



TOWARD THE SANTIAGO SUMMIT:

**A Consultation with Civil Society on Democracy,
Human Rights, and Economic Integration**

Rapporteur's Report
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Abstract

The Centre for Research on Latin America and the Caribbean (CERLAC), in conjunction with the Canadian Foundation for the Americas (FOCAL), organized this public policy workshop at York University. The purpose of the event was to provide a forum for individuals and organizations from civil society in Ontario to express their views concerning the issues of democracy, human rights and economic integration in the Americas and to furnish the Department of Foreign Affairs and International Trade (DFAIT) with policy proposals in preparation for the Summit of the Americas planned for April 1998 in Santiago, Chile.

An Overview of the Workshop

The Centre for Research on Latin America and the Caribbean (CERLAC), in conjunction with the Canadian Foundation for the Americas (FOCAL), organized this public policy workshop at York University on Friday, October 24th 1997. The purpose of the event was to provide a forum for individuals and organizations from civil society in Ontario to express their views concerning the issues of democracy, human rights, and economic integration in the Americas and to furnish the Department of Foreign Affairs and International Trade (DFAIT) with policy proposals in preparation for the Summit of the Americas planned for April 1998 in Santiago, Chile. A diverse group of approximately 35 participants from the university sector, non-governmental organizations, Canadian churches, the private sector, the media, and youth took part in the day's proceedings, with emphasis placed by the organizers on giving a voice to societal actors who have traditionally lacked institutionalized or regular means of influencing Canadian foreign policy.

The workshop agenda was divided into two sets of activities (see attached agenda). In the morning, a series of five presentations were made by selected participants on the themes of "economic integration, social participation, and the Summit," and on "human rights, democratization, and the Summit." These presentations served as the basis for a subsequent round table discussion. In the afternoon, participants were sub-divided into three working groups: (1) human rights and democracy; (2) labour and social participation; and (3) economic integration, the Free Trade Area of the Americas (FTAA), and the Inter-American system (see attached description of working groups). Each group discussed its respective topic, focusing on identifying the key issues for civil society in the FTAA and Summit processes, evaluating developments since the Miami Summit, and assessing a set of draft documents provided by DFAIT. At the end of the day, the working groups presented their findings and recommendations in a general plenary session. In what follows, this draft report highlights the views and recommendations expressed in the presentations and by the three working groups identified above. All these recommendations represent a consensus among the event's participants.

The Presentations

"Economic Integration, Social Participation, and the Summit"

Ricardo Grinspun, CERLAC

From the stand point of civil society, the process leading to the Summit and the FTAA is fundamentally flawed and problematic. The 1994 Summit was a great public relations event: it heralded a new era of equity, growth, and sustainable development. However, under the rhetoric of the Summit, we can perceive the creation of a new inter-American system, designed to suit the hegemonic needs of the US and those of large transnational corporations and financial capital. Canada, in general terms, has also been following policies that respond to the needs of corporate capital, disregarding the broader interests of Canadian civil society.

A new complex system of centre-periphery relations is being created which generates tremendous social imbalances and inequality. Politically, we must recognize the advance of democratisation since military regimes have been replaced by elected civilian governments. Nevertheless, the current system of liberal democracy enhances very narrowly conceived economic rights; moreover, there is a clear lack of accountability in the way in which the trade agreements are negotiated and implemented. Indeed, these deficiencies taken together have produced an informal institutionality in which the interests of civil society are confronted with the elites' needs for legitimation. Thus, the efforts across the Americas to generate a democratic legitimation, ironically, go hand in hand with social marginalization.

For civil society, the meaning of its incorporation is different since it includes other components that are derived from ethical and moral norms. The road to a better future in the hemisphere is to create democratic spaces for participation, and the first step is to open up the process of the Summit and the negotiation of a

FTAA. We must create integration from the bottom up and not simply from the top down. Otherwise, we face a new order which is not sustainable.

Ken Traynor, Canadian Environmental Law Association

On integration and sustainability:

- A false dichotomy exists in the separate treatment of economic integration and sustainable development. Economic integration cannot be discussed without reference to its environmental and social impacts.
- Economic integration in the Americas has "ecological footprints;" that is, it has dramatic environmental impacts. Real environmental limits and concerns do not inform the process today, as they should.

On the need for institutions that protect social rights and defend environmental causes:

- The lack of institutions, or the pressures to weaken them where such institutions exist, are of concern to civil society in the Americas.
- We need institutions to promote diversity, not uniformity, through the process of economic integration.
- As it is presently conceived, the FTAA would liberalize investment regulations for corporations in an atmosphere of limited democratic rights, following the model of NAFTA and the WTO. It would confer rights upon corporations without having them assume responsibilities.
- The term "should," which is written into numerous international agreements and declarations, particularly in relation to labour, social and environmental issues (the signatory should do this or that...), creates no obligation for compliance in international law. In contrast, when negotiators really care about the issue, such as the protection of investors'

rights, they impose harsh penalties for infringement of the clause.

On the Canadian commitment to human rights and democracy in the Americas:

- A study commissioned by the Mexican Academy of Human Rights found that Canada's official support for human rights abroad is directed more at enhancing the technical capacity of state electoral organs than at strengthening civil society. Yet it is the latter which guarantees successful democratization.

On the role that Canada should play:

- Interaction with civil society, such as the current one, is welcome. However, a true commitment from the Canadian government will be reflected in an ongoing, meaningful consultation coupled with provision of resources to promote the participation of civil organizations in the consultation process.

On the strategy for civil society:

- Unless governments such as Canada's speak out, only social resistance and cross-border organizing in the Americas will alter the process to reflect truly social and environmental concerns.

Sheila Katz, Canadian Labour Congress

From the perspective of workers and communities, the process unleashed at the Miami Summit has been disastrous. While opening the negotiation process for hemispheric integration to the opinion and recommendations of the business community, the Miami Summit put in place an exclusionary process for most other sectors of society. Filled with rhetoric and empty promises for the people of the Americas, it spoke of progress in areas that are vital to civil society, such as poverty alleviation, health care, education, nutrition, and employment, yet these are areas which have all undergone deterioration since 1994. These disturbing trends are also

replicated in Canada.

Mechanisms should be put in place to discourage international competitiveness based on low wages and weak labour standards. The five core labour standards of the ILO should be integrally linked to the international trading system and enshrined in trade agreements. These include: the freedom of association, the freedom to form unions, the right to collective bargaining, the prohibition of child labour and forced labour, and equal remuneration for equal work (no discrimination).

The Canadian government, instead of having sporadic, ad hoc consultations with civil society at conjunctural moments, should set up an ongoing, meaningful process of consultation on trade policy. An annual consultation would be useful.

Civil society actors from the Americas recently issued a declaration at Belo Horizonte called Building an Hemispheric Social Alliance. The emerging civil society of the Americas represented in this declaration is planning to hold a parallel, alternative summit alongside that of Heads of State in Santiago. The Canadian Government is invited to support this civil society summit with resources and infrastructural support. It is encouraged to show leadership in the inter-American process in the sense of publicly recognising the importance of a social dimension. Canada should lead in opening space for civil society participation.

"Human Rights, Democratization, and the Summit"

Suzanne Rumsey, Inter-Church Committee on Human Rights in Latin America (ICCHRLA)

- Today, throughout the hemisphere, including Canada, the majority of the people face a crisis of exclusion, politically but most especially economically. People simply do not

count in the hemispheric integration process. In Brazil, where the theology of liberation has its roots, people now speak of the theology of exclusion.

- The macroeconomic growth occurring in the hemisphere is not being reflected in the microeconomic reality of the majority of Latin Americans and of an increasing number of North Americans. The crisis of exclusion has manifested itself as a crisis of security: income and employment security, food and personal security.
- In the real world of human rights, economic, social, and cultural rights are intimately linked to civil and political rights. Nonetheless, official documents tend to separate the two families of rights, limiting the human rights discussion to civil and political rights. This is particularly evident in the Canadian Government's draft implementation proposal for human rights and democracy, as well as the Canadian draft proposed work plan. Both focus exclusively on civil and political rights. Nowhere does the discussion of economic, social, and cultural rights occur. To do so would challenge the economic model that Canada seems so committed to defend.
- The perception of ICCHRLA has been that the Canadian government has been very reluctant to take substantive action on human rights in those countries where it has significant and growing trade interests. In Colombia, human rights violations and repression are most rampant in those sectors where Canadian companies are particularly active.
- There is an inverse relationship between human rights realities and rhetoric. What is missing in reality is filled in with words.
- Canada should put more emphasis on human rights observance and compliance, and less on institutions, in

its proposals.

- Without additional broad-based dialogue and consultation between governments and civil society, the Santiago summit process will only contribute to further exclusion and crisis.

Joe Gunn, Canadian Conference of Catholic Bishops

- It is common to find the terms democracy and elections used interchangeably. The experience of Canadian NGOs and church organizations, however, is that the two are not synonymous. One of the most obvious examples is Mexico. Despite improvements in electoral procedures during the most recent elections of July 6, 1997, many voters were denied their right to vote and numerous votes were invalidated. This reflects the still limited participation of civil society in the electoral process. Democracy needs civil society's participation because civil society is the guarantor of democracy. With civil society resides the foundation of political, economic, and social development.
- Canada promotes civil society participation at home and in the South, but the spending cuts in ODA, in terms of both social development projects in the Americas and support to local NGOs, curtail this country's ability to promote democratization and strengthen civil society at the same time that they limit the participation of civil society in the negotiation and implementation of trade agreements.
- Prime Minister Chretien and his Team Canada should consider meeting with Canadian civil society in order to obtain their input for their agenda and participation before they travel abroad.
- The exclusion of Cuba from the Summit is of concern. It should be included in the

FTAA negotiation process.

commitments, based on narrow economic interests, undermine human rights.

The Recommendations

The following recommendations were pooled from the recommendations of the three working groups. They were adopted through the consensus of all civil society representatives in the workshop plenary session.

Human Rights and Democracy

- Civil and political rights should not be separated from social and economic rights. All basic rights -- to subsistence, security, participation, and mobility -- are related. It is imperative that human rights should advance at the same time that trade and economic goals are pursued. The current context indicates the opposite; for example, the FTAA process does not incorporate freedom of mobility for migrant workers.
- Social rights need to be an integral part of the process of economic integration -- not “tacked on” as in the NAFTA. Corporations must be made to adhere to what is now a volunteer code of conduct of international business.
- The enforcement of human rights laws is an area of concern. Various human rights instruments have still not been ratified by different states, while other instruments of international law, such as the UN Bill of Rights, have not been observed by signatories. Also, the law is not applied equally, despite the fact that it is legally stated on paper that human beings are all equal -- regardless of gender, race, age, or ethnicity. For example, men's rights are still upheld more than women's.
- It is necessary to review critically international commitments made by Canada and other countries, to understand their impact on human rights. There may be cases where these

Labour and Social Impacts

- The draft documents provided by DFAIT were abstract, superficial, and conservative. They make little mention of agriculture or land rights, indigenous people, and labour mobility. Social issues are completely separated from economic issues. The documents imply that economic growth leads naturally to improvements in education, health, and quality of life. This is not necessarily the case.
- The US proposal on labour is unclear regarding core labour standards and does not include compliance mechanisms. The documents do not contain proposals concerning remedies for workers who suffer violations of their rights.
- From a women's perspective, the system is fundamentally flawed and must be redefined. Women's views must be included as part of the discussion.
- The marginalization of aboriginal peoples should be a central point in Summit discussions and follow-up.

Economic Integration, the FTAA, and the Inter-American System

- The treatment of sustainable development and of economic integration in separate “tracks” (via the Bolivia Summit and via the “trade ministerials”) is unacceptable. One cannot disentangle economic questions from the issue of sustainability.
- Countries' external debts create disparities in negotiations. One cannot have negotiations among equals unless the debt situation is resolved.

- A starting point is the recognition of the severe, harmful impact that trade agreements such as NAFTA have had on social indicators in North America. For example, it is important to assess the real impact of NAFTA on food security in Mexico. Such impacts are directly related to the results of the neoliberal economic model that trade agreements help entrench. However, the “official” analysis tries to paint a rosy picture of the outcome of NAFTA -- an analysis that is wrong, inadequate, and intellectually dishonest.
- It is crucial to examine the problems created by the market-oriented model of development in Latin America and in Canada and how citizens deal locally with the impacts and consequences. We reject the effort to compartmentalize the discussion around different “baskets” that obscure the interrelatedness of impacts deriving from an hegemonic economic model. We need to create a new model that is not exclusionary of people and predatory of the environment.

Participation of Civil Society

- The process of integration in the Americas is a one-sided process with an open door for business and a closed door which denies meaningful access for the rest of civil society. Civil society's role is relegated to each respective country, limiting its influence on a hemispheric level.
- The group underscored the importance of participation of civil society in the Summit and FTAA processes, involving various forms of participation. This includes an approach that seeks formal representation in the negotiations, as well as another pursuing alternative civil society networks that participate in the process “from the outside.”
- The group stressed the importance of

articulating alternatives to challenge the notion that the neoliberal model is the only viable one. It is crucial to present alternative proposals to those issued at the Santiago Summit through an alternative summit of social organizations. Thus, as a main priority, Canadian civil society should work together with groups from other countries to expand hemispheric social alliances.

- While the government of Canada consults to some extent with its civil society, in other countries, governments tend to adopt the role of caretakers of the interests of their respective societies. Canada's recognition of labour and social forums might help to overcome civil society's isolation.
- Appropriate structures should be set up to permit civil society to inform policy decisions on an ongoing basis. Civil society organizations (and not just individuals) should be represented in these structures. Relevant issues should be integrated rather than compartmentalized (thus, focus consultations on general trade policy directions rather than on separate consultations on the trade aspects of APEC, FTAA, WTO, and so on).

Key Recommendations Related To This Consultation

- Public policy consultations like this one are genuinely welcomed. However, what is needed is civil society participation in decision-making. Thus, consultations should be interactive processes of exchange with elected officials and government officers (and not just a one way flow of information from the participants to the government, where the participants never know what happened -- if anything -- to their recommendations).
- Participation should be open to organizations of civil society -- and not

- just to individuals.
- The civil society organizations that met at this workshop expect to hear back from DFAIT regarding the use, impact, and follow-up to the recommendations arising from our discussions.
 - This group expects to be informed by the Canadian government about what it will do to encourage ongoing civil society participation in the process leading to, and the follow-up to, the Summit, as well as the forthcoming FTAA negotiations.
 - The workshop participants expect the Government of Canada to provide resources and spaces for participation by civil society organizations in the same way that it provides those for business and corporate organizations.

Workshop Participants

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