

THE SUMMITS OF THE AMERICAS AND THE INTER-AMERICAN SYSTEM

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Executive Summary

- The deadlock during the 2012 Summit of the Americas in Cartagena, Colombia exposed divisions in the hemisphere on issues such as Cuba and drug policy, and resulted in no common declaration. This situation calls for a thorough re-formulation of the objectives and methods of this process.
- After analyzing the inter-American system and the current institutional structure of the summit process, the paper points to its challenges and offers recommendations to address them for future gatherings.
- For the 2015 Panama Summit of the Americas, the evaluation and follow-up mechanisms should be improved to make sure that the process remains credible.
- Mandates in the next summit should bring concrete actions, set in place easily measurable tasks, and clearly identify the resources available to undertake actions in compliance with the summit mandates.
- Future summits in the future should restructure and better coordinate the work of inter-American institutions, in order to more effectively support governments in implementing the summit mandates.
- Specific summit mandates given to each inter-American institution should become part of the budgets and agendas of those organizations.
- Summits should provide effective follow-up mechanisms at the national level, as well as better coordination and efficiency of current follow-up mechanisms at the multilateral level.
- The follow-up of summit mandates should be done in closer cooperation with civil society.
- Summits of the Americas should only include those countries that maintain their commitments to democratic governance, human rights and rule of law.
- The Organization of American States (OAS) should become again the political heart of the inter-American system, centered on democracy, human rights, political and legal cooperation, security and electoral observation, while other functions are delegated to the system's specialized agencies.
- The Permanent Council should be replaced with a non-permanent Council of Ministers of Foreign Affairs. This Council would meet periodically with the OAS secretary general to be briefed about the implementation of the General Assembly and summit mandates.
- Inter-American institutions, especially the Inter-American Development Bank (IDB), should strengthen the current summit follow-up ministerial forums to better coordinate and foster cooperation in the implementation of mandates. This coordination should include regular consultation with civil society and the private sector.
- U.S. foreign policy should take note that Latin America is less economically dependent upon the United States than in previous historic moments. This reduces the political leverage of the United States in the summit process and increases the need for building diplomatic alliances and political will in the region.
- The paper ends by evaluating the current political dynamic of the relations between the United States and Latin America in the framework of the summit process.

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The Context

The Summit of the Americas is the only conference where all 34 democratically elected heads of state and government of the Western Hemisphere gather to discuss issues of common interest, affirm their shared values, and agree to take concerted action at national and regional levels. The Summit of the Americas is a process involving multiple actors: governments, international organizations, financial institutions and civil society. As such, at least in theory, it is the body that defines and articulates the vision and architecture of the inter-American system.

The construction of the first institutions of the inter-American system began with the first American Conference held in Washington in 1889, when the Latin American countries and the United States decided to organize a set of legal rules and common institutions, based on shared principles: sovereign equality of states, the principle of non-intervention, non-use of force and peaceful settlement of disputes. This first conference was followed by others, which approved a series of important treaties in public and private international law. At the same time, many inter-American institutions were created in the early years of last century to concentrate on cooperation in areas of health, children, the rights of women, legal issues, agriculture and commerce.

During the period between 1889 and 1948, known as the era of Pan-Americanism, many agreements were adopted to ensure peace among the American States, as well as resolutions and agreements to facilitate trade and legal cooperation. The first inter-American institutions were also created during the Cold War and in the context of the dominant U.S. anti-communist foreign policy in the region. In 1947, the Treaty of Reciprocal Assistance (Rio Treaty)¹ established new procedures for regional collective defense. In 1948, the Treaty on Pacific Settlement of Disputes marked a milestone in the efforts to ensure the peaceful settlement of disputes among American States at the regional level.²

All these initiatives were incorporated into the Organization of the American States (OAS), a regional organization created during the Ninth Conference of American States in Bogotá in 1948. During the years of the Cold War, the OAS was often the scene of memorable disputes, as happened with the missile crisis in Cuba (1962), and the U.S.

invasions of the Dominican Republic (1965) and Grenada (1983).

Today, the OAS has 35 member states, from Canada to Argentina through the Caribbean and Central America, and 68 permanent observer states, including China and Russia. It covers an area of 42 million square kilometers and a population of over 900 million. The OAS is the lead organization of the so-called inter-American system. The different organizations that form part of the system exercise specific functions in technical matters of common interest to the American States: the Inter-American Children's Institute (IIN), the Inter-American Commission of Women (CIM), the Inter-American Indian Institute (III), the Inter-American Institute for Cooperation on Agriculture (IICA), the Pan American Health Organization (PAHO), the Pan American Institute of Geography and History, and the Inter-American Court of Human Rights. The OAS also has two autonomous organs, the Inter-American Juridical Committee (IAJC),³ and the Inter-American Commission of Human Rights (IACHR).⁴

At the core of this inter-American system, however, are the two regional institutions: the OAS and the Inter-American Development Bank (IDB), which were mandated by the Miami Summit in 1994 to support governments in the implementation of the Miami Plan of Action. The IDB, the oldest and largest regional multilateral development institution, was established in December 1959 to help accelerate economic and social development in Latin America and the Caribbean.

While the inter-American summit process only started in 1994, before this date two presidential summits had taken place under the auspices of the OAS. The first presidential summit was held in July 1956, when 19 American presidents met in Panama City, Panama. It was during this presidential summit that the IDB was created. The second summit, held in April 1967 in Punta del Este, Uruguay, convened 19 hemispheric leaders, plus a representative from Haiti. Their aim was to strengthen the Alliance for Progress, which was President Kennedy's initiative to promote development and peaceful relations in the Americas.⁵ The summit's final declaration included the creation of a Latin American Common Market by 1980, albeit without the United States, and multilateral cooperation in infrastructure development, agriculture, arms control and education.

The Summit of the Americas process (“summit process”) was established in 1994 in Miami and was not held under the auspices of the OAS, but at the invitation of U.S. President William J. Clinton to all democratic leaders of the Americas.

The summit process is a set of meetings at the highest level of government decision making in the western hemisphere. It follows commonly agreed-upon political principles and has institutional elements. According to the political principles adopted in the different summits and in the Inter-American Democratic Charter (IADC), only democratically elected governments can participate in the process. The institutional elements are the mechanisms and bodies in charge of the process, decision making, implementation and follow-up. The decisions are usually made by consensus.

Since 1994, the following summits have been held: Miami, United States (1994);⁶ Santa Cruz, Bolivia (Sustainable Development, 1996);⁷ Santiago, Chile (1998);⁸ Quebec City, Canada (2001);⁹ Special Summit of Monterrey, Mexico (2003);¹⁰ Mar del Plata, Argentina (2005);¹¹ Port of Spain, Trinidad and Tobago (2009);¹² and Cartagena de Indias, Colombia (2012).¹³

In addition, since the return to democracy in Latin America, a proliferation of intra-regional, regional and sub-regional summits has taken place: Ibero-American Summits (Spain, Portugal and Latin American countries), the Latin America and Caribbean Summit for Integration and Development (all the countries of the Americas, excepting the United States and Canada), the European Union – Latin America and Caribbean Summits, and sub-regional meetings such as CARICOM (only Caribbean countries), ALBA (Bolivia, Cuba, Ecuador, Nicaragua, Venezuela, Dominica, Surinam, Saint Lucia, Saint Vincent and the Grenadines) and UNASUR (South American countries). As C. Dade has pointed out, “In many cases these other Summits have competing agendas, competing ministerial lead-up meetings, calls for action and offer access to different resources and implementation schemes, all of which put a severe strain on countries of the hemisphere with limited human and institutional resources.”¹⁴

Summitry Follow-Up System

The institutionalization of the summit process requires the establishment of a follow-up mechanism with a na-

tional as well as an inter-American dimension. This mechanism must ensure that decisions taken by heads of state and government during the summits are translated into concrete and relevant actions for the people of the Americas. Unfortunately, despite efforts of the national coordinators, the governments have not yet established a national framework for monitoring the implementation of summit mandates.

At the multilateral level, increasing participation from the OAS and other inter-American institutions has allowed for some actions and initiatives to be taken in compliance with summit mandates. For example, the OAS General Assembly has consistently adopted resolutions that incorporate the summit mandates into the work of the OAS. But further action must be taken by the financial institutions to better coordinate the efforts of all the multilateral institutions.

In that context, the most important mechanism for the summit follow-up is the Summit Implementation Review Group (SIRG), which is also the core management body of the summit process.¹⁵ All 34 democratically elected governments of the hemisphere are represented in the SIRG by their appointed national coordinators. The OAS acts as the SIRG’s technical secretariat and provides support for its meetings, the ministerial meetings, and specialized conferences, and also coordinates the participation of civil society. The structure of the summit follow-up process also includes periodic meetings of ministers or high-level officials from the following sectors: justice, defense, culture, education, science and technology, gender, labor, public security and social development.

At the Third Summit of the Americas in Quebec City, Canada, the heads of state and government of the Americas expressed support for closer collaboration among the organizations of the inter-American system, to foster efficient use of resources while optimizing effectiveness, avoiding duplication of mandates, increasing funding opportunities and ensuring that summit initiatives are implemented in a coherent manner. In response to this mandate, the Joint Summit Working Group (JSWG) was created. The JSWG includes the OAS, the IDB, the Pan-American Health Organization (PAHO), the Inter-American Institute for Cooperation on Agriculture (IICA), the Central American Bank for Economic Integration (CABEI), and the Andean Corporation

(CAF). Other global institutions also joined the group: the U.N. Economic Commission on Latin America and the Caribbean (ECLAC), the International Organization for Migration (IOM), the International Labor Organization (ILO), and the United Nations Development Program (UNDP), all of which provide technical support to the SIRG.

Summits of the Americas: From Euphoria to Fragmentation

The summit process was a hemispheric initiative to rebuild the inter-American system in a new international scenario defined by the end of the Cold War. The heads of state and government of the Americas wanted to discuss an agenda tuned to the new global and regional circumstances. At the Miami Summit, all the 34 governments of the Americas, from Alaska to Patagonia, with the exception of Cuba, were representative democracies ready to commit themselves to collective defense of democracy and free market economies. In this context, the summit process reorganized the OAS by adapting debates and procedures to the new political, economic and social conditions of the world and the region, under shared principles.

This new era in hemispheric relations was characterized by the revitalization of multilateralism, which acted as a catalyst for the modernization of the inter-American institutions. The Miami Summit was special because it was the first meeting of the hemisphere's leaders in 30 years. It confirmed that regional relations had changed dramatically, and were characterized by cooperation rather than by conflict. More than anything else, Miami was a celebration of convergence of shared interests and values. The existence of new players, including Caribbean countries and Canada, as well as a broad consensus on the political and economic principles based on tenets of democracy and market-oriented economy, allowed for unprecedented political cooperation and economic integration in the hemisphere.

The heads of state and government of the Americas decided to meet on a regular basis in order to define the priorities of the new hemispheric agenda. This decision to institutionalize the meetings led to the notion of a "summitry process," where experiences are exchanged, a common language is forged, and mandates for collective action are programmed,

thereby systematizing the new theoretical and practical references in regional relations.

The results of the first four hemispheric summits (Miami, Santiago, Quebec, and Santa Cruz on Sustainable Development), show that it is possible to achieve agreements based on common values, priorities and challenges. From Miami to Quebec, the role of the OAS was redefined as a political body of the inter-American system, primarily in charge of promoting and protecting democracy, rule of law and human rights in the Americas.

One positive outcome of the hemispheric summit process in the 1990s was the revitalization and reorientation of the OAS. After several decades as an instrument of the ideological confrontation of the Cold War, the OAS was assigned new mandates that have reshaped its actions. The summits defined a new process of cooperation based on the convergence of political (democracy), economic (open economies), and social (collective action toward equity) visions. In this context, the OAS became the technical secretariat to the summitry process. As a result, the OAS played a significant role in solving political crises in Bolivia (2003), Dominican Republic (1994), Guatemala, Haiti (1994), Paraguay (1996), and Peru (2000).

However, in the 18 years following the Miami Summit of the Americas, the mood of the region has changed and diverging views have shattered the consensus of the 1990s. The limited success of the Mar del Plata, Port of Spain and Cartagena summits reveals that deep divisions have emerged in the Americas.

The Summit of the Americas in Cartagena: The Beginning of the End?

The Cartagena Summit highlighted these divisions. Just 31 presidents and heads of state attended; all previous summits had all 34 presidents. The presidents of Ecuador, Nicaragua and Venezuela (President Chávez had health problems) were absent. The Argentinian and Bolivian presidents departed from the meeting before its conclusion. And there was a lack of consensus on the final declaration due to political tensions between the United States and some Latin American countries. Clearly, what is at stake today is not only the future of the summits, but also the very future of the inter-American system itself.

Although the content of the draft of the final summit declaration focused on physical integration and regional cooperation, political differences arising in the general debate prevented its approval. In particular, the Latin American delegations and the United States and Canada were unable to resolve the question of Cuba's participation in future summit meetings and the vindication of Argentina over the Malvinas/Falkland Islands.

Strong ideological differences prevail among the countries of the region and some regimes reject the political principles and commitments to representative democracy, open markets and hemispheric integration on which the summit process was built 18 years ago.¹⁶ Last year, Venezuelan President Hugo Chávez proposed the creation of an "anti-imperialist" organization, without the United States and Canada. Likewise, in November 2011, Ecuadorian President Rafael Correa confirmed his comments about replacing the OAS by the "Community of Latin American and Caribbean States" (CELAC).¹⁷ CELAC was formed in December 2011 and it brings together the Caribbean Community (CARICOM), the Union of South American Nations (UNASUR), Central America and Mexico. The organization has a commitment to cooperate in infrastructure development: roads, communications, technology, energy, trade, security, poverty alleviation and other related issues.

After accusing the OAS of being biased in favor of hegemonic nations and serving as an instrument of the United States, Correa expressed his view that CELAC should be the new forum for conflict resolution in Latin America. Correa also questioned whether the Inter-American Commission on Human Rights (IACHR) is headquartered in Washington, D.C.¹⁸ On the same line, the Bolivarian Alliance for the Peoples of our America (ALBA) presidents proposed that the CELAC should have its own democracy provisions, which would be limited to preventing coups rather than upholding the principles of representative democracy. A week after the Cartagena Summit, President Chávez announced that Venezuela would withdraw from the American Convention on Human Rights, the principal human rights treaty of the system. Chávez and other presidents, such as Rafael Correa and Daniel Ortega, expressed hope that the new organization would further Latin-American integration, end United States' hegemony, and consolidate control over regional affairs.¹⁹ With the exception of the ALBA countries,

the rest of CELAC's member states have no intention of replacing the OAS. At this stage, CELAC is more symbolic than effective.

In addition, for the first time in the tumultuous regional history of Latin America, the United States is no longer the source of conflict, as it was in the past. Instead, political provocation comes from a group of Latin American countries that is walking away from the summit commitments. These countries have a different view of democratic governance, according to which democracy is defined exclusively on the basis of conducting popular elections. In this authoritarian shift, individual rights are marginalized in favor of the abstract interests of the collective. In an official publication, the Bolivian vice president explains this new vision: "This is the moment in which antagonistic groups in our society with irreconcilable societal projects must settle their existence in an open, naked, battle of forces. Confrontation is the only resort to resolve the social struggles when no other possibilities are left. That was what happened in Bolivia..."²⁰ In a similar vein, President Chávez of Venezuela has said that "representative democracy for Venezuela has been a trap, and our Constitution compels us to strive for participatory democracy."²¹

Although the general scenario for hemispheric relations is negative and brings serious concerns for the future of the summit process, we highlight a few positive outcomes of the Cartagena Summit:

- All 34 summit leaders achieved consensus on all the paragraphs of the draft final declaration related to development, cooperation, violence and insecurity, energy, and education. The declaration was not approved because of lack of consensus among the presidents on two specific issues: Cuba and drugs.
- On the issue of drugs, although Cartagena Summit leaders did not agree on a formula for tackling this problem, they laid the basis for future multilateral discussions on this recurrent theme in the dialogue between Latin America and the United States. The heads of state and government of the Americas mandated the OAS to analyze and propose a new regional anti-drug strategy.²²

- There was an open and frank discussion among the presidents on crucial development issues. No issue was excluded from the discussions, not even Cuba or the fight against drugs.

The Policy Challenge: Focusing on the Core Mission of Democracy and Poverty Reduction

The central challenges for the governments of Latin America and the Caribbean in the next years are to reduce poverty levels and income inequality and increase the supply and quality of education, jobs, infrastructure, and health care—all of which requires sustained economic growth. For that reason, the five pillars of the draft Declaration of Cartagena, which unfortunately was not approved for the reasons cited above, nonetheless was a move in the right direction because they revolved around issues related to building prosperity.

On the other hand, there is a growing concern about the quality of democratic governance in many countries in the region. There is no doubt that commitment to democracy, human rights and the rule of law is at the core of the summit process and is the starting point of hemispheric integration. At the time of the negotiations of the Miami Summit, most Latin American countries had recently restored their democracies after long periods of oppression by military dictatorships. Governments wanted to create regional mechanisms to protect the new democracies and to prevent the return of military dictators or populist “caudillos.” Until the Summit of the Americas in Quebec, Canada, there was consensus on a rational reorganization of democratic societies in the Americas that, using Isaiah Berlin’s words, “would put an end to spiritual and intellectual confusion, the reign of prejudice and superstition, blind obedience to unexamined dogmas, and the stupidities and cruelties of the oppressive regimes which such intellectual darkness bred and promoted.”²³

This view, which forms the basis of all progressive thought about democracy since the 19th century, was also reflected in the Inter-American Democratic Charter: “The people of the Americas have a right to democracy and their governments have an obligation to promote and defend it.” Likewise, the heads of state and government declared in the Declaration of Quebec City: “We acknowledge that the values and practices of democracy are fundamental to the advancement of all our

objectives. The maintenance and strengthening of the rule of law and strict respect for the democratic system are, at the same time, a goal and a shared commitment and are an essential condition of our presence at this and future Summits. Consequently, any unconstitutional alteration or interruption of the democratic order in a state of the Hemisphere constitutes an insurmountable obstacle to the participation of that state’s government in the Summit of the Americas process.”²⁴

As a consequence, in 2001, the vast majority of the governments of the Americas agreed that the summit process was based on the values of democracy and rule of law. As Richard Feinberg and Robin Rosenberg rightly wrote after the Quebec Summit: “Fusing the historic march toward democracy with the powerful incentives and benefits of economic exchange is a strategic victory for the Hemisphere. Inter-American summitry appears to have buried the longstanding view that ‘national sovereignty’ prevented a collective defense of universally accepted international norms and common values.”²⁵

Recommendations to Strengthen the Role of Inter-American Institutions in Implementing the Mandates of the Summit Process

If and when the next Summit of the Americas takes place in Panama, the evaluation and follow-up mechanisms should be improved to make sure that the process remains credible. Mandates in the next summit should:

- Bring concrete actions in order to engage countries to include in their national budgets and public policies concrete references to accomplish their commitments in the summit process; likewise, regional institutions should include summit mandates in their agendas;
- Set in place easily measurable tasks and benchmarks; and
- Clearly identify the resources available to undertake actions in compliance with the mandates.

Since the summit is now an institution, in the sense that it is held regularly, the critical issue remains the credibility of the process. Unfortunately, until now, there has been limited engagement of multilateral institutions in helping to finance summit activities and as a result, there are a large number of unfunded summit mandates. Therefore, a priority of the summit should be to restructure and better coordinate the work of the institutions that already exist, but are scattered

throughout the system. The aim of this measure should be to effectively support governments in implementing the summit mandates. Presidents of the summit member states are in the best position to ask their ministers of foreign affairs and finance—who govern the OAS and the IDB—to align these multilateral institutions in an effective way with the summit's priorities. Specific mandates given to each institution should be part of their budgets and agendas. A serious problem is that summit mandates are made without specific funding commitments, making it difficult to move forward on several development agreements. An increase in the political will of both governments and financial institutions is necessary.

Taking into account the previous remarks, the summit as an institution must thus provide follow-up mechanisms at the national level, as well as better coordination and efficiency of current follow-up mechanisms at the multilateral level.

To do so, the author recommends the following actions for future summits.

Follow-up mechanisms at the national level

The most efficient way to achieve this would be to institutionalize a periodical publication and distribution of reports on all actions undertaken by governments at a national level in response to different summit mandates. As suggested by some countries, this follow-up process could be monitored by the troika²⁶ in collaboration with the Office of Summit Follow-up. The monitoring process would consist of collecting and organizing the information, in order to render governments accountable on a regular basis and in a public manner.

The national reports should be similar in both format and organization, in order to ensure an easy and efficient measure of the progress or setbacks occurring in every country. Such a unified follow-up mechanism would also ensure a fast and adequate response when further actions and efforts are needed, either from the national government or at a multilateral level.

Follow-up mechanisms at the multilateral level

There must be a more coordinated follow-up mechanism among the various inter-American institutions that are implicated in the summit process. These institutions are the OAS, the IDB, the World Bank, the Pan-American Health Organization (PAHO), the Economic Commission

on Latin America and the Caribbean (ECLAC), and the Inter-American Institution for Cooperation in Agriculture (IICA). The Office of Summit Follow-up should prepare, at least once a year, a report on all activities related to the actions and activities of the institutions of the inter-American system that have occurred between summits.

Such a coordinated report would present a unified and coherent version of the progress being made at a multilateral level. It would avoid a duplication of effort, and ensure once again a cohesive and adequate follow-up mechanism.

Follow-up mechanisms with civil society, the media and the private sector

The efforts to establish a proper follow-up mechanism should take into consideration civil society actors, as well as the media and the private sector. Civil society actors can be helpful in two ways in the implementation of summit mandates. First, they can work in collaboration with governments in their area of specialization. Second, they can contribute to greater accountability of governments by monitoring national efforts to act in compliance with mandates, and pressuring them to do so if they fail.

The role of the media is similar. The summit process remains unknown to many social and political actors in the Americas, as well as to citizens in general. The media should be more involved in the summit process, in order to make the process known and understood. The lack of information is a major obstacle to the current implementation structure. Governments are more likely to act in accordance with summit mandates if the process is well known to citizens and key actors, who can then demand greater accountability.

Redefining Relations between the Summit Process and the OAS

During the Miami Summit, the OAS was assigned a particularly important role in following up on the various decisions by the Summit Plan of Action, specifically in connection with the following mandates:

- Strengthening democracy and protecting human rights
- Combating corruption

- Eliminating the threat of national and international terrorism and organized crime
- Promoting free trade in the Americas
- Improving telecommunications and information infrastructure
- Promoting cultural values
- Combating the problem of illegal drugs and related crimes
- Cooperating in science and technology
- Strengthening the role of women
- A forum for the strengthening and defense of democracy
- A space for non-violent conflict resolution between countries of the region

The OAS should be the political heart of the system, centered in democracy, human rights, juridical and political cooperation, security and electoral observation. It should serve as a forum to promote and protect representative democracy, to define common policies, and to peacefully resolve disputes. Activities such as cooperation for development, infrastructure, education, science and technology, or decentralization should be left to the IDB, which has the expertise and resources to carry out those activities.

Summits have reinvigorated the OAS by giving it mandates to pursue a contemporary agenda. For example, as the author noted in the Summits of the Americas Bulletin in 2002: “In the case of the OAS, while the relationship between non-state actors and the Organization in some technical areas dates back to the first years of its existence, it is only with the establishment of the Summits of the Americas that this issue has been integrated into the inter-American agenda.”²⁷

Another example is the Inter-American Convention Against Corruption. A product of the Miami Summit, this unprecedented accord has been ratified by 20 countries. The OAS’s Working Group on Probity and Public Ethics has been promoting the exchange of “best practices” and domestic legislature reform, and established a follow-up mechanism for expert review of country-level compliance.

Nevertheless, beyond all those mandates, the main question today is: how can the OAS become an effective and credible hemispheric political forum where relevant regional issues can be discussed? The OAS has the potential, the capability and the vocation to be a relevant political organization involved in relevant political issues in the region. For example, it could be:

- A political forum for multilateral political and juridical efforts
- A center for the exchange of experiences, policy definitions, agreements and collective action in the hemisphere
- A forum capable of reaching out to all distinct sectoral policies and opening itself to constructive civil society cooperation

In order to be effective, the OAS needs a more autonomous secretariat, where the secretary general should report his or her activities directly to the ministers of foreign affairs on a regular basis. Likewise, the secretary general should have a secretariat with a highly effective professional and specialized staff. In order to improve the capabilities of the OAS to function as a relevant and effective political center of the inter-American system, the General Assembly should appoint a high-level commission of experts in regional affairs to suggest reforms to the OAS Charter. This could be modeled after the external report of the World Bank Group’s governance, headed by former Mexican President Ernesto Zedillo, which provided a series of recommendations supporting further governance reforms.²⁸

These reforms of the OAS Charter should include the possibility of replacing the Permanent Council with a non-permanent Council of Ministers of Foreign Affairs. This Council would meet periodically with the secretary general of the OAS, to receive information regarding the implementation of the General Assembly and summit mandates. Such a reform would avoid the micro-management and inefficiencies of the current system, and allow greater professional autonomy for the OAS to address summit mandates. At the same time, the elimination of the Permanent Council would save significant resources for both the organization and the governments—resources that could be redirected to support the institutional capacity of the OAS to address their mandates. In any case, if the secretary general needs to make urgent inquiries to the governments, he can meet with the ambassadors of the region to the White House.

(Actually, that is already the case for most of the Caribbean ambassadors in Washington, who have only one representative to the OAS and the White House.)

Redefining Relations between the Summit Process and the IDB

The Miami Summit called on the IDB to support the activities specified in this plan of action. The policies agreed upon in the recently completed augmentation of its capital and replenishment of the Fund for Special Operations already move in the directions identified and should receive special emphasis. The IDB has a particularly important role in connection with the following:

- Universal access to education
- Equitable access to basic health services
- Encouraging micro-enterprises and small businesses
- Partnership for Sustainable Energy Use
- Partnership for Biodiversity
- Partnership for Pollution Prevention

In addition, the action plan envisages roles for the IDB and its affiliates in the following areas:

- Invigorating society/community participation
- Combating corruption
- Free trade in the Americas
- Capital markets development and liberalization
- Hemispheric infrastructure

Specific recommendations for aligning the IDB's agenda with the summit mandates include:

- The future declarations or plans of action of the Summits of the Americas should clearly establish the role and added value of each organization in implementing summit mandates, and require that each cater to their own competence. This would avoid duplication and conflicts. The OAS has jurisdiction over democracy, politics, juridical matters and security, and the IDB has responsibility for advancing economic development.

- Governments should produce a realistic set of priorities and benchmarks. Better monitoring and evaluation systems would help to improve the accountability of the institutions.
- Initiatives should be crafted to contain achievable and practical goals and realistic timetables.
- Mandates should be assigned to specific institutions with adequate technical and financial resources.
- Ministries of Finance, as well as IDB officials and the Executive Board, should get more involved in the summit negotiation process as well as in the implementation activities. The IDB should become more integrated into the summit preparation and implementation, and should establish internal mechanisms to promote summit mandates in its own bureaucratic structure.
- A more cohesive inter-American system requires an effective cooperation and coordination between the OAS and the IDB. Officials of the institutions of the inter-American system who are responsible for overlapping issues should work within the Joint Summit Working Group to exchange information and, if necessary, engage in joint projects.

Recommendations for Other Actors

Ministerial Meetings

Prior to Miami, the inter-American system consisted essentially of meetings of foreign ministers under the umbrella of the OAS. The Summits of the Americas have catalyzed a series of ministerial meetings that have expanded the regional agenda. For example, ministers of finance now meet to review macroeconomic trends, promote banking reform and combat money laundering. Ministers of energy foster pilot projects enhancing energy efficiency and conservation. Ministers of defense meet to promote confidence-building measures. Ministers of justice and attorneys general gather to share experiences in law enforcement. The summit process should strengthen these ministerial forums to better coordinate and foster cooperation in the implementation of mandates. These meetings should include consultation mechanisms with civil society and the private sector. Ministerial meetings should have an effective

tive role in monitoring and evaluating the process within their own competencies.

Parliamentary Participation

The Parliamentary Conference of the Americas (COPA) should be strengthened as a vehicle to coordinate the inputs of the national parliaments to the summit process. Parliamentary representatives to COPA should include all the political parties represented in the respective legislatures.

Civil Society and Private Sector Participation

The participation of the private sector should be regularized in the summits' preparatory process and civil society participation should be reinforced.

The United States and the Summits of the Americas Process

The original idea of the summits was to reorganize the inter-American system around the commitment “to preserve and strengthen our democratic systems for the benefit of all people of the Hemisphere and pursue prosperity through open markets, hemispheric integration, and sustainable development.” The reality is that today, the summit process no longer stands for those principles that gave rise to a new inter-American system. The summit process is no longer conducive to approximating the strategic vision of all the countries of the Americas, which have different interests and varying capabilities to respond to structural changes in the global economy. That is to say that multilateralism is successful only when it reflects a convergence of interests and values.

As a result, the inter-American system confronts a deep identity crisis that calls into question the basic principles upon which the system was built. At the same time “it also signals a further weakening of the already strained hemispheric system of diplomacy, built around the Organization of American States (OAS), which has struggled to remain relevant during a time of rapid change for its members.”²⁹

The decay of the summit process and the weakening of the hemispheric system, coupled with the rising influence of the regional integration schemes that do not include U.S. and Canadian participation—such as ALBA, UNASUR, and the recently created CELAC—demonstrate a broader trend of

declining U.S. influence in the region. Since the Summit of the Americas in Mar del Plata, relations between the United States and Latin America have reached their lowest point since the end of the Cold War.³⁰ In that context the hardest question for the United States today is this: How can it deepen its relations with Western Hemisphere countries without neglecting the founding principles of the summit process of democracy, freedom and free markets?

Notoriously, the previous and the current U.S. administrations have paid little attention to their neighbors, who, in turn, have sought to diversify their relationships elsewhere. Indeed, if the United States is less interested in Latin America, it's also true that Latin America is less economically dependent upon the United States. The region no longer counts on U.S. cooperation to promote growth. On the contrary, many countries have become surplus economies that have accumulated substantial reserves. China is now the largest trading partner of major Latin American countries. China's demand for commodities has allowed Latin American countries to mitigate the impact of the global recession and deploy a steady rate of growth much higher than in industrialized countries. According to a recent ECLAC report, the economies of China and of the Latin American and Caribbean region over the coming years will grow two or three times as quickly as the industrialized economies, which will have to adjust to slower growth and higher unemployment.³¹

Consequently, Washington is forced to react so as not to lose further ground in a region that has had multiple conflicts in the past but is now growing rapidly, and has become an attractive center for business and investment. The United States continues to exert considerable influence with the majority of countries in the region. Latin American countries are also ideologically fragmented, and the White House can still count on friendship and support from the presidents of the most successful economies of the region. But the United States needs to renew its commitment to those countries. As President Santos said, “it's time to rethink relations between Latin America and North America, it is time to overcome stereotypes of the past like that Latin America is a conflictive region or that America is an imperialist power.”³² Or as President Obama has pointed out, it's time to open a “new era” with Latin America, considering that among them is “one of the world's more dynamic com-

mercial relations,” while stressing the need to preserve democracy and civil rights.³³

Finally, regarding Cuba, we have to keep in mind that the process of Summits of the Americas was created on the basis of respect for the democratic system and the acceptance of free market economies. That was the reason Cuba was excluded from the summits. If some countries want to change the philosophy and the foundations of the process, they would have to set forth a new regional system, such as the proposed CELAC. Otherwise, the Summits of the Americas should only include the countries that keep those commitments.

In a report on Cuba released in 2012, the Inter-American Commission of Human Rights reiterated that “restrictions on political rights, freedom of expression and dissemination of ideas have created, over a period of decades, a situation of permanent and systematic violations of the fundamental rights of Cuban citizens.”³⁴ Likewise, in a report released this year, Amnesty International said that “The Cuban authorities continued to stifle freedom of expression, association and assembly, in spite of the much publicized releases of prominent dissidents. Hundreds of pro-democracy activists and dissidents suffered harassment, intimidation and arbitrary arrest.”³⁵

On the other side, the United States has to review its more than half-century embargo on Cuba, which has failed to promote the desired reforms in the island.

We are in the midst of a confusing but promising historical transition. Its success rests not so much in what we believe as a region as on how we protect those values of freedom, democracy, cooperation, tolerance and social justice.

Endnotes

¹ Rio Treaty (Inter-American Treaty of Reciprocal Assistance), signed September 2, 1947, and originally ratified by all 21 American republics. Under the treaty, an armed attack or threat of aggression against a signatory nation, whether by a member nation or by some other power, will be considered an attack against all. <http://www.oas.org/juridico/english/sigs/b-29.html> (accessed on May 30, 2012).

² Jean Michel Arrighi, “L’Organisation des ÉL’Organisation et le Droit International,” *Recueil des Cours de l’Académie de Droit International de La Haye*, 2012 (in press).

³ The IAJC is an advisory body of the OAS on juridical matters that promotes the progressive development and the codification of international law.

⁴ The IACHR promotes the observance and protection of human rights and serves as a consultative organ of the OAS in these matters.

⁵ See the address by President Kennedy at a White House reception for Latin American diplomats and Members of Congress, March 13, 1961. Available at: <http://www.fordham.edu/halsall/mod/1961kennedy-afp1.html> (Accessed May 30, 2012).

⁶ First Summit of the Americas Declaration of Miami, December 9-11, 1994. Available at: http://www.summit-americas.org/i_summit/i_summit_dec_en.pdf (Accessed May 30, 2012).

⁷ Summit of the Americas Declaration of Santa Cruz de la Sierra on Sustainable Development, December 7-8, 1996. Available at http://www.summit-americas.org/summit_sd/summit_sd_dec_en.pdf (Accessed May 30, 2012).

⁸ Second Summit of the Americas Declaration, Santiago, Chile, April 18-19, 1998. Available at http://www.summit-americas.org/ii_summit/ii_summit_dec_en.pdf (Accessed May 30, 2012).

⁹ Third Summit of the Americas Declaration, Quebec City, Canada, April 20-22, 2001. Available at http://www.summit-americas.org/iii_summit/iii_summit_dec_en.pdf (Accessed May 30, 2012).

¹⁰ Special Summit of the Americas Declaration, Monterrey, Mexico (“Declaration of Nueva León”), January 12 - 13, 2004. Available at http://www.summit-americas.org/sp_summit/sp_summit_dec_en.pdf (Accessed May 30, 2012).

¹¹ Fourth Summit of the Americas Declaration, Mar del Plata, Argentina, November 4-5, 2005. Available at http://www.summit-americas.org/iv_summit/iv_summit_dec_en.pdf (Accessed on May 30, 2012).

¹² Fifth Summit of the Americas Declaration, Port of Spain, Trinidad and Tobago, April 17-19, 2009. Available at http://www.summit-americas.org/V_Summit/decl_comm_pos_en.pdf (Accessed May 30, 2012).

¹³ Sixth Summit of the Americas: Cartagena de Indias, Colombia, April 14-15, 2012, with no final declaration adopted.

¹⁴ Sixth Summit of the Americas: Cartagena de Indias, Colombia, April 14-15, 2012, with no final declaration adopted.

- ¹⁵ Carlo Dade, "Will There Be Another Summit of the Americas? A Case for Reform," Canadian Foundation for the Americas, Canada, 2009.
- ¹⁶ The SIRG's work was recognized, among others, in paragraph 74 of the Declaration of Mar del Plata, 2005: "We recognize the pivotal role that the OAS plays in the implementation and follow-up of Summit mandates, and we instruct the General Secretariat to continue to act as technical secretariat; provide support for meetings of the Summit Implementation Review Group (SIRG), ministerial meetings, and specialized conferences; coordinate the participation of civil society; and ensure the dissemination of information on the Summits Process and the commitments adopted by the countries."
- ¹⁷ As stated in the 1994 Miami Declaration of the Summit of the Americas: "For the first time in history, the Americas are a community of democratic societies. Although faced with differing development challenges, the Americas are united in pursuing prosperity through open markets, hemispheric integration, and sustainable development. We are determined to consolidate and advance closer bonds of cooperation and to transform our aspirations into concrete realities."
- ¹⁸ *Ecuador Times*, November 23, 2011. Available at www.ecuador-times.net/topic/oas/ (Accessed June 2, 2012).
- ¹⁹ Agencia Pública de Noticias Andes, Ecuador, April 26, 2012; *Hoy*, Ecuador, February 12, 2011.
- ²⁰ Jorge Rueda et al., "Leaders of the Americas Talks: World economy top worry," *Associated Press*, p. 1, December 3, 2011.
- ²¹ A. Garcia Linera, "Las Tensiones Creativas de la Revolución," (La Paz, Bolivia: Vice Presidency of the Plurinational State of Bolivia, 2011).
- ²² Hugo Chávez, pronouncement at a conference at New York University, January 12, 2002. <http://archivo.diariodeavisos.com/epoca1/2002/01/13/noticias/internacional/13DA87A.html> (Accessed June 20, 2009).
- ²³ Jenny Gonzales, "Desencuentros Inesperados," *América Economía*, April 15, 2012. Available at: <http://www.americaeconomia.com/revista/internacional/411> (Accessed June 4, 2012).
- ²⁴ Isaiah Berlin, *The Idea of Pluralism* (New York: Penguin Putnam Inc., 1995).
- ²⁵ Summit Of The Americas Secretariat, "Declaration of Principles of the Summit of the Americas," Quebec City, Canada, April 2001. Available at: www.summit-americas.org.
- ²⁶ Richard Feinberg and Robin Rosenberg, "The Power of Summits and the Collective Defense of Democracy," *Summits of the Americas Bulletin* 1, No. 1, November 2001, p. 8.
- ²⁷ The SIRG is chaired by the host of the summit and co-chaired by the country that hosted the last summit and the country that will host the next summit ("troika").
- ²⁸ Jaime Aparicio, "Civil Society and the Summit Process," *Summits of the Americas Bulletin*, 1, No. 3, p 4, June 2002.
- ²⁹ High Level Commission on Modernization of World Bank Group Governance, "Repowering the World Bank for the 21st Century," October 2009. Available at: <http://siteresources.worldbank.org/NEWS/Resources/WBGovernanceCOMMISSIONREPORT.pdf> (Accessed May 2012).
- ³⁰ Brian Ellsworth, "Despite Obama Charm, Americas Summit Boost U.S. Isolation," *Chicago Tribune* (International), April 16, 2012.
- ³¹ Peter Hakim, "Is Washington Losing Latin America?" *Foreign Affairs*, 85, No. 1, January/February 2006.
- ³² Osvaldo Rosales and Mikio Kuwayama, *China, Latin-America and the Caribbean: Building a Strategic Economic and Trade Relationship* (Santiago, Chile: ECLAC Books, 2012).
- ³³ Juan Manuel Santos Calderón, President of Colombia, Statement at the Opening of the Summit of the Americas in Cartagena, April 14, 2012.
- ³⁴ At the close of a Forum with business leaders in Cartagena, Obama proposed a "new era" of partnership with Latin America to take advantage of the good overall position of the continent, reiterating that Cuba must make progress toward democracy and that he supports discussion of the anti-drug fight, but not legalization.
- ³⁵ Inter-American Commission of Human Rights, "Annual Report 2011" (Washington, D.C., paragraph 151, 2012).

COMMENTARY BY RICHARD E. FEINBERG

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Aparicio-Otero's rich essay raises the key questions about summitry and the inter-American system. Let me comment briefly on three important issues: summit organization; the increasingly successful incorporation of civil society and the private sector; and the deeply divisive issue of Cuban participation.

Aparicio-Otero's analysis of the strengths and weaknesses of the process of summitry is spot-on. Indeed, since the first summit in Miami in 1994 I have frequently written similar assessments and recommendations. Some progress has been made. The OAS has been remade in the image of the summits, adopting as its agenda key summit mandates. The IDB at least pays lip service to summit initiatives, and IDB President Luis Alberto Moreno played an important and visible role at Cartagena in helping to organize the private-sector forum. The Joint Summit Working Group now pulls together a wide range of inter-American organizations to pursue summit initiatives. So these are some of the advances to record.

Yet as Aparicio-Otero underscores, there are also many weaknesses with regard to summit follow-up—weaknesses common to many international institutions. One could attend the APEC summits, the G-20 summits, the Arab League summits, and hear many of the same complaints: too many initiatives, insufficient resources, too little political will on the part of national governments to take seriously multilateral mandates.

So what is to be done? First, acceptance that a major message of summits are the meetings themselves, the symbolic coming together of heads of state, to affirm that the Western Hemisphere is a region with common interests and common problems, and to permit leaders an efficient mechanism to meet among themselves. Second, the troika—the nations that chair the previous, current, and upcoming summits—could be strengthened, to bolster continuity and follow-up. Third, more of an effort could be made to reduce the number of initiatives, to better focus the limited resources on their effective implementation. And as Aparicio-Otero

suggests, the IDB should be called upon to place its abundant resources behind summit mandates.

Insufficient notice was paid to the relative successes at Cartagena of the meetings of private sector and civil society. No longer confined to foreign ministries, inter-American relations have deepened and broadened to incorporate a multiplicity of actors. Corporate executives have attended previous summits under various umbrellas, but it took the duet of two powerful Colombians—President Juan Manuel Santos and Luis Alberto Moreno—to orchestrate the first-ever “CEO Summit of the Americas.” To attract some 700 corporate executives, the Santos-Moreno team called upon their many friends in foreign ministries and presidencies to participate in the CEO Summit, which directly preceded the leaders' meeting. Most impressive was a panel of presidents, where U.S. President Barack Obama traded barbs with Brazilian President Dilma Rousseff. Santos comfortably sat between the two contenders for hemispheric leadership, declaring himself the reasonable centrist sandwiched between the two regional powers.

For its part, the Civil Society Forum has evolved over the years from being heavily attended by Canadian and U.S.-based non-governmental organizations (NGO) to being dominated by NGO leaders and civil society movements from Latin America and the Caribbean. To bolster the prestige of the Civil Society Forum, Colombia's capable foreign minister, Mária Ángela Holguín, chaired key sessions and President Santos delivered a full-length speech. At the closing session, civil society representatives presented their recommendations to foreign ministers and the ministers of Brazil and Argentina, among others, offered lengthy responses. To the thrill of the crowd, U.S. Secretary of State Hillary Clinton delivered remarks just prior to the closing remarks of Bolivian President Evo Morales. Overall, the tone of the Civil Society Forum was constructive and respectful, and the recommendations presented to foreign ministers avoided heated rhetoric in preference to very specific proposals.

What of the dilemma of Cuban participation at future summits? With the grave illness of Hugo Chávez, ALBA is increasingly a spent force. But for an ever-more assertive Brazil, Cuba offers a wonderful issue with which to drive a wedge between Latin America and the United States. For

many Brazilian diplomats, the main strategic game is to establish Brazilian hegemony in South America at the lasting expense of U.S. influence. Part of that strategy is to undercut institutions where the United States is strong, including the U.S.-initiated Summits of the Americas, to the benefit of Brazilian-led forums such as the newly emerging CELAC, which purposefully excludes the United States.

So what can be done to break the deadlock over Cuba, as a number of key Latin American states have said they will not attend another summit unless Cuba is present? Washington (with Canadian support) continues to argue that Summits of the Americas are exclusive to democratically elected leaders—a position officially adopted by leaders at the 2001 Quebec Summit. Yet that was a very soft accord—not written into any binding treaty—that can readily be amended by the leaders themselves. Emphatically, Cuban participation in summitry does not imply Cuba taking its seat at the OAS, where the bar would be much higher, as the central purpose of the OAS today is the promotion of democratic norms. Institutionally, inter-American summitry and the OAS are distinctive, even if the OAS has gradually assumed the role of technical secretariat for the summits.

Looking ahead, the United States must be proactive. One possible compromise might be to invite the Cubans to attend some post-Cartagena working groups seeking to implement initiatives of possible relevance to them. This could test Cuban interest and intentions. American policymakers have refused to admit, even to themselves, that U.S. policy with regard to Cuba entails real diplomatic costs and gives our competitors a powerful emotional wedge issue. The potential costs now include endangering the valuable regional institution of inter-American summitry nurtured and built up over nearly two decades.

APPENDIX

The Road to Hemispheric Cooperation: VI Summit of the Americas Workshop

March 22, 2012

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