Engaging with Civil Society

Lessons from the OAS, FTAA, and Summits of the Americas

Yasmine Shamsie
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The Rise of Nongovernmental Voices in Multilateral Organizations

1999-2002 Research Program

This paper is the first in a series of studies on the role of civil society organizations in today’s most important multilateral institutions. All seek to explore the politics of civil society inclusion in policy debates; politics that are often complex, contested, and sometimes violent. The studies aim to identify and compare current practices; decipher motivations of key players; and highlight central issues at play in the Americas (the Free Trade Area of the Americas/Summit of the Americas/OAS processes), the World Trade Organization, the World Bank, the International Monetary Fund, and the United Nations, among possible cases.

The series will be available in electronic and hard-copy formats, and an accompanying electronic handbook will be produced for practitioners, both inside and outside the multilateral system. For more information, consult the North-South Institute’s website at www.nsi-ins.ca under Research, or contact the Project Manager, Alison Van Rooy, NSI Senior Researcher, at avanrooy@nsi-ins.ca.
Executive Summary

This discussion paper addresses a theme that has generated heated debate among policymakers and representatives of civil society organizations (CSOs) throughout the Americas: how and whether to incorporate civil society views into multilateral instruments and processes. The paper considers how the views of CSOs are being incorporated within the Organization of American States (OAS), the Presidential Summits of the Americas, and within the current negotiations for a Free Trade Area of the Americas (FTAA). By offering an independent review of these efforts, this paper serves both as a record of early efforts at CSO inclusion, as well as a tool for deepening the discussion and moving the process forward.

This work first highlights a number of core issues related to the subject of CSO participation. These include:

- Governance principles: democracy, representation, and accountability
- Political concerns: regional dynamics, US Leadership, and foreign dominance
- Motivations of multilaterals for inviting CSO participation
- Motivations of CSOs for seeking to influence the work of multilaterals
- Organizational issues
- Issues related to the adoption of mechanisms of consultation

Second, it provides a critical account of what has already transpired. How has consultation taken place, and what have multilaterals actually done to engage with CSOs? How inclusive were these consultations? Were multilaterals and CSOs satisfied with the outcomes?

The report ends with considerations for the next steps in the consultative process.

Acknowledgements

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<td>Corporación Andina de Fomento</td>
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<td>CEPCIDI</td>
<td>Inter-American Council for Integral Development of the Organization of American States</td>
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<td>CGR</td>
<td>Committee of Government Representatives on the Participation of Civil Society</td>
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<td>CSO</td>
<td>Civil society organization</td>
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<td>UNESCO</td>
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Introduction

This case study, the first carried out by the North-South Institute as part of a project on “The Rise of Nongovernmental Voices in Multilateral Organizations,” looks at three multilateral processes and organizations in the Americas: the hemispheric-wide Organization of American States (OAS); the Free Trade Area of the Americas (FTAA); and the Summits of the Americas. It seeks to understand the why, what, who, and how of engagement with civil society organizations (CSOs), and to raise issues for further debate and consideration, both within and outside those bodies.

Based on primary and secondary document research, participation in OAS, FTAA, and Summit preparatory meetings, and interviews with more than 35 officials, delegates, academics, and CSO representatives, this paper was completed in 1999. Contributors were interviewed on a not-for-tribution basis and assured that country as well as organizational identities would not be revealed to preserve the candor and confidentiality with which views were shared. Citing without attribution was a difficult decision to make. However, given the highly sensitive nature of the topic and the reluctance of people to be interviewed, let alone go on the record, it was our judgement that presenting the opinions, reflections, and real positions of the protagonists in these debates should be the overriding goal. In view of the importance of the topic, we feel it was a necessary trade-off.

The core issues arising out of recent experiences in the Americas are highlighted at the outset, followed by detailed stories of the processes, players, and dilemmas posed.

Core Issues

Why have multilaterals and CSOs been motivated to engage in the first place? At root is the matter of governance: democracy, accountability, legitimacy, and representativity. Other factors are the practical problems and tensions associated with the creation of consultation mechanisms: adequate information, criteria for participation, equal access, and institutional knowledge. These are explored below.

Governance principles

Traditionally, global governance has been viewed primarily as a set of intergovernmental relationships and agreements on how states should behave. Still, it is clear that multilateral governance must encompass other actors in order to be just and effective. This reform demands that the ethos of the hemisphere’s decisionmaking systems, now more than ever, be based on the principles of consultation, transparency, and accountability.

Democracy

Why have the multilaterals opened the door to greater CSO participation? Perhaps most important is the change in governance norms throughout the hemisphere, now marked by a strong consensus on the importance of representative democracy and citizen participation in political life. This norm extends to multilateral organizations, long perceived as large technocratic bureaucracies, inaccessible to the average citizen. Civil society organizations, which in the past focused very little attention on these institutions, are now demanding greater multilateral transparency, accountability, and representation.

At the same time, democracy has heightened the demands made on governments, worrying some observers about competing strains on the system. One OAS official stated that he was concerned about “the presumption on the part of civil society that democratic institutions don’t serve the needs of the people. After all, we live in a system of elected representation, and that is the expression of the popular will.” This belief that current systems are sufficient—because governments are elected, they de facto represent the views of the people who elected them—implies that consultation with citizens’ groups would be redundant. One government official went so far as to declare: “we are civil society.”

Yet any government can speak only for a portion of the people, part of the time. For the democratic process to be just, citizens deserve to have their views expressed between elections. As one author argues: “The ballot box is a very blunt instrument that is incapable of communicating our choices about all but a very few policies, let alone the fine details of individual initiatives” (Maynes, 1989:1). Even those who voted for the government in power may not agree with all of its policies.
Further, there are political inequalities in every society that cannot be addressed by the equal right to vote or stand for elections. Issues such as gender, race, and access to economic resources contribute to political inequality (Held, 1996). Depending solely on formal political instruments like elections (where majorities dominate), excludes marginalized or disadvantaged constituencies from full participation. Consultation helps to inform governments about the views of their electorate. As one CSO representative stated: “Nobody in government claims to know what every citizen is thinking about an issue. That is why we need consultative mechanisms.”

This notion of consultation as a supplement to democracy is a part of the new agenda within the Americas. This model of democracy involves public participation in decisionmaking and administration, as well as elections. As political scientist John Booth points out, democracy is a variable, not a constant. Democracy is not completed in the running of an election or the presence of a constitution; rather, a country can have more or less democracy, “depending on the amount and quality of public participation in decisionmaking and rule” (Booth and Seligson, 1989:12).

Representation and accountability
As democracy has expanded in the Americas, questions are arising about the representativity, accountability, and legitimacy of CSOs, in addition to that of their governments. Throughout the research, officials asked:

- Who do civil society organizations represent? a foreign foundation, government or advocacy group, local membership?
- Have local organizations earned the right to represent that local constituency or do they simply work on their behalf without their explicit permission?
- What is civil society and who does it include?
- How are civil society organizations held accountable?

Clearly, these are serious questions. By what criteria can one group claim legitimacy in an international process? Membership, of course, is one attribute, but even in ‘clear cases,’ representation by membership-based groups has been called into question. Referring to such difficulties, one Canadian government official stated:

It is easier to determine [representativity and legitimacy] when it comes to certain groups, like unions, for example. But even there, it can be difficult since it is hard to determine whether the workers want the unions representing them beyond the workplace. In the same way, you have the question of whether the union members want their dues used for political purposes. Still, it is true that unions have a legitimacy that self-elected groups don’t have.

What about organizations that are not membership-based? Governments are hesitant to pull these groups into consultation processes because it is difficult to determine for whom they speak and to whom they are accountable.

Yet the goal of consultation in a democratic process need not only be representation; it may simply be to hear from as many varied perspectives in society as possible. The issues of accountability and representativity are then not as problematic. There are numerous academic research centres or public policy groups, for instance, that may be legitimate contributors but are not accountable to a membership. There are environmental CSOs that claim to speak on behalf of the planet and future generations. Moreover, other players may earn a legitimate place simply on the strength of their contribution.

Political concerns
Regional dynamics
Debates in the Americas, including the debates about CSO participation, take place against the backdrop of a regional political dynamic. A few aspects of that dynamic are worth highlighting: the most obvious is the enormous power differential between the United States and the other nations of the region. Indeed, one distinguished inter-American scholar reflected on this relationship, stating that: “Much of the modern history of US-Latin American relations can be interpreted in terms of the efforts of the United States to legitimate and exercise its
power in the region, and of the Latin Americans to constrain and cope with it” (Vaky and Muñoz, 1993:31).

In addition, officials often count the Caribbean bloc as another important part of the dynamic. Comprised of 13 English Caribbean states, though small and of limited economic and political power individually, the bloc exercises a considerable degree of collective power. The bloc’s supportive stance on participation has been a significant factor, particularly in the OAS where each country is accorded the same status. The Central American countries also form a group, as do the South American countries plus Mexico.

While these groups often act in concert, tensions do, of course, exist. Brazil, for example, is part of the southern cone and a partner in Mercosur (the sub-region’s trade group); its size and global reach allow it considerable political autonomy. Mexico often plays a leadership role, an important factor for this review because of its frequent hostility to CSO involvement. Since the OAS works on the basis of consensus initiatives, it can only move as fast as its slowest member.

Finally, Canada’s increased profile, marked by its accession to OAS membership in 1990, has also affected the politics of the region. Canada has been credited with diffusing the traditional tensions between the United States and the other member states, and, due to its historical relationship with the English Caribbean, it has also served as a bridge to the rest of Latin America.

US leadership
It is both an advantage and disadvantage that the United States has been one of the strongest supporters of CSO inclusion. Its historic regional role necessarily has an impact on the way its policy ideas are viewed; indeed, recent openness to CSO participation by other OAS governments is attributed to Canada’s joining with the United States, with crucial backing from the Dominican Republic and Jamaica. As one official notes: “If the US alone was pushing the CSO agenda forward, there would be the perception that this is just another cycle of the United States controlling events in the hemisphere.” The words of another seasoned observer on the subject were more pointed: “Canada can advocate for democracy and it appears genuinely pro-democracy and pro-civil society participation, unlike the US which, because of its past use of the Organization as a political bully pulpit, Latin Americans perceive as preachy, pushy, and didactic.”

Foreign dominance
Another political problem arises from perceptions of CSOs’ foreign dependence. The identity of their partners and funding sources can taint CSO work in the eyes of many governments. One OAS insider signaled this ‘historical’ source of government suspicion regarding CSO participation:

It is a dirty word to some governments because they associate [civil society] with subversive elements that had mobilized against governments in the era of dictatorships. Fifteen years of democracy has not wiped out the memory of what these groups stood for and the fact that they were fighting against the State. Some are worried about who they will be dialoguing with. Sendero Luminoso? The Ford Foundation?

Finally, references to the political intentions of US foundations are common. There is a deep mistrust of these private philanthropic agencies because, according to some governments, their funding has allowed many CSOs to flourish over the last two decades. Governments question CSO independence, arguing that if a nongovernmental organization (NGO) is dominated by Northern funding, it may be furthering the interests of Northern states. While some go so far as to accuse CSOs of being instruments of foreign governments, others are simply uncomfortable with an outside institution holding the purse strings, and potentially calling the shots, of a local group engaged in advocacy work.1

Multilateral motivation
Despite the multilaterals’ many concerns about CSO participation, relationships between these two sets of actors have been deepening. This rapprochement has been supported by forces within the OAS and the Summit processes. Key actors who have been advancing CSO participation include the Permanent Representatives to the OAS of Canada, Chile, the Dominican Republic, Jamaica, and the United States.
In addition, the Office of Summit Follow-up at the Organization of American States has been especially supportive. Still, while some argue that transparency and inclusion are core democratic principles that must embrace CSOs and that CSOs bring value to discussions and debates, others remain skeptical.

The winds of change
Greater openness to CSOs has come with the new winds blowing through the hemisphere’s multilateral processes. This has been true for the OAS since 1990. With the Cold War over, the organization has been trying to find a new raison d’être. As one staff person put it, the OAS “could no longer be just a club for governments.” Transparency and accountability have become part of the organization’s new lexicon, and bringing civil society into its halls reinforces those commitments. “To have credibility and legitimacy you have to have people involved,” was the way another staff member expressed the shift.

The same can be said for the slow but steady incorporation of civil society input into the hemispheric Summits and FTAA negotiations. Not too long ago, Presidential Summits and trade negotiations involved only high-ranking diplomats and technical specialists. Today, however, the region’s trade ministers have created a Committee of Government Representatives on the Participation of Civil Society that has been given the task of receiving input from civil society organizations. The Summit Process has yet to develop an institutionalized mechanism for CSO participation, but each Summit has attempted to include the views of CSOs, with varying degrees of success.

Changing perceptions
One reason for the OAS’ increasingly welcoming stance is its need to revitalize its own role and relevance in the hemisphere. For decades, it was bypassed by member states, the media, and the citizens of the hemisphere. This was partly because it was perceived as inefficient, unwieldy, and patronage-ridden, and partly because it was seen to be accountable only to the US anticommunist agenda. One OAS ambassador argues that CSOs can help transform this perception:

> CSO participation can rebuild the legitimacy of the OAS and re-energize it, bringing in fresh air and fresh ideas regarding the traditional issues of democracy, human rights, poverty. Of course this position isn’t very popular; most actors don’t even want to hear this, let alone take up such a position. . . . But, by solving problems, the OAS will acquire legitimacy since it will actually be providing solutions to the hemisphere’s problems. . . . CSO participation shows the public that the OAS is working with relevant actors in the different sectors of society [women, the environment] . . . this strengthens the Organization and boosts its legitimacy with the general public. How the OAS responds to the range of issues that arise in the new millennium will show how relevant it is and legitimate it.

Replacement of services
Of course, governments and multilateral agencies are also looking for cost-effective and efficient ways of providing services to citizens. Contracting-out to CSOs is proving to be one avenue for achieving this goal. In an era where government functions are being farmed out, a utilitarian interest in the involvement of CSOs has grown. In the words of the Inter-American Development Bank (IDB):

> The change in the role of the State involves a transfer to citizens of the responsibilities for production and services and for the control of and participation in public administration. The responsibilities of which government divests itself may be taken up either by the private entrepreneurial sector or by civil society organizations as organized expressions of citizen involvement in different areas of society (IDB, 1999:17).

There are, however, repercussions from this downloading. As CSOs become more skilled at delivering services and acquire even greater expertise, they will attempt to influence policy related to those services. This natural progression makes some multilateral officials uncomfortable.

There is another more curious consequence of the downloading of services to CSOs: an emerging sense by governments that they must compete with these new actors. Some CSOs are popular with the donor community, forcing governments to bid alongside CSOs for funding, often losing to the CSOs’ reputation for efficiency. One ambassador made this point when he reflected on the 80 percent
of international assistance channeled through CSOs following Hurricane Mitch. As a result, he argued, “the government was able to do very little to address the devastation left by the storm.” Thus, rather than seeing the State attend to their needs, citizens saw a panoply of local and foreign CSOs as their salvation. The impact on perceptions of state legitimacy was enormous.

Diffusion of pressure  
Because governments and multilateral organizations are under increasing scrutiny, the inclusion of civil society voices partly alleviates public concerns over accountability and legitimacy. One CSO staff person suggested that by including organizations like her own in discussions, multilaterals can dispel, or at least dull, the sharp criticism leveled at them.

Policy lines [referring to the Washington Consensus] are not working and multilaterals are getting a lot of criticism. They are looking for ways to dispel that criticism and one way is to let us in the door . . . It's all about diffusing opposition, in particular placating the environmental and labour movements up here [in the North].

**CSO motivation**

Civil society organizations cite a number of reasons for their interest in multilateral processes. Paramount is the “globalization” of their core concerns, particularly in the areas of the environment, labour, and trade. However, this leap to the multilateral level has been made amidst a good deal of internal debate and trepidation.

New priorities  
Many CSOs working at the multilateral level are phenomenally busy. Advocating at the local and national level is already taxing; moving up yet another rung in the chain of governance brings added work and inconvenience. Why bother then? The representative of one Washington-based CSO offered this observation:

Twenty years ago nobody was interested in these agreements, but with the power of huge organizations like the WTO [World Trade Organization] and other multilaterals, we have started to think about questions of democracy and the fact that national governments are being bound by international rules, which then makes them fiddle with national laws or priorities. You can vote governments in and out but once you accede to an international agreement, it's incredibly difficult to get out of. So people are very wary about ceding authority to rules that they have no way of rescinding or changing.

Another representative was even more succinct: “The stakes are just too high to disengage.”

**Added benefits**  
Despite the strains to CSOs, the leap has yielded benefits. The representative of a Chilean CSO argued that by engaging at this level, her organization had increased its status and legitimacy, not only among governments but also among funders. Other CSOs pointed to the importance of the networks that grew out of hemispheric activity in alleviating the isolation felt by many groups and in sharing the experiences of their counterparts in other countries. “Engaging at the multilateral level enhances our knowledge about issues,” was the way one women's organization put it. Working at the multilateral level has encouraged CSOs to forge alliances and consequently improve their own analysis and impact.

**Organizational issues**

Reinventing organizational wheels  
Today, the engagement with civil society organizations occurs in a haphazard fashion, due partly to the complexity of multilateral processes and structures in the region. While the OAS is an organization, the Summits of the Americas are a sequence of loosely connected processes, each ad hoc in nature. The two Summits—Miami (1994) and Santiago (1998)—were hosted and organized by different countries, each with their own way of dealing with civil society participation. The Bolivia Summit Conference on Sustainable Development was a specialized meeting and distinct process. Further, while the FTAA negotiations are intimately connected to the Summit process, they have been treated separately. Consequently, overlapping institutions and processes are developing separate mechanisms for the participation of civil society bodies. The mecha-
nisms considered in this report—OAS/ISP, FTAA, and the mechanisms used at the two Summits—are sometimes linked and sometimes distinct (for the moment, at least).

A number of problems emerge as a result of this dichotomy. First, if CSO inclusion mechanisms are devised separately, there is the real danger that these mechanisms may employ contradictory standards for inclusion. Second, by pursuing the same goal in numerous places, resources are not being efficiently used. Finally, the research and analysis involved in creating a mechanism for CSO input is unlikely to be shared if these processes are being devised separately. Given the importance of CSO inclusion, cross-organizational efforts may well be necessary.

Organizational process
Consulting with CSOs and responding to those consultations has made some officials uncomfortable. With the thousands of CSOs that exist in the region, multilateral processes could be bogged down if all seek to participate. One official noted, for example, that some of the governments sitting on the FTAA’s Committee of Government Representatives on the Participation of Civil Society expressed concerns about the number of submissions the FTAA’s Invitation to Civil Society initiative might generate. Indeed, there was resistance to sending out the invitation to CSOs to submit their views in writing for fear that the Committee would be swamped with responses. The same official noted that this concern explained why no plan was developed to deal with the received submissions (the absence of such a process was a major criticism by CSOs).

Concerns over gridlock are not new. However, they tend to be far more prevalent at the national level where civil society groups, at least in the United States, have been participating in politics for a long time. Indeed, US journalist Jonathan Rauch recently coined the term “demosclerosis” to describe the paralysis that affects democracies where participation by a multitude of CSOs can block policy initiatives (Rauch, 1994). Yet, given the recent interest by and about CSOs in the OAS and the Summits, gridlock is unlikely to be a problem in the near future.

Mechanisms
Both CSOs and multilaterals agree that developing mechanisms for consultation and participation is a difficult undertaking. Both have singled out issues they consider important to the process and to the development of a mechanism for carrying it out. Multilaterals point to the debate over whether, and if so, how, consultations should take place. Civil society organizations focus on the need for better information to be more freely circulated if any participation is to be effective; for clear and transparent procedures; and for financial support for smaller CSOs.

The nature of the issue
The likelihood of winning a seat at the table depends very much on the agenda. Officials have been far more open to consultation on issues such as the environment, where public support for CSO involvement is strong and where CSO advice is respected. This openness has been less forthcoming on controversial issues such as trade, for a number of reasons. Trade is often associated with specific expertise, and officials are more skeptical about the value of civil society participation. Moreover, issues of finance and trade have traditionally had a certain cachet attached to them, as well as an atmosphere of secrecy.

The links between trade and social impact made by many CSOs are another area of controversy. As one former CSO director explains, some organizations want more than consultation: “they also want to make trade agreements subject to overriding health, environmental, human, and labour rights agreements . . . they want the latter to have the clout in implementation that trade and investment agreements have grabbed for themselves.” One coalition, The Hemispheric Social Alliance, presented a paper on “social exclusion” to the trade ministers at the November 1999 Ministerial Meeting in Toronto, arguing that:

The issues raised in our paper on social exclusion are unfortunately not addressed in the FTAA talks. Some of them have been discussed in the meetings organized by the Summit Implementation Review Group (SIRG), quite separately from the discussion on the FTAA. Yet we feel strongly that liberalization of trade and investment cannot be separated from the goals
of “strengthening democracy,” “eradicating poverty and discrimination,” and “guaranteeing sustainable development,” all of which were agreed upon by the 34 nations of the Summit of the Americas, in Miami, in 1994 (Hemispheric Social Alliance, 1999:5).

The negotiators’ response has been that trade negotiations cannot possibly deal with a slate of other issues; they argue that the process is complex enough without including a whole set of other politically volatile problems into the mix (Feinberg and Rosenberg: 1999:277-78).

Institutional knowledge
Another consideration is the organizational culture and operating procedures of a given multilateral body. After all, the multilateral policy arena is new to many CSOs, and many are uncertain how and where to intercede effectively. The learning curve is steep. Moreover, according to one CSO member, there are unpredictable levels of transparency that vary according to the issue, the department, as well as the person in charge, making it difficult to plan a work agenda. Another complains that trying to influence these organizations has been “a frustrating, horrible ordeal.” At least at the national level, she explains, “you usually know why things are stalled, or moving slowly. There you don’t. And the hidden agendas are even more hidden in these organizations.” There is an obvious need for clearer policy channels and procedures.

Information
Another key to effective participation is access to information. According to one trade group, there is not enough of the right kind of information:

Access to information is a huge obstacle. There are millions of reams of paper in my office . . . Most of the time, though, it is not what we care about . . . We can’t get the time and place of a meeting or the name of the head of a negotiating group but we can download thousands of documents full of information that we can’t use.

Almost all the CSOs interviewed flagged this issue as crucial to their ability to participate. The need for timely, convenient, and inexpensive access to relevant, up-to-date information—at a minimum, minutes of meetings, upcoming agendas, schedules of meetings, position papers, and formal reports—cannot be over-emphasized.

Criteria
One of the biggest challenges in devising participation mechanisms is establishing criteria for participation. The concept of “civil society” is not only philosophically ambiguous, but also politically controversial. Some CSOs, for instance, want to ensure that access is not given to organizations that have been created by governments. As one CSO staff member noted: “We want to make sure that a group is really independent and not government-created in order to push a government agenda.”

From the perspective of multilaterals, there are a myriad of organizations in the Americas, most of them unknown. Their goal is to find technically competent and politically unthreatening groups to help implement the organization’s agenda, leaving government officials with a complicated and time-consuming triage operation.

Funding and costs
Financing is also a significant factor in CSO involvement. Some CSOs, particularly those from developing countries, do not have the resources to participate in meetings where international policy debates take place. The Summit process has already acknowledged this concern: the Santiago Plan of Action requested the IDB develop financial mechanisms to strengthen civil society and public participation. Consequently, the Bank established a Foundation of the Americas to strengthen CSO competence and input (however, the initiative is aimed only at service-providing CSOs, specifically ruling out support for “advocacy initiatives”).

One OAS official felt that technology could potentially make a large contribution toward widening participation, especially to CSOs with few resources. Real-time conferences on the internet, as well as websites to distribute information, are already employed by international organizations, including the OAS. However, as one CSO representative pointed out, while technology is a useful tool, a recent study conducted by Oxford Analytica revealed that there are only about eight million internet users in Latin America. For cash-strapped local organizations, technology will not soon replace the need for face-to-face meetings.
Access
Access to key officials and government representatives has also been flagged by CSOs as crucial to the success of consultations. Multilateral have recognized this impediment, but have made uneven moves to address the issue. Members of the Americas Business Forums, for instance, have far greater access to trade and finance ministers than do any of the participants in the parallel civil society processes. According to Summit expert Robin Rosenberg, in May 1996 in New Orleans:

The Council of the Americas and two Inter-American business groups . . . organized a Private Sector Forum on the day before the Ministers’ meeting. The forum included . . . a round table meeting between the Finance Ministers and private sector representatives, chaired by IDB President Enrique Iglesias. In addition to hearing the recommendations from the private sector workshops, the Finance Ministers also witnessed a frank and open exchange of viewpoints on the challenges of hemispheric economic integration (Rosenberg, 1996:9).

Still, Rosenberg points out that despite the private sector’s privileged access, it too has been frustrated with the quality of access it has received. Not all access is necessarily meaningful.

As the later section on the FTAA argues, other CSOs have considerably less access to the region’s decisionmakers. A hopeful sign, however, did occur at the Toronto Trade Ministerial Meeting in November 1999, where, for the first time since the launching of the FTAA, 20 trade ministers met with non-business CSOs for an hour to hear their views on integration.

Relevant skills
Finally, while CSOs are demanding the right to participate, some groups may not be equipped to participate even after access is assured. Some admit they have been fiercely focused on the struggle to gain access to those insider policy circles, with little time or energy devoted to the policies they would advocate once they win access, or the resources needed to invest in that work. One CSO staff member expressed the concern that, “once you’re inside, the skills involved are negotiating skills. Very few CSO staff have those skills.”

The Americas’ Mechanisms for Engagement
These broad issues are rooted in a recent and conflictual history of engagement. In this section, accounts of the OAS, FTAA, and the Summits of the Americas are detailed, culminating in suggestions for future action in the concluding pages.

The OAS: Consultative status for CSOs
CSO participation in OAS activities and meetings is not new; they have been sharing information in meetings and collaborating on projects for a long time. OAS agencies dealing with human rights, the environment, and community development, for example, have both formal and informal relations with CSOs: CSOs are permitted to attend most OAS meetings as observers or special guests. Until recently, however, specific guidelines on the scope and nature of CSO participation in OAS meetings did not exist and procedures that clearly set out criteria for participation and responsibilities and obligations associated with them had been absent. The Americas Summit Process pushed and prodded the OAS into seeking greater and more institutionalized civil society input. As a result, the Organization has just completed drafting a set of guidelines addressing these issues. The trajectory of this initiative is recounted on the following page.

An opening
The OAS mandate to work with other international organizations, as well as “national and international entities,” has its origins in the Organization’s 1948 Charter. In 1971, the OAS General Assembly briefly revisited the mandate when it approved a revised set of standards on relations with nongovernmental organizations, but the issue did not land again on the OAS’ agenda until 1990, when Canada joined. The new member arrived packing a huge reform agenda with a strong emphasis on democracy and human rights. By 1994, Canada was able to garner support for a Working Group to Study the Possibility of Granting Status to Nongovernmental Organizations in the OAS. After two and a half years, the group decided that the guidelines in use since 1971 and the somewhat ad hoc approach to CSO involvement were adequate. The reform effort failed.
According to OAS sources, the official reason for this failure was in part because governments felt there were no cases where interested CSOs had not managed to make themselves heard or influential, hence there was no real need for change. Unofficially, the explanation was that it was impossible to reach a consensus among member states on what changes should occur. According to one OAS official, proof lay in the doubling of the Working Group’s timeline to accomplish their task—two years, twice as long as usual for this sort of work. Still, the Working Group made the following recommendations: prepare draft guidelines for relations between CSOs and the Organization (due at the end of 1999); devise criteria for CSO accreditation; formulate steps for improving relations between the Organization and CSOs; and, create a register of CSOs that have relationships with the OAS.

Following the Working Group’s report, a number of changes moved the CSO debate forward. According to one OAS ambassador, three points stand out. First, the General Assembly of the OAS took on a “different appearance:” a greater emphasis on dialogue between ministers rather than the more traditional pro-forma speeches was evident, as well as a loosening of processes that made discussions much more productive.

The second factor was the work of a small group of member states that called themselves the Friends of Civil Society. Recalling that the Santiago Action Plan had indicated a continued role for civil society, this group believed that the OAS must, in fact, move beyond the status quo. Rather than taking this initiative to the floor of one of the committees, however, the group decided to broker an agreement beforehand. Argentina, Canada, Chile, the Dominican Republic, Jamaica, and the United States, among other pro-CSO states, invited some of the more recalcitrant states, such as Mexico and Peru, to join in discussions. Following several meetings, an agreement was finally reached to use guidelines of the Economic and Social Council of the United Nations (ECOSOC) as a template for the new OAS guidelines. The rationale was that since all OAS member states had already agreed to these guidelines at the United Nations, the resolution would be unlikely to fail at the June 1999 General Assembly in Guatemala.

Finally, the ambassador noted that the presence of CSOs at the November 1999 Working Group Meeting on the Proposed American Declaration on the Rights of Indigenous Peoples also had the effect of softening opposition to CSO participation. The ambassador singled out the eloquent speech of the representative of the Canadian Assembly of First Nations as particularly important. The speech was so well received that it helped make government officials more open to further participation.

### Organization of American States Guidelines

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<th>Mechanism</th>
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<tr>
<td>Devised by</td>
<td>Based at the Economic and Social Council of the United Nations; devised by a small group: Friends of Civil Society at OAS and the OAS Committee on Civil Society Participation.</td>
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<tr>
<td>Timeframe</td>
<td>Process started as far back as 1994. Guidelines approved as part of Resolution at GA meeting in June 1999 with a December 31, 1999 final approval date.</td>
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<tr>
<td>Criteria for participation</td>
<td>Open to all CSOs interested but strong representation from human rights CSOs involved in reform of the Inter-American Commission on Human Rights.</td>
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<td>Number of CSOs that participated</td>
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Guatemala: The OAS General Assembly

Once the draft set of the guidelines was devised, it was appended to a resolution approved by the Permanent Council and then by the General Assembly at its June meeting in Guatemala. The Resolution also established an important new Committee on Civil Society Participation and charged it with following up on the guidelines. Although the Resolution was approved, the implementation was delayed until the end of December, when further recommendations were due.

Prior to Guatemala, at meetings in Washington where the Resolution was drafted, member states were still at loggerheads. The biggest concern was the section that referred to those OAS meetings that should be open to civil society participation and how that participation would take place. There were also questions about the financing of the Committee on Civil Society Participation to be created by the Resolution, and about geographical representation among CSOs (the fear was that only the larger lobby groups based in Washington would make use of the access). Friction over these issues led governments to attach the December date to the Resolution. The passing on the Resolution, despite the delay, was a diplomatic feat, according to one Caribbean ambassador, given the resistance of certain governments to any date at all.

Some CSOs had been monitoring the matter of accreditation from early on, providing comments on successive drafts approved in Guatemala. One group, the NGO Working Group on Civil Society, was created in November 1998 by the Esquel Foundation to monitor OAS reform in general, with particular emphasis on the Organization’s relationship with civil society. Its concerns regarding the guidelines have been numerous.3

Not surprisingly, access has been an issue of prime importance to CSOs. The OAS had insisted until the last minute that only membership-based CSOs (those receiving a majority of funding from their members) be granted access, thus excluding a large number of organizations with important expertise. This dispute was eventually resolved with a Canadian amendment that would permit access to non-membership-based organizations that supplied a list of their funding sources. The guidelines stipulate that CSO participation will not be automatic in all OAS instances: CSOs will be granted access to meetings of the Permanent Council but their presence in any other meetings will be decided by the agency, unit, body, or committee in question.

While countries like Canada and the United States are not fully satisfied with the guidelines, they pushed to have them approved, arguing that further discussion would be unlikely to change the outcome, and might make matters worse. The current guidelines are not carved in stone, and it is part of the new Committee on Civil Society Participation’s mandate to periodically review them.

The OAS and the Inter-American Strategy for the Promotion of Public Participation

The OAS’ work on civil society consultation does not include only guidelines for participation. Another important OAS project, underway for three years, was recently adopted by the Organization’s Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI). The Inter-American Strategy for the Promotion of Public Participation in Decision Making for Sustainable Development (ISP), which is housed in the OAS’ Unit for Sustainable Development, is aimed at promoting the participation of CSOs in sustainable development.

As noted earlier, OAS efforts to increase CSO participation were spurred by the Summit process. Mandates from the Miami Summit (1994), the Bolivia Summit Conference on Sustainable Development (1996), and the Santiago Summit (1998) were instrumental in encouraging the current openness. In fact, the OAS’ principal efforts came out of instruction from the Bolivia Summit: at that meeting, the region’s heads of state asked the OAS to help governments become more participatory in their practices. As a direct result, the OAS’ Unit for Sustainable Development (USD) began to develop a concrete strategy for government-CSO engagement, supported by the United Nations Environment Program, the United States Agency for International Development (USAID), and the United Nations Educational, Scientific and Cultural Organization, UNESCO, among others.
The goal of this ISP is to promote effective and responsible public participation in projects as well as policy discussions at the OAS, particularly around environmental and sustainable development decisionmaking. The ISP has two parts: a Policy Framework and a set of Recommendations for Action. The Framework sets out the principles for consultation, including inclusiveness, responsibility, comprehensiveness, access to information, and transparency, as well as recommendations on how these principles can be turned into action (the need to find legal frameworks, better communication mechanisms, and funding for participation are highlighted as necessary first steps). The USD coordinated the process, presiding over three years of meetings aimed at finalizing the Policy Framework and having it approved by the hemisphere's governments and environmental CSOs.

Drafting began in January 1998. One year later, draft consultation kits were widely distributed for comment. Consultations took place during the last two weeks of August 1999. In September, CSOs and governments met in Mexico to finalize and approve the Framework and Recommendations. However, many CSOs felt that there had not been enough time for a proper consultation. The ISP was finally approved two months later in December 1999.

The strategy has not yet been put into practice, and based on interviews with a number of CSOs, little is known about it. Some have heard of the strategy, but do not know what it involves; others, particularly those involved in trade issues, are unaware of its existence. Environmental CSOs are the most well informed.

Despite the delays—an irritating side-effect of any consultation process—the ISP has been an important benchmark for the OAS. “Where we are now would have been unthinkable even a year ago,” commented one human rights advocate. An official following the process agrees, suggesting that this is a huge step for “an organization made up of governments who have tended to view civil society generally as opposition to government.”

### The Free Trade Area of the Americas: A toe in the door

Despite the highly technical and closed nature of the negotiations, CSOs have expressed a deep interest in influencing the FTAA negotiations. These groups are concerned about the potential impact of the agreement on development, democracy, the environment, health, human rights, labour rights, and the rights of women.
Of course, the starting point for trade liberalization can be traced to events prior to the First Summit of the Americas in Miami. The 1989 Canada-US Free Trade Agreement (CUFTA) and the 1992 North American Free Trade Agreement (NAFTA) were precursors to the Summit’s trade agenda, and both events were training grounds for many of the CSOs now involved in the FTAA.

An opening
At the Miami Summit, the region’s leaders (except for Cuba’s), agreed that their trade ministers would meet periodically to complete negotiations for the FTAA hemispheric trade agreement by the year 2005. CSOs have attended every trade ministerial following the Miami Summit, albeit in a disorganized way in the beginning (labour union representatives and some activists met in Denver during the first Ministerial in 1995; in 1997, CSOs from 18 different countries assembled in May in Belo Horizonte, Brazil). The business sector, for its part, staged its first Americas Business Forum in Denver, now held just prior to every meeting of trade ministers.

By 1998 the trade ministers had established nine Negotiating Groups, each relating to a major area of the trade negotiations, plus a Consultative Group on Smaller Economies and two Special Committees. One of those committees was the Committee of Government Representatives on the Participation of Civil Society (CGR), first proposed by then Canadian Trade Minister, Sergio Marchi. The outcome of intense behind-the-scenes haggling, the newly forged committee was to be given the mandate of “encouraging” CSOs to provide their views on FTAA-related matters.4

To their credit, the United States, Canada, Argentina, Chile, and some Caribbean countries responded to CSO pressure by attempting to establish an FTAA study group on labour and environmental issues. The idea, however, was quickly quashed by Mexico, Peru, and several Central American countries. The US followed by suggesting that an official working group, similar to those set up to address trade topics, be created for labour and environment issues. “For a long time, we had been demanding a labour forum on par with the business forum,” one US labour representative said, “but we were also pushing for a Negotiating Group on workers’ rights.” Opposition was again led by Mexico, which argued that “powerful US and Canadian lobby groups could ‘muddy’ trade negotiations, eventually leading to what amounted to protectionism” (Schmidt, 1999: 2). While CSOs were asking for a dialogue with trade officials, governments remained opposed. “Even saying the words ‘civil society’ in a trade forum brings all kinds of wrath upon you,” was the conclusion of one trade official.

As for Marchi’s Committee (the CGR), governments exhibited strong resistance to the proposal from the beginning. They watered down the nature of the proposed consultation, specifying that the Committee would only “transmit” CSO views to the trade ministers (CSOs could not provide their comments directly to the FTAA process). The Committee could thus act as a filter, excluding views deemed
inappropriate. Furthermore, governments specified that only "trade-related matters" presented in a "constructive" manner would be acceptable (Leadership Council, 1999:8-9). This last stipulation was to alleviate the concern of some officials that "non-trade issues" such as human rights, gender, and poverty were being brought into the trade arena. The other two committees established at the Ministerial meeting were authorized "to make recommendations" related to their work, whereas the CGR was allowed to only "present the range of views for consideration by Trade Ministers.” CSOs argued that a committee that could make actual recommendations would be more likely to generate movement on issues than one that could only present an assortment of views (Feinberg and Rosenberg, 1999:688).

Just prior to the Committee's first meeting in October 1998, a large group of CSOs drafted a letter to the chair with a list of concerns. The group was chagrined that, after seven months in operation, the Committee still lacked an operating mechanism and work agenda and were concerned over rumours that it had been created to act as a cheerleader for the FTAA, rather than as a space for citizen voices. The letter called for a number of concrete actions: "prompt access to information pertaining to the negotiations, [and] regular and formal opportunities to discuss negotiating objectives, process, terms of reference, and provisions" (Feinberg and Rosenberg, 1999: 688). It closed by arguing that real participation could occur only if the opinions expressed were transmitted in a way that could potentially influence the outcome the negotiations. In other words, soliciting comments was a beginning, but would not be sufficient.

The open invitation/mailbox
The consultation mechanism finally developed by the Committee was unveiled at its first official meeting in November 1998. Called the "Open Invitation to Civil Society," it invited the public to submit their views on the FTAA negotiations. The invitation was placed on the FTAA website, and governments agreed that they would promote the invitation in each of their countries. CSOs were given five months to submit their views.

While a valiant attempt, given persistent resistance from governments, the invitation was "way below the acceptable threshold," according to one CSO representative, and far from what CSOs had requested. The overall reaction was mixed. Some saw the initiative as a breakthrough, but most agreed that such a mechanism could not go far enough. Indeed, according to the representative of one US CSO, it was impossible to convince more pessimistic Latin American partners to submit anything to the process: without the establishment of a direct link to the negotiating groups, reasonable timeframes for consultation, and clear procedures of accountability, the initiative could become only a repository for CSO concerns with no chance of influencing the negotiating process (Feinberg and Rosenberg, 1999:688). The idea thus earned the pejorative title of "mailbox.”

The head of a coalition of Canadian CSOs was visibly baffled, and somewhat annoyed, that their calls for participation had resulted in the establishment of the Committee of Government Representatives and its “Open Invitation:”

Yes, from the very beginning we said we wanted input . . . I’m not saying that we necessarily need to be at the table one-on-one. We never said that. We have just been saying that we want input into the substantive issues, tariffs and trade, investment—these are all issues that we can manage, issues that we are well versed in. But they came back to us with this Committee.

The narrow framing of the invitation for comments was also a problem for many CSOs. The representative of a coalition of women's groups expressed her frustration this way:

The way they are framing what is trade-related is so narrow that we have to do incredible contortions in order to get what we’re talking about included. You have to prove something is trade-related even though trade has a huge cascading range of effects.

Finally, it had been left to each government to publicize the invitation at home. While some countries made efforts, most did not. In the end, only a disappointing 72 submissions were received, most from Canada and the United States. The greater part of the submissions came from businesses and business-related nonprofits rather than from CSOs from other sectors. The submissions were compiled and
a draft report, listing the topics raised and the number of submissions per topic, was prepared for the Committee's June 1999 meeting in Miami. The concrete recommendations that were part of the submissions were not included. Even so, Mexico nonetheless found the report unacceptable; it asked that any material that was not "trade-related" be taken out of the report and that the Committee itself be disbanded. (Mexico was outflanked by the US, which posted the report on its own website.) The contents of the report, as well as the fate of the Committee, were not decided at the June meeting since member states could not come to agreement on either issue.

While most CSOs acknowledge the step forward signified by the Committee and its invitation mechanism, few are calling for its continuation or a second opportunity to "submit" their views. Months after the submissions had been filed away, a coalition of CSOs from across the hemisphere made this point when they wrote the chair: "we believe that it would be helpful to focus on a search for effective mechanisms of national and hemispheric consultations."

Trade officials had a far more positive view of the invitation mechanism than did CSOs. As one official noted: "Five years from now it will be seen as an extremely modest attempt . . . but in fact, it is a significant step forward—not a leap—but a step." Based in part on this optimistic perspective, the decision was taken at the Toronto Trade Ministerial to retain the CGR with Bolivia taking over as Chair.

Strength in numbers: The Hemispheric Social Alliance

While advocating at the national level and keeping tabs on the Committee's work, some CSOs adopted a third strategy. A continental social alliance that originated in a Mexican proposal at a forum of 700 CSO representatives in Belo Horizonte, Brazil in May 1997, has been building a network of like-minded groups from across the hemisphere. This group includes a large number of groups and individuals whose views on trade and investment regimes have been shaped by long and bitter battles, first against the Canada-US Free Trade Agreement and then the NAFTA. Some of these Canadians, Americans, and Mexicans have been working together since 1991.

The goal of the Hemispheric Social Alliance (HSA) has been to focus a dispersed effort into a more united force to influence policymakers. Between 1994 and 1997, various social sector organizations had been working together along national lines, but there had not been much cross-border and cross-sector cooperation. According to one of the organizers, CSOs working on international economic and social issues had been experiencing a strong sense of isolation as they struggled to do advocacy work on issues that were increasingly complex and where access to information was tightly restricted. While the overarching goal of the HSA has been to act as a vehicle for input and participation, and hence influence the hemispheric trade agenda, perhaps its greatest achievement has been to strengthen a hemispheric movement.

The Summits of the Americas Process: An ad hoc strategy

Parallel to the trade and investment negotiations is a distinct set of discussions on social development: The Summits of the Americas. While there is no official mechanism for CSO participation, national delegations—Canadian and US—have occasionally invited CSOs to be present at discussions on agendas and follow-up. The Summit Implementation Review Group (SIRG) is the locus for such discussions, and is comprised of government representatives who meet regularly to keep track of Summit commitments other than trade. So while each Summit is distinct and separate, all interested parties can discuss summit issues in the SIRG. The two Summits and the Bolivia Specialized Summit Conference, with their distinct processes for consultations, are described below.

The Miami Summit of the Americas (1994)

The first Summit of the Americas in Miami was primarily an economic meeting of the region's heads of state, aimed at expanding trade throughout the Americas. Its secondary end was to serve as an opening for a US agenda to discuss democracy, state reform, narco-trafficking and corruption, and social and environmental policies. That agenda and its US leadership made the event open to CSO participation and, eventually, to a measure of their influence.

The most important factor was the role of the US host in assuring access to CSOs, both at home and throughout the process. US control over the planning process and agenda meant that its officials...
emphasized consultation with CSOs, part of its own policy tradition. Indeed, according to one author, “The [Miami] Summit process marked the first time that a government invited NGO representatives to participate directly in consultations with other governments” (Daly Hayes, 1996:5).

Yet, in the absence of a hemispheric mechanism, CSOs were compelled to deal with their national governments, which then filtered their submissions upward. Prior and during the tour by the US delegation, US officials suggested that their Latin American neighbours consult extensively at home to incorporate CSO ideas, a message strengthened by occasionally bringing American CSO representatives along. The reception received by CSOs on the delegation varied from lukewarm to hostile. In some cases, CSOs were allowed to take part in discussions; in others, they were allowed to meet with government officials but prevented from attending formal consultations. Brazil probably provided the coldest reception, closing all meetings but the ceremonial luncheon (Daly Hayes, 1996: 5).

At home, US officials solicited the views of American CSOs through a task force on each agenda topic. Each task force was charged with drafting language to be presented to the governments of the region for approval; one was devoted to civil society participation. According to one insider, the Civil Society Task Force—still active today—was one of the most industrious.8

Once the language was drafted, and following a last round of consultations, final drafts of Summit Documents were sent to each country. Representatives met for one last consultation session (minus CSO representation) at the Airlie House Conference Center in Virginia. According to a former high level USAID official, CSO participation was almost bargained away a number of times in that final round.

We would be sitting there discussing the agenda—there were representatives from the Departments of State, Treasury, Labor, Energy, USAID—all arguing that the agenda was too long. A number of times people suggested that the civil society item should be dropped . . . if it hadn’t been for Richard Feinberg [the National Security Council Special Assistant to the President for Inter-American Affairs] continually putting civil society back on the table, it would have never survived the meeting.

The survival of the civil society clause was an important step forward for CSO participation in the summit process.

Outcomes from civil society input
The Miami Summit ultimately dealt with civil society engagement by arguing that it was crucial to enhancing democracy at the hemispheric level, and calling for mechanisms to expand citizen participation. This focus on democracy is reflected in the Summit’s Plan of Action, which asks governments of

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the region to take the following steps: (1) to review their regulatory frameworks governing the actions of CSOs in order to increase their flexibility and opportunities to fundraise; (2) to increase the participation of groups that represent the most marginalized in their societies; (3) to exchange progress reports at the Bolivia Summit (two years later); and (4) to consider the creation, at the Inter-American Development Bank, of a new civil society program. Finally, in the part of the Action Plan dedicated to the environment, there was a section on the need to promote citizen participation in all policymaking related to sustainable development activities. The governments of Jamaica and Uruguay were named co-coordinators of the civil society effort and given the task of moving the civil society agenda forward.

The Bolivia Summit Conference on Sustainable Development: A lovefest?

The Miami Summit provided a modest foundation for civil society participation, yet it was the Bolivia Summit Conference on Sustainable Development, held in Santa Cruz, Bolivia two years later, that succeeded in “raising the floor” for their involvement. A number of factors combined to make this Summit Conference “a CSO lovefest.”

The idea to hold a specialized Summit Conference on Sustainable Development came from Bolivia’s President, Gonzálo Sánchez de Lozada, an enthusiastic supporter of civil society participation. His support was a crucial factor, given the enormous influence wielded by Summit hosts. Bolivia played a pivotal role in the discussions around the overall purpose of the Summit, including the breadth of the definition for sustainable development. (The United States envisioned a narrower sectoral summit, focused on the environment, arguing that the Miami Summit had covered the other social ‘baskets’ and that revisiting those items after such a short time was unnecessary. The Bolivian effort overrode those objections, and set forth a broad agenda and definition, thus opening the debate to a larger body of CSOs.)

The Summit Conference’s CSO-friendly nature was further strengthened by the identity of its coordinator, the nongovernmental organization, World Resource Institute (WRI). Based in Washington, but directed by Bolivia, the Institute was also able to pull from a large group of environmental organizations.

The Bolivia Summit Conference on Sustainable Development: A lovefest?

Devised by | Technical Commission coordinated by World Resource Institute, official organizer of Summit Conference. Montevideo devised by USAID.
Timeframe | All within a year of the Summit.
Criteria for participation | CSOs selected were those which had good working relationships with funders and governments.
Number of CSOs that participated | FFLA consultation: 60, plus diverse national consultations. Montevideo: 45.
Funders | Governments of Canada and the Netherlands as well as Corporación Andina de Fomento (CAF) and USAID. Ford Foundation, USAID, International Development Research Centre.
Chile), a representative from the SIRG, members from other multilaterals (the IDB, the World Bank, the Pan-American Health Organization (PAHO), and the OAS), as well as representation from USAID and the US State Department. According to one source, the group worked extremely well together and all parties were open to civil society participation from the beginning. Other observers have been less positive, arguing that the Commission did not take full advantage of the CSO presence in the group, relying more on government and multilateral representation for input (Rosenberg, 1996:10). Still, the CSO representation was unusually large, so much so that some officials charged that CSOs were over-represented.

From that process, two consultation mechanisms were created to bring civil society views into the development of the agenda. The first was devised by an Ecuadorian CSO, Fundación Futuro Latinoamericano (FFLA); the second was sponsored by USAID.

FFLA received funding from the governments of Canada and the Netherlands, as well as Corporación Andina de Fomento (CAF) and USAID to carry out hemispheric-wide consultations. For the most part, one CSO per country was selected, and while rich contributions where made, the process was woefully underfunded (an average of US$4,000 was set aside for each national consultation) (Rosenberg, 1996:10). A further difficulty was in the presentation of that input—in an unprecedented practice, the findings were presented en masse directly to the OAS in plenary. Unfortunately, with so many CSOs insisting on addressing the Permanent Council individually, the overall message was weakened. In the end, it has been suggested that “the spirit of what was said was considered but none of the recommendations were really taken into account.”

Still, the presence of CSOs was a step forward. The meeting has been credited with showing OAS government representatives that civil society is not necessarily a menacing force. The former USAID official was moderately optimistic: “I’d like to think that the FFLA experience paved the way for what is happening now at the OAS in terms of an opening to civil society,” he said.

The second consultative process took place in parallel, organized by USAID. The straightforward strategy was to bring CSOs and governments together in one room to draft the summit language on civil society. If they could together devise language around how citizens could speak to governments and how governments could listen to citizens, the outcome would carry more weight.

Uruguay, one of the two countries following Miami’s civil society initiatives, agreed to host the two-day meeting in Montevideo in August 1996. Thirty-one government representatives along with a large group of CSOs attended the Hemispheric Conference on Citizen Participation in Decisionmaking for Sustainable Development. Funding for the gathering came from a variety of sources, including the Inter-American Foundation, Canada’s International Development Research Centre (IDRC), the Ford Foundation, and USAID. The wording related to the civil society initiative, including the important instruction to the OAS to create an institutional space where systematic consultations with civil society could take place, came out of the Montevideo gathering.

Governments did not automatically warm to the idea. Intense lobbying was required to move the recommendation forward against arguments that CSO influence might lead to unknown consequences and that their legitimacy ought to be questioned. In the end, the recommendation was accepted, and the OAS Inter-American Strategy for Public Participation in Environment and Sustainable Development Decisionmaking in the Americas was established.

The Bolivia Conference had high levels of civil society participation because of its enthusiastic host, a CSO coordinator, and two useful mechanisms of CSO participation. Still, it was easier for CSO and government representatives to embrace each other for another reason: the subject matter. Environmental protection has generated less conflict in multilateral arenas, especially in comparison to trade and human rights, and is accepted as an arena where public involvement is often required.

The Santiago Summit: Civil society torpedoed?

If the Miami Summit was heralded as a promising first step for civil society participation, and the interim Bolivia conference recorded imaginative new
leaps, the next full Summit meeting in 1998 in Santiago was a grave disappointment. Indeed, limited in their involvement in the official process, a large part of the growing CSO community organized a separate parallel summit, an important trend in civil society summity.

The PARTICIPA experiment
In the lead-up to the second Summit, the Chilean Planning Ministry was charged with planning. Following on the Bolivian experience, the Ministry invited a Chilean CSO, Corporación PARTICIPA, to coordinate a consultation process. With funding from its own government as well as the OAS, the Inter-American Development Bank, and Canada, PARTICIPA held two large meetings in Santiago, inspired by the success of a pre-Bolivia Summit Conference meeting.

The first meeting, in August 1997, gathered 55 civil society organizations from 22 countries to discuss education, democracy, and sustainable development. Recommendations were presented to a government meeting that fed into the planning process for the Summit. The second meeting, three months later, developed recommendations on strengthening civil society, the role of women in poverty eradication, and the fight against corruption. Thirty countries were represented and 70 members of civil society organizations attended, as did many government representatives, in addition to 10 representatives from international and regional institutions. Most of the participating CSOs were organizations that had previously shown a willingness to work closely and successfully with their governments; they were also a different group from those who later organized the parallel People’s Summit.

As a part of the Chilean delegation, PARTICIPA then presented the recommendations from both meetings to the December 1997 meeting of the SIRG, the coordinating body that eventually determined the wording in the Declaration and Plan of Action. In the end, the civil society language that was presented became the negotiating text for that particular initiative.

The People’s Summit: Looking for a space for participation
The People’s Summit of the Americas, in April 1998, was a gathering of almost 2,000 civil society representatives from across the hemisphere. The parallel meeting took place just days before the Summit, with no official links to the Summit or its govern-
ments (a design which may have detracted from its effectiveness, according to some observers).

An international coalition, with strong representation from labour, organized the event. Many traveled to Santiago because the Summit was the official launching pad of the FTAA negotiations, rather than for other issues on the agenda. Although an array of sectors was represented—indigenous peoples, rural producers, and advocates for human rights, women’s rights, social justice, and the environment—they were united by concern over the impact of free trade on their respective sectors. Following a set of issue workshops, the organizations drafted a declaration that they delivered to the governments at the official Summit.

Clearly, parallel events like the Americas Business Forum or the People’s Summit cannot directly influence government deliberations, let alone the final agreements. Most of the negotiating has already been completed and the wording of official texts determined by the time the meetings open. However, such events are meeting places, as well as spaces where public opinion can be influenced via press coverage. In the case of the Santiago People’s Summit, CSOs took advantage of the gathering to further consolidate the Hemispheric Social Alliance, then in its initial stages.

Backsliding on civil society?
Thanks to the efforts of the Jamaican and Uruguayan ambassadors, the consultations and discussions that took place in the PARTICIPA meetings did have some influence on the wording of the final documents related to civil society that were presented to government leaders. At the same time, because government representatives were present in those preparatory meetings, the recommendations that emerged were necessarily compromises: a recommendation aimed at including civil society participation in the FTAA process, for example, never made it through the preparatory meetings (Seymoar, 1999:404).

Many argue that Santiago fell short on civil society participation. The access afforded civil society organizations was limited, and the opportunities for CSOs to inject their views into the agenda were few—leading in part to the staging of the alternative summit. Furthermore, there was no civil society representation on most national delegations, including the US and Chilean delegations. The Leadership Council for Inter-American Summitry of the Americas made an unflattering evaluation, buttressed by the observations of the Jamaican ambassador, Arthur Thompson, who noted a “resurfacing skepticism by some governments in Santiago to recognize civil society” (Leadership Council, 1999:8).

**Next Steps**

The accounts of citizen participation detailed in this report highlight a few things to remember as the participation saga unfolds.

- First, many government officials and CSOs agree that a single cross-organization strategy for public consultation is needed. The Summit Process currently has two separate tracks: the FTAA negotiations on trade, and the particular consultations organized by Summit hosts. At the same time, the OAS has just approved a set of guidelines for CSO accreditation and the new Inter-American Strategy for the Promotion of Public Participation (ISP).11

According to officials and frustrated CSOs, all these processes (or aspects of them) will eventually need to be merged in the interests of effectiveness. The principles for meaningful participation laid out in the ISP, for instance, have universal appeal. According to one analyst, the OAS’ Committee on Civil Society Participation should take advantage of the three years of work that went into developing these standards and find a place for them within their own new guidelines.

- Second, the Third Summit of the Americas that will take place in Canada in 2001. Given the significant influence that Summit organizers have had on CSO participation in the past, coupled with Canada’s strong commitment to hemispheric consultation, an open and inclusive process should be expected. Still, successful consultations will depend on a few factors.

CSOs need to develop a good understanding of the summit process in order to be effective. Also, Canada must show leadership and commitment to CSO participation. Canada should keep in mind that experience with prior summits, particularly
the Bolivia Summit Conference, suggests consult-
tations should begin early. Past experience also
suggests that participation is more effective if
CSOs have a hand in drafting and developing
agenda items before they are circulated to govern-
ment officials, since once they have been
approved by member states they are difficult to
alter. In addition, for a consultation to be truly
fruitful, CSO input must be fed directly into the
decisionmaking spaces.

• Finally, not only must national governments con-
sult with their own civil societies on agenda items,
but they must do so in a comprehensive fashion.
Unequal access will prevent any consultation or
participation mechanism from yielding useful
results. The Summit host and participating gov-
ernments should bear this point particularly in
mind.

Citizens’ groups today are reminding multilateral
institutions and individual governments that these
international fora are addressing issues of real poli-
tics, with people who have real interests, and real
votes. CSOs are purposefully breaking down the
barrier between the economic and political domain,
asserting that changing the one will necessarily affect
the other. Many governments are slowly coming on
board, as the words of one Canadian official reveal:

Social issues are definitely key to trade but it is
often not seen that way . . . We have tended to
view economic and social issues separately. But
if you are the worker, it’s your life and job and
that’s where trade enters the picture. The two
issues have to come together . . . it’s only a
matter of time before the governments recog-
nize that economic and social policies are
linked. Overall, the message is that progress
will be incremental but we are headed in a
more enlightened direction.

These sentiments bode well for CSO participation.
The words of a veteran journalist who has covered
international politics for more than 30 years are also
hopeful. When asked if he thought CSOs would
eventually break down the door of multilateral
processes such as trade negotiations, he answered
with a well known adage: “War is too important to
leave to generals.” CSOs would agree.
Notes

1. The government of Peru under President Alberto Fujimori went so far as to require that all foreign donors be registered and that all recipients of foreign funds submit their budgets and work plans to the Government for approval. The Cuban government has asked that CSOs submit similar information.

2. See OAS official document “Standards on Cooperative Relations between the Organization of American States and the United Nations, its Specialized Agencies, and Other International and National Organizations” [AG/RES.57(I-O/71)]. For the revisions that were made in 1971 see Standards on Cooperative Relations in AG/RES. 57 Articles 13-22 which relate to relations with non-governmental organizations.

3. Other CSO concerns include the following: that CSOs wishing accreditation must demonstrate their support for the work, objectives, and programs of the OAS before being granted access. CSOs suggest that this restriction could be loosened by referring to organizations with “expertise related to the OAS;” and that CSOs wishing to participate in OAS activities must have a formal constitution. This caveat worries some, since it would exclude organizations such as coalitions or grassroots groups that may not have a constitution. The NGO Working Group has suggested that flexibility be exercised by accepting a Charter or Mission Statement as well.

4. Civil society groups had charged that, despite the Miami Summit declaration calling for CSO participation in all parts of the hemispheric agenda, trade negotiations had remained tightly shut. Their frontline strategy had been to pressure their own national governments for an opening. In Canada, for instance, a small group has been meeting informally and fairly regularly with Kathryn McCallion, the Chair of the Trade Negotiations Committee and Temporary Chair of the Committee of Government Representatives for the Participation of Civil Society.

5. Some Canadian CSOs with limited time and resources were forced to make a choice about where to put their energy. The submissions to the FTAA Committee were due around the same time as the country’s parliamentary hearings on the FTAA. They decided that participation in the hearings would be more likely to yield results given the parameters of the Committee’s mechanism.


7. The SIRG is chaired by a small group of three countries (the “Troika”), composed of the two most recent Summit hosts (the US and Chile) and the future host (Canada). Representatives from the Inter-American Development Bank and the World Bank, as well as of ECLAC and the Pan-American Health Organization (PAHO), are invited, given their importance to any hemispheric initiative.

8. The Civil Society Task Force continues today, providing CSOs with regular briefings on Summit issues, as well as a space for networking and discussions. Participants include not only CSOs, but also government agencies, multilateral institutions, foundations, academia, the media, and private nonprofit organizations. The Task Force has been holding regular monthly meetings since 1998 with an average of 40 and 45 people attending each gathering out of a total of 300 registered participants.

9. That funding came with strings attached, however. While sponsors paid for the participation of CSO representatives, they insisted that the CSOs be, for the most part, organizations they funded—their grantees. To some degree, this criterion was due to the short time available, inclining funders to use the faster mechanisms of travel grants, restricted to existing grantees.

10. Of course, some countries organized their own consultations. Canada, for instance, asked the non-governmental organization, Canadian Foundation for the Americas (FOCAL), to organize and carry out a series of cross-Canada workshops that addressed the Summit topics. The results of these regional meetings were compiled and fed into the PARTICIPA meetings as well.

11. Government officials have recently tested what they think might be a vehicle for consultation with CSOs about Summit issues. The Chair of the Committee on Inter-American Summits Management at the OAS opened its October meeting to CSOs, inviting some to speak on their areas of expertise. The Committee is a special committee of the Permanent Council, which monitors OAS mandates from the Summit Action Plan. The ambassador plans to continue the practice of holding open meetings leading up to the upcoming Third Summit of the Americas.
References


