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A large, dark teal silhouette of the continents of North and South America, centered on the page. The map is semi-transparent, allowing the background color to show through.

REFORMING THE SUMMIT OF THE AMERICAS

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ABOUT THIS PROGRAM

The inter-American governance and civil society program at FOCAL provides policy-relevant research and analysis on hemispheric issues including governing institutions, multilateral organizations and hemispheric co-operation with a focus on both state and non-state actors. Working in collaboration with regional partners, we have several projects that focus on various aspects of democracy and the rule of law, as well as on other hemispheric initiatives such as the Summit of the Americas. The program seeks to increase understanding of Latin America in Canada and promote Canadian best practices in Latin America.



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Executive summary

Governments and Summit organizers value the input that civil society organizations provide in the agenda-setting process leading up to the Summit of the Americas and their participation in parallel forums. Such participation is intended to increase the legitimacy and relevance of the Summits. However, following the Fifth Summit, civil society organizations raised concerns over the effectiveness of this participation. This paper suggests ways in which the consultation process could be reformed to address the concerns expressed by civil society representatives and in turn improve its legitimacy.

Key recommendations:

1. Summit organizers could conduct public opinion polls to inform the process of agenda development and focus on a few key themes.
2. The Organization of American States (OAS) country offices could be involved to facilitate civil society consultations.
3. Governments and Summit organizers could work together to increase the overall transparency of the process and make it more consistent.

Introduction

The Fifth Summit of the Americas held in Trinidad and Tobago in 2009 successfully reduced political tensions in the hemisphere; yet, at the same time the failure to reach consensus and to produce an implementable plan of action, the high cost associated with the event and criticism by civil society actors that it was not representative have called the process into question. Both the disintegration of the original impetus for these hemispheric summits —the Free Trade Area of the Americas (FTAA)— and an increase in the number of summits held by other regional groups have led some participants to suggest its days are over. However, this paper argues that some valuable reforms to the process could salvage the Summit of the Americas. More specifically, improvements in civil society consultation mechanisms could increase transparency, inclusion and efficiency to ensure that the Summit agenda reflects priorities in the hemisphere and thereby increase the legitimacy of the process.

Assessment of the Fifth Summit of the Americas

The Summit of the Americas initially convened state leaders in 1994 to explore the possibilities of a hemispheric free trade agreement, the FTAA. Following the collapse of talks surrounding the FTAA, the *raison d'être* of the Summit is no longer obvious. Hence, the organizers of the Fifth Summit called for “initiatives that promise measurable benefits and for a robust management structure to guide implementation.”¹ They also sought to address shortcomings of the previous Summit —notably, “a duplicitous host government, an out-of-control Hugo Chávez, and an inept delegation from the United States ... (as well as) a lack of compelling themes with tangible supportive initiatives.”² In the lead up to the Fifth Summit, organizers were optimistic and wanted to “learn from past mistakes.”³

Yet, the Fifth Summit failed to deliver on the goal to have governments agree on clear, implementable mandates or a plan of action. National commitments were watered down and worse, whereas previous Summits’ declarations and plans of action had been signed by consensus and were considered a roadway for member governments; this time, Trinidadian Prime Minister Patrick Manning signed the declaration alone.

This is lamentable because to be relevant, the Summit needs to give the democratically-elected leaders in the Americas “the opportunity to reaffirm our shared values”⁴ and it should reflect the most salient issues facing the hemisphere. Some analysts say that instead, Manning was left out to dry.

This situation creates new challenges for the evaluation of Summit mandates and their follow-up. There was already a lack of clarity regarding Summit implementation and review, and no consensus on how to measure the implementation of mandates to weigh Summit impacts.

These pitfalls jeopardize the future of the Summit of the Americas. In light of the rise of other regional organizations such as the Union of South American Nations (UNASUR) and the Bolivarian Alliance for the Peoples of Our America (ALBA) —both excluding Canada and the United States— some analysts question the prospects for hemispheric co-operation.

Yet, fortunately the charisma of the newly elected U.S. President Barack Obama saved the day. In

the end, the Summit was heralded for its appeasement of regional tensions. This reaffirmed that the Summit is an important event and that, as the only summit that includes the United States and Canada, it should be preserved.

Nonetheless, for some participants and analysts this advancement remains overshadowed by the meeting's many shortcomings. Certainly, the problems that arose in a process that ultimately failed to forge consensus need to be addressed.

The Colombian organizers of the 2012 Sixth Summit, to be held in Cartagena, Colombia, need to consider lessons learned from past Summits to make it successful. It is high time to assess past shortcomings and take into account current hemispheric socio-economic and political trends to ensure the most effective summitry process is promoted. Experts in the Summit process and organizers of the Sixth Summit are in agreement that the next Summit would need to focus on a few key issues in order to increase its impact. It is also clear that revisiting consultation mechanisms is an important step to reform the Summit.

Evaluation of civil society consultations

Since 1994, the Summit of the Americas has evolved in both thematic focus and scope to include more and more actors. Past organizers have sought input from civil society as a means of integrating citizens' views into the preparatory process. The role of civil society⁵ has been three-fold. First, through sub-regional meetings governments have consulted civil society to set agenda priorities. Second, these pre-Summit sub-regional meetings have brought civil society organizations (CSOs) together to identify goals and provide feedback on Summit agendas. Finally, parallel forums have taken place during the leaders' meeting where social actors have had the opportunity to discuss their shared hemispheric concerns.

Civil society consultations are a useful way of engaging citizens and ensuring that governments understand their positions. As former Foreign Affairs Minister Bill Graham notes:

“at all levels of governance, the support of civil society is vital for ensuring the integrity and soundness of policy making. At the international level, civil society plays a key role in both supporting institutions of global governance and in fostering the climate of public opinion necessary for these institutions to succeed.”⁶

In the lead up to the Fifth Summit of the Americas, the Summit Implementation and Review Group (SIRG) supported the organization of over 20 meetings with civil society. This extensive consultation process demonstrates that civil society involvement is taken seriously. Indeed, as Graham points out, governments are realizing that “policies made in secrecy by experts cannot be substantively informed enough, or executed effectively enough, to succeed.”⁷ There is broad agreement that civil society consultations make the Summit process more successful.

Since each rotating host country holds responsibility for the organization of the Summit, there is always uncertainty about how consultations will be held, which feeds into the ambiguity surrounding expected outcomes and the related deliverables. In addition, it leaves it up to the host government to decide on the extent of civil society participation. This leads to uncertainty in the process and a lack of consistency from meeting to meeting.

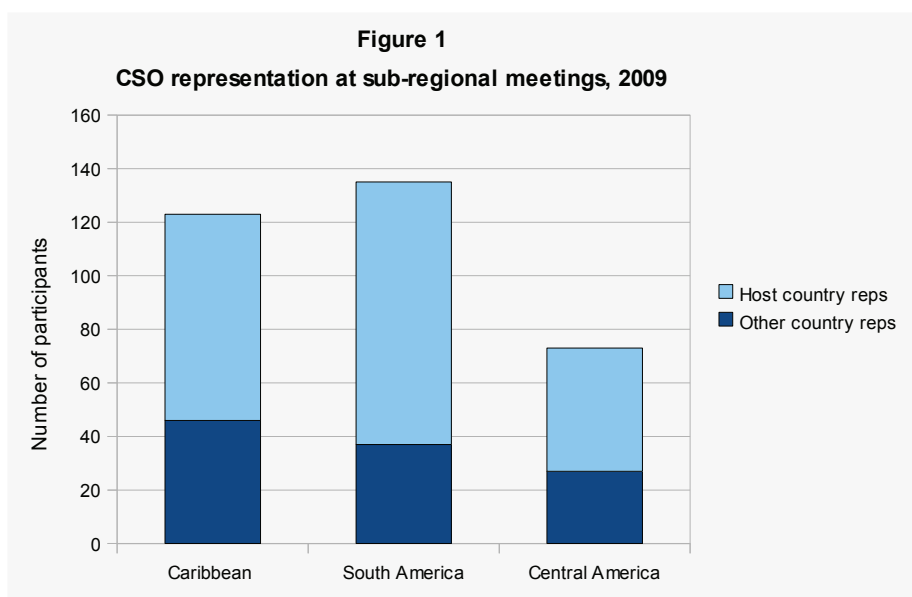
Civil society complaints in the lead up to the Fifth Summit of the Americas

Civil society groups have expressed concerns in relation to the three phases of civil society involvement in preparation for the Summits: consultations in the lead up to the Summit, agenda-setting and participation in parallel forums.

Although there is agreement that civil society participation in the lead up to the Summits is invaluable, civil society representatives voiced frustrations about how this has been done. In the context of previous Summits, the poor administration of civil society consultations had led networks of civil society actors to drop out of the Summit process altogether and join anti-Summit groups. One such example is that of the Regional Coordination for Economic and Social Research (CRIES), which opted out of the consultation process at the Fourth Summit. CRIES rejected the formal process stating that civil society inclusion has not “translated into substantive Summit participation for all Civil Society organizations...”⁸

A similar sentiment was expressed in a round of interviews conducted by Canadian Foundation for the Americas (FOCAL) analysts in late 2009 on civil society’s role in both the lead up to the Fifth Summit and in the parallel forums. Overall, civil society representatives were frustrated by a lack of clarity in the process, the high cost of the meetings and a feeling that few of the suggestions they have put forth were taken into account. Clearly, reforming the consultation process is necessary to increase its effectiveness and efficiency.

With regard to agenda-setting, civil society groups lamented that there was little space for input into the agenda and stated that the process was unclear. Further, in the lead up to the Fifth Summit, although civil society groups were required to provide feedback on the agenda, they did not have access to the final draft. It is ineffective to provide feedback on outdated drafts of the agenda and impossible to comment on an agenda that is not available for viewing.



Sources: Organization of American States, *Recommendations of Civil Society on the Draft Declaration - Fifth Summit of the Americas* issued after civil society sub-regional forums: the South American (Feb. 6-7, 2009), Caribbean (Oct. 30-31, 2008) and Central America, Mexico and Dominican Republic (Dec. 7-9, 2008).

It has also been difficult for CSOs to decipher why certain agenda topics are chosen. In part this can be attributed to how groups are represented. As illustrated in Figure 1 above, delegates from host countries formed well over 50 per cent of participants for all three sub-regional meetings held prior to the Fifth Summit. For cost and logistical reasons this is understandable –it is simply easier and less expensive to include local groups. However, the result is asymmetric representation and the build-up of unsustainable expectations among local civil society organizations, who will not all make it to the Summit parallel forums.

Civil society groups are not always clear about what to expect from their participation. This is true of sub-regional meetings as well as parallel forums, which have the dual purpose of determining civil society's shared priorities and act as a mechanism for governments to inform civil society of government positions. This duality has left many participants to wonder where their input is useful. In several cases, civil society organizations felt that their presence and participation was not valued when ministers came to dialogue meetings with pre-formulated statements and refused to answer questions. In sum, the purpose and intended outcomes of these meetings need to be clarified.

Many CSOs have expressed uncertainty especially about their involvement in parallel forums at the time of the Summit. At the Fifth Summit, these were an organizational nightmare for participating groups from accommodation to registration.

These shortcomings notwithstanding, members of civil society have stated that sub-regional forums are among the most effective venues for consultation. These were considered successful because they provided organizations with an opportunity to network with like-minded counterparts and allowed for the inter-linkage of issues. Therefore, they suggest that it could be beneficial to further facilitate and fund sub-regional collaboration.

Recommendations to reform the consultation process

A reform of the civil society consultation process is necessary in order to address mounting concerns about its effectiveness in integrating citizens' views. The following key recommendations could be considered:

1. Summit organizers could conduct public opinion polls to inform agenda themes and focus on a few key ones.
2. The OAS country offices could be involved to facilitate civil society consultations.
3. Governments and Summit organizers could work together to increase the overall transparency of the process and make it more consistent.

Agenda-setting. The life cycle of a Summit begins with choosing the most pertinent issues to put on the agenda. Greater outreach to citizens would ensure that themes on the agenda are perceived as important throughout the hemisphere and not only by a small segment of government or civil society representatives. Accordingly, working with leading polling firms in Latin America, FOCAL proposes to collaborate with the OAS and the Colombian government to conduct a round of public opinion surveys in preparation for the next Summit. This will allow gauging public opinion about the most important themes to be addressed by leaders in the Americas.

Consultations. After key themes have been identified through public opinion polling, OAS country offices could lead consultations that would be conducted with civil society groups that have expertise in the relevant themes and can best inform governments. These focused consultations would increase the relevance of the information being considered and maximize participation of relevant groups, leaving groups that work on themes outside of the main Summit focus to pursue their ends in more appropriate venues.

Consistency and transparency. Bringing in OAS country offices to help organize country-level meetings could be effective to ensure a consistent engagement with civil society, thereby mitigating the impact of some governments who have not been keen on civil society participation. OAS offices could build on the success of previous sub-regional meetings and improve civil society participation by increasing the number of relevant groups consulted.

The idea to have more focused consultations is in line with CSO representatives’ suggestion to make consultations more efficient by allowing greater organizational oversight from the OAS. This could indeed ensure consistency from Summit to Summit and reduce the need for each host country to reinvent the wheel when devising a process for civil society consultation. It could also help prevent some organizational difficulties by bringing on board a base of individuals with previous Summit experience.

	OAS regional offices/ meetings in countries	Total
Countries with one consultation	Antigua and Barbuda; Bahamas (Commonwealth of); Barbados; Belize; Costa Rica; Dominican Republic; El Salvador; Grenada; Guatemala; Guyana; Haiti; Honduras (suspended in July 2009); Jamaica; Nicaragua; Panama; Paraguay; St. Kitts-Nevis; St. Lucia; St. Vincent, Grenadines; Suriname; Trinidad and Tobago; Uruguay	22
Countries with more than one consultation	Argentina (Buenos Aires, C. Mendoza); Bolivia (La Paz, Santa Cruz); Brazil (Brasilia, Río, Salvador, Sao Paulo); Colombia (Bogotá, Cartagena); Ecuador (Guayaquil, Quito); México (D.F., Monterrey, Oaxaca); Perú (Arequipa, Lima); Venezuela (Caracas, Maracaibo)	19
Other*	Canada, Chile, United States	3

Source: OAS. Offices in Member States. http://www.oas.org/en/about/offices_mem_states.asp?sCode=USA#Inicio
 *Note: Chile and Canada do not have OAS offices, but the process could be run through the departments of exterior relations. In the case of the U.S., the OAS office is located in Washington, D.C. but lending to its geographic size, large population and the robust network of civil society organizations, it would be appropriate to have a specialized consultation process, perhaps leveraging the high technological capacity of the country.

Channelling consultation through OAS country offices can also improve the consistency of consultations from Summit to Summit. Taking into account the divergent levels of capacity of OAS country offices, a process manual could be provided by the Summit secretariat in consultation with FOCAL to present a framework for the involvement of CSOs and for the creation of an interactive dialogue with government. This would help reduce the sentiment among some social actors that their participation is merely symbolic.

Also, a larger role for OAS country offices could better leverage the organizational capacity of civil society and reduce the disingenuity of having a large number of consultations without the ability to leverage the outputs of these consultations. Since each rotating host country holds responsibility for the organization of the Summit, there is always uncertainty about how consultations will be held, which feeds into the ambiguity surrounding expected outcomes and the related deliverables. Moreover, it leaves it up to the host government to decide on the extent of civil society participation. Table 1 below proposes a breakdown for the number and location of meetings based on OAS country offices listings. This would allow for 41 local level meetings which provides for a far more representative meeting structure than the current process of sub-regional meetings. This decentralization of the consultations process would also allow moving away from costly sub-regional meetings while at the same time increasing the number of organizations consulted.⁹

Placing the OAS country offices at the centre of the consultation process could also increase their ability to disseminate information in a timely manner for greater transparency —draft declarations, for example. To address concerns raised by civil society actors, they could aim to better delineate meetings based on open dialogue from other forms of information-sharing. This could contribute to clarifying the objectives and expected outcomes of consultation meetings.

Endnotes

¹ Feinberg, Richard. "Making the Fifth Summit the Finest so Far." *FOCALPoint: Canada's Spotlight on the Americas* 7 (6) (July-August), 2008.

² *Idem*

³ *Idem*

⁴ Obama, Barack. "Choosing a Better Future in the Americas." White House Press Release. Washington, D.C., April 16, 2009.

⁵ The OAS has adopted the term social actor to better reflect the variety of stakeholders involved, of which civil society is only one subgroup among others such as the private sector, inter-parliamentary groups, youth, indigenous groups, Afro-Latinos and women.

⁶ Graham, Bill. "Civil Society and Institutions of Global Governance." In *Sustainability, Civil Society and International Governance*, edited by John J. Kirton and Peter I. Hajnal, 367-374. Burlington: Ashgate Publishers, 2006, 369.

⁷ *Ibid*, 369-370.

⁸ Serbin, Andrés. "Civil Society and the Summit of the Americas." Global Envision Interview, Dec. 5, 2005. <http://www.globalenvision.org/library/24/892> (accessed October 12, 2009).

⁹ Sub-regional meetings organized in the lead up to the Fifth Summit were costly enough. For example, for the Caribbean sub-regional civil society forum alone, US\$82,050 was budgeted for travel-related costs.

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