Miguel Ángel Rodríguez, New Secretary General of the OAS: Fast out of the Gate

Editorial by John W. Graham

Elected by acclamation in June, Miguel Ángel Rodríguez succeeded César Gaviria on September 15, 2004 as Secretary General of the Organization of American States (OAS). In his opening address, the former president of Costa Rica went to the heart of the organization’s potentially lethal financial crisis. With non-discretionary expenditures annually consuming a growing proportion of the budget, and many member states behind in their quota payments, the OAS has been sliding ominously toward stagnation where all funds from the regular budget will be assigned to salaries and pensions with nothing, except trust and non-subscription contributions, to sustain its operational mandate.

This bizarre state of affairs traces its origin to a concession made by Secretary General Alejandro Orfila (1975-1984) to the Staff Association under which salaries would be pegged at United Nations (UN) levels. Subsequently, Orfila failed to honour the agreement with the Staff Association. Moreover, he and his successors neglected to negotiate an agreement with member states to ensure that annual quotas would be automatically adjusted in accord with a formula for cost of living increments. It is this formula that allows the UN to survive. Two years ago the Staff Association obtained an arbitration award recognizing Orfila’s commitment and compelling the organization to pay at UN levels. With UN salary scales and without the UN adjustment mechanism, the OAS was launched on the road to bankruptcy.

A distressing story? Hold on, it gets darker. For more than a decade, and despite cost of living rises, the annual regular budget of the OAS has been frozen at around US$73 million. This already inadequate sum requires regular payment in full by all member states. But do they pay? Almost a quarter of the membership are in arrears. At the end of last year, Argentina (which is emerging from major financial crises) was almost 3 years behind, with US$7.41 million owing. Bolivia was more than 4 years in arrears, the Dominican Republic 10 years and Nicaragua 12 years. In total the OAS is owed US$9.9 million by eight countries.

To his credit the new Secretary General has wasted no time addressing this crisis. Acknowledging that the Organization confronts a shortfall of over US$1 million for 2004 and over US$5 million for 2005, he unveiled plans to balance the budget. He has taken a US$12,000 reduction in his own salary, abolished the chief of staff position, reduced the size of his personal office to four, eliminated the most senior
executive category and demoted directors by two levels. In the process he has created a new slim collegiate management structure designed to improve the traditionally dysfunctional communications between managers and the secretary general. On June 24 of this year, Rodriguez's predecessor advised the Permanent Representatives of the OAS that non-payment and delays in payment of quotas by member states would mean the exhaustion of the organization's "cash" resources by July 5, 2004. A short-term solution to the cash solvency crisis was secured by withdrawing funds earmarked for several building and renovation projects, but no long-term solution was addressed.

We salute the refreshing realism of the new secretary general. Internal communications will be improved and there is money to be saved in streamlining the bureaucracy. Inevitably there are caveats. Despite an OAS policy to increase the number of women in senior positions, the three most senior women have been let go with, as yet, no sign of new senior female appointments.

There is concern that Rodriguez has taken aim at the soft targets, where the severed or demoted senior officers cannot easily fight back, as opposed to hard targets such as quotas and OAS country missions. There are 28 of these missions distributed among member countries with the purpose of providing symbolic presence and the management of OAS development, de-mining and other programs in member states. The OAS has few resources for these programs and the cost of these offices is no longer proportionate to their value. In 2004, according to the OAS Program Budget they will consume US$5.5 million (US$4.6 in personnel costs alone) or 7% of the regular budget. Their continued existence is vigorously protected by a number of small states where they are valued for their job opportunities and the connections conferred by having a resident international mission. It may well be that the country missions are next up on the Secretary General's chopping block.

Another consequence of restructuring is the lowering of the profile of the Organization's flagship programs like the Unit for the Promotion of Democracy (UPD) and the Inter-American Drug Abuse Control Commission (CICAD), that have given the OAS a relevant and robust profile since the early nineties and in consequence are almost self-sustaining from voluntary contributions from member countries and others such as Sweden, Spain and Japan (as opposed to regular budget funds). The UPD, which has become the Office for the Promotion of Democracy (OPD), was the first significant Canadian initiative on joining the OAS in 1990. The heads of these programs fall two steps down and lose direct access to the Secretary General.

Secretary General Rodriguez did not use his inaugural speech as his best and most dramatic opportunity to speak out forcefully about the impact of non-payment of quotas by some member countries. He did not specifically alert member states to the absolute necessity of reforming the quota system. Like all CEOs of political organizations, Rodriguez is constrained about how sternly he can lecture even recalcitrant shareholders. It is also very possible that a spaced sequence of action is his strategic plan. In other words, soften up member states by tidying up his own nest as a necessary first step to bending their will on more fundamental, costly and politically sensitive issues.

With the future of the Organization at stake, he will soon have no choice. The OAS has done and should continue to do vital work for its members and the region as a whole. Its long-term survival should be a priority issue. FOCAL wishes the Secretary General a fair wind in his back as he sails into these waters.

John W. Graham is the Chair of the FOCAL Board of Directors and was the first head of the Unit for the Promotion of Democracy in the OAS.

The Crucial Role of the Latino Vote in US Presidential Elections

Michael Shifter

The 2000 US presidential election, hard to forget in many ways, yielded a number of key lessons. One lesson is that, since winning the popular vote did not give Al Gore the presidency, the logic of the electoral college system makes it more crucial than ever to pay attention to so-called "swing" or "battleground" states, where polls are tight between President George W. Bush and Senator John Kerry. This is especially so since the electorate remains sharply divided. Campaign messages are increasingly tailored and targeted, and states safely in one camp or the other—Texas for Bush, California for Kerry—get fewer resources.

Another lesson is the central importance of the Latino vote. Both Democrats and Republicans are keenly aware of the growing voting potential of what, at 40 million, is now the largest minority in the United States (and is set to grow by 12 million or 34% from 2000 to 2010). In Florida, the famously contested and controversial state in 2000, the role of the Latino population—15% of the total electorate—was decisive. And this year, where Florida is the largest battleground, with 27 electoral votes at stake, both candidates are vigorously vying for the valued Latino vote. Although Cuban-Americans are the dominant and best-known segment of Florida's Latino population—and have long leaned Republican (in 2000, 82% of South Florida's Cuban-Americans...
voted for Bush)—new immigrants have diversified the Latino population, complicating the political significance. This year, the Cuban-Americans’ loyalty to the Republican Party could be put to a test, in the wake of measures imposed by the Bush administration that restrict remittances and visits to family members in Cuba.

While Florida grabbed the headlines in the 2000 presidential election, the closest vote was actually registered in New Mexico, with just five electoral votes. Gore beat Bush by some 366 votes, and the race in 2004 appears to be just as close. Latinos also make up 42% of New Mexico’s total population, the highest share of any state in the country. (Bill Richardson, the country’s only Latino governor, chaired the Democratic convention in July.) As a result, both campaigns are fiercely courting the Latino—overwhelmingly Mexican-American—vote. Not surprisingly, political ads in Spanish—on television, radio and in print—are inundating Latinos not only in New Mexico, but Colorado, Arizona, and Nevada, all battleground states. Democrats are outspending Republicans three to one on such ads.

More surprising is that Latinos are also being aggressively courted in other “swing” states not particularly known for their sizable Latino populations. In Wisconsin, for example, both the Bush and Kerry campaigns have sent high-powered representatives—former Clinton cabinet secretary Henry Cisneros and president Bush’s nephew, George P. Bush—to win over undecided Latino voters, and make sure the committed ones actually vote. In Ohio, another key battleground, a close contest could be decided by the estimated 200,000 Hispanic votes, a mere 2% of the state’s electorate.

The 2004 national survey of the Pew Hispanic Center found that registered Latinos are paying about as much attention to the campaign as the general population. They are far more interested in US politics than that in their country of origin. Education, health care, and jobs are the main Hispanic priorities and top issues; interestingly, immigration ranked as the 11th most important issue. On the war in Iraq, a salient campaign issue, roughly six in ten Latinos do not see a clear plan to arrive at a successful conclusion, making them somewhat more dubious than the general population and giving a further edge to the Democrats.

Indeed, it is highly likely that in 2004, as in previous elections, most Latinos will vote for Democratic Party candidates. On the issues that matter to them, Democratic proposals and ideas generally have greater appeal. In 2000, Gore obtained some 62% of Hispanic votes (Bill Clinton got 70% in 1996), and Kerry should fare comparably this time around. Polls show that a mere 11% of registered Latinos believe the Republican Party cares more about them than the Democrats.

Still, some 21% of registered Latinos consider themselves neither Democrats nor Republicans, but rather independents. The Kerry campaign is taking nothing for granted, while the Bush team, running Spanish commercials in 18 states, is

### Paying for the OAS

Member governments of the Organization of American States (OAS) pay quotas according to a formula that was first applied in 1949-1950, modified in 1970 (essentially to reduce the US share to no more than 60% of the total), frozen in 1981 and last revised in 1990 when Canada became a member of the organization. The countries have periodically debated a new system of quota arrangements but have never reached a consensus. Under the current system, Costa Rica, a country of 3.9 million people with a GDP of US$35.1 billion (2003) pays an annual quota of US$97,000, while Trinidad and Tobago, with a population of 1 million and a GDP of US$10.6 billion, carries a quota of US$134,000. In terms of mid-sized countries, Chile (15.8 million people) and a GDP of US$154.6 billion pays a quota of US$403,100, while Argentina (39 million people) and a GDP of US$432.7 billion is assessed a quota of US$3.6 million. Canada’s quota is just over 12% of the total and comes in at US$9.2 million—and Canada is one of only eight countries that qualify for a “credit” by paying on time and for not carrying arrears. The US is the largest contributor to the regular fund at just under 60% or US$44.3 million.

In total, the OAS is owed US$9.9 million by 8 of its 34 members. It is understood that some countries in arrears have been experiencing severe financial hardship.

<table>
<thead>
<tr>
<th>OAS Member State</th>
<th>Overdue Quota *</th>
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</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>$7,216,000</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>$1,158,833</td>
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<tr>
<td>Nicaragua</td>
<td>$623,378</td>
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<tr>
<td>Paraguay</td>
<td>$235,221</td>
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<tr>
<td>Bolivia</td>
<td>$218,947</td>
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<tr>
<td>Suriname</td>
<td>$208,500</td>
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<tr>
<td>Uruguay</td>
<td>$194,100</td>
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<tr>
<td>Haiti</td>
<td>$72,675</td>
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*All figures in US dollars
trying to gain support among Latinos, including on such issues as abortion and same-sex marriage.

Whatever the final result on November 2, few doubt that the growing importance of the Latino vote is an irreversible trend in US politics. Candidates' efforts to court this critical, and increasingly differentiated, segment are likely to become more and more sophisticated over time. A New York Times editorial (15/08/04), "Buenos Dias, Swing Voter", put it well: "It's all a far cry from the campaigns of yesteryear, when a candidate could get away with just posing with mariachis, eating empanadas or dancing a rumba."

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Democratic Security in Colombia: At What Cost?

Daniel Bland

Since the inauguration of President Álvaro Uribe in August, 2002, Colombian government spokesmen and representatives from some of the country’s most prestigious human rights groups have been engaged in a war of words. Uribe has called human rights workers ‘terrorist sympathizers’ and cowards and, in a September, 2003 speech, claimed many of the country’s human rights non-governmental organizations (NGOs) were ‘spokespeople’ for terrorism. Vice-President Francisco Santos, for his part, has accused NGOs of bias in their research, saying they habitually misrepresent the nature and number of human rights violations in the country.

Government figures comparing 2002 and 2003, for example, show a marked decrease in most indicators of violence and human rights abuses—murders down 20%, victims of massacres down 37%, murder of unionists 57%, and kidnappings 26%. According to the Colombian Commission of Jurists, however, these figures are false and there has been no significant change in the total number of politically motivated killings and disappearances in Colombia since 2001. They continue to average about 7,000 annually with the
conflict claiming the lives of 19 people a day. Regardless of the figures, Colombia continues to lead the western world in human rights and international humanitarian law violations. There are 3 million displaced people, torture remains commonplace and hundreds—including a former presidential candidate, a senator, a governor and members of Congress—are held hostage by guerrillas.

**Cuba-Panama Relations**

Diplomatic relations between Panama and Cuba have not been resumed since the Cuban government broke relations in response to former Panamanian President Mireya Moscoso’s decision to release Luis Posada Carriles, Gaspar Jiménez Escobedo, Pedro Remón and Guillermo Novo Sampoll from prison on humanitarian grounds. The four Cuban-born individuals were convicted in Panama of acts of terror in April 2003 and a Panamanian court sentenced Posada to the maximum sentence of eight years for plotting to kill Fidel Castro during the Ibero American Summit in Panama City in 2000. When Posada was arrested he was in possession of a fake passport and 33 pounds of explosives. His three accomplices were also found guilty and sentenced to jail time.

After being released, three of the former prisoners returned to the United States where they reunited with their families after being interrogated by the FBI. Posada boarded a separate flight and has not been seen in public since. It is thought that he may be hiding in Honduras, and the Cuban government has formally requested that Honduras extradite him if and when he is found. The Honduran government has confirmed that they will comply with this request if Posada is found in their territory. The other Central American governments have also publicly supported joint cooperation to catch Posada, an explosive expert trained by the CIA in the 1960s who escaped from a Venezuelan prison where he was awaiting a retrial in connection with the 1976 bombing of a Cuban jetliner that killed 73 people.

However, it may take more time for relations between Cuba and Panama to return to normal. Cuba considers the four to be terrorists, and during a recent interview at the United Nations, Felipe Pérez Roque, Cuba’s Foreign Minister, stated that "it will take time and a lot of effort" to restore relations with Panama. It is not clear why the restoration of the bilateral relationship has taken so long, given the fact that Martín Torrijos, Panama’s current president, has been critical of Moscoso’s decision to release the former convicts and has stated that his government has done its best to restore the relationship. While there is very little that the current government can do following Moscoso’s pardon of the four convicts, one of the things that may affect future bilateral relations is the US$200 million debt that Cuba has with Panama’s Colon Free Zone.

Soon after taking office, Uribe enacted a number of controversial measures designed to regain the initiative in his war against the guerrillas. An emergency presidential decree designated 27 municipalities ‘rehabilitation and consolidation’ zones and placed them under military control. A year later, rights groups and Colombian journalists reported widespread increases in crime in all three zones and, in one of them, forced fingerprinting, photographing and mass detentions of civilians, all in violation of international norms. Military authorities claimed to have ‘pacified’ the zones.

The cornerstone of Uribe’s national security policy (la seguridad democrática) is the army and the belief that only by enlisting more and more civilians in the war effort can it gain the upper hand against guerrillas. Defense expenditures have increased 46% since he took office, cadres of army ‘collaborators’ and ‘informants’ have been organized and an army of peasant soldiers has been recruited and trained. There are now 1.5 million enrolled in the informant network and 15,000 peasants have received basic army training and been sent home to work alongside regular soldiers.

During the past year, a number of anti-terrorist measures have been put into place giving security forces the power to search and arrest individuals and tap telephones without warrants or judicial order. In a serious setback for the government, a decision in August 2004 by the country’s Constitutional court ruled much of the anti-terrorist legislation unconstitutional.

Perhaps the most contentious element of Uribe’s national security agenda, however, is his negotiation with the right-wing paramilitary United Self-Defense Forces of Colombia (AUC). The AUC is a national umbrella organization of a dozen regional paramilitary armies. Human rights groups have regularly attributed three-quarters of the country’s human rights abuses to the AUC. In the past five years, they have committed well over 100 massacres and murdered thousands of unarmed civilians they considered guerrilla sympathizers. The AUC is also a major narco-trafficking organization, controlling over 40% of Colombia’s drug trade. A six-month investigation into the pros and cons of negotiating with them
commissioned by Uribe himself last year concluded paramilitary leaders were seeking to protect their own immense drug profits and permit some of Colombia’s major drug traffickers to ‘use’ the process to gain political legitimacy. Although the report was delivered to Uribe in June, he began negotiations with the AUC the next month.

A month after beginning talks with the AUC, the government tabled a bill in Congress designed to benefit individuals who voluntarily disarm to authorities and members of armed groups involved in a peace process. Once approved, the legislation will permit perpetrators of war crimes and crimes against humanity to have their sentences commuted. A day after the bill was presented, Colombia’s former public defender, Eduardo Cifuentes, said if approved, “hundreds of acts of terrorism, massacres, disappearances, torture, war crimes and crimes against humanity will go unpunished.” “The whole scheme is nothing but a sham to seal a process of negotiation in Colombia that will result in complete impunity for war crimes,” he concluded. Uribe’s peace commissioner, Luis Carlos Restrepo, calls the proposed legislation a ‘new conception of justice’ that seeks to replace the notion of jail as the only form of punishment with alternative, more humane forms of punishment.

In spite of recent revelations of widespread paramilitary infiltration of government institutions around the country and the fact the AUC have complied with none of the preconditions established for continuing talks—a ceasefire, a cessation of kidnappings and other actions against civilians and a disengagement from drug trafficking—Uribe seems intent on seeing the process through at all costs. Why?

Some Colombian analysts suggest the paramilitary negotiation is in fact an integral part of the government’s national security plan, designed not to disarm and demobilize the AUC but to legalize their organization and resources and reintegrate them back into the government state security apparatus. The AUC are active in 26 of Colombia’s 32 departments and more than a third of the country’s municipalities.

Certainly, given their power to intimidate and their allies within the Colombian political and military establishment, it seems unlikely paramilitary leaders will ever see the inside of a jail cell. There is concern in Colombia that paramilitary leaders will be able to somehow circumvent not only national but international justice as well. Colombia ratified the International Criminal Court (ICC) treaty in August, 2002. At the same time, it invoked a treaty provision, which permits signatory states to reject the court’s jurisdiction for a period of seven years for war crimes. Although most war crimes are also crimes against humanity and the ICC would retain jurisdiction for them, Colombia is the only country of the 94 that have so far ratified the ICC statute to submit a declaration in relation to possible amnesties or pardons for human rights violators.

Daniel Bland is a Canadian journalist and filmmaker who lived and worked in Colombia during most of the 1990s.

Recently, Bolivian democracy has been living one of the most difficult and complex moments in its consolidation process. With a largely discredited political system and weakened institutions, vast sectors of civil society continue to lose confidence in the state apparatus. The most difficult challenge facing Bolivia is the current backsliding in the legitimacy of democracy, a phenomena which has particularly affected the judicial branch.

In keeping with the Constitution, Supreme Court judges and members of the Judicial Council are elected by two-thirds of the members of the National Congress; an arrangement that was adopted to prevent the party holding the majority from placing its own candidates in these positions. It was intended that this system would produce an agreement with the parliamentary minority on the appointment of judicial authorities which was based on the public service and accomplishments of the candidates, independent of political forces. However, this arrangement did not work as expected and instead generated a system of political quotas that were distributed in the form of key appointments in public institutions, calling into question the principle of independence and impartiality that should guarantee and guide judicial activity.

In 2004, six of the twelve seats on the Supreme Court, as well as two of the four positions on the Judicial Council remained vacant. When Congress prepared to carry out the selection for these positions, it sparked a public controversy that discredited all efforts to fill these vacancies, further weakening the credibility of democratic institutions. The nomination process was obstructed by a growing and critical public opinion that immobilized the situation. It left the judicial branch without the sufficient capacity to re-launch the reform process previously underway and left a number of cases stalled, generating a delay in the delivery of justice.

It was necessary to change the focus in order to move from a congressional process that was
closed, politicized and uncertain, to a selection process for judicial authorities that was transparent, public, merit-based and open to citizen participation. With this objective the Participation and Justice Network (Red Participación y Justicia), which brings together 110 Bolivian civil society organizations that support judicial reform efforts, presented the document Judicial Appointment for an Independent Judicial Branch, which proposed a strategy for the selection and appointment of judicial authorities that introduced elements of public scrutiny and openness to civil society. The National Congress' Constitution and Justice Commission, the body charged with administering this process, favourably received the document in April 2004 and proceeded to implement the strategy in the selection process for the vacant Supreme Court and Judicial Council posts.

For the first time this process allowed citizens to have public access to the professional and academic history of the nominees for the Supreme Court and the Judicial Council, opening a new space for social participation by creating public consultations where all interested citizens could express their views on the candidates. The curricula of more than 200 candidates were submitted to a process of consultation with civil society so that citizens could become familiar with, verify and approve or object to the academic, professional and personal histories of each candidate. In an effort to ensure that citizens had access to the details and history of the candidates, their curricula were publicized in a special insert circulated in the national press and placed on the Network's website (www.participationyjusticia.org), as effective participation is impossible without broad and transparent information.

Using the information circulated, citizen consultations were held between July 1st and 9th, 2004, and citizens and civil society organizations were able to voice their support or opposition for the candidates to the Bicameral Congressional Constitutional Commission (Bicameral Commission). The public attended these meetings, presenting a total of 64,824 “participation forms” in the offices set up by the Participation and Justice Network in the capital cities of each of the nine departments of the country. The majority of the forms presented constituted citizen support for different candidates (there were 28 objections registered), and more than 500 of the contributions came from civil organizations and institutions.

Parallel to the public meetings, the Bicameral Commission also held an institutional consultation on the candidates for the positions of Comptroller and the Attorney General and posts in the Judicial Council, the National Tax Service, National Customs and the Law Society. They also began a process to review the professional merits of the candidates for high-level positions within the judicial branch using their own mechanisms and criteria. Finally, the Bicameral Commission submitted a technical report to the President of the National Congress on the selection process of the Minister of the Supreme Court and members of the Judicial Council. The report included an aspect of evaluative citizen consultation, which was backed by the Participation and Justice Network.

If the initial objective of the process proposed by Participation and Justice Network was to contribute to the institutional strengthening of the judicial branch and avoid the party quota distortion, the fact that the Congress took up and implemented the proposal has been a positive signal for a future of change and openness: It gave the citizenry access to information that before was jealously guarded, and provided an opportunity for officials to hear society’s feedback about the credibility and public service of the candidates. However, this process is still ongoing—the judges are to be officially appointed this October, and it is hoped that as Congress proceeds with the nominations, they will do so in a manner that is informed and based upon established criteria and collected feedback, thus guaranteeing the independence of the judicial branch in Bolivia.

Ramiro Orias is the Coordinator of Citizen Participation at Citizens Working for Justice (Ciudadanos Trabajando por la Justicia), a program carried out in Bolivia by Partners of the Americas with the support of USAID.

Caribbean: Politics of Aid and Neglect

Carlo Dade

Hurricane Ivan and Tropical Storm Jeanne have exacted an immense toll on the Caribbean; the resulting fallout will complicate Caribbean-US and Caribbean-Canadian relations.

In Grenada 90% of the island’s structures were leveled and the nutmeg industry, the main source of income, was destroyed. Other Caribbean nations have stepped in to help; Trinidad and Tobago pledged US$5 million, Barbados, US$1 million, Venezuela US$1 million and even impoverished Dominica is contributing US$50,000, while Canada and the US have struggled to offer about US$1.3 and US$1.5 million respectively to the Caribbean. Caribbean countries also sent troops to held round up prisoners let loose when a jail was destroyed. In one sense, the Caribbean, led by Port of Spain, Bridgetown and Caracas, is coming together.

Haiti has been a different story. The storms and slow international response may have pushed it to, if not over, the brink. Unlike Grenada, there is not a sense of rising hope as the floodwaters
The situation in the Caribbean, and especially in Haiti, required an immediate and massive response. Instead, outside of actions taken by Caribbean nations themselves, including Venezuela, there have been small steps and an alarming lack of alacrity by Canada and the US. Though by all accounts Canada has been generous in its donations to Haiti and has done better than the US in the Caribbean, it has not done as well as Venezuela, especially on the perception front. Many in the Caribbean also are likely wondering how Canada could find CND$20 million for Sudan, a country half a world away without an significant presence in Canada, yet at the same time have trouble finding CND$3.7 million for a disaster on its doorstep. Coupled with lingering Caribbean anger over Canada’s role in, or acquiescence of, the removal of Aristide from Haiti, it will be a difficult time ahead for Canadian-Caribbean relations.

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Globalization, Immigrants’ Transnational Agency and Economic Development in Their Homelands  
By Rudi Robinson

This paper addresses the issue of remittance market development and some of the most recent initiatives that rich countries and some international development authorities have either launched or are contemplating to improve remittance market efficiency. The paper categorizes these initiatives “from above” and “from below”, cautioning against those “from above”, which could hinder rather than facilitate remittance flows into poor households. The paper also addresses some of the key issues relating to transnational immigrant communities in the Canadian context and their bearing on Canada’s domestic and international development policies. Finally, it proposed a research agenda within a multidisciplinary comparative framework to stimulate academic and policy discussion and to carry forward investigation of these and other kindred issues.

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