



## In this Issue

Quito and Beyond: The OAS and the Crisis of Multilateralism  
*Robin L. Rosenberg*.....1

Cuba and Mexico: Changing the Rules of the Game, or the Game Itself?  
*Ana Covarrubias*.....3

Panamanian Election Bulletin  
*Raül Leis R.*.....5

Concertation – Voices from Haiti  
*Carlo Dade*.....7

A Regional Solution to Latin American Corruption  
*Carlos March*.....8

## News Briefs

Colombia.....4

Panama.....6

Dominican Republic.....7

Organization of American States.....8

## Abstracts

Transitional Justice and Reconciliation in Post-Conflict Colombia.....10

Guatemala: Can Berger Break The Cycle?.....10

Mandatos sin Recursos en el Hemisferio Occidental.....10

## Editorial Board

Donald R. Mackay, *Executive Director*  
 Sharon O'Regan, *Deputy Director*  
 Paul Haslam, *Senior Editor*  
 Judy Meltzer, *Co - Editor*  
 Laurie Cole, *Co - Editor*  
 Mélanie Simard, *Intern*  
 José Hernández, *Design and Layout*

# Quito and Beyond: The OAS and the Crisis of Multilateralism in the Americas

Robin L. Rosenberg

As the Organization of American States (OAS) prepares for the 34th regular session of its General Assembly on June 6 through 8 of this year, it faces not only a major transition in executive leadership, but also renewed concern across the Americas about the effectiveness and viability of the multilateral “Inter-American System” that the world’s oldest regional organization embodies. While it is true that the constellation of institutions that make up the Inter-American system has expanded greatly since the organization’s founding in 1948 – to include the Summit of the Americas; the Inter-American Development Bank (IDB); the regional units of the United Nations system (ECLAC and PAHO), the International Monetary Fund and the World Bank; the major development agencies such as the Canadian International Development Agency and the United States Agency for International Development, as well as organized sectors of civil society – the OAS still represents the primary political forum for multilateralism in the Western Hemisphere. Its embrace and integration of the Summit of the Americas process into its deliberations and activities only reinforces that role by infusing its mission with head of government or “presidential” mandates.

A new Secretary General of the OAS will soon replace the two-term incumbent, former Colombian president Cesar Gaviria, marking a bureaucratic transition that coincides with a regional and international context that is markedly different from when Gaviria took over in the 1990s. The asymmetry of power between the United States and the other member countries, a political reality that has plagued the OAS since birth, has never been greater. Multilateral institutions across the global spectrum are experiencing a major crisis, caused not only by their historical bureaucratic weaknesses and governance issues, but also by U.S. policy in the wake of the earthshaking terrorist attacks on New York and Washington of September 11, 2001. In the Western Hemisphere the new post- September 11 strategic context has marked a disengagement of great proportions by the only remaining superpower, as U.S. attention is drawn to the Middle East and its global “war” against terrorism. U.S. priorities are largely perceived to diverge from those of its Inter-American partners, and the global unilateralism symbolized most visibly by the U.S. invasion and occupation of Iraq, has extended to the Americas, where the issues of counter-terrorism and other security concerns have trumped U.S. engagement in the range of development initiatives for which the United States had become strongly identified over the past two decades: democracy, economic integration, poverty alleviation, and sustainable development.

### Positive Reform and Adaptation

In historical perspective, Gaviria's tenure will be remembered as one of positive reform and adaptation for the OAS, which has faced a crisis of credibility and effectiveness since its inception. As Inter-American relations improved parallel to the end of the Cold War, Gaviria seized the opportunity to revive the organization at a time of relative opportunity, abundance, and policy convergence based on shared values and goals. The George H. W. Bush Administration first signaled this time of opportunity with the 1991 economic integration push, the Enterprise for the Americas Initiative, which envisioned a free trade zone from Alaska to Patagonia. This vision was formalized at the 1994 Miami Summit of the Americas, the centerpiece of which was the agreement to negotiate a Free Trade Area of the Americas (FTAA) by 2005. Gaviria grasped that the Summit of the Americas process, with its broad, social, developmental and political agenda, and its powerful economic integration centerpiece, could rejuvenate the OAS and be the driving force for reform, modernization, and for the transformation of its mission. In short, the Summit could enhance OAS authority by harnessing the authoritative mandates that came from the Summit Plans of Action. This may have threatened some OAS staff, the traditional dominance of foreign ministries in a relatively autonomous institution, and the very primacy of the OAS as the main Inter-American political body, but Gaviria largely succeeded in creating a role for the OAS at the heart of summitry, while using Summit successes, such as the Inter-American Democracy Charter, to enhance OAS authority and practical relevance.

The creation in 1995 of the OAS Trade Unit was the first major manifestation of this embrace of summitry and the historical significance of the FTAA for Inter-American relations. Although by Summit mandate the FTAA is supported by a Tripartite Committee composed of the OAS, IDB, and ECLAC, the Trade Unit has allowed the OAS to stake a claim as champion of the FTAA. The established units at the OAS followed suit, especially the Unit for Sustainable Development and the Environment, which championed concrete initiatives from the 1996 Santa Cruz Summit of the Americas on Sustainable Development, and the Unit for the Promotion of Democracy, which husbanded the Inter-American Democratic Charter. Other invigorated units and commissions include CICAD (counter-narcotics), the Technical Secretariat for Legal Cooperation matters (corruption), and CITELE (communications commission), among others. At the core of the OAS's integration with hemispheric summitry is the establishment of the OAS Secretariat for the Summit Process, the "institutional memory" of the Summit of the Americas process, and its de-facto secretariat.

A measure of the depth of reform at the OAS was the creation of the Inter-American Agency for Cooperation and Development (IACD). This reform, led largely by Canada and the United States, sought to definitively solve the historical problems of OAS governance and lack of definition of its mission by separating out the "political" functions of the Permanent Council from the cooperation and aid functions of the institution. The IACD established the framework for creative public-private partnerships that would generate increased resources for OAS developmental

objectives and increase participation of sectors that had historically remained at the margin of OAS affairs. Unfortunately, the launching of the IACD coincided with major world recession and crises in the financial and equities markets, leaving its promise largely dependent on better economic times. This economic reality is also reflected in the freezing of the OAS internal budget in nominal terms, a major obstacle to realizing the promise of all the positive reforms introduced under Gaviria's tenure. Summit mandates go unfunded, and the gap between promises and implementation is wide (See FOCAL Summit Follow-up Series, Issue #3).

### The Crisis of Multilateralism

However history may judge the U.S. invasion and occupation of Iraq, its immediate impact in Inter-American relations has been to reawaken fears of self-interested American unilateralism – precisely the opposite of the promise of summitry, which represents the highest form of multilateral cooperation. The leaders of the two major Latin American powers—Mexico and Brazil—strongly opposed the U.S. invasion, and despite a special summit meeting in Monterey in January 2004, U.S. security concerns and the shift in geographical focus and policy emphases have cast a somber shadow over the Inter-American system, reminding Latin America and the Caribbean of the historical struggle with the asymmetry of power in the region, magnified even more by global U.S. militarism, real or perceived

The manifestations of unilateralism in the Western Hemisphere have been profound. With economic growth stagnating throughout the region since the end of the 1990s, and poverty increasing, the strains on the Inter-American system are legion. Trust in the U.S. commitment to the promotion of democracy and the Democratic Charter were shattered by the Bush Administration's mishandling of an attempted coup in 2001 against the democratically elected president of Venezuela, Hugo Chavez, and the U.S. role, with France, in the ouster of Haitian president Bertrand Aristide by armed rebel forces in 2004. In both Venezuela and Haiti, the OAS's prestige and authority was on the line. OAS missions had been active in both countries in an effort to

broker peaceful, political solutions. Yet again, U.S. power proved to be more decisive, and in the face of such decisive power, the OAS could not muster the collective political will to invoke its most prestigious political cooperation mechanisms, especially the Democracy Charter. It is a testament to this state of affairs that the Caricom nations still have not recognized the legitimacy of the interim Haitian president.

Meanwhile the FTAA, the centerpiece of regional integration and cooperation, remains stalled. U.S. trade policy has been the single most positive U.S. foreign policy initiative in the region, and the U.S. Trade Representative (USTR), Robert Zoellick, America's top diplomat in the region. But despite Zoellick's persistence in pursuing the vision of sustainable development through economic integration, protectionist forces in the U.S. have tied his hands in a presidential election year, and Brazil's leadership position in the region and in global trade talks has provided a moral high ground for its own protectionist impulses. To make sure that Brazil does not have definitive veto power over a hemisphere-wide FTAA Washington has aggressively pursued bilateral and plurilateral trade agreements in Latin America with practically all countries except those in Mercosur. Mercosur has countered with its own move towards the European Union (EU), where European concessions on market access for agricultural products may ironically yield a formula for resolving the FTAA impasse without waiting for an early and unlikely breakthrough at the WTO, where Brazil leads the G-20 coalition of developing countries against EU and U.S. agricultural subsidies and market and investment liberalization demands in sensitive areas. And sadly, apart from technical and moral support, the OAS remains largely on the sidelines of trade relations and the FTAA.

Market forces and global security relations are largely beyond the control of regional multilateral organizations like the OAS. Nor does the OAS have the resources to bridge the wide gap between Summit promises and implementation. While the U.S. has the capacity to shape events by itself, it also holds the key to the fruitful multilateral cooperation represented by the Summit of the Americas and the Inter-American System. The challenge for the OAS after Quito is to once again find ways to harness the asymmetrical power of the United States to bolster these indisputably positive forces of multilateralism in the Americas. ■

---

Robin L. Rosenberg is Senior Research Associate, University of Miami and former Deputy Director, Dante B. Fascell North-South Center.



## Cuba and Mexico: Changing the Rules of the Game, or the Game Itself?

Ana Covarrubias

Behind the rhetoric of friendship and fraternity, Mexican-Cuban relations may be seen as a valuable game that has served each country's own interests for many years: both countries respected each other's domestic processes and occasionally became important pieces in their respective diplomatic strategies; Cuba profited from Mexico's divergent foreign policy positions from those of the United States; and Mexico projected an independent foreign policy. The game allowed for different settings and players, including the United States of course, and two golden rules defined its nature: non-intervention, and the search for "understandings." The game, however, is in trouble; old rules are not applying anymore, and there does not seem to be an agreement between the main players on how to design new ones. Is the game not viable anymore? Or is it a problem of rules and actors?

On May 2, 2004 the Mexican government recalled its Ambassador in Havana, Roberta Lajous; requested that the Cuban Ambassador to Mexico, Jorge Bolaños, leave the country, and declared the Cuban political counsellor at the Mexico City Embassy, Orlando Silva, *persona non grata*. Foreign Minister, Luis Ernesto Derbez, and Interior Minister, Santiago Creel, justified Mexico's decision on the basis that a series of public statements by the Cuban government and the presence in Mexico of two members of the Communist Party who entered the country on diplomatic passports but without notifying the Foreign Ministry, constituted intervention in Mexico's domestic politics (José Arbezú and Pedro Lobaina allegedly held "political reunions" with Democratic Revolution Party (PRD) members, but it later turned out that they had actually met with several political personalities from various parties).

In effect, the immediate reason for this latest conflict between Mexico and Cuba concerns Mexican politics. A few weeks prior to May 2,

the Mexican public watched on television a video exhibiting Argentinian-born businessman Carlos Ahumada bribing a PRD official. Ahumada fled to Cuba where he was apprehended. Without waiting for the formal extradition request, Castro's government decided to deport him on the grounds that the case had "strong political connotations." Mexican officials objected to the "insinuation" that the Ahumada affair was part of a political

## Colombia

After a breakdown in talks earlier this year, an unexpected agreement was reached between the Colombian government and ten paramilitary leaders from the United Self-Defence Forces of Colombia (AUC), in mid-May 2004. The ten, headed by AUC's Salvatore Mancuso, have agreed that they, along with their personal bodyguards, will congregate in a specified area in the northern Department of Córdoba to continue talks. In return, the government will lift warrants for their arrests on charges of drug trafficking and murder.

The agreement falls far short of the government's plan to have all paramilitary forces concentrate and demobilize in zones throughout the country. The ten leaders and their guards will amount to only about 400 people in total, and the agreement is largely viewed as means to maintain dialogue. Rejecting comparisons to the failure of the demilitarized zone granted to the FARC guerrilla under former President Pastrana, the government argues that this zone is smaller, and will be supervised by OAS observers as well as army patrols.

Previous talks with the paramilitaries, ongoing on for the better part of the year through their former leader Carlos Castano, came to an abrupt end with Castano's disappearance in mid-April, 2004. He is assumed to have been killed, most likely by the same paramilitary leaders who have now resumed talks, due to concessions that he had tentatively made which included a plea bargain with the U.S. and some prison time, neither of which were acceptable to other AUC leaders. The issue of extradition to the U.S., which affects two of the ten leaders, remains a stumbling block and could put a dent in otherwise strong U.S.-Colombian relations. The paramilitary have made their long-term cooperation conditional on extradition being taken off the table, however, despite a request from Uribe during a recent visit to Washington, the U.S. has unequivocally refused to change its position.

Human rights organizations have expressed concern over the impunity that this recent agreement entails; the paramilitary are responsible for some of the most brutal atrocities of the conflict, control an estimated 40 percent of narcotics production, and have little credibility as a political actor either domestically or internationally (LatinNews, 04/05/04). There is also concern for the precedent set by the reappearance of thirty paramilitary members, who "demobilized" in late 2003, in positions of power in local government, in communities over which they had previously exerted control (LA Weekly Report ,25/05/04).

scandal. In the meantime, Mexico had voted at the United Nations Human Rights Commission (UNHRC) in favour of a resolution that denounced Cuba's repressive policies (E/CN.4/2004/L.13, April 15). In his traditional May 1 speech, Castro not only condemned the UNHRC resolution, but also said that the fact that the Mexican President had supported the resolution "as demanded by President Bush" meant that Mexico's international policy had turned into ashes. Moreover, Castro added that the Mexico-US border, "the line of death", had moved south of the Rio Bravo, deeper into Mexico. On May 2, diplomatic contacts were reduced to the level of Chargé d'affaires.

The most recent events in Mexican-Cuban relations should be understood partly in terms of the evolution of the bilateral relationship since the 1990s, and partly as a series of immediate reactions on both sides taken with a short-term perspective. Signals of change in Mexican-Cuban relations have been visible since Carlos Salinas's presidential term, but became more evident during President Ernesto Zedillo's term, and turned into an explicit policy as Vicente Fox assumed power in 2000. President Salinas first altered the practice of non-intervention when he met Cuban exile leaders Jorge Mas Canosa and Carlos Alberto Montaner in the context of the NAFTA negotiations. Few actions could have been more 'interventionist' than such meetings if we remember that the origin of the practise of non-intervention was Cuba's commitment not to export the revolution to Mexico and Mexico's commitment not to support the counterevolution, but nonetheless relations did not deteriorate. The trade-off seems to have been Mexico's diplomatic support for Cuba in international fora: bilateral non-intervention was modified, but not the international defence of non-intervention in Cuba. Thus, Salinas and Castro seemed to reach a useful "new" understanding that lasted until the end of Zedillo's presidential term, when he incorporated the notions of democracy and human rights in Mexico's foreign policy. At the IX Ibero-American Summit in Havana, 1999, Zedillo openly supported democracy while Foreign Minister, Rosario Green, met with Cuban dissidents. Castro responded by

underlining Mexico's subservient attitude towards the United States.

For obvious reasons, President Fox's foreign policy has taken up the banner of democracy and human rights. As far as Cuba is concerned, the story is well known: a series of incidents that include Mexico's votes in favour of resolutions critical of Cuba at the UNHRC, Cuban nationals illegally entering the Mexican embassy in Havana and President Fox's request that Castro leave the city of Monterrey, Mexico, to avoid meeting President Bush during the UN Financing for Development Conference.

Unlike previous occasions when both countries seemed to be violating the rules of the game—allegations of mutual intervention occurred in the 1960s and 1970s—or when other difficult situations arose, such as the exclusion of Fidel Castro from the North/South Summit in Cancún in 1981 at the request of President Reagan, differences between Cuba and Mexico since the late 1990s have not been favourably resolved for either country; and the disposition to reach new agreements also seems to be lacking. Non-intervention in the original sense has been disregarded by both countries not only in the context of the bilateral relationship, but also at the level of multilateral diplomacy. Mexico's defence of democracy and human rights has found an excellent target in Cuba. Cuba, in turn, has reacted by strongly criticising the Mexican government directly, something that did not happen in the past, even when an official at the Mexican embassy in Havana was accused of spying for the CIA in 1969. Moreover, both countries have now resorted to personal recriminations. Cuba has reproached former Foreign Minister, Jorge Castañeda, and former ambassador, Ricardo Pascoe's behaviour, and representatives of the Mexican government have named Castro himself: according to Minister Creel, Mexico does not have any problem with the Cuban people; the problem is Fidel Castro. These kinds of exchanges are also unprecedented.

It is difficult to say whether Mexico's ultimate aim is to influence Cuba's political process; it would be safer to argue that its foreign policy is an instrument to strengthen the image of a democratic Mexico. By criticising Cuba directly, however, the Mexican government has only contributed to reinforcing Castro's defensive attitude. Both countries, therefore, are still useful to each other, but not in the same way as before: instead of serving each other's interests by cultivating the bilateral relationship, Cuba and Mexico seem to be serving their interests at the expense of the bilateral relationship. Ironically, the ever-present third actor in Mexican-Cuban relations, the United States, has just reminded both countries that some elements of the past still exist: President Bush's recent proposal to tighten sanctions against the island was rejected by both countries. Mexico denounced it as interventionist and detrimental to Cuba's sovereignty, and Castro praised Mexico's independent policy. This may be an indication that the game is not over yet. ■

---

Ana Covarrubias is Professor at the Centro de Estudios Internacionales at El Colegio de Mexico, and is currently a Research Fellow at St. Antony's College, Oxford University.

## Panamanian Election Bulletin

Raúl Leis R.

### An Election of Coalitions

The Panamanian presidential and congressional elections were held on May 2. The key issues in the campaign were unemployment, poverty and the economy, and corruption and crime. The winning coalition was the New Fatherland Alliance (*Patria Nueva* - NP), composed of the Revolutionary Democratic Party (PRD) and the Popular Party (PP, the former Christian Democratic Party) led by Martín Torrijos as President and entrepreneurs Samuel Davis and Rubén Arosamena as vice-presidents. The PRD and the PP had been historic adversaries. But they had managed to establish an alliance in the congress prior to the elections and later for this electoral alliance. The PRD obtained 47 percent of the vote in an electoral process where voter turnout was 77 percent. Through the alliance, the PP was able to retain its legal status. Yet only one legislator, who is also the vice-president, obtained a seat.

The runner-up was the Solidarity Party (PS), a small political group that grew in importance by nominating ex-President Guillermo Endara. It obtained 31 percent of the votes. The PS originated as a splinter faction of the Arnulfist Party (PA) because of its disagreements with the current administration of Mireya Moscoso. In third place, was the Vision of the Country Alliance (VP), the coalition of the ruling party, composed of the PA, the Nationalist Republican Liberal Movement (MOLIRENA), and the National Liberal Party (PLN). Its candidate was former foreign affairs' minister José Miguel Alemán. The disenchantment of voters with the government was reflected in the 16 percent of the national vote it obtained. In last place, the Party for Democratic Change (PCD), led by entrepreneur Ricardo Martinelli, only obtained 5 percent of the votes despite the large sums invested in the campaign.

The campaign was balanced and without major conflicts. There was wide respect for the role played by the Electoral Tribunal, despite some accusations of irregularities. The PRD, the party that obtained most of the votes, gained the

majority in the Legislative Assembly and in municipal governments, almost doubling the “threshold” that had been traditionally assigned to it. Although the government coalition (PA, MOLIRENA, and PLN) survived and obtained 17 seats in congress, it is currently immersed in a serious internal crisis. Also noteworthy in the 2004 elections was the performance of Guillermo Endara. His easy-going personality and the memory of his transparent administration (1989-1994) enabled him obtain one third of the votes, which catapulted the PS to be the second political force in Panama and ensured it a significant part of the government’s electoral subsidies. With Endara as candidate the PS was able to end the bi-partisan character (PRD-PA) of the Panamanian party system, but this reflected the candidate (Endara) rather than the party.

Torrijos’ victory also liberated the PRD from the burden of its history as the party of the dictatorship. According to one observer, “This negative connotation had gradually faded away, every five years, in every election, until it virtually disappeared in the election of May 2, 2004. This is because 25 percent of the voters were younger than 30 years old, and from these at least 300,000 were voting for the first time in their lives. None of them knew or was interested in knowing what happened during the dictatorship. And even those who knew what happened then considered those events so diffuse and far away in time to consider them relevant in the determination of their preferences for today and tomorrow” (*El Panamá América*, 05/05/04).

With the new government the Panamanian political system remains flexible, but clientelistic. Most parties continue to seek material rewards from politics, which are then used to build a clientelistic base. The political support of voters frequently depends on the hope of receiving a public appointment or at least some material benefit from the party in power. Such an approach to politics was also reflected in the similarity of political discourse found in the party platforms: all were located at the centre-right of the political spectrum, sometimes accompanied by populist ingredients. It is also true that these ideological similarities permit considerable possibilities for creating and changing political coalitions.

## Panama

### Panama Presidential Election Results 2004

Candidates	Party Alliances	Votes	(%)
Martin Torrijos	Patria Nueva	711,447	47.44
Guillermo Endara	Solidaridad	462,766	30.86
José Miguel Alemán	Visión del País	245,845	16.39
Ricardo Martinelli	Cambio Democrático	79,595	5.31
<b>Electoral Participation</b>			<b>76.9</b>

Source: Tribunal Electoral,  
<http://www.tribunal-electoral.gob.pa/elecciones/elecciones-2004/index.html>, 26/05/04.

### The Pending Reforms

The PRD has the majority and the legitimacy necessary to foster the changes it advocated during the campaign. Most of these reforms are focused on political changes to improve democratic governance, rather than changes to the socio-economic model that is still generating growing poverty and the most acute inequalities in the world.

One of the main and immediate challenges is the issue of Social Security Funds. Popular opposition to changes that would affect the autonomy, and the indivisibility of these funds has been evident in the demonstrations supporting the dismissal of the director of this entity in 2003. The director of the CSS (Caja de Seguro Social), Juan Jované, was fired by the government in contravention of the autonomy of the institution, when the government threatened to privatize the fund and increase the retirement age of those covered. This generated widespread popular protest against the government and in support of Jované. There are also other sensitive issues which face the new government such as the negotiation of the free trade agreement with the United States, as well as problems related to the peasant populations living in areas which would be affected by plans to enlarge the Canal.

A debate about constitutional reform is also on the table. There is a national consensus that the Constitution needs to be profoundly reformed, or even re-written using the mechanism of a constitutional assembly and a referendum. The organization *Panama 2020 Forum* has been a leader in making these proposals, although they have been resisted by traditional politicians who risk losing some of their privileges, including the PRD. Torrijos will have to find the best way to foster these political reforms; including his call for zero corruption.

### The Future

The four-month transition (May to September 2004) is also a matter of concern because it is expected that the outgoing Moscoso administration, which currently controls all three levels of government, will try to impose its agenda before leaving power. That government may permit the construction of a highway that will go through the National Park of Volcán Barú

affecting the *quetzals' route*, which is an ecological trail situated in the province of Chiriquí al Oeste, close to the border with Costa Rica. Such a road is expected to damage an ecologically sensitive area, but it is alleged, would also benefit government supporters with lands in the area. The outgoing government may also seek to reform the Social Security Funds, or even attempt to change the Constitution. For this reason, the *Panama 2020 Forum* proposed a Democratic Observatory to oversee the transition: "The purpose of this initiative is to follow-up the change of administrations, which in order to contribute to the consolidation of democracy should be transparent and count with the participation of all sectors of civil society and political parties" (Comunicado, *Panama 2020 Forum*, 27/04/04).■

Raúl Leis R. is President of the Centro de Estudios y Acción Social Panameño (CEASPA), Panama.

## Dominican Republic

Former president Leonel Fernández, representing the Dominican Liberation Party (PLD), won the Dominican Republic's presidential elections held on 16 May 2004. With the support of numerous smaller parties, the PLD garnered 57.1 percent of the vote, well ahead of current president Hipólito Mejía of the Dominican Revolutionary Party (PRD) who obtained 33.5 percent. The remainder of the vote went to the Social Christian Reformist Party (PRSC) represented by Eduardo Estrella (LatinNews 25/05/04). Fernández and his team, which includes members of his former cabinet, are expected to take office on 16 August 2004.

Despite a personal dispute among voters waiting in line in the province of Barahona, which resulted in the deaths of three men, the Electoral Observation Mission of the Organization of American States (OAS) considered that the elections were free and fair overall (OAS, 16/05/04). Of note was the exceptionally high level of voter turnout - with more than 70 percent of a total of over five million registered voters, casting ballots.

The elections results reflected citizen dissatisfaction with severe economic and social crises triggered in part by the collapse of the Banco Intercontinental, the country's third largest bank in May 2003. Mejía's government was accused of failing to adequately manage the crisis, causing inflation to run at a rate of 10 percent per month and the foreign debt to climb to upwards of 60 percent of GDP (The Economist, 13/05/04). Public support for Mejía further declined in the wake of the constitutional reforms that allowed him to run in consecutive presidential elections (Le Monde, 16/05/04). Accordingly, Dominicans have voted for a change, in the hopes that Leonel Fernández will be able to bring about the economic growth that occurred during his previous presidential term, from 1996-2000, when the economy grew at approximately 7 percent a year (The Economist, 13/05/2004). Although Fernández has promised to lower inflation and set the economy back on its feet, given the current crisis as well as the recent floods, this will be an enormous challenge.

## Concertation - Voices from Haiti

Carlo Dade

The recent humanitarian and political crisis in Haiti has, or more correctly, *had* until recently, prompted much news coverage. For a few weeks the news media in Canada and elsewhere presented almost daily stories about the unfolding events. Yet, just as quickly as the crisis appeared it seems to have disappeared. Even though this is the nature of news coverage, and the rise and fall in coverage on Haiti was to be expected, there is, however, much to criticize in the range and depth of coverage.

What has been missing is what we have seen elsewhere in the coverage on Iraq, Saudi Arabia and Afghanistan and that is in-depth and critical analysis of the crisis and what this means for Canada. An increasing number of critics and observers are noting this is not an idle question. More so than any of the other flashpoints in the world Canada is connected to Haiti by immigration, geo-politically through its relationship with the wider Caribbean as well as by language and culture. Long after Iraq and Afghanistan have exited the spotlight of international attention, Haiti will continue to affect Canada.

Decisions are now being made about long-term development in Haiti and Canada will play a prominent role including hosting the International Donors' meeting on Haiti this summer. More than ever we need to understand what has happened in Haiti, what it means for Canada and what are the options for the future. To do this a *FOCAL POINT Special Edition* on Haiti to be published in early June has assembled voices ranging across the political and geographic spectrum and given them space beyond the usual sound bites to which they have been confined. Yves Savain provides a view from the private sector and the right-of-centre *Fondation Nouvelle Haïti*; Chavennes Jean-Baptiste writing from Papaye for the organised peasant movement, and there are voices from the Haitian diaspora. The

edition also includes an in-depth and critical analysis of the US role in Haiti, by Bob Maguire, former member of the US State Department Taskforce on Haiti, explaining, clearly and concisely how the current crisis unfolded.

The voices presented have different preoccupations and concerns and this being Haiti, there is continuation of past grievances, but most interestingly what comes across is a common set of concerns and a consensus on what is needed to move ahead.■

Carlo Dade is FOCAL Senior Advisor.

### Organization of American States

At the annual General Assembly meeting of the Organization of American States (OAS), to be held in Quito, Ecuador on June 6-8, the organization will elect a new Secretary General. The new Secretary General will replace incumbent Colombian Cesar Gaviria, who will end two consecutive five-year terms as head of the organization.

The “election” outcome is something of a sure thing, with only one candidate in the running – Miguel Angel Rodríguez, former Costa Rican President from 1998 to 2002. Potential contenders withdrew earlier this year, including former Chilean Foreign Minister José Miguel Insulza, and outgoing President Francisco Flores of El Salvador. Rodríguez, an economist with a Ph.D from the University of California at Berkeley, has secured almost unanimous support with 32 of the 34 OAS member states officially backing his candidacy. He needs 18 votes to officially claim the position (United Press International, 05/06/04).

In February, Rodríguez said that if elected to the position his two priorities as Secretary General would be strengthening the OAS human rights commission and turning the regional organization into a more visible lobby for Latin America interests in Washington D.C. (Miami Herald, 02/19/04). Once in office Rodríguez will face several challenges: operating with a budget which has been frozen for several years despite increasing calls for the organization to do more in the region; finding consensus on key issues, particularly what the OAS should do in Haiti; and implementing the Democratic Charter in a firm and consistent manner following the departure of President Aristide as a result of less-than-democratic pressures.

## A Regional Solution to Latin American Corruption

Carlos March

Latin America is the region with the highest level of social inequity, and with a large proportion of its nations showing poorly in the annual Transparency International perception of corruption index. This situation is not a coincidence: the first has a direct relation to the second. In 2003, 22 Latin American nations received an average score of 3.4 on a scale of 1 to 10, with 10 corresponding to the most transparent nations, and 1 to those most susceptible to corruption. Of the eight measurements taken by Transparency International, the best score obtained by Argentina was 3.8, the worst being 2.5. This suggests that Latin America brings together two great evils: corruption that is widely spread throughout the region, as well as a lack of transparency that is a structural and permanent problem.

From a national perspective, one could characterize this situation as one of rich countries with poor inhabitants, or poor countries with rich leaders. From the regional perspective, a different explanation can be suggested: that these are states without institutionalization or rule of law, whose leaders behave at their own discretion, and for which there is a certain indifference from the majority of international organizations in terms of approaching these problems from a systematic perspective. Multilateral organizations have the opportunity – though not an obligation – to play a much more active and proactive role in the construction of transparent “rules of the game” in the fight against corruption in the region.

The Organization of American States (OAS) has made some progress in this area. At the upcoming OAS General Assembly, to be held in Ecuador in early June, the thematic focus will be on corruption and transparency. The 34 member countries will discuss how this pervasive and cross-cutting problem is limiting social development and democracy in the region. The organization’s focus on this issue

reflects a growing awareness of barrier that corruption presents to economic growth, democratic development and decreased inequity, and builds on previous initiatives undertaken by the organization to reduce corruption and increase transparency throughout the Americas.

The Summit of the Americas process, supported by the OAS, has been careful to incorporate and promote the institutionalized participation of civil society. Given this opportunity, social and civil organizations have organized themselves to try and influence the agenda of the regional leaders. Since the beginning of the Summit of the Americas, the theme of transparency has become a priority for citizens. For the Argentine Summit scheduled for next year, this thematic agenda is being complemented by the strategies of some civil society groups which have focused on strengthening the ability of citizens to influence Summit decisions. For example, it is anticipated that positions representing a civil society consensus will be agreed upon sooner than in the past, with a view to circulating them among governments during the negotiating period, and thus having a greater influence on the content of official documents signed by the presidents. Also, follow-up mechanisms tracking the implementation of the Summit mandates will be perfected to provide a clear picture of the current situation and promote corrective actions where there have been implementation failures on the part of governments.

Another fundamental task that the OAS is moving forward is support to the follow-up of the Inter-American Convention Against Corruption (ICAC). The national commissions that monitor the ICAC, made up of diverse sectors of civil society, prepare reports on the state of the implementation of the Convention and outline pending work to be done, which complement the official information provide by governments. Evaluating all of the information provided, the OAS Committee of Experts makes recommendations so that the governments can improve the application of the Convention. Civil society faces a number of challenges when working with the ICAC, such as the need to build follow-up commissions in those countries where they have not yet been formed. It will also be fundamental to deepen monitoring functions to include an evaluation of the fulfillment of recommendations made by the OAS Committee of Experts.

The OAS could also carry out an important role in promoting the participation of civil society, not only at the country level, but also in common market spaces like NAFTA, Mercosur and the Andean Community. Facilitating the participation of civil and social organizations that go beyond the usual actors participating in commercial and diplomatic accords could consolidate these regional spaces by strengthening actors that today see their capacity to actively participate in these arenas to be very limited.

In the face of limited ability to undertake large-scale activities and have massive impacts, in the last ten years civil society organizations have developed their ability to work together. In this way, through the creation of coalitions and networks, social actors have increased their presence in

international spaces like the OAS. There are several successful examples of the joint action of hundreds of organizations from across the region, including: the Inter-American Democracy Network (IADN), which promotes the strengthening of democracy and brings together more than 300 organizations from Canada to Argentina; Transparency International (TI) which drives the fight against corruption has chapters in more than seventy countries around the world; the International Budget Project that brings together associations that promote transparency in the formulation and application of public budgets; and the Lima Accord, a space that links organizations which specialize in monitoring electoral processes. This capacity to form alliances is fundamental to generating information and promoting information sharing in contexts of pervasive corruption. The flow of information about successful experiences in diverse countries, the capacity to replicate experiences and the increasing ability of organizations to obtain large amounts of funding are concrete examples of how civil society has emerged as a powerful actor in the fight against corruption.

As the foreign ministers meet in Quito in early June to discuss how to fight corruption and promoted transparency they must keep in mind that the challenge facing organizations like the OAS and organized civil society is to find common strategies and guidelines which strengthen the potential impact of the resources - human, financial, and economic - invested in the fight against corruption.■

---

Carlos March is Executive Director of *Fundación Poder Ciudadano*, the national chapter of Transparency International, Argentina.



## Abstracts

### Transitional Justice and Reconciliation in Post-Conflict Colombia: Some Considerations for Future Canadian Engagement

*Judy Meltzer*

For countries emerging from conflict, balancing the compromises of peace settlements with the pursuit of justice and long-term reconciliation is a significant challenge. There is no single path that can be prescribed in achieving this balance. Processes of justice and reconciliation are influenced by numerous factors including the impact of the conflict, parameters of the settlement, resources available, the degree of political will and consensus, institutional capacity, cultural norms, etcetera. However, a key lesson from experiences to date is that, regardless of the context, in-depth planning and preparation of strategies for justice and reconciliation must occur well in advance—prior to any peace settlement. This requirement has historically presented a challenge for both state and international actors, as attention and resources have understandably tended to focus on the conflict at hand. Accordingly, this paper looks at the issues of post-conflict justice, with a view to future Canadian engagement in Colombia, drawing upon regional and international experiences to date.

'Transitional justice,' in this context, is understood as the inter-related processes of prosecution and accountability, truth telling, reparations and institutional reform in the wake of large-scale conflict that contribute to the long-term restoration of social relations. This paper focuses on three aspects of transitional justice: legal approaches—both domestic and international mechanisms—, truth commissions, and reparations. It also addresses processes of demobilization and reintegration of arms and armed actors as fundamental preconditions to restoring security and pursuing justice, as well as a brief look at specific elements of the Colombian context that will influence future processes of transitional justice.

Available online at: <http://www.focal.ca/images/pdf/colombia04.pdf>

### Guatemala: Can Berger Break The Cycle?

*John W. Graham*

In terms of 'free and fair' the Guatemalan first and second round of elections in November and December 2003 were probably the best in 60 years. The paper discusses the key roles played by the international community, Guatemalan election staff and domestic observers in overcoming threats to the process. The elections are viewed within the overall political, social and economic context of Guatemala. If rhetoric were bankable, Oscar Berger, would be beginning his presidency with a very favourable balance. Good appointments to economic portfolios join a few symbolically important gestures to indigenous and human rights communities. Berger has committed his government to implementation of the 1996 Peace Accord's political, economic and cultural objectives. However, formidable obstacles stand in his path. He inherits an empty treasury from his predecessor Alfonso Portillo and

confronts a public service environment of endemic corruption. His political coalition *Gran Alianza Nacional* (GANAN) occupies a minority position in the legislature. Traditional discrimination against the generally impoverished Maya is changing, but too slowly to satisfy the indigenous population and the international community. The paper forecasts that Berger's administration will be unable to substantially correct systemic weaknesses and cultural prejudice, but may lay the foundations for more lasting change by successor governments.

Available online at:

[http://www.focal.ca/images/pdf/guatemala\\_elections.pdf](http://www.focal.ca/images/pdf/guatemala_elections.pdf)

### Mandatos sin Recursos en el Hemisferio Occidental: La OEA, El BID y el Proceso de Cumbres de las Américas

*Richard Feinberg*

Las cumbres de las Américas constituyen la expresión más alta de multilateralismo en el Hemisferio Occidental; sin embargo, no disponen de los recursos necesarios para implementar sus mandatos. Por consiguiente, los planes de acción de las cumbres confían muchas de las iniciativas a otras entidades regionales, en especial, la Organización de Estados Americanos (OEA) y el Banco Interamericano de Desarrollo (BID). Ambas instituciones han promovido iniciativas clave de las cumbres. No obstante, mientras que la OEA se ha "anidado" dentro de la jerarquía de las cumbres, mientras que el BID ha procurado mantener una relación de "igualdad" y de no subordinación a la hora de acometer objetivos comunes. Ambas entidades están muy retrasadas en cuanto al número de iniciativas que han surgido de las cumbres y las que ellas han logrado realizar. El presente trabajo concluye con un grupo de recomendaciones encaminadas a mejorar la puesta en práctica de los acuerdos de las cumbres:

- Las cumbres deberían ceñir sus planes de acción a un grupo más reducido de prioridades que puedan ser implementadas más realísticamente, y siempre que sea posible, acompañar tales iniciativas de indicadores para determinar el éxito de las mismas;

- El BID está cada vez más vinculado al proceso de las cumbres; sin embargo, es necesario que la principal entidad de desarrollo en la región se incorpore más activamente en las actividades de preparación e implementación de las cumbres;
- La OEA debería realizar una mayor reestructuración administrativa como condición necesaria para disponer de un mayor presupuesto que le permita llevar adelante sus mandatos emanados de las cumbres;
- La cooperación entre la OEA y el BID concerniente a la implementación de las cumbres debería profundizarse e institucionalizarse.

Disponible en línea:

[http://www.focal.ca/images/pdf/Unfunded%20Mandates\\_sp.pdf](http://www.focal.ca/images/pdf/Unfunded%20Mandates_sp.pdf)

You may access FOCAL's reports, articles  
and publications at:  
<http://www.focal.ca>

The Canadian Foundation for the Americas (FOCAL) is an independent policy institute based in Ottawa that fosters informed analysis and debate and dialogue on social political and economic issues facing the Americas. We support a greater understanding of these issues in Canada and throughout the region. FOCAL was founded in 1990 and has a full time staff of 15 people. The Board of Directors provides a strategic guidance to the organization and its activities.

The ideas and opinions expressed in this electronic newsletter are those of the authors and do not necessarily reflect those of the Canadian Foundation for the Americas (FOCAL).

To subscribe or unsubscribe to this publication please send an email to: [focal@focal.ca](mailto:focal@focal.ca).



# FOCAL

1, rue Nicholas Street,  
Suite/Bureau 720  
Ottawa, Ontario  
K1N 7B7 Canada

Canadian Foundation for the Americas Tel/Tél : (613) 562-0005  
Fondation canadienne pour les Amériques Fax/Télé : (613) 562-2525  
Fundación Canadiense para las Américas E-mail/Courriel : [focal@focal.ca](mailto:focal@focal.ca)  
Fundação Canadense para as Américas [www.focal.ca](http://www.focal.ca)

Copyright © FOCAL 2004

## Who is FOCAL?

### Board of Directors

#### Chair

John Graham, *Consultant*

#### Vice-Chair

Maureen Appel Molot, *Professor, The Norman Paterson School of International Affairs, Carleton University*

#### Secretary

Michael Bell, *Consultant, Justice Solutions Inc.*

#### Treasurer

Anthony M.P. Tattersfield, *Partner, Raymond Chabot Grant Thornton*

#### Executive Director

Donald R. Mackay, *FOCAL (ex-officio)*

#### Directors of the Board

Bob Anderson, *former Vice-President Americas, CIDA*

Carmelita Boivin-Cole, *Consultant*

Winston Cox, *Deputy Secretary-General, Development Co-operation, Commonwealth Secretariat*

Jean Daudelin, *Assistant Professor, Carleton University*

Paul Durand, *Ambassador & Permanent Representative of Canada to the OAS (ex-officio)*

Kenneth N. Frankel, *Hodgson Russ LLP*

Beatrice Rangel, *Senior Advisor to the Chairman, Cisneros Group of Companies*

Elizabeth Spehar, *Executive Coordinator, Unit for the Promotion of Democracy, OAS*

Brian J.R. Stevenson, *Vice President International, University of Alberta*

Alan J. Stoga, *President, Zemi Communications*

#### FOCAL Staff

Donald R. Mackay, *Executive Director*

Sharon O'Regan, *Deputy Director*

Laurie Cole, *Inter-American Analyst*

Carlo Dade, *Senior Advisor*

Ana Julia Faya, *Senior Analyst*

Paul Haslam, *Senior Analyst*

Florencia Jubany, *Senior Analyst*

Judy Meltzer, *Senior Analyst*

Olga Abizaid, *Analyst*

Cristina Warren, *Program Director, Research Forum on Cuba*

Miguel Guardado, *Financial Manager*

Diane Larabie, *Office Manager*

Patricia Pinciaroli-Gordon, *Internships/Events coordinator*

José Hernández, *Publication Manager/Webmaster*