2013- as the so-called “strengthening process” -but it actually was the weakening of the Human Rights System- was followed by attempts of reforms aimed to depriving it of competencies, independence and make their reports innocuous.

This convergence has been driven primarily by leaders in ALBA, especially those in Venezuela, Ecuador, Nicaragua and Bolivia, who point out to the IACHR as an inquisitor against the states, and take their reports on human rights or freedom of expression as external and imperial maneuver against their governments, impede their visits or disregard both their rulings and those of the Inter-American Court, threaten withdrawals and seek replacement in CELAC and Unasur. The United States contributes to this mistrust by not submitting to its scrutiny and using its decisions with double standards. This critical convergence has also involved

governments that -like the recent governments of Colombia- have been willing to revert convictions and remove the country from the fourth chapter dedicated to the cases of major concern without precedence of a substantial improvement of the situation, and keeping silent in light of attacks on the IACHR when the country is one of those that have gain most benefits from its reports and recommendations, and needs its support for the transitional justice system of the agreement with the guerrilla of the FARC. The Mexican government has also been confronted with the Interdisciplinary Group of Independent Experts (GIEI) coordinated by the IACHR, which did not renew its mandate to continue the investigation of the disappeared students of Ayotzinapa; its ambassador to the OAS spoke again in 2016 about a reform of the IACHR with “corrective measures” to guarantee “certainty in its action”. Other governments -like Chile and Peru- want to hinder it with the argument of “guaranteeing the legitimacy” of the system and give the states “legal certainty and friendly settlement.”

The most unusual case of this convergence has been Brazil, which, since April 2011, demanded the IACHR to withdraw the precautionary measure and the petition that, before authorizing the construction of the Belo Monte hydroelectric dam in indigenous territory, it should guarantee the actual access of communities to project impact studies, free and informed, and culturally appropriate consultation with each affected community, protection of the life of the people in voluntary isolation and their collective existence. But in August 2016, in light of the impeachment process, the Workers’ Party appealed to the IACHR to request precautionary measures for Dilma Rousseff, who, as Minister of Mines and Energy, approved the construction of those dams, and then, as president, froze Brazil’s compulsory and voluntary contributions to the OAS, withdrew the permanent ambassador to the Organization and supported the so-called “strengthening process” of the Human Rights System (Cerqueira, 2016).

In addition to political harassment, the IACHR and the Court are subject to economic suffocation caused by the accumulated budget deficit, which has become permanent and threatens its existence. This occurs as requests from citizens or social organizations in the Americas increase for the Commission to act as the last hope for justice -by 2016 it has more

# IACHR

## Inter-American Commission on Human Rights

than 6,000 complaints on the table and a team of only 12 lawyers to analyze them and three to determine precautionary measures. In May 2016, the IACHR showed that its serious financial crisis could paralyze a large part of its functions, force it to immediately dismiss at least 40% of its work team, and cancel the planned visits and hearings.

Indeed, the three sources of funding have been declining. 1) Receives only 6% of the OAS budget from state quotas, which some do not pay when they are questioned (e.g. Brazil since 2011, after measures to protect indigenous people) or have economic problems. 2) It receives some voluntary contributions from its members, but these are neither fixed nor permanent and all contributors have been reducing them (Uprimny, 2016). Colombia contributed US\$ 400,000, then US\$ 200,000, in 2015 it fell to US\$ 50,000 and by mid-2016 it had not yet given anything up (IACHR, 2016). Many are more supportive of the International Criminal Court, although the International Criminal Court does not study almost any case on the continent; they contribute to the Hague US\$13 million a year, while for the IACHR they barely collect US\$ 200,000 for 7,000 processes (Semana, 2016). In May 2016, at the urgent session of the OAS requested by the IACHR, only Canada, Colombia, Uruguay, Panama, Costa Rica, Antigua and Barbuda announced contributions. The Mexican ambassador said that his country is the one that has contributed the most money to the IACHR, two million dollars in the last two years, but these resources were used to finance the GIEI of his country; since 2014, Mexico does not make voluntary contributions. 3) The IACHR should seek donations from observer countries (mostly European) and other smaller funds from agencies and universities for scholarships. But these external donations have been decreasing,

from US\$ 5.3 million in 2014 to USD \$ 3.8 million in 2015 and to US\$ 2.8 million in 2016, as they come from the European Union in particular, who has been refocusing in attending the number of refugees now arriving. The government of Ecuador has criticized the financing based on contributions from private entities and States outside the Inter-American System, because it assumes that they are conditioned and directed, which would lead to a politicized agenda in the treatment, defense and promotion of human rights; but its last contribution was in 2011, since in 2012 the IACHR granted precautionary measures in favor of the heads of the newspaper "El Universo", for a judgment submitted by the president (IACHR, 2012).

The debate is open. If governments do not want to rescue the IACHR and the Court, what can civil society do? It could give immediate priority to a major campaign to commit governments to provide contributions, agree on a mandatory direct contribution mechanism, and raise the OAS resources for the human rights system from 6% to 12%. Civil society cannot afford to let die those organizations that have contributed most to giving priority to the protection of human rights as a way of strengthening justice and democracy in the hemisphere because of economic suffocation or political weakening. Its action or omission at this time is decisive.

At the moment, several CSOs have come out to defend the IACHR by showing their important contributions. It is the case of the protection of the human rights of women, since the IACHR has succeeded in some States assuming their international commitments, but in national courts this protection tends to be ignored or belittled with stereotyped visions. In Brazil it helped face domestic violence after showing that the State did not protect a victim, and demanded to investigate and punish the guilty party. In 2009, the Mexican State -given the report on femicides in Ciudad Juarez- was obliged to train its officials in investigating crimes committed against women and to review their ineffective prevention, investigation and sanctioning practices and policies that were also plagued by discriminatory prejudices against murdered women. Argentina was forced to stop the automatic vaginal inspection of women visiting prisons. Chile had to accept that in the allocation of parental custody, lesbian women cannot be discriminated because of their sexual orientation. The Colombian State had

to protect the lives of women subjected to sexual violence and ensure medical treatment; and after the report “The impact of the armed conflict on women’s rights”, Colombia had to gather its recommendations in a law on access to justice and care for victims of sexual violence, in a sentence by the Constitutional Court and in a document of the Council of Economic and Social Policy (Conpes) aimed at preventing and guaranteeing the rights of victims of armed conflict. In Costa Rica, women with fertility problems gained access to in vitro fertilization. Following a 2001 report, the State of Guatemala was led to change several articles of the civil code that gave men the administration of goods while confining the woman to the care of children and the home (Cárdenas, 2016).

As we have seen in recent months, another critical issue at present is the role of consensual instruments such as the 2001 Inter-American Democratic Charter. While governments seek to equate the defense of sovereignty and non-intervention with non-questioning of its management and try to cling to these principles to protect their indefinite stay in power, others prefer unimportant OAS and Secretary General. Luis Almagro has been questioned by some governments that have even asked for his resignation for trying to fulfill what he said when starting functions: “As Secretary General of the OAS, I am a government and I am opposition” that is, taking into account the claims of both including those of civil society.

<sup>7</sup>The inter-American system constituted a first modality of hemispheric order, had a systemic geopolitical character, and with the rigid bipolar division of the world into two large political-military blocs, attached the Latin American and Caribbean countries to the western bloc under the aegis of Washington whose guardianship was decisive in the march of the region and in the relations of their countries with the world and with each other.





## 2.2. Definitions in the Organization of American States (OAS) and summits of the Americas

In the context of hemispheric transition, in 1994 the Summits of the Americas emerged as the only space for meeting and dialogue at the highest level -heads of state and government- which began with free trade issues around the US proposal on Free Trade Area of the Americas (FTAA) and then focused on a wide range of issues that have required coordination between institutions of the Inter-American System and have influenced the subsequent adoption of multilateral agreements, such as the Convention against Corruption adopted in Caracas in 1996 or the Inter-American Democratic Charter adopted in Lima in 2001. These Summits have reactivated the OAS by encouraging it to involve different sectors, including CSOs, within and in the process of preparation and implementation.

In 1999, through OAS Permanent Council resolution 759, the OAS defined CSOs as any institution, organization, national or international entity composed of natural or legal person of a non-governmental nature (OAS Permanent Council, 1999) and opened spaces for participation. In 2001, the Inter-American Democratic Charter established that the participation of citizens in decisions regarding their own development is a right and a responsibility, it is also a necessary condition for the full and effective exercise of democracy. Promoting and fostering various forms of participation strengthens democracy (Article 6). Throughout its body, the Charter explicitly states this concept and in the end adds that the OAS will maintain consultations and continuous cooperation with the member states, taking into account the contributions of civil society organizations working in these areas (Article 26). Also in 2001, the Third Summit of the Americas designated the OAS as the secretariat of the preparatory process and the holding of each Summit in coordination with the host country (OAS, 2001). At the same time, the OAS Summits Secretariat, with the Economic Commission for Latin America and the Caribbean (ECLAC), the World Bank (WB), the Inter-American Development Bank (IDB) and the Pan American Health Organization (PAHO) created the Joint Summit Working Group (JSWG) (Caicedo, 2016).

Other decisions were made in 2003 by Resolution 840 of the Permanent Council. The Committee of Summits and Civil Society Participation in OAS (CISC) undertook several strategies to expand and strengthen the participation of CSOs and the private sector (OAS, 2016). The OAS General Assembly, in Santiago, Chile (2003), developed an informal dialogue between CSOs, Ministers of Foreign Affairs and the Secretary General, which set a precedent. The OAS then identified three possible forms of CSO participation in its activities: 1) registration; 2) request for a special invitation to the General Assembly, the Permanent Council (CP), the Inter-American Council for Integral Development (CIDI) and specialized conferences; 3) signing cooperation agreements with the General Secretariat to develop joint programs. The broadest is the registry that allows access to virtual consultations or with member states, receive the calendar of events and documents prior to meetings of working groups and special committees of the CP, CIDI or their political bodies; appoint representatives for public and closed meetings with prior authorization of the CP presidency; to distribute documents prior to those sessions, to contribute to the elaboration of the agenda of an annual meeting of the CP on an issue of the registered CSOs interest, for a broad and substantive dialogue; and to receive the resolutions adopted in the regular sessions of the General Assembly.



In 2004, resolution 864 established a fund to support CSOs participation in the activities of policymaking bodies such as the General Assembly and the CP, the ministerial and CISC meetings, the Summit Implementation Review Group (SIRG) and other activities of the OAS, as well as in the Summits of the Americas process (OAS, Permanent Council, 2004). The Department of International Affairs (DIA) is responsible for advising the Secretary General on matters related to the promotion and expansion of CSO participation in all OAS activities, to provide technical secretariat services to the CISC regarding this participation and coordinate the registration of CSOs. In 2006, the General Assembly adopted resolution 2172, entrusting the General Secretariat with the presentation of a report that includes best practices to generate participation models applicable by the OAS and in the Summits of the Americas process (OAS, 2007). In some OAS events, discussions have taken place between CSOs to prepare meetings with the SIRG, dialogues with the Secretary General and heads of delegations and observation of the plenary of the General Assembly.

The OAS Assembly in Bolivia adopted the Social Charter of the Americas (OAS, 2012), which states: "The promotion and observance of economic, social and cultural rights are inherent to integral development, to economic growth with equity and to consolidation of democracy in the States of the Hemisphere." And it urges governments to adopt policies to promote inclusion, prevent, combat and eliminate all forms of gender, ethnic and racial intolerance and discrimination "in order to safeguard equal rights and opportunities and strengthen democratic values." Its negotiation took a decade -had been promoted by Venezuela in 2001 as a complement to the Democratic Charter- although in the Inter-American System exists the protocol of San Salvador and article 26 of the American Convention on Human Rights provides the economic, social and cultural rights, their recognition has had to face two types of government resistance: from the United States and Canada that have designated them as aspirations, and from Latin Americans who have argued the lack of resources to guarantee those rights or have tried to counter them to human rights.

In addition to the definitions in the OAS framework, the Summits have been making claims about social participation and this has taken different forms as outlined below.

- ▶ The First Summit, held in Miami in 1994, highlighted the importance of CSOs, businessmen, trade unions, academic organizations and political parties helping to deepen democracy.
- ▶ The Extraordinary Summit on Sustainable Development, in Santa Cruz 1996, agreed to encourage the dissemination of information and the exchange of experiences in civil society, and promoted mechanisms for this.



- ▶ The Second Summit, held in Santiago in 1998, recognized the participation of CSOs as essential for increasing education, a fundamental factor in political, social, cultural and economic development. To prepare proposals, "Corporación Participa" and the Latin American Faculty on Social Studies (Flacso) from Chile promoted dialogues with different social or non-governmental organizations from various countries of the Americas.
- ▶ The Third Summit, in Quebec in 2001, highlighted the role of civil society in the construction of democracy with the promotion of values of equality, equity, diversity of opinions and experiences. In its preparation, a network of 18 national consultations with 900 CSOs was structured, formulating 243 proposals for the discussions in the SIRG, many of them included in the Action Plan adopted by the Summit. Later the impulse network launched the

project to evaluate the Summits Process and the design of a follow-up strategy to implement some of the axes of the Québec Action Plan.

► The 2004 extraordinary summit in Monterrey showed civil society as essential in designing, implementing and evaluating policies to strengthen democracy and development, and agreed to institutionalize meetings with CSOs, academia and private sectors. As a preparation, the regional forum “Civil Society in Hemispheric Integration Processes” held in November 2003 in Mexico City, which formulated proposals on economic growth with equity, social development and democratic governance; the impulse network presented the process of monitoring and evaluating the fulfillment of mandates.

► The Fourth one, held in 2005 in Mar del Plata, pledged to strengthen a broad social dialogue in favor of democracy, inclusion and social justice. In the preparatory process, under the theme: “Creation of employment to fight poverty and strengthen democratic governance”, consultation meetings and forums -gender, afro-descendants, young entrepreneurs, science and technology- and the gathering “Work and fair trade for a full democracy with social justice.” were held. One day before the Summit, the heads of state delegations held meetings with the private sector, CSOs, indigenous peoples, trade unions and parliamentarians. In parallel, the Peoples’ Summit was convened by political organizations and social movements with the support of leftist governments that assisted in its development, with the motto “other integration is possible”, in both Summits they contributed to show the harmful effects of the FTAA and to bury those negotiations.

► The Fifth Summit of Port of Spain in 2009 was marked by significant events: the absence of consensus in the official declaration after presidents of ALBA countries stated that they were not willing to sign it, the confrontation inside civil society and the weakening of spaces for dialogue within and with governments, despite intense preparation. In fact, the Active Democracy Network and the Think-Tank Initiative (of the organizations: Focal and Inter-American Dialogue) had stimulated previous events to discuss best practices, lessons learned, ways to avoid dispersion of proposals and to make political dialogue effective. The results of these initiatives were processed by the SIRG and presented in the report

2006-2008: “The Summits should not remain a dead letter” (Jácome, Sanhueza, & Delpian, 2009). Three sub-regional forums with the theme “Securing the future of our citizens by promoting human prosperity, energy security and environmental sustainability” contributed to the preparation. In addition, an Inter-American Afro-descendants Forum was held in January 2009 in Santo Domingo, the Commonwealth Youth Forum in Port of Spain in April 2009 and the second meeting of the private sector (Summits of the Americas Secretariat, 2009). The Third Indigenous Leaders’ Summit was forced to move to Panama after being told at the last minute that it was not possible to find a place for its session (Amnesty International, 2009).

► The Sixth Summit, in Cartagena 2012, had a strong preparation with 50 forums organized by Colombia, youth networks and the OAS with the participation of 10,000 people from 22 countries. The debate was centered on three main areas: 1) the subjects of the Summit: poverty, natural hazards, physical integration, new technologies and security; 2) issues that marked the context such as attempts to limit what works best in the Inter-American System, the Commission and the Human Rights Court, electoral missions, and 3) issues that, without being on the agenda, focused attention of the Summit, such as the inclusion of Cuba and drug policy (Ramírez, 2012). This process encouraged the participation of social actors in the forums: civil society, trade unionists, the Fourth Indigenous Leaders’ Summit of the Americas (CLIA), the Third Youth Americas Forum and the Talent and Innovation Competition of the Americas (TIC) in the Americas. In addition, the Inter-Parliamentary Forum was held with sub-regional deputies and national congressmen, who heard spokespersons from all social sectors. The Business Forum: “Connecting the Companies, Connecting People in the Americas” was also held, with private sector organizations from the main regions of the Hemisphere, which was streamed online. In parallel, the Peoples Summit was being held, which brings together social and political sectors; and their spokespersons accepted invitations to intervene in preparatory events, in the Forums of Social Actors and to attend the opening of the Presidential Summit. For the closing plenary of the Forums the dialogue with governments was expanded and for the first time two presidents - the host who invited the one from Bolivia - participated, twelve foreign ministers, permanent and alternate representatives, the Secretary General

of the OAS. With the request to intervene in concrete on the proposals of the CSOs, each government was previously given the conclusions of the preparatory events and the Forums of each social actor that came together in Cartagena. This was published in the book “Camino a Cartagena” delivered at the Summit (Ramírez, 2012) and a virtual library with documentaries and videos of each preparatory event that, moreover, had been transmitted by the official Colombian television channel.

► The VII Summit, in Panama 2015, was marked by the entry of Cuba to the Summits of the Americas and the first meeting between Barack Obama and Raúl Castro; by the tension of the Venezuelan government with both the United States and its opponents, who welcomed it with “cacerolazos” ; and the withdrawal of delegations from Cuba and Venezuela after clashes with a small group of opponents and activists at the Civil Society Forum and Social Actors, some of whom were singled out for not representing civil society of their countries and to have “friendship with terrorists” (Torres, 2015).

Thus, in the midst of convergences, divergences and uncertainties, the Summits of the Americas have provided momentum to the OAS, to the participation of the CSOs in consultations or debates on the preparation process, and to social actors’ forums or on the issues of Summits. In addition, it has enabled them to intervene in the issues that, without being linked to the respective Summit, have gravitated in the debate and have had significant repercussions: in Mar del Plata, the defeat of the FTAA, in Cartagena the debate on the need to strengthen The Inter-American Human Rights System and the failure of the war on drugs, and the pressure for the entry of Cuba, that as a matter of fact was overcome at the following summit (PASCA, 2016).

Hemispheric political tensions, which are increasing from day to day, have a negative impact on the entire Inter-American system, including the Summits, deepen the strong Latin American and Caribbean fragmentation, and interfere with the participation of civil society. Since the Fifth Summit no joint statements or action plans have been issued. Despite being negotiated in the long preparatory process, their character of agreed mandates was diluted at the end and were signed only by the respective host, which makes it even more difficult to follow up the development of the commitments. This was the case at the 42nd Assembly of the OAS, held in Bolivia two months after the VI Summit, when some ALBA governments called for eliminating any reference to mandates. At the Seventh Summit the tension was transferred to the social actors’ forums affecting its development and incidence.



<sup>8</sup>National consultations in Argentina, Barbados, Brazil, Chile, Colombia, Ecuador, El Salvador, Grenada, Guatemala, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, Dominican Republic, Trinidad and Tobago, Uruguay. onsultas nacionales en Argentina, Barbados, Brasil, Chile, Colombia, Ecuador, El Salvador, Granada, Guatemala, Honduras, Jamaica, México, Panamá, Paraguay, Perú, República Dominicana, Trinidad y Tobago, Uruguay.

<sup>9</sup>FOCAL: Canadian Foundation for the Americas

<sup>10</sup>In Ottawa, September 2008; Washington, January 2009; Port of Spain, April 2009; Bogota, October 2009; Washington and Bogota, December 2009.

<sup>11</sup>The South American was held in Lima in February 2009; the Central American, Mexico and the Dominican Republic in El Salvador in December 2008, the Caribbean and Trinidad and Tobago in October 2008.

<sup>12</sup>Argentina, Barbados, Belice, Bolivia, Brazil, Chile, Colombia, El Salvador, United States, Paraguay, Peru and Uruguay.

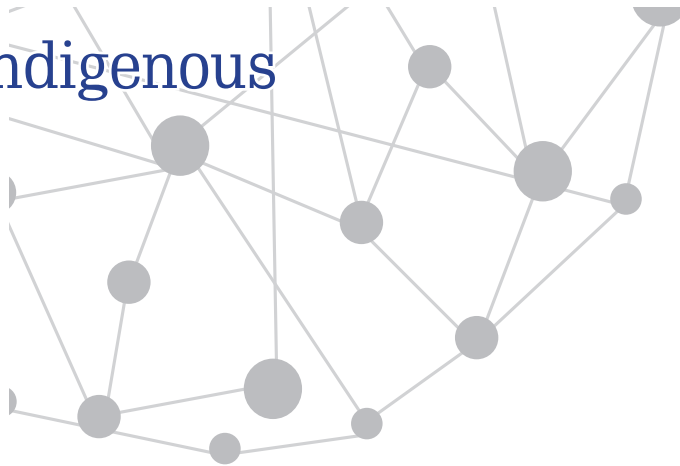
<sup>13</sup>A loud and spontaneous barrage of pots-and-pans as a form of popular protest.



## 2.3. Social actors in the OAS and the summits of the Americas

A review of the citizen and academic initiatives in the preparatory process for the Summits of the Americas, as well as the ways in which different sectors of society participate and their results, allow us to analyze significant experiences extracted from the few evaluations made in this regard, and collect proposals that have helped to improve its incidence.

### 2.3.1. Indigenous peoples



Indigenous people is the social actor that has been able to create, for a longer time, an own and relevant meeting space at the Summits of the Americas with its five Indigenous Leaders' Summits of Abya Yala or the Americas (CLIA) since its inception in Quebec. This has enabled them to build alliances, gain recognition as strong social actors and achieve high representativeness. His presence in Cartagena was massive, both for their preparatory forums and for the invitation of the Colombian president to his Bolivian counterpart to co-chair the closing plenary of the Social Actors' Forums. President Morales was accompanied by many social leaders, especially indigenous people, and incorporated important discussions such as the ancestral use of the coca leaf in the debate on the review of drug

policy, which had already been developed in the preparation and in the Sixth Summit of the Americas.

On the other hand, two indigenous experiences have been very traumatic: that of their Third CLIA, since they were warned at the last moment that there was no place in Trinidad and Tobago to carry it out and they had to move it to Panama, and that of the Fifth CLIA, given that at the request of the Panamanian government, the organizing committee eliminated the indigenous forum, who were forced to march through the streets of Panama City demanding to be received at the Seventh Summit of the Americas. In addition, they themselves were divided. While some participated in the People's Summit attended by Evo Morales, others focused on the Fifth CLIA (Mesoamerican Alliance, 2015).

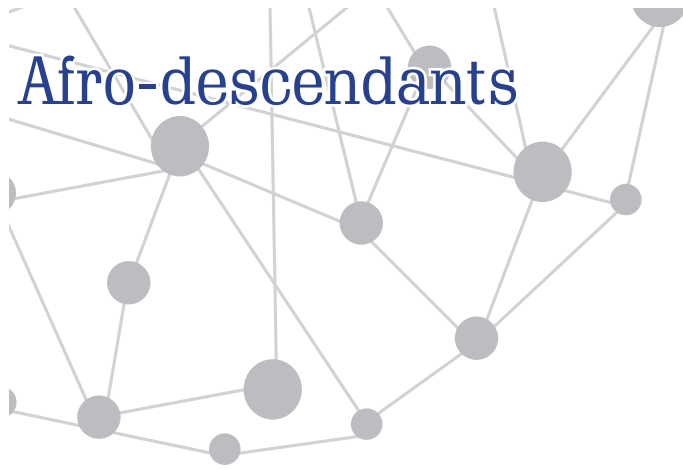




Indigenous peoples have persisted and have been able to bring some of their proposals to regional or hemispheric forums: respect for free, prior and informed consent on development plans, inclusion of good living among them, elimination of traces of discrimination in education systems, the implementation of multicultural education and its connection to communication networks, as well as the protection of indigenous peoples -especially those at risk of extinction or voluntary isolation- of their sacred sites and heritage, deeding their territories, the rejection of road-building, productive or energy projects, that may involve human rights violations, especially those leading to forced displacement, disrespect for self-determination of indigenous peoples or avoiding the responsibility of reducing carbon emissions. At the OAS Assembly in 2016, after years of pressure, they obtained the approval of the American Declaration on the Rights of Indigenous Peoples, which had been delayed for some time.



## 2.3.2. Afro-descendants



At the Sixth Summit, although Afro-descendants did not have their own forum, it was the social sector that made their situation more visible, thanks to their participation in many of the preparatory forums where they proved to be the most affected populations in the five issues on the official debate agenda, and that there is an urgent need for political will to face this reality. For that reason, the civil society forum granted them the opportunity to close the dialogue with presidents, foreign ministers and public officials, and became a substantive part of the book “Camino a Cartagena” . Their situation was included in the discourses of the Secretary of State of the United States, the foreign minister and the president of Colombia, and at the end of the Summit, communities of palenqueros and boquilleros received titles on their lands in a high tourist pressure sector in Cartagena, as an act of reparation headed by Presidents Juan Manuel Santos and Barack Obama.

**B**lack community organizations and their networks have intervened in the Summits of the Americas proposing the adoption of an Afro-descendant differential approach in censuses, surveys and in all forms of public and private information capture, development plans and public policy; the inclusion of affirmative action programs to counter racial discrimination and the economic inequalities that exist among their populations, particularly women. They have asked and failed to achieve that an Afro-descendant forum in order to influence plans, programs and policies is held in the context of the Summit of the Americas, within the Social Actors' Forums. Notwithstanding the reiteration of the request, it has not been carried out, among other reasons because important sectors of Anglophone Caribbean people who are majority in their countries, do not live the marginalization or discrimination faced by Afro-Latinos and Afro-Americans and, they want to be recognized on equal terms rather than as a vulnerable population. The dialogue between the various Afro-descendant sectors of the Americas is needed.

### 2.3.3. Young people



Young people have been building their own space, which started at the Fourth Summit and have had a great impact on the preparatory process and subsequent Summits. This space was promoted by the Young Entrepreneurs of the Americas event and has continued to build alliances that combine different projects and help their massive participation in policy dialogues, symposiums and youth events. In a few years they succeeded in involving young people as a specific actor in the Summits of the Americas, in the Permanent Council and in the OAS Assemblies, and they made possible the creation of a fund for the development of young people by international organizations. For the Second Youth Forum held in 2009, with the support of the Young Americas Business Trust (YABT), the OAS, IDB and WB created the Development Fair to fund projects through the Development Marketplace Competition 2010: Youth Development Opportunities for Latin America and the Caribbean.

In its preparation and in the Cartagena Summit, their Third Forum was supported by the Talent and Innovation Competition of the Americas (TIC), the Latin American Youth Forum (LAYF) and its national platforms. In the preparation, they carried out a virtual survey, participated in the space created by the OAS with the online dialogue “ideas of impact: innovation of youth and its contribution to the Sixth Summit of the Americas”, participated in national and regional face-to-face dialogues with the coordinators of the Summit and in alliance with different national institutions and

youth organizations. Their recommendations were delivered to the governments and included in the declaration and in the book “Camino a Cartagena”. Criteria for gender equity, geographical representation, knowledge of Summit topics, experience in project implementation or concrete actions, and active participation in previous events that allowed the identification of youth actions were taken into account.



It is worth listening to their own evaluation: according to Luis Viguria (2016), Executive President of the YABT, this is basically intended to give young people the opportunity to be part of the Summits of the Americas process with the aim of promoting their social and economic development via entrepreneurship. In order not to repeat the bad experience that a civil society program or organization focused on youth or entrepreneurship would last only while there were funds, the first thing to do was to

seek a foundation of financial support for youth as an actor and entrepreneurship as a priority. The first economic contribution in 2005 came from the civil society area of the OAS; their national offices helped to spread the convening of meetings. This allowed, for example, that a group of schoolchildren showed up at the event in Paraguay with a report from the youthful voice. At the Fourth Summit they were given five minutes to present the result of the previous debate, and a paragraph in the declaration inviting to support young people and entrepreneurship.

But it was not enough to just open the door, it was necessary to give young people the possibility of staying within the Summit. At the OAS Assembly in 2006, the youth issue went unnoticed. In 2007, they created the Talent and Innovation Competition of the Americas with the theme of entrepreneurship. In this way they can actively participate in expressing their opinions and needs and presenting possible solutions. Working with the World Bank on the “Leaders of Tomorrow” program helped position them; this work began with a survey on the effect of corruption on development and how to combat it. The report drew

attention. But in Trinidad and Tobago the press was focused on Obama who was participating for the first time, and in his meeting with Chavez; sensationalism captured the audience and blocked the echo to the effort of the youth. In Cartagena, given the strength and results shown, the organizers of the Summit proposed to change the status of young people: from being a guest they came to be considered as a social actor, and the Youth Network of the Americas was created. In Panama, the process also included young leaders of indigenous communities, Afro-descendants, disabled or from political parties, which allowed a very representative forum to be held. The youth was the only actor that reached a consensus to pass a declaration to the governments and assumed as a tool the publication for monitoring the implementation of the commitments of the Summit. In order to ensure that this process does not lose momentum while the Forum meets at the Summits, dialogues are held every year in which results are assessed, partnerships -so that the OAS is not the only source of funding- and to talk not only of youth and entrepreneurship but of all the priority subjects of each Summit.

<sup>14</sup>A publication compiling the experiences of the Summit forums

<sup>15</sup>People from San Basilio de Palenque, a little village near to Cartagena. In 2005 the village was declared Masterpieces of the Oral and Intangible Heritage of Humanity by UNESCO. Palenque is also considered the first free town in America.

<sup>16</sup>People from La Boquilla Fishermen Community.





## 2.3.4. Workers



Workers have participated in the various Summits in a forum promoted by trade union centers in the Americas, which have had a long institutional stability thanks to a certain community of interests and collective identity. However, in the face of changes in the productive systems and public entities, trade unionism has experienced a

relative weakening; perhaps for that reason it is the social sector that less intervenes in the preparatory process or in the call to other actors. In Cartagena, in addition to discussing the hemispheric situation and the issues scheduled or those at the Summit, in their conclusion they prioritize the defense of trade-union freedom and collective bargaining in the Americas.



## 2.3.5. Civil society organizations



The Civil Society Forum is attended by various sectors, including non-governmental organizations, pro-democracy networks and academic centers that have contributed to the preparatory debates, the Summits and the follow-up of agreements. Initiatives of citizen participation began to make their way from the Second Summit. A follow-up project the implementation of some mandates of the Quebec Action Plan was established: access to public information, freedom of expression, justice and independence of the judiciary, local governments and decentralization. This process led to a rapprochement between various organizations that was gradually networked to different entities: Participa and Flacso from Chile, the Canadian Foundation for the Americas (Focal), the Regional Coordinator of Economic and Social Research (Cries), the Venezuelan Institute of Social and Political Studies (Invesp), the Inter-American Network for Democracy (RID), the Grupo Esquel Foundation (United States) and the University of the Andes (Colombia). This process resulted in the Active Democracy Network which has participated in preparatory events at different Summits through the promotion of consultations in 21 countries, the formulation of proposals and their processing in intergovernmental negotiation; In addition, it has created a methodology for civil society to follow up the mandates agreed at the respective Summit, and to record it in national reports in order to show the public opinion and their respective governments the progress, difficulties, recommendations and foster a better compliance of action plans. In 2005, the national reports gave rise to a Hemispheric Report (Van Berkel & Jácome, 2014). In 2007, the Active Democracy Network presented the Government

Compliance Assessment Index (IECG) and in 2009 the Hemispheric Report 2006-2008; workshops held in Santiago 2010 and Bogotá 2011 agreed to carry out a new measurement of the Government Compliance Assessment Index 2009-2011 in 8 countries , with an improved version of the methodology and the preparation of national reports. The balance is discouraging due to the rulers' lack of political will to comply with their own agreements . The disappearance of some of the entities that drive the network or its change of activity axe, and lack of funding have threatened its continuity. Nevertheless some of its promoters impel a new phase. The Active Democracy Network presented at one of the preparatory forums for the Sixth Summit in 2012, proposals to strengthen the participation of civil society





organizations: 1) To support the Summits Secretariat and the OAS Department of International Relations for the creation of a mechanism for systematically monitoring the degree of compliance with agreements that include CSOs reports. 2) To institutionalize the participation of civil society in the processes of summits and other activities of the OAS. 3) To form an Advisory Council of CSOs to contribute with the Summits Secretariat and other instances of the OAS. 4) To create a Permanent Office of the Special Rapporteur on Citizen Participation in the IACHR. 5) To establish a stable fund for CSOs participation in summits and other OAS activities, since the delay in receiving contributions has led to funding the participation of CSOs through the support of international

organizations and NGOs (Ramírez, 2012: 470 ). In Panama in 2015, the civil society forum agreed to “create, without limitation of participation and with guarantee of inclusion of all people, the Inter-American Permanent Forum of Civil Society and Social Actors, so that there is a continuous process of consultations, recommendations and proposals, as well as follow-up on compliance with the agreements”(Civil Society Forum, Summit of the Americas Panama 2015). In order to help create this space and stimulate participation in the preparatory process for the Summits of the Americas, in its development and follow-up, a consortium of organizations agreed at the end of 2015 to promote the Civil Society Participation at the Summit of the Americas Project (PASCA) .

<sup>17</sup>Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru and Venezuela

<sup>18</sup>Invesp-Participa, Democracia activa: Citizenship Network for government compliance with the Summits of the Americas, <http://invesp.org.ve/programas/gobernabilidad-democratica/>

<sup>19</sup>The Latin American and Caribbean Network for Democracy (REDLAD) is the leading organization of the process, Center for Studies and Development Promotion - DESCO (Peru), Seeds for Democracy (Uruguay), Center for Training and Promotion of Democracy - Cecade (El Salvador), and Fondation Espoir-Jeune Ayiti (Haiti) act as members of the implementing Consortium.

<sup>20</sup>Participation of civil society in the Summit of the Americas: <https://proyectopasca.org/pasca/>.



# Considerations for discussion



### 3. CONSIDERATIONS FOR DISCUSSION

This part of the text is organized into achievements, limitations and challenges whose compilation is based fundamentally on the assessments made in the context of several Summits of the Americas, in particular the one carried out with different CSOs that took part in preparatory events, Social Actors' Forums and in the plenary session of dialogue with presidents, foreign ministers and officials at the Sixth Summit in Cartagena. It is also based on the opinions gathered by the PASCA project and is intended to contribute to the debate



#### 3.1. Achievements

The participants in Cartagena, above all, celebrated having been able to participate in different stages of the preparatory process and during the Summit, and highlighted achievements of that participation, such as those listed below.

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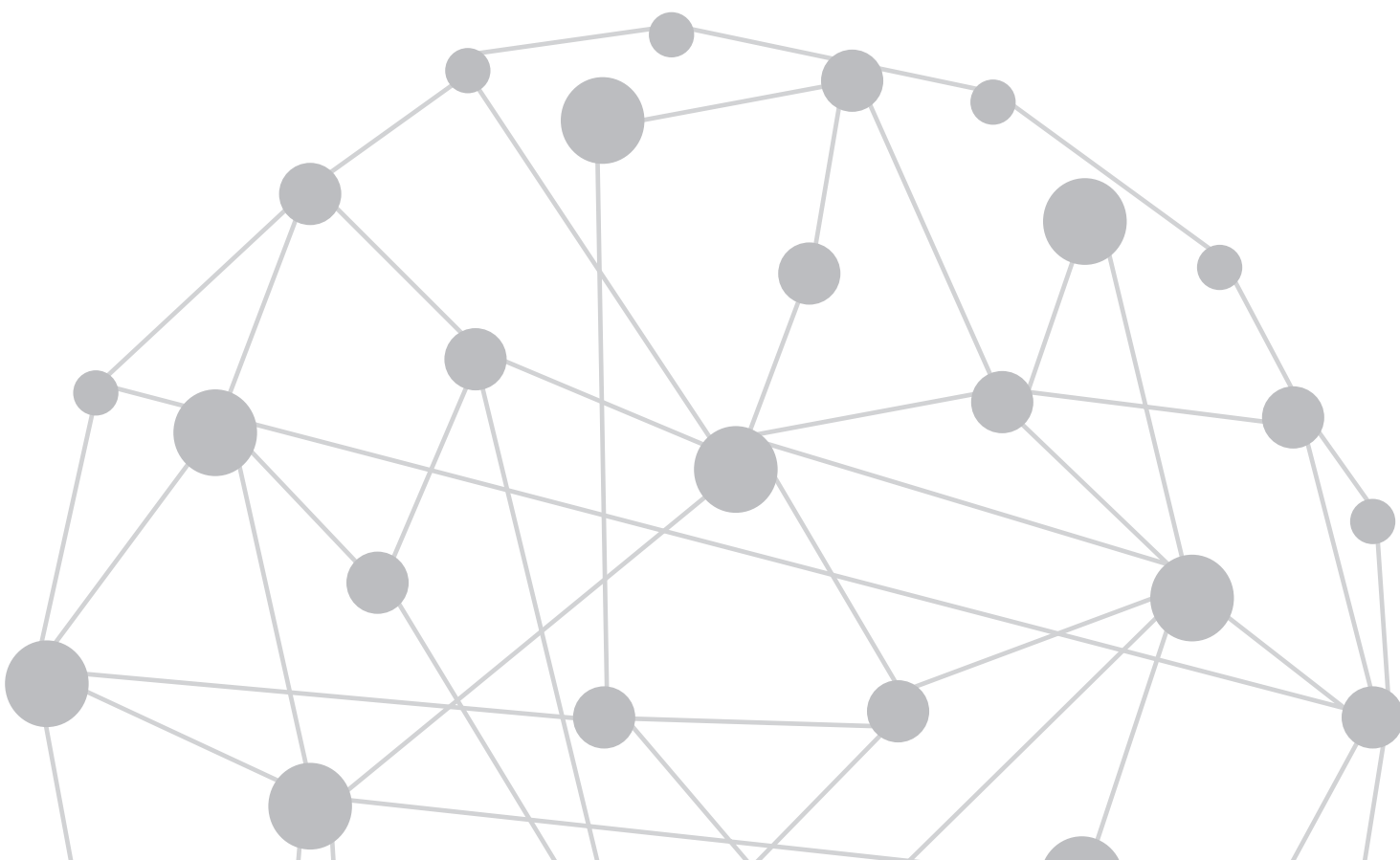
► Sectors affected by issues related to the topics of the Summits or their context became visible, as we have seen in particular with indigenous peoples, Afro-descendants and young people, who have shared their visions, concerns and experiences, and have formed alliances with the purpose of not limiting themselves to the Summits.

► It has broadened ties between sectoral, sub-regional and thematic organizations, and strengthened networks such as Active Democracy, which have contributed to the preparatory debate, the assessment of crucial mandates and, sometimes, have managed to express themselves jointly in other areas of hemispheric participation.

► Information, training and incidence have been improved through pluralist discussions on the issues on the agenda of the respective Summit and on some crucial issues such as drugs or the need for Cuba to join the Summits and all hemispheric spaces, or the defense of the Inter-American Human Rights System: the link between Think-Tanks and scholars in the debate on the hemispheric situation was assessed.

► The level and quality of dialogue with governments in the context of the Summits has improved, which in the past was reduced to a greeting from the host foreign minister, a reading of conclusions before a diplomatic official and an irrelevant closing ceremony of the Forums, but In Cartagena the dialogue at the highest level was achieved with presidential and foreign ministers' interventions, sober - although not necessarily brief -, and respectful demands of social spokesmen.

► It has even stimulated the organized expression of opponents, who have expressed themselves in parallel at the People's Summits or that have achieved incidence in Mar del Plata or that have intervened in the preparatory events and those of the Sixth Summit as it has been described.





## 3.2. Limitations

Limitations and frustrations have also existed in several Summits of the Americas and other multilateral agencies, which have already been pointed out.

The multiplication of spaces and participation mechanisms is an achievement, but it is not enough. In some cases these are reduced to formalist consultations or deliberative devices of little importance. If the participation of civil society is assumed as a mere gesture of government generosity, as a marginal concession that seeks to discourage protests or even as an inevitable obstacle to be overcome, and not as what it is, a contribution and a source of Inclusion and legitimacy, that participation becomes irrelevant in the process of dialogue, cooperation, consensus and decision. And if concrete results are not achieved, mutual disinterest increases.

Declarations, plans, and mandates, as well as Social Charters, are often cataloged as good intentions. It is difficult to translate them into processes or results because they are not widely disseminated, conditions are not created for different sectors to appropriate their content, nor do governments call on CSOs to implement joint plans around specific projects. In these multiple breaches, the accumulation of declarations, agreements and mandates -many of them lacking in realism and concreteness, without prioritized goals tied to budgets - arise from the several summits to which presidents or foreign ministers must attend every year but are not collated at national, regional and international levels. In the absence of periodic reviews of their compliance, nor with accountability at each Summit of what was previously decided, the monitoring mechanisms are reduced to possible meetings that are not enabled to create alliances with actors that can help translate the agreements into collective actions and concrete processes. Sometimes they create false illusions, which makes them a source of conflict by widening the gap between discourses and behaviors.

Although the level of dialogue has been raised at certain times, it is still difficult to achieve a true dialogue between governments and societies at national, but also regional, sub-regional or hemispheric levels. The social actors are not used to specifying their demands and recommendations as well as the governments

are not used to giving concrete answers. Some social spokespersons presented precise visions and plans, but some of the presentations are diffuse and discursive. Within governments the defense of their management and the blockbuster and clientelist speech dominate. It is still necessary to finish breaking the non-communication wall.

The registration system for the Summits, offered online by the OAS, is cumbersome for many organizations and it is not enough to extend the deadline without specifying alternatives for the most massive and critical cases, such as specific attention to sectors without Internet access. The requirement of the OAS to present multiple documents to certify the existence of a CSO is very difficult to meet for grassroots organizations, who also have difficulty following the instructions on the requirements of the registration, accreditation and participation process, so they abandon easily. In addition, there is no habit of strictly respecting the game rules and they are often evaded even if the rights of others are violated. This occurs as well in the OAS, in governments and in social organizations, by putting multiple pressures to open the registration system after the deadline or to occupy spaces of participation with representatives chosen by the social actors for the installation of the Presidential Summit.

There is still a bureaucratic way of dealing with CSOs in government and intergovernmental agencies, which prevents the grassroots organizations from participating, as an attempt to blur it or to prevent it from being recognized as essential, and there are also those who create alarm about the alleged risks and dangers of this participation as they move their own agenda. To all this, we must add the budgetary constraints of the OAS, which were previously analyzed and that prevent the participation of CSOs without financial resources. But the problem of funding for participation also refers to government-conditioned support or restricted to the priorities of the international cooperation agenda (García Palacios & Ulloa Morales, 2010) and (Cañizales, 2007).

Civil society is characterized by being an instance of social life in which private initiative governs. It is not an extension of state, government, party or church, nor does it actively participate in them. It is the space of modern individual freedom. Their organizations are, therefore, independent, and usually seek to claim their rights before the State or satisfy demands of its members.

However, in several countries, such as Cuba, Nicaragua, Argentina, Bolivia and Venezuela, the government and its party have falsified the very concept of civil society in order to create political apparatuses through which they extend and exercise their power. These governments seek to create their own “civil society” or to recompose existing spaces and mechanisms of participation to accommodate their party-political or governmental interests. This so-called “civil society” grants various prerogatives and privileges such as financing or access to national or international services and programs and, in return for this support, it becomes their instrument and even a hit force against mobilizations or events of the real CSOs that they do not control. In reality, rather than expressions of a true civil society, these are patronizing political apparatuses at the service of those governments and falsely camouflaged under social labels.

This utilitarian approach, of subordination, aims to put a “pro-government popular civil society” against those sectors of civil society that do not adapt to its interests or follow its guidelines. These are often disqualified

as “neoliberal”, “bourgeois”, “imperialist”, “enemy platforms, financed by external forces”. Consequently, they exclude them, close opportunities for them, and try to control their resources and their actions until they are completely marginalized or extinguished. Organizations imposed from above as a form of control or pressure over other social movements or sectors, override participation and disappear when their motive disappears. With this manipulation of social organizations, the concept of civil society has been perverted and the spaces of its possible participation have been politicized, turning them into arenas of ideological confrontation that sometimes end up even in physical confrontations.

Likewise, in international events, coalitions opposed to sexual and reproductive rights have increased, self-styled “pro-life” or “pro-family” groups that act as a crusade against the broad definition of citizens’ rights and the inclusion of traditionally excluded sectors, cancel the plural debate. This was seen in Panama, at the Seventh Summit of the Americas, and at OAS meetings, and has forced some multilateral agencies to close spaces for participation to avoid sterile confrontations.



At the forty-sixth regular session of the OAS General Assembly in Santo Domingo, other elements of uncertainty regarding the participation of CSOs were expressed. The problems began before the Assembly, when it was known that there might not be a meeting among representatives of civil society to prepare the



dialogues with the Secretary General and the heads of delegations. Obstacles to online registration followed. First it was necessary to fill out and submit a form, the reply mail contained a code that should be entered again to the page and make the inscription, and, later, another mail had to confirm it. Many organizations did not get this final mail, so they were not welcomed. Difficulties such as the withdrawal of credentials, the working tables spread in different scenarios, the limitations imposed on LGBT participants, attacks and disorders created by radical organizations, restrictions on participation in the plenary and other meetings of the Assembly, continued to happen.

What happened in Santo Domingo has occurred in other multilateral events and shows the increase of a worrying tension and confrontation, caused by alleged “social” organizations linked to governments that are committed to control the spaces of social participation reducing them to forums of propaganda or ideological combat, or promoted by radical groups that advance anti-rights crusades. For the Fifth Summit in 2009, Democracia Activa noted that the registration had been politicized by the veto imposed by the governments of ALBA (Venezuela, Nicaragua and Bolivia) to the registration of CSOs that had critical positions of their national and international policies. At the Seventh Summit, the pressure to involve organizations linked to some governments and to exclude their opponents was also reported.

A dialogue with the Summits of the Americas Secretariat (They, 2016) helps to understand some of the crossroads of social participation. With the involvement of civil society in the OAS Assemblies, spaces have been opened for voices from important social sectors that had not been heard such as indigenous populations, Afro-descendant communities or LGBT groups; governments have been given lessons and demands to improve their policies and legislation; the participants have shared experiences and created alliances while those who have less experience in international forums, have learned, have gotten to know the agenda and have been able to talk to the press. There is, however, a great lack of national dialogue. Several organizations come to the OAS and when asked if they have already spoken to their government, the answer is yes, but they did not listen to me.

There is a remarkable cultural difference between governments and civil society organizations: in the face

of meetings, governments do much more advance planning than social organizations, which should be organized in advance of these events to be able to explain the Summit process and the functioning of the OAS. If social organizations improvise their interventions just a few hours before the meeting or even during the meeting, they come without proposals regarding the subjects of the event and the official representatives find it impossible to give them an adequate response. This exercise is difficult because of the diversity and huge difference between organizations in each country or place, but preparation is necessary in order to develop a hemispheric platform. It is possible to take advantage of the wealth of information and knowledge of civil society so that governments can make better decisions. A good practice in Chile is to hold a meeting between official representatives and civil society guests before an international meeting in order to present the government’s position and listen to the recommendations of social organizations.

On the one hand, the OAS must improve its registration system, ensure that its guidelines reach organizations in a timely manner, and provide clearer information on procedures and rules. These procedures are scattered on different pages of the network, creating confusion, even more so when each Summit has its logistics and unique format depending on the host country and according to its organizational capacity. It would be helpful to publish positive experiences and lessons learned well in advance, and have a very affordable mechanism in the event to analyze unforeseen problems, accept or deny registrations. On the other hand, each country has places where demonstrations of protest are allowed. In Washington, the OAS is located next to the White House, the Department of State, etc. So the authorities, the security bodies and the press know where to find them, do not interfere with meetings, do not block traffic or create problems of public order or personal injury, thus avoiding what happened in Panama.

This exposition of the limits and difficulties faced by the OAS, rather than leading to the conclusion that the spaces of social participation in the Summits of the Americas, the OAS itself or in sub-regional or regional groupings are useless, leads us to turn those problems into issues that need to be solved with a view to the Eighth Summit in Lima in 2018, and for social participation to consolidate its achievements and move towards new sectoral and general challenges.



## 3.3.Challenges

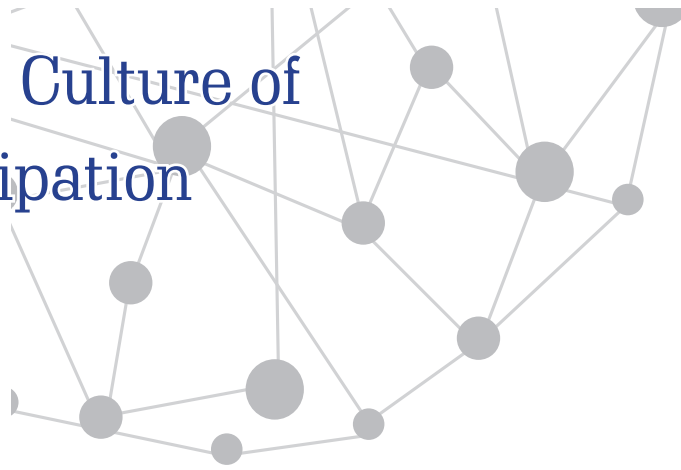
In order to stimulate the debate, the challenges that were highlighted in the assessment of the Social Actors' Forums of the Sixth Summit and the suggestions that emerged from the problems presented at the Seventh Summit, are presented.

### 3.3.1. Sectorial improvement



- It is necessary to expand the dialogue of indigenous peoples with other sectors in order to strengthen alliances in common topics or around issues associated with their ancestral territories, to influence crucial issues such as the defense of the Inter-American Human Rights System or the Business forum on the projects of physical interconnection and sustainable development.
- The participation of the Caribbean islands in all the forums must improve and a dialogue between the Afro-descendants, Latin and Anglo-Caribbean organizations must be established; and include public policies with a differential approach to overcome discrimination.
- The Youth Network of the Americas must be strengthened by enabling young entrepreneurs to contextualize their innovation projects in the subjects related to the respective Summit and in hemispheric realities, to continue their work between the two Summits and to solve the logistical and economic difficulties that limit their participation.

### 3.3.2. Culture of participation



- ▶ The construction of a culture of social participation means not only the intergovernmental spaces in which it takes place but also the social organizations themselves. Often CSOs reduce the spaces and mechanisms of participation to mere complaints or sectoral requests, without previously preparing their participation or improving the proposal and articulating ability between different sectors.
- ▶ Overcoming problems in the participation of CSOs is linked to the improvement of the information before and during the respective multilateral event in order to increase the knowledge and the consideration of the moment in which it occurs and of the issues that rise above the official agenda but mark the possibilities of incidence. Overcoming problems is also linked to the enhancing the previous dialogue among social actors, to the adjustment of the methodology used in the forums in order to achieve a broad and plural debate.
- ▶ The qualification of CSO participation requires periodic discussion on the context, status and challenges of each multilateral body. This review would allow defining the social content in each area, the form that CSO intervention should take, how to invigorate networks and coalitions, and how to carry out a systematic assessment of the participation taking into account the planning process on how they want to influence on political issues or medium and long-term goals, or important events or current situations.
- ▶ The concern about how to increase and qualify the impact of social organizations in multilateral organizations is most pertinent. Some successful experiences show how the link between local organizations and national chapters of sub-regional and regional networks that facilitate access to agencies, channel opinions and demands, and create greater levels of representativeness has been helpful. This has led to a greater linkage of participation spaces with national and regional, hemispheric or global subsystems responsible for the respective policy, plan or project.
- ▶ Efforts such as those of the Active Democracy Network, the Bureau of Articulation of National Associations, NGO Networks of Latin America and the Caribbean, the Inter-American Afro-descendant Forum for Sustainable Development in the Americas and the PASCA project go in the direction of promoting the culture of participation; and at the OAS, proposals emerge, such as the “Strategy for Strengthening Civil Society Participation in OAS Activities” and the “Manual for the Participation of Civil Society in OAS Activities.”

### 3.3.3. Participation and pluralism



Faced with growing tensions created by ideological blocs or religious crusades, in addition to recognizing these issues, it is necessary to prepare for urgent and substantive debates, not only on the meaning of participation and civil society, but also on what these groups express and if it's possible to establish dialogue to avoid the closure of spaces and rights.

► Strengthen local organizers with the surveillance of hemispheric networks to avoid what happened in Panama, where some governments pushed to register their own organizations at the last minute and without following the established mechanisms, in order to put pressure to the opponent organizations to exit, which disturbed and diluted the debate in some Social Actors Forums.

► To encourage previous debates with organizations against sexual and reproductive rights so that they can express their positions without becoming a crusade of attacks and slogans against LGBTI participants or groups, which dilutes hemispheric participation spaces; and ensure that they register under the same rules of all organizations avoiding entities with large logistical capacity register them in mass evading the fulfillment of requirements for participation.

► To build a clear, precise and concise regulation explaining the meaning of the forums, the type of participating social actors, the registration mechanisms, the game rules that consider the expulsion of those who attack others, the times of the whole process, in order to have them respected at the Summits and in all the hemispheric multilateral organizations.

► To turn participation spaces into channels of plural deliberation on problems and solutions so that discrepancies are dealt with not by physical or sectarian confrontation, and instead of subtracting and dividing, they allow to add and multiply the sub-regional, regional or hemispheric action in those issues where there is consensus.

► To foster real partnerships between government actors and social sectors with the recognition of their own responsibilities and responsibilities of the counterpart, sharing information and assessing the problems faced by these commitments.

► To build strategies to overcome the economic and logistical difficulties that arise for the assistance of many social actors. It was created in 2016 by resolution CP/RES. 864 (1413/04), the Specific Fund to Support the Participation of Civil Society in OAS Activities and in the Summits of the Americas Process, but this is faced with problems of membership fee payments.

Finally, limitations and challenges are not only presenting logistical and procedural difficulties, but also highlighting the traumatic transition experienced by the Inter-American System and some of its member countries, so the attention of CSOs should be drawn to re-focus their participation in order to have influence on crucial subjects.

<sup>21</sup>Manual for Civil Society Participation in OAS Activities: [https://www.oas.org/es/sre/dai/sociedad\\_civil/Docs/Manual\\_Participacion\\_SC\\_ES.pdf](https://www.oas.org/es/sre/dai/sociedad_civil/Docs/Manual_Participacion_SC_ES.pdf)

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