CIVIL SOCIETY PARTICIPATION IN THE INTER-AMERICAN SYSTEM: THE CASE OF THE ORGANIZATION OF AMERICAN STATES

by Laurie Cole
THE SUMMIT OF THE AMERICAS
FOLLOW-UP SERIES

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The Canadian Foundation for the Americas (FOCAL) is an independent, non-governmental organization that fosters informed and timely debate and dialogue on issues of importance to decision-makers and opinion leaders in Canada and throughout the Western Hemisphere. Established in 1990, FOCAL's mission is to develop a greater understanding of important hemispheric issues and help to build a stronger community of the Americas.

FOCAL's main Program Areas include: poverty and inequality, economic development and trade integration, governance and democratic development, inter-American relations, North American integration and the Research Forum on Cuba (www.cubasource.org).

The preparation, printing and distribution of this paper have been made possible thanks to support from the Canadian International Development Agency (CIDA).

Additional copies of this policy paper may be obtained from the FOCAL web site (www.focal.ca).

June 2003

ISSN: 1703-9681 (Print)
ISSN: 1703-969X (Online)

Publications Mail Agreement: 40012931
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EXECUTIVE SUMMARY

With this, the second in the Summit of the Americas Follow-up Series, FOCAL continues to examine the progress of the implementation of Summit commitments across the Hemisphere. This report turns its attention to the mandates related to increasing civil society participation, focusing specifically on measures taken by the Organization of American States (OAS) to incorporate citizens’ voices into the inter-American system. To contextualize the evaluation of the OAS’s current participatory mechanisms, the report reviews how civil society has been featured in the content of the three Summits’ plans of action, as well as the role that civil society organizations (CSOs) have played in the Summit process itself. Examining the existing instruments that have been adopted by the OAS to promote inclusion, we consider how the organization is doing at philosophically and functionally incorporating civil society into its decision-making processes.

Over the past ten years, the issue of civil society participation has been placed firmly on the agenda of the OAS. A changing global context, an increasing focus on democracy and governance, and pressure from CSOs themselves has resulted in a slow but steady change in the way that the OAS sees and interacts with citizens of the Hemisphere. The report highlights the 1999 adoption of the Guidelines for Participation by Civil Society Organizations in OAS Activities as a milestone in this relationship. To date, the application of the Guidelines has proceeded fairly successfully, and they have proven useful at increasing the legitimacy of CSOs, as well as opening up spaces previously closed to them. Meanwhile, the more difficult work of building sustainable relationships, and cementing the genuine inclusion and tolerance of differing opinions continues.

The report closes with a brief examination of the recently ratified Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities, which aim to correct some of the Guidelines’ shortcomings and strengthen current participatory standards and practices. A preliminary review concludes that on paper the Strategies do go further to provide a solid basis for fruitful exchange and substantive input by civil society in the OAS. Their success will be determined by the ongoing resolve of key supporters, and will require the firm political commitment from the OAS member states. The technical and institutional collaboration of the organization’s various units and bodies, in addition to the commitment of sufficient human and financial resources, will also be key to the creation of a vibrant inter-American civil society.
RÉSUMÉ

Avec ce document, le second d’une série de publications consacrées au suivi du Sommet des Amériques, FOCAL poursuit l’examen de la mise en place des engagements du Sommet dans l’ensemble de l’hémisphère. Ce rapport examine les mandats inhérents à la participation croissante de la société civile, en s’attardant, de façon spécifique, aux mesures prises par l’Organisation des États américains (OÉA) afin d’intégrer la voix des citoyens dans le système interaméricain. En vue de mettre en contexte l’évaluation des mécanismes participatifs actuels de l’OÉA, le document passe en revue la présence de la société civile dans l’ensemble des plans d’action reliés aux trois derniers sommets, de même que le rôle qu’ont joué les organisations de la société civile au sein du processus du Sommet. Après avoir examiné les instruments adoptés par l’OÉA visant à promouvoir l’inclusion, nous allons nous attarder au travail réalisé par cet organisme, tant au niveau de la philosophie que de la fonctionnalité, afin d’accroître l’incorporation de la société civile au sein du processus de prise de décision.

Au cours des dix dernières années, la question relative à la participation de la société civile a été clairement inscrite à l’agenda de l’OÉA. Le contexte de changement global, l’attention croissante aux concepts de démocratie et de gouvernance, de même que la pression exercée par les organisations de la société civiles elles-mêmes ont entraîné un changement lent mais progressif au sein de l’OÉA et de ses interactions auprès des citoyens de l’hémisphère. Le document met en lumière l’adoption en 1999 du document Directives pour la participation des institutions de la société civile aux activités de l’OÉA comme étant la pierre angulaire de cette nouvelle relation. Jusqu’à présent, la mise en œuvre des ces directives a connu un assez bon succès; ces dernières ayant démontré la nécessité d’augmenter la légitimité des institutions de la société civile, ouvrant ainsi des portes autrefois interdites. Simultanément, le défi de transformer ce lien en relation durable se poursuit alors que l’idée d’inclusion réelle et le respect des différences d’opinions se solidifient.

Le document se termine par un bref aperçu du document Stratégies pour accroître et renforcer la participation des organisations de la société civile aux activités de l’OÉA qui vise à corriger certaines lacunes des directives établies antérieurement et ainsi renforcer les standards et pratiques actuels de participation de la société civile. Un examen préliminaire conclut que ce dernier document va beaucoup plus loin au chapitre de la mise en
RESUMEN

Con este segundo trabajo de nuestra serie de Seguimiento de las Cumbres, continuamos analizando cómo se ha comportado la implementación de los compromisos contraídos en dichos foros hemisféricos. Este trabajo aborda los compromisos adoptados en pos de elevar la participación de la sociedad civil, en particular las medidas tomadas por la Organización de Estados Americanos (OEA) con el objetivo de dar cabida a las opiniones de la ciudadanía en el sistema interamericano. Para realizar un análisis de los mecanismos de participación que en la actualidad aplica la OEA, hemos tomado como referencia la manera en que ha sido abordada la sociedad civil en los planes de acción de las tres cumbres celebradas hasta hoy, así como el papel que han desempeñado las propias organizaciones de la sociedad civil en el proceso de las cumbres. A partir de un estudio de los instrumentos adoptados por la OEA para facilitar una mayor inclusión de la sociedad civil, analizamos cómo se han comportado los mismos tanto en la teoría como en la práctica para dar mayor participación a la sociedad civil en los procesos de tomas de decisiones.

En los últimos diez años el tema de la inclusión de la sociedad civil se ha afianzado en el seno de la OEA. Como resultado de un contexto global cambiante, una mayor atención a los temas de democracia y gobierno, y las presiones hechas por la propia sociedad civil, ha habido un cambio lento, aunque continuo, en la manera en que la OEA percibe e interactúa con los ciudadanos del hemisferio. Este trabajo se refiere además a las Directrices para la Participación de la Sociedad Civil en las Actividades de la OEA aprobadas por resolución del Consejo Permanente de esa organización en 1999, las cuales marcaron un hito importante al respecto. En la actualidad, la aplicación de las Directrices ha tenido bastante éxito y ha demostrado ser un mecanismo valioso en la elevación de la legitimidad de las organizaciones de la sociedad civil y en la apertura de espacios que antes
les estaban prohibidos. Entretanto, se continúa trabajando en la más difícil tarea de desarrollar relaciones duraderas y consolidar de manera auténtica la inclusión de la sociedad civil y la tolerancia de opiniones divergentes.

Asimismo, ofrecemos un breve análisis de las recientemente ratificadas *Estrategias para Incrementar y Fortalecer la Participación de las Organizaciones de la Sociedad Civil en las Actividades de la OEA* las cuales persiguen corregir algunas deficiencias de las *Directrices* y fortalecer las normas y prácticas encaminadas a dar participación a la sociedad civil en las actividades de la OEA. Al realizar un análisis preliminar se observa que en teoría las *Estrategias* son efectivamente un paso de avance en el establecimiento de una base sólida para propiciar intercambios fructíferos y aportes sustanciales por parte de la sociedad civil a la OEA. No obstante, el éxito de las *Estrategias* dependerá del empeño constante de determinados actores clave y requerirán de una voluntad política firme por parte de los estados miembros de la OEA. Para poder desarrollar una sociedad civil hemisférica vigorosa será necesaria también la colaboración técnica e institucional de los diferentes órganos y entidades de la OEA, así como la asignación de los recursos humanos y financieros necesarios.

**FOCAL AND THE SUMMIT OF THE AMERICAS**

This publication marks the second issue of the Summit Follow-up series prepared by FOCAL, a testimony of our ongoing confidence in the possibilities of multilateral achievement and our commitment to the Summit process. The goal of this series is to evaluate how governments and multilateral bodies are faring at implementing the initiatives that they committed to at the Summits of the Americas in Miami, 1994, Santiago, 1998 and Quebec City, 2001. The first issue in this series examined Plan of Action items related to access to justice and independence of the judiciary (October 2002).

This report turns its attention to the Plan of Action mandates related to increasing civil society participation in hemispheric activities. Specifically, the report will review the existence and functioning of mechanisms that have been instituted to legitimize and sustain civil society networks, reviewing how civil society organizations (CSOs) are being philosophically and functionally incorporated into decision-making processes within the Hemisphere. We will focus exclusively on the Organization of American States (OAS) — as the Hemisphere’s premier political organization, which
has played an increasingly important decision-making role in the region in the past decade, it provides an interesting case study.

The Third Summit of the Americas, held in Quebec City in April 2001, placed civil society participation firmly on the inter-American agenda and pressed for further incorporation of citizens’ voices in the policy formulation and decision-making processes at the hemispheric level. FOCAL feels that it is imperative that civil society takes advantage of the expanding spaces available to civil society, while continuing to press for new ones. Civil society must also move beyond a purely consultative function and play a more active role in monitoring and implementing Summit initiatives. With this report we would like to make a contribution to ensuring the follow-up of Summit initiatives, while concurrently advocating that the region’s governments and multilateral organizations provide the space, access and support that will allow other civil society groups to undertake similar efforts.

At the Thirty-Third OAS General Assembly to be held in Santiago Chile in June 2003, Canada will hand over the chairmanship of the Summit process to Argentina. It is imperative that the important topic of civil society inclusion be kept “on the table” as the hand-over happens. To be successful, civil society and our proponents must maintain momentum, take stock of progress and produce viable options for the future. A review of the current state of civil society-institutional relations will highlight existing strengths, identify weaknesses and provide useful recommendations for progress in this area. This report will provide a review of the key decisions and changes undertaken within the OAS since 1994 regarding civil society. It will chart the development of these ideas, and the mechanisms and institutional arrangements introduced to increase the participation of civil society organizations in the workings of the OAS. The report will then examine how the implementation of these various mechanisms is progressing.

THE SUMMITS AND CIVIL SOCIETY

As a starting point, it is useful to review how civil society has been featured in the content of the three Summits’ plans of action, and how this evolution has been intimately connected to the intensity of civil society participation in the Summit process itself. The Summit of the Americas process began in 1994 in Miami. As a consequence of this meeting, and the two subsequent Summits in Santiago in 1998 and Quebec City in 2001,
summitry has had an important impact on the region, affecting policy-making direction and facilitating concerted, diplomatic solutions to pressing hemispheric problems. The content and process of the Summits has also had a substantial impact on the evolving relationship between civil society, national governments and multilateral bodies in the region, and are among a series of international agreements that were signed during the 1990s formalizing governments’ recognition of civil society and their pledge to increase citizen participation.

Paradoxically, for much of the history of the Summits there have been no formal mechanisms allowing for civil society to officially participate in the proceedings. The level and extent to which organizations have had access to decision-makers or affected meetings’ agendas has been left to the discretion of national governments and the respective Summit hosts. As such, the rate of progress and inclusion of diverse opinions has been uneven to date. At the First Summit of the Americas in 1994, civil society inclusion was added to the agenda and a limited number of civil society groups were included in Summit preparation and proceedings. U.S. organizers formed the Civil Society Task Force to assist in the formulation of the text of the Plan of Action items related to civil society participation. In addition, the U.S. State Department and other agencies provided modest but critical financial support to ensure that the initiative did not stall. The U.S. government also urged other participating countries to consult with domestic CSOs — a suggestion that met with mixed results. The Plan of Action that emerged from the Miami meeting reflected the input of civil society and focused on constructing improved legal and regulatory frameworks to facilitate CSOs’ operations and allow them to more effectively access available funding.

The subsequent Summit, held in Santiago in 1998, has been considered by some a step backward for civil society when compared to Miami. This conclusion is supported by restricted civil society access to official Summit meetings and limited pre-Summit consultations during agenda preparations. The civil society action item contained in the Santiago Plan of Action once again focused on the formation of functional institutional structures that would produce responsible civil society organizations able to effectively participate in public discussions. The limited official

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1 See Shamise, pp.18-19 and Feinberg and Rosenberg, p.632 for further discussion of the role of civil society in the Santiago Summit.
participation of CSOs was accompanied by the Parallel People’s Summit of the Americas, organized and attended by over 2000 CSOs from across the region, which declined to take part in official Summit activities.

The Canadian government, a relatively strong proponent of civil society inclusion, translated its support of civil society into action as host of the Third Summit, held in Quebec City in April 2001. In preparations for the Quebec Summit, there were opportunities for willing CSOs to contribute officially to the agenda, in Canada, the region and at the OAS. In the lead up to Quebec City, the first steps were also taken to formalize civil society inclusion in official Summit activities within the OAS. In February 2000, the OAS Committee on Inter-American Summits Management, responsible for following Summit activities, was opened for the first time to civil society participants (Lortie and Bedard, p.4). It was agreed that the Chair of the Committee would transmit civil society suggestions to the governments’ national representatives in the Summit Implementation Review Group (SIRG) — the body charged with following-up and preparing the plans of action for Summit meetings. This has become the primary mechanism for civil society consultation in the Summits and subsequent Summit monitoring and follow-up within the OAS. In 2000, twenty-one organizations participated in the Committee meeting; in 2001 and 2002 eighteen attended; and in 2003, approximately twenty-five were present (OAS 2003a, p.11). A number of willing civil society groups were also included in the official proceedings “inside the fence” at the Quebec City Summit. Those unwilling or unable to participate in official Summit activities were active at the Second Parallel People’s Summit, which was held on the margins of the official meetings and provided a critical voice to the hemispheric integration agenda. This parallel meeting also received financial support from the Canadian government.

The Quebec City Plan of Action that emerged reflected the pledge to civil society inclusion and marked a step forward, going beyond the previous two plans of action in the commitments made by governments. The Quebec City document stressed not only the regulatory frameworks necessary for successful participation, but also emphasized the inherent benefits, utility and rights that civil society has to participate in decision-

FOCAL was part of a large hemispheric-wide pre-Summit consultation that collected the views of over 900 CSOs throughout the region, which were then presented to Summit officials in January 2001.

See Smith and Korzeniewicz (2001) for a thorough discussion of the civil society networks active around the Summits of the Americas and the FTAA negotiations.
The Plan notes the valuable opinions, support and expertise of civil society, which contribute greatly to the functioning of hemispheric and national processes, particularly the formation and consolidation of strong and well-functioning democracies. For the first time, a Summit of the Americas Plan of Action also includes the need and right of CSOs to participate within the inter-American system, as well as at the national level. In this spirit, the Quebec City Plan of Action commits national leaders, regional bodies and financial institutions to strengthening the capacity of these organizations, specifically to:

*Develop strategies at the national level and through the OAS, other multilateral organizations and MDBs to increase the capacity of civil society to participate more fully in the inter-American system, as well as in the political, economic and social development of their communities and countries, fostering representativeness and facilitating the participation of all sectors of society (emphasis added);*

This report examines the implications of this text for the region’s multilateral organizations. We will focus specifically on the OAS, examining the extent to which this body has actively taken up and fulfilled the roles and responsibilities assigned to it by the Plan of Action. We have chosen to make the activities of the OAS the focus of this report due in part to the organization’s pivotal role in supporting and facilitating the Summits. The OAS has influenced the tone and content of the plans of action, initiating valuable discussions about the responsibility and value of civil society in the Hemisphere at both the national and multilateral level. The OAS has also acted as the administrative and institutional headquarters of the Summit process, as home to the SIRG, as well as the seat of the Summit of the Americas Secretariat, the repository of Summit history and the body responsible for charting progress on Summit initiatives.

Given its responsibilities, the OAS is relied upon to support the Summit process and help facilitate the execution of initiatives. To maintain its leadership position in hemispheric summity, it is fundamental that the OAS “put its money where its mouth is”, not only with regards to institutional support they provide, but also in their own efforts to implement and live up to the promises made in the plans of action. As an organization that brings together 34 of the region’s governments for discussion and debate on an ongoing basis, the OAS must lead by example.
and keep moving policy and practices forward, challenging member nations to continue to innovate and embrace new ideas.

**THE OAS AND CIVIL SOCIETY IN CONTEXT**

The late 1980s and 1990s were a time of reflection and renewal for the OAS, which coincided with a period of transformation within economic and political structures of the region, including civil society. During this period, many national governments were being urged to incorporate the principles of participation and consultation into their institutional structures and processes. This heightened focus on inclusion was in part a consequence of the process of democratization sweeping the region. It was also precipitated by the evident failure of economic adjustment policies in the 1980s. Reformers became aware of the need to combine economic and institutional reforms, and underscored the need for good governance and improved democratic practices. This broad change in thinking was translated into policy prescriptions focusing on participation and the need for increased dialogue between national governments and their citizens. However, empirical and anecdotal evidence suggests that these policy recommendations were adopted to differing degrees across the region.

International and regional organizations were also taking on new responsibilities in the context of globalization and the end of the Cold War. In more and more cases, decisions affecting countries were being made in supra-national fora, prompted by an increasing need and rational for their intervention: financial crisis were erupting, threatening to spread to other countries if left unchecked; cross-cutting environmental issues became more pressing; and trade agreements and regional integration schemes spurred greater inter-governmental and international activity (Woods, p.41). As an increasing number of issues were being addressed at the multilateral level, international and multilateral organizations were also beginning to discuss the need to incorporate inclusive processes and practices into their organizations, often under pressure from groups lobbying for increased representation in the spaces where these decisions were being made.

During this period, the OAS was attempting to revitalize and restructure itself in an effort to be more relevant after a period of relative decline, and in reaction to a growing reputation of irrelevance and ineffectiveness that had emerged in the 1980s. The organization was working to gain the
legitimacy and respect of the citizens of the region, as well as to be taken seriously by member governments. In part, this was to be accomplished by presenting itself as efficient, accountable and transparent. Incorporating civil society into their plans, or at a minimum, embracing the rhetoric of civil society inclusion, proved useful for this purpose. Including civil society allowed the OAS to appear more responsive, while dampening criticism and legitimating some of their not-so-popular policies (Shamsie, p.7). Additionally, the OAS was under pressure from Canada, the organization’s newest member, and other countries that recognized the utility and necessity of civil society participation.

**CIVIL SOCIETY IN THE OAS: A MOVE TO INCLUSION**

Despite these motivating factors, the history of civil society inclusion into the OAS has frequently been bumpy. The current mechanisms that determine citizen participation within the organization are the result of nine long years of negotiation, accompanied by continued pressure and resulting in slow-moving change. Prior to 1999, there were no mechanisms that granted civil society organizations official status, or provided them access to the OAS and its decision-making bodies in a consistent and formalized manner. Organizations from the region were forced to work with different OAS bodies and units on an ad hoc basis, often in the execution of OAS programs and services. There were provisions in the OAS Charter that gave civil society organizations permission to attend relevant meetings, the annual general assemblies and specialized OAS conferences, but permission to attend these gatherings was granted on an event-by-event and organization-by-organization basis, with no guarantees for consistent civil society participation.

In 1994, at the suggestion of Canada, the issue of the OAS’s relationship with civil society organizations was placed on the agenda of the Permanent Council for examination. This set in motion a series of studies and debates and the revision of the policies and procedures that continues to the present day. As a result, the Working Group to Study the Possibility of Granting Status to Nongovernmental Organizations in the OAS was formed and charged with reviewing the nature of CSO participation in OAS activities, and to determine if there was a need to alter or improve this

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4 Although there have been other consultative mechanisms and processes within the OAS, this report will focus specifically on the Guidelines for Civil Society Participation in the OAS.
relationship. After two and half years, the working group produced a report in May 1997 concluding that CSOs did in fact have satisfactory status within the OAS and did not need to be amended. Despite its judgement of a “satisfactory” status for CSOs, the working group did suggest that the General Secretariat continue to study this issue and charged it with, among other things, the preparation of “draft practical guidelines to ensure consistency and enhancement of relations between the OAS ... and NGOs”, including a definition of required criteria for participation (OAS 1997).

The suggestions outlined in the working group’s 1997 report contained the seeds of the current OAS mechanisms dealing with civil society, which continue to be developed. The pace and form of the implementation of these suggestions have been slow and uneven, given the distinct views that vote-holding governments of the Hemisphere hold on the utility of civil society inclusion, their conception of representation, participation and power, and the difficulties involved with reaching consensus on these issues. Substantive progress on these recommendations, and on the topic of civil society, was not made until the 1999 General Assembly, which marked a milestone in OAS-CSO relations. Momentum for the issue of civil society inclusion was maintained between the May 1997 report and the 1999 General Assembly by an informal group of member countries who kept the issue of civil society alive. This coalition was responsible for drafting the 1999 General Assembly Resolution 1661, as well as preparing the ground work and building consensus for its eventual endorsement and the application of its mandates (Shamsie, p.11).

Civil Society Guidelines — A Step Forward
Resolution 1661, ratified by the General Assembly in 1999, contained two key action items that form the basis of the current and functioning mechanisms for civil society engagement. These action items tasked the Permanent Council with the creation of a Committee on Civil Society Participation in OAS Activities, as well as the approval of a set of guidelines for civil society participation in OAS activities. The Guidelines for Participation by Civil Society Organizations in OAS Activities (hereinafter Guidelines) were drafted and subsequently adopted by a resolution of the Permanent Council in December 1999.

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5 The informal working group was made up of Argentina, Brazil, Canada, Chile, the Dominican Republic, Guatemala, Jamaica, Mexico, Peru, Trinidad & Tobago, the United States, Uruguay and Venezuela.
Symbolically and diplomatically, the Guidelines represent an important achievement in OAS-civil society relations. They mark an institutional shift and an acknowledgement by member states of the need for a modernization of the OAS's relationship with citizens of the Hemisphere. Practically, the Guidelines define the scope of CSO participation in the activities of the OAS, providing clear parameters about the who, what and where of CSO involvement in OAS activities. They grant accredited CSOs the right to participate in meetings of the political bodies of the OAS, including the Permanent Council and its subsidiary committees and working groups, the Inter-American Council for Integral Development (CIDI), as well as at OAS conferences. They are the leading mechanism through which civil society can participate in the organization's activities and have advanced possibilities for civil society within the OAS.

The Guidelines also introduce the policy of accreditation, which defines the criteria required for CSOs to form a recognized relationship with the OAS. Under this new policy, CSOs that meet the requirements (representative nature, accountability mechanisms, transparent financing, etc.) are given a special status and rights within the organization. Accreditation is important in the first instance because, unlike previous civil society-OAS arrangements that allowed CSOs to attend annual General Assemblies and cooperate in technical projects on a case-by-case basis, accredited status assigns some responsibilities to the OAS vis a vis civil society, compelling the organization to provide accredited organizations with specific provisions, including updated information and a forum in which to voice their opinions. These regulations provide a structured space for discussion between CSOs and the OAS that are regular, official and predictable, and do not require that civil society petition or be invited to attend. Accreditation also confers a mark of legitimacy and an acknowledgement of those CSOs that have been accredited, confirming their right to contribute in the deliberative and decision-making process within the organization.

6 The Guidelines do stipulate that accredited CSO participation is not guaranteed in all meetings. Registered CSOs will be admitted to public meetings of these bodies, and admitted to private meetings subject to approval of the Chair and involved member states.
The Committee on Civil Society Participation in OAS Activities: A Concerted Response?

In addition to the Guidelines, Resolution 1661 of the 1999 General Assembly also mandated the establishment of the Committee on Civil Society Participation in OAS Activities under the Permanent Council. Though the creation of the Committee was formalized by the Permanent Council in December 1999, it was not until August 2001 that the Committee was actually formed and a Chair assigned, marking a disappointingly slow start. In July 2002, the Committee was merged with the Special Committee on Inter-American Summits Management, which had been chaired by Canada and acted as the key channel by which CSOs could engage in the Summits process. The new committee, entitled the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities, is entrusted with the coordination of the activities assigned to the OAS by the Summits of the Americas, as well as with the participation of civil society organizations in OAS activities.

The Committee provides the principal and official space for regularized (although not frequent) CSO-OAS dialogue. It provides a voice for civil society in the Permanent Council, where the Chair of the Committee is responsible for relaying CSOs’ opinions and suggestions, and as such has an important role to play in maintaining the OAS-CSO relationship. The Committee is also responsible for the implementation and periodic review of the Guidelines. It has been the main body working to remedy the Guidelines’ apparent shortcomings and ensure their best possible functioning, as well as gain the support and cooperation for the Committee’s mission within the OAS. The Committee has played a pivotal role in moving the civil society agenda forward by working to implement the original Guidelines, while continuing to press beyond this original document to deepen and strengthen civil society’s role.

**ACTIONS SPEAK LOUDER THAN WORDS:**
**THE APPLICATION OF THE GUIDELINES**

The formulation and ratification of the Guidelines was a triumph for civil society and those member states that have long supported increased civil society inclusion within the organization. Unfortunately, due to the conservative, bureaucratic, multi-departmental nature of the organization...
and the members that make it up — 34 member countries with distinct political, economic and social realities — the benefits of the mechanism have in some cases been largely of a theoretical nature, and its successes principally symbolic. Despite official sanction, rendering these instruments useful is a complex process. As the time and negotiation involved in reaching agreement on the Guidelines illustrates, changes are made incrementally and often there is not an overarching master plan, but actions, activities and policies are guided by yearly revisions and alterations — and the rules are ever evolving. Bureaucratically, resolutions emerge from the Permanent Council, are endorsed by the General Assemblies and then executed by the appropriate body. From a technical standpoint, this may require setting up a new committee or working group, and the structures and procedures to implement the rules may be slow to get underway, while their efficient functioning is subject to long learning curves. Political negotiation and consensus building present their own sets of challenges. The implementation of the mechanisms designed to facilitate the inclusion of civil society have, in some measure, been affected by all of these constraints. The official process of accreditation has functioned fairly well, but the more difficult work of building relationships and trust, the genuine inclusion and tolerance of differing opinions, as well as a willingness of some governments to share previously closed spaces has proven more difficult.

The Process of Accreditation

The Guidelines set parameters that define the rights and duties of both the OAS and CSOs, as much to grant access as to allay the concerns of countries that are perhaps less enthusiastic about civil society inclusion. The setting up of specific criteria for the accreditation process was done to ensure that organizations admitted possess a required level of policy expertise and experience in an area of interest to the OAS and that they be representative of a larger group, or a point of view held by a broad membership (OAS 1999). While accreditation was meant to ensure that participating organizations were both qualified and representative, there were concerns about the potential usefulness of the procedure to incorporate diverse voices and opinions into the decision-making spaces of the OAS. At the time that the Guidelines were being drafted, several civil society organizations involved in the process voiced concerns about the policy of accreditation. Involved groups worried that the criteria were too strict, and would ultimately restrict the number and types of organizations that would be granted accredited status (Shamsie, p. 12). While the
Guideline’s working definition of a CSO is broad and flexible, including “any national or international institution, organization, or entity made up of natural or juridical persons of a non-governmental nature”, the criteria require that beyond basic information CSOs must include annual reports, financial information and highlight their primary area of activity, indicating how they can contribute to the work of the OAS. Perhaps most problematic is the request that the organizations provide their Charter or Constitution, a requirement many feared would constrain less formalized and grassroots groups that represent important voices in the region.

Currently, the accreditation process has been in operation for over three years, and upon examination of the groups that have applied for and been granted status, the criteria included in the Guidelines have not proven to be too restrictive. There are currently 67 accredited organizations from around the Hemisphere, with 12 organizations accredited in 2000; 33 in 2001; 5 in 2002; and 17 to date in 2003. All organizations that have applied to date have been accepted. Among the accredited organizations are large, high-profile organizations such as CIVITAS International, Human Rights Watch and the Carter Center, as well as smaller, single-issue groups such as Casa da Cultura da Mulher Negra (Black Women’s Cultural Centre) from Brazil, and Fundación Promotora de la Vivienda (Foundation for Housing Promotion) from Costa Rica. Based on a recent report by the OAS, the mandates and areas of interests of registered groups touch on a variety of different themes including the protection of human rights, the development of electoral systems and indigenous rights (OAS 2003a).

The geographic distribution of the organizations, outlined in Table I below, is less complete. Many member countries lack civil society representation within the OAS. This “geographical gap” may be due to issues of resource availability, geographical distance and a lack of domestic support for CSOs on the part of national governments. Insufficient information about the goals and mandates of the OAS, and the details of the accreditation process itself, may also account for this deficiency.
Overall, the process of organizations becoming accredited does seem to be working smoothly, and is not as cumbersome and restrictive as was originally feared. The waiting periods between application and acceptance vary, but the time variance seems to depend solely on the meeting schedule for the Permanent Council, which provides final confirmation of accreditation status. To date, although no organization that has applied for accredited status has been refused, the total number of organizations accredited is low. The OAS and national governments must do a better job of publicizing accreditation to increase the number of CSOs involved with the organization.

### Accreditation in Action

Despite the fact that organizations have applied and been granted accredited status, several provisions outlined in the Guidelines remain largely inoperative or underutilized. Once accredited, CSOs are entitled to a special status and benefits allowing them to more fully participate in the OAS. It is this undertaking — engaging, informing and including CSOs in the actual work of the OAS — that has presented the greatest challenge to the organization, and to the implementation of the Guidelines.

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It could be argued that the accreditation criteria and the very nature of the OAS have set up a self-selecting mechanism in which certain organizations have not bothered to apply for status, believing that they will not meet the requirements. While possible, this is not borne out by the results to date.
In the first instance, both the number of themes and the depth of discussions in which CSOs have participated have been unsatisfactory, being limited and rather cursory. Accredited organizations are entitled to designate representatives to attend OAS conferences and public meetings of the political bodies, and are able to attend closed meetings of the same bodies when so agreed to by the Chair and the participating member states. In January 2003, the OAS Summit of the Americas Secretariat published a comprehensive report listing all OAS events that CSOs had participated in. This report noted that since 1999, within the framework of the Guidelines, participation in Permanent Council activities had largely been confined to the Special Committee on Inter-American Summits Managements (3 meetings) and the Committee on Civil Society Participation in OAS Activities (2 meetings). It also notes that as of October 2002, CSOs had participated in 7 specialized OAS conferences since 1999, and 11 different organizations had worked with the CIDI since 1996 (OAS 2003a).

These figures indicate that the number of events that accredited civil society organizations have participated in using the Guidelines is relatively small. As a consequence of limited attendance, the topics and themes on which CSOs have engaged in discussions have not been as broad or substantive as originally hoped for. Although the Summits Management meetings touched briefly on issues including justice, health, human rights and corruption, the majority of discussions that civil society participate in are often limited to the very issue of civil society participation. While this focus is understandable, given the fact that civil society has recently been incorporated, it is imperative that civil society moves beyond these issues and become active in substantive policy discussions on diverse themes.

To create constructive policy discussions, it is necessary to have an open exchange of views and an active dialogue. Currently, these prerequisites do not exist. Accredited CSOs are able to attend a limited number of meetings and participate passively in discussions. The Guidelines permit organizations to prepare and circulate written submissions and make presentations at meetings with explicit permission. In these encounters there is little room for dialogue, feedback or debate on issues. Attendance is the first step, but these opportunities must been enhanced to foster true exchange and discussion. Civil society must be able to engage more openly and deeply with representatives and bodies of the OAS. The OAS should take advantage of the expertise of CSOs, which must themselves be
prepared to contribute to policy debates and discussion in their areas of expertise.

Besides a move to broaden thematic discussions, CSOs also maintain a tremendous untapped capacity to contribute to the application and implementation of OAS plans and instruments. For example, one observer has noted the lack of a proactive role for civil society in the application of the Inter-American Democratic Charter, despite civil society’s role in the early drafting process. Civil society organizations have not been active in making this document an effective and powerful tool in the fight for democracy across the region. The author suggests that civil society could play an important role in providing feedback and data on the success of democracy and strength of democratic structures in their countries. They could act as a backup, giving the OAS a “heads up” when governments fail to alert other member states of impending crisis (Cameron 2003). CSOs have a wealth of experience, skills and information that can support and complement the work of multilateral organizations and national governments.

Access to Information

Many of these problems are exacerbated by a lack of timely, accessible and complete information. Although CSOs are supposed to receive OAS documents and the OAS calendar of activities, reliable information on meetings (agendas, schedules, etc.), meeting summaries and discussion papers are lacking, or at the very least often arrive too late to be of optimum use. The OAS website does provide some useful information, but it is often outdated and incomplete. In other instances users can suffer from “information overload” — being forced to sift through masses of information to find what is relevant and necessary. This is perhaps compounded by the fact that the OAS is a large and complex bureaucracy, which requires substantial previous knowledge to optimally navigate. While it is unquestionably the responsibility of CSOs to educate themselves on the structure, functioning and issues of the OAS, clear and concise information about the details and objectives of the OAS (explanatory information on processes and identification of key

8 For example, FOCAL, an accredited CSO headquartered in Ottawa, Canada, recently received an invitation on the 11th of the month to participate in a meeting being held at OAS headquarters on the 15th of that month, making our participation impossible. While appreciative of the invitation courtesy, more time is required if organizations are to plan their attendance, or coordinate information sharing with Washington-based partners.
individuals, for example), as well as context for released documents would be extremely useful. Better and more organized information would make CSOs more informed and prepared, and their contributions more useful.

BEYOND THE GUIDELINES — THE EVOLUTION OF INCLUSION

While the Guidelines had been established and the process of accreditation was underway, discussions about civil society participation in the OAS were not over. The Guidelines were viewed by key proponents as a first step in the inclusion process and as a work in progress. The Third Summit of the Americas in Quebec City provided additional momentum for the civil society issue, for the first time urging signatories to work to further include civil society in the inter-American system. At the Annual General Assembly in June of 2001, Resolution 1834 was adopted. This Resolution called for the Committee on Civil Society Participation in OAS Activities to develop strategies to further increase civil society participation in the OAS. The proposed strategies would be a way to operationalize remaining portions of the Guidelines and strengthen standards and practices currently in place.

In an effort to fulfil this mandate, a special working group of the Committee initiated discussions on possible strategies to increase civil society participation. The group consulted representatives from the World Bank, the IDB and CARICOM in an attempt to glean possible participatory models, in addition to holding a meeting with accredited organizations in March 2002 on how to increase information exchange and participation of civil society in the organization. Twenty-five CSOs attended and offered suggestions on how to make the renewed OAS – civil society relationship a more fruitful one, highlighting a number of the Guidelines’ problematic points reviewed in the previous section. The working group presented the results of these consultations in a report containing draft strategies to increase civil society participation. Unfortunately, member states were unable to reach a consensus on the content of the draft strategies and this document never reached the 2002 General Assembly for consideration. The process was postponed. Instead, a second resolution was passed at the 2002 General Assembly asking the Permanent Council once again to evaluate the application of the Guidelines and “devise, hold consultations on and adopt strategies for increasing civil society participation in the OAS.”
Armed with the most far-reaching General Assembly resolution to date, and a renewed mandate to strengthen the Guidelines, the Committee was now free to explore these questions in more depth. The Working Group on the Guidelines and Strategies for the Participation of Civil Society in the Activities of the OAS was formally formed in September 2002 to formulate a plan to increase and consolidate participation. The Working Group held seven meetings between September 2002 and January 2003. On February 13, 2003, it presented a draft resolution *Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities* (hereinafter *Strategies*) to the Committee, which was subsequently passed on to the Permanent Council for review.

The *Strategies* are a compromise between all member states of the OAS, agreed upon after what has been described as an “arduous debate”. When the draft *Strategies* document was initially presented for consideration, it met with some resistance from member states who remained reluctant to open the OAS to further civil society influence. Certain country representatives argued that the presence of non-member entities would disturb the negotiating capacity of the member states. After compromise and negotiations about specific wording, the Permanent Council adopted the *Strategies* on March 26, 2003, just in time for the Committee meeting with civil society on March 28, 2003. Despite the difficulties involved in its completion, the Chair of the Committee has stated, “the resolution is a step forward based on the experience acquired with implementation of the guidelines” (OAS 2003b). Just two months after their approval, it is only possible to evaluate the *Strategies* potential to improve civil society’s access to the OAS. The following section assesses the prospects for their future success.

**THE STRATEGIES — A WAY FORWARD?**

The *Strategies* aim to deepen the Guidelines, while rectifying some of the shortcomings that have been revealed in their application over the previous three years. One of the main goals of the *Strategies* is to increase the number of CSOs accredited by the OAS, primarily by publicizing the policy of accreditation throughout the Hemisphere. In addition to publicizing accreditation, the *Strategies* also attempt to promote it by making the status more attractive and meaningful, granting accredited organizations special treatment that will act as an incentive for their participation. Incentives, if offered systematically, will add to the value of
being accredited and will allow CSOs to be increasingly engaged and productive within the OAS.

**Improved Information Exchange**

As mentioned previously, one of the main problems CSOs currently face is the lack of reliable, updated and well-organized information. The Strategies contain initiatives to enhance information exchange between the OAS and the hemispheric public, improving the amount and quality of information that is available. One important article mandates the production and wide distribution of a single document containing basic information, including the rules of procedures of main OAS bodies, a greatly needed resource for all CSOs, especially those just initiating contact with the organization. Additional points include the creation of a restricted access website for accredited members, that would “promote an exchange of views...regarding OAS mandates, programs, and activities.” This is to be accompanied by the promotion of the OAS website as a “primary tool of information and participation.” Finally, the document provides for the circulation of draft GA documents and other draft conventions among accredited civil society organizations, giving them the opportunity to comment and make suggestions on the content of such documents.

**Expanded Participation**

These efforts to increase the amount and quality of information accessible to registered civil society complements and supports additional measures that have been included to broaden the topics and themes in which CSOs are involved. The Strategies include specific measures to optimize the opportunities for civil society engagement provided for in the Guidelines, as well to expand participation of CSOs beyond the Permanent Council (i.e., mainly the Committee) and the CIDI. The goal of deepening participatory discussions is evidenced by suggestions that the Permanent Council and its working groups include a larger number of actors in their deliberations by extending official invitations to CSOs. Broadening engagement beyond the Permanent Council is also encouraged, as member states are pressed to involve domestic civil society in official OAS conferences hosted by national governments and instruct the Committee to consult with CSOs and the “appropriate policy-making bodies” on conventions, and other legal and political instruments. Additionally, civil society participation at annual general assemblies is formalized by including an official dialogue between CSOs, the OAS Secretary General and foreign ministers in the agenda, to be organized (and it is hoped
financed) by the host government. Finally, the provisions also assign an expanded role for civil society beyond pure consultation in order to play a role in the implementation of initiatives; specifically soliciting accredited civil society assistance with the effective implementation of adopted GA resolutions.

Civil Society Harmonization

Finally, the Strategies contain tentative steps towards standardizing and harmonizing OAS processes, drawing on previous experiences and best practices to design one main consultation mechanism for civil society within the OAS. Harmonizing is, for the most part, a positive step. Under the current situation, CSOs, which often have multiple interests, are obliged to engage in discrete activities with various different bodies, using different mechanisms, some of which do not recognize the Guidelines — i.e., consultations on the Inter-American Democratic Charter. Having to become familiar with and prepare to participate in several, often parallel, processes can be expensive, time consuming and an inefficient use of resources. There is the risk that many potentially interested groups will be excluded due to lack of resources. Additionally, organizations may miss out because they are uninformed about disparate consultations originating in different departments, each with different procedures, requirements and goals. Producing a unified system, that incorporates the best of previous practices, would streamline the process and clarify the “rules of the game” for civil society organizations that are interested in participation in distinct aspects of the OAS. At this stage, a model has not been proposed for a harmonized system, but it would be logical to build on gains made with the Guidelines and the Strategies, and use them as a starting point for a larger mechanism/process.

Potential Problems

These measures contain the potential to rectify some of the main concerns with the CSO-OAS relationship, within the context of the Guidelines. However, it is possible that the incentives provided for accredited organizations may lead to cleavages between those who are and those who are not registered, perhaps worsening the perception of the “insider” and “outsider” labels applied to CSOs connected to the Summit and FTAA process. To avoid this perception, it is imperative that the OAS

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9 See Smith and Korzeniewicz (2001) for more details of these divisions.
promotes accreditation widely and that it is seen as the construction of a network, not as a way to “co-op” or control civil society. Given the contemporary international context in which CSOs operate, most realize that to affect change and influence policy, organizations must work on multiple fronts. Accreditation within the OAS must be viewed as a viable and useful way to share opinions and generate change.

The recent ratification of the Strategies by the Permanent Council provides a solid basis for fruitful exchange and substantive input by civil society in the future. Additionally, they offer some tangible and measurable activities that can be tracked, and their success and failure closely monitored. The Strategies also mark what is perhaps a shift in the actors and ideas that are prevalent within the organization, and underscore a growing sense within the region that it is no longer acceptable — at least superficially — not to include civil society in major decision-making processes: a step in the right direction. At present, it is too early to assess the success of the Strategies in furthering civil society participation in the OAS. The Chair of the Committee on Summits Management and Civil Society Participation in OAS Activities, until now held by Canada, is being handed over to Argentina in June of 2003. As the Committee has played a central role in advancing the civil society cause to date, the success of the Strategies will be determined by the ongoing resolve of the Committee in the coming years. Future achievements will also require a firm political commitment from the OAS member states as well as from the various units and bodies of the organization, whose expertise, technical and institutional collaboration will be needed. The commitment of sufficient human and financial resources will also be a key, determining factor.

THE STRATEGIES: SOME ENCOURAGING TRENDS

The implications of the Strategies, and the increased openness and commitment to civil society on the part of the member states that they represent, are tentatively being seen in key areas. These openings, while positive, are preliminary steps. The quality and productivity of the resulting CSO-OAS relationship will determine their ongoing value.

General Assembly

Civil society participation in the General Assembly is one area in which the effects of the Strategies are already being felt. Since the Thirtieth General Assembly in Windsor Canada in 2000, there has been an informal dialogue
among invited CSOs, the Secretary General and select foreign ministers. In the past, the organization of the dialogue has been left to the discretion of the host government, often with disappointing results. When held, these meetings have not been included in the official agendas of the foreign ministers, and a limited number of participants have attended. There has been a lack of funding dedicated to the event, and they have often been financed or subsidised by CSOs themselves. Basic meeting facilities, including space, translation and publicity have all been insufficient. However, positive changes have taken place in 2003. The Strategies institutionalized the dialogue, requiring that the meeting be added to the formal calendar, be held on a regular basis and organized (and hopefully financially supported) by the host country. The Thirty-Third General Assembly will be held in Santiago, Chile. The Chilean government has agreed to adhere to the provision of the Strategies and accept the responsibility for organizing and funding the event, in conjunction with the OAS Summit Secretariat and involved civil society organizations — a very positive step towards sustained civil society inclusion.

Summit of the Americas Secretariat
On May 31, 2002, the Secretary General strengthened the responsibility of the Summit of the Americas Secretariat (previously the Office of Summit Follow-up). The Secretariat will continue to coordinate the implementation of Summit mandates in the OAS, acting as the technical secretariat and institutional memory of the process by providing support to ministerial and sectoral meetings, as well as the SIRG and the Committee. In addition to these duties, the Secretariat will also play a larger role in coordinating the participation of civil society in the Summit process, as well as within the OAS. A constructive measure, it is hoped that the additional institutional support of the Secretariat will bolster further civil society involvement.

The First Public Meeting of the Summit Implementation Review Group (SIRG)
On April 2, 2003, the Summit Implementation Review Group held its first public meeting, inviting interested CSOs to attend a half-day session with the Summits’ national coordinators. The themes discussed included hemispheric security, governance and education and were chosen in preparation for the upcoming special Conference on Security, the 2003 General Assembly and the Meeting of Ministers of Education. The opening of the SIRG is an important symbolic step. It acknowledges the role that
Civil society has played a significant role in the Summit process to date, and creates opportunities for its continued and increased contribution. Attendance at the SIRG provides CSOs with updated, first-hand knowledge of what is happening in the Summit process — from drafting the Plan of Action to monitoring and follow-up.

**CONCLUSIONS**

Civil society organizations have become increasingly involved in the inter-American system in the past ten years. This new “hemispheric” civil society movement is comprised of national and international coalitions pressing their way on to new territory, actively engaging domestic governments, as well as regional and global bodies. The Plan of Action of the 2001 Quebec City Summit of the Americas commits signatories to develop “strategies...through the OAS, other multilateral organizations and MDBs to increase the capacity of civil society to participate more fully in the inter-American system...”. The OAS has taken steps to fulfill this commitment.

The Guidelines and the policy of accreditation were the first concerted effort made by the OAS to provide a permanent and recognized place for civil society within the organization. The process of accreditation is working smoothly, but the number of organizations officially recognized remains low. There is considerable work to be done to increase the number of accredited organizations to ensure a geographically and thematically representative group familiar with and committed to working within the OAS system. The Guidelines have proven useful at increasing legitimacy and building compromise, and at opening up spaces previously closed to civil society. While the Guidelines do provide access to previously inaccessible spaces, they do not go far enough to facilitate meaningful dialogue or promote a more active role for civil society. Shortcomings related to implementation include the lack of a coherent strategy for information sharing, insufficient support to facilitate CSO participation, as well as the need for an increase in the frequency and intensity of opportunities for collaboration.

The recently approved Strategies attempt to address some of the limitations of the Guidelines and their implementation. The new mandates contained in the Strategies go further to equip CSOs with additional tools and knowledge, which it is hoped will allow them to make informed and useful contributions. The implementation phase will decide the true extent of the
success of the Strategies. Ensuring sufficient resources, information, as well as commitment on the part of member governments to collaborate and engage, are among the top requirements for their future success. At the moment, there are positive signs that the concerns and fears of the detractors of civil society inclusion have been somewhat assuaged. The approval of the Strategies would not have been possible within the OAS only five years ago, demonstrating a greater willingness and political will among nation states to fully cooperate and collaborate with civil society. The OAS should continue to encourage its members to promote a more fertile ground for civil society to prosper, both domestically and in the Hemisphere.

The Summit of the Americas has had an impact on the internal workings of the OAS, and the commitment to civil society signed by the 34 member states in Quebec City is cited often in the official documents related to civil society reform. As the OAS proceeds with the implementation of the Strategies, makes preparations for the Special Summit to be held in Mexico in the fall of 2003, and plans the Fourth Summit of the Americas, the OAS member states, as well as civil society groups themselves should consider the following recommendations as they attempt to construct a rewarding and mutually beneficial relationship.

The OAS should:

- Make every effort to implement, in spirit and letter, the recently passed Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities, which provide a foundation for strong OAS-civil society relations.
- Ensure that the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities and the Summit of the Americas Secretariat have adequate budgets and institutional support in order to maintain their momentum and continue to facilitate greater civil society inclusion.
- Promote and support national member governments to strengthen participation by including a range of voices in their domestic discussions.
- Provide more support to those organizations that are accredited to the OAS. The complexity of the organization should not be a barrier to inclusion. Transparent and concise information about the OAS and the topics to be discussed, as well as clear timelines and suitable notification for events and meetings are needed. An “OAS 101” — an
initial briefing session on the OAS for newly accredited organizations — could be held concurrently with civil society meetings and should include a tour, introductions to and briefings by the heads of formal entities, as well as a briefing on organizational procedures and key activities of the OAS.

- Provide civil society the opportunity to move beyond simply participating in consultations, and begin to become involved in all phases of the project process — from the conception and planning to implementation, follow-up and evaluation.

- Conduct active efforts to educate and make civil society organizations, and the public at large across the Hemisphere, aware of the processes, work and relevancy of the OAS and of the accreditation process, and encourage them to take part in this important multilateral fora.

- Catalogue a quarterly or monthly list of CSO position papers that are received. This list should be circulated periodically to the Permanent Council for the information of member states.

Civil Society, for its part, should:

- Take advantage of the available spaces and build partnerships within the OAS, working to support and encourage the implementation of the Guidelines and Strategies. This would be beneficial to all involved, and contribute to building the trust and collaboration that a fruitful OAS-CSO relationship requires.

- Educate itself on the history, process and objectives of the OAS and be prepared to actively engage in relevant and current dialogue with the organization and member governments.

- Continue to be active at the domestic level, working in partnership with their national governments to affect change locally, as well as seek support for their multilateral initiatives.

Finally, national governments should:

- Support their domestic civil society, promoting their participation at the national and multilateral levels.

- Support further civil society inclusion at the OAS.
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