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SANTIA GO
SUMMIT



SANTIAGO SUMMIT
APRIL 18-19, 1998

BRIEFING BOOK

11TH MEETING
OF THE SUMMIT
IMPLEMENTATION
REVIEW GROUP

OAS HEADQUARTERS
WASHINGTON, D.C.

DECEMBER 9-11, 1997

EDUC. GENERAL
INT. INFO.

DEMOCRACY AND HUMAN
RIGHTS INITIATIVE

ECONOMIC INTEGRATION
INITIATIVE

POVERTY AND DISCRIMINATION
INITIATIVE

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REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

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**ELEVENTH MEETING OF THE SUMMIT OF THE AMERICAS
IMPLEMENTATION REVIEW GROUP (SIRG)
WASHINGTON, D.C. - DECEMBER 9 TO 11, 1997
Headquarters of the organization of American States**

PRELIMINARY AGENDA

Tuesday, December 9

- | | |
|------------|--|
| 8:30 a.m. | Accreditation |
| 9:00 a.m. | Welcome from Coordinator General, Ambassador Juan Martabit |
| 9:05 a.m. | Address by OAS Secretary General César Gaviria |
| 9:15 a.m. | Address by Ambassador Genaro Arriagada, Advisor to the President of the Republic of Chile for the Summit of the Americas |
| 9:25 a.m. | Address by Special Envoy of the President of the United States of America, Counselor Thomas MacLarty |
| 9:35 a.m. | Address by Ambassador Jeffrey Davidow |
| 9:40 a.m. | Pause |
| 9:55 a.m. | Address by Ambassador Richard Brown |
| 10:00 a.m. | Explanation of the format for deliberations by Ambassador Juan Martabit |
| 10:15 a.m. | Negotiation of the initiatives for the chapter on "Education" |
| | - Brief address by the delegate from Mexico, Coordinator Responsible for the Subject |
| | - Debate and negotiation |

- 11:00 a.m. Discussion of the initiatives for the subject "Democracy and Human Rights" (Chapter II - Preservation and Strengthening of Democracy and Human Rights)
- Presentation of the delegates from Brazil and Canada, Coordinators of the Subject
 - Debate
- 12:00 a.m. Discussion of the initiatives for the subject "Education for Democracy and Human Rights" (Chapter II - Preservation and Strengthening of Democracy and Human Rights)
- Presentation by the Presidency
 - Debate
- 1:00 p.m. Lunch
- 2:30 p.m. Discussion of the initiatives for the subject "Civil Society" (Chapter II - Preservation and Strengthening of Democracy and Human Rights)
- Presentation by the delegates from Jamaica and Uruguay, Coordinators of the Subject
 - Debate
- 3:30 p.m. Discussion of the initiatives for the subject "Migrant Workers" (Chapter II - Preservation and Strengthening of Democracy and Human Rights)
- Presentation of the delegate from the United States, Coordinator of the Subject
 - Debate

4:30 p.m. Pause

4:45 p.m. Discussion of the initiatives for the subject "Decentralized Administrations" (Chapter II - Preservation and Strengthening of Democracy and Human Rights)

- Presentation of the delegate from the United States, Coordinator of the Subject

- Debate

5:45 p.m. Discussion of the initiatives for the subject "Corruption" (Chapter II - Preservation and Strengthening of Democracy and Human Rights)

- Presentation of the delegate from Venezuela, Coordinator of the Subject

- Debate

6:45 p.m. Reception hosted by OAS Secretary General César Gaviria

Wednesday, December 10

8:30 a.m. Discussion of the initiatives for the subject "Drug Traffic" (Chapter II - Preservation and Strengthening of Democracy and Human Rights)

- Presentation of the delegate from the United States, Coordinator of the Subject

- Debate

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

7

- 9:30 a.m. Discussion of the initiatives for the subject "Terrorism"
(Chapter II - Preservation and Strengthening of Democracy and
Human Rights)
- Presentation of the delegate from Argentina, Coordinator of
the Subject
 - Debate
- 10:30 a.m. Pause
- 10:45 a.m. Discussion of the initiatives for the subject "The Promotion
of Confidence Building and Security Among States"
(Chapter II - Preservation and Strengthening of Democracy and
Human Rights)
- Presentation of the delegate from Chile, Coordinator of the
Subject
- 11:00 a.m. Discussion of the initiatives for the subject "Strengthening of the
Judicial System" (Chapter II - Preservation and Strengthening of
Democracy and Human Rights)
- Presentation of the delegate from Argentina, Coordinator of
the subject
 - Debate
- 12:00 (noon) Discussion of the initiatives for the subject "Modernization of
the State in Labor Matters" (Chapter II - Preservation and
Strengthening of Democracy and Human Rights)
- Presentation of the delegate from the United States,
Coordinator of the Subject
 - Debate

- 12:45 (noon) Departure of the National Coordinators to the Inter-American Development Bank (IDB)
- The IDB will make transportation available for the National Coordinators
- 1:00 p.m. Luncheon Hosted by the President of the IDB for the National Coordinators (by invitation)
- 2:45 p.m. If necessary, the debate relative to the subject "Modernization of the State in Labor Matters" will continue.
- 3:00 p.m. Discussion of the initiatives for the subject "Capital Markets" (Chapter III - Economic Integration and Free Trade)
- Presentation of the delegate from the United States, Coordinator of the Subject
 - Debate
- 4:00 p.m. Discussion of the initiatives for the subject "Science and Technology" (Chapter III - Economic Integration and Free Trade)
- Presentation of the delegate from Colombia, Coordinator of the Subject
 - Debate
- 5:00 p.m. Pause

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

5:15 p.m. Discussion of the initiatives for the subject "Energy"
(Chapter III - Economic Integration and Free Trade)

- Presentation of the delegate from Venezuela and United States, Coordinators of the Subject
- Debate

6:15 p.m. Discussion of the initiatives for the subjects "Transportation" and "Telecommunications" (Chapter III - Economic Integration and Free Trade)

- Presentation of the delegate from the IDB
- Debate

7:15 p.m. End of the Session

Thursday, December 11

8:30 a.m. Negotiation of the initiatives for the subject "Micro, Small and Medium Business" (Chapter IV - Eradication of Poverty and Discrimination)

- Brief presentation by the delegate of the IDB, Coordinator Responsible for the Subject
- Debate and Negotiation

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

(10)

- 9:00 a.m. Negotiation of the initiatives for the subject "Registration of Properties" (Chapter IV - Eradication of Poverty and Discrimination)
- Brief presentation by the delegate of the United States, Coordinator Responsible for the Subject
 - Debate and Negotiation
- 9:30 a.m. Negotiation of the initiatives for the subject "Health" (Chapter IV - Eradication of Poverty and Discrimination)
- Brief presentation by the delegate of PAHO, Coordinator Responsible for the subject
 - Debate and Negotiation
- 10:00 a.m. Negotiation of the initiatives for the subject "Women" (Chapter IV - Eradication of Poverty and Discrimination)
- Brief presentation by the delegate of Nicaragua, coordinator Responsible for the Subject
 - Debate and Negotiation
- 10:30 a.m. Negotiation of the initiatives for the subject "Basic Rights of Workers" (Chapter IV - Eradication of Poverty and Discrimination)
- Brief presentation by the delegate of the United States, Coordinator Responsible for the Subject
 - Debate and Negotiation
- 11:00 a.m. Pause

- 11:15 a.m. Negotiation of the initiatives for the subject "Indigenous Populations" (Chapter IV - Eradication of Poverty and Discrimination)
- Brief presentation by the delegate of Canada, Coordinator Responsible for the Subject
 - Debate and Negotiation
- 11:45 a.m. Negotiation of the initiatives for the subject "Hunger and Malnutrition" (Chapter IV - Eradication of Poverty and Discrimination)
- Brief presentation by the delegate of Argentina, Coordinator Responsible for the Subject
 - Debate and Negotiation
- 12:15 a.m. Presentation of the Presidency
- Summary of the Deliberations
 - Explanation of the Schedule for Future Work
- 1:15 p.m. End of the Session

- 11:15 a.m. Negotiation of the initiatives for the subject "Indigenous Populations" (Chapter IV - Eradication of Poverty and Discrimination)
- Brief presentation by the delegate of Canada, Coordinator Responsible for the Subject
 - Debate and Negotiation
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- Brief presentation by the delegate of Argentina, Coordinator Responsible for the Subject
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REMARKS FOR THE ELEVENTH MEETING OF THE SIRG

**OAS HEADQUARTERS
DECEMBER 9, 1997**

THOMAS F. MCLARTY III

Thank you, Juan (Martabit), for your usual warm and welcoming introduction.

I am delighted to be with you and our SIRG colleagues today, for the first time since the OAS General Assembly in June, which Secretary General Gaviria and our Peruvian hosts combined to ensure was a noteworthy and a lasting success. Cesar, thank you for your thoughtful remarks this morning, and for hosting us here at the OAS. Your support is important to us in our efforts to strengthen the bonds of hemispheric partnership for the 21st century.

And let me also say a special word of thanks to the Government of Chile, which has taken on the monumental task of hosting the Americas next April in Santiago, and which has also had the good sense to give Juan Martabit a well-deserved promotion. As Director General for Political Affairs of the Chilean Foreign Ministry, Juan will serve his government and all of us well as he guides us forward to the Summit. And he is joined by Genaro Arriagada, whom I have known both as chief of staff to President Frei, and now as Chile's Summit coordinator. His talents, and energies, are truly boundless. With all of us working together, I am confident the Santiago Summit will meet and even exceed the very high standard I believe we all set in Miami exactly three years ago.

Ladies and gentlemen, the Santiago Summit will be the capstone of what we in the United States are calling a Year of the Americas. Beginning with President Clinton's travel to Mexico, Central America, and the Caribbean in May, and continuing with his travel to South America in October, the President will have been to the hemisphere three times in 12 months when the Summit concludes in April. That's a remarkable, and some would say historic, record of Presidential attention, and it shows in concrete terms the true strength of our commitment to the region.

Our travel in October was, I believe, a success. At each stop--Venezuela, Brazil, and Argentina--the President brought a message of friendship and partnership to the peoples of South America, while exposing the people of the United States to the new realities which the Americas exhibit: democratic governance, economic growth, increasing respect for human rights, freedom of the press and the rule of law, and a genuine desire and commitment among regional leaders to address the social needs of their people through education, economic growth, and the provision of appropriate social services.

Perhaps most remarkably, the visit highlighted the convergence of values we now enjoy in the community of the Americas. Where once a perception of our interests largely diverged, and relations were tenuous and in some cases even acrimonious, the Latin America which greeted President Clinton has been, as all of you know, transformed by a quiet but profound revolution.

The region has found its voice, and it's a voice of confidence, as Presidents Zedillo and Frei showed three weeks ago at the APEC meeting in Vancouver. For example, until the meeting in Vancouver with its emphasis on the financial crisis spreading across Asia, few would have seriously thought that the Asia/Pacific countries would actively seek solutions to their problems from Latin America, whether it be from Mexico, which is now emerging from financial hardship better and stronger than ever, or Chile, which has enjoyed some 14 years of seven percent growth and reduced its poverty by half.

Simply put, the old stereotypes no longer apply, and we must be mindful of that. And as we see a new face of Latin America and the Caribbean, we know we must begin to show the region a new face ourselves, based on willingness to cooperate in a spirit of joint obligation and mutual respect. It's exactly this approach which we believe should animate the Santiago Summit.

The agenda our foreign ministers have set, and which we have gathered to discuss this week, is one which, when implemented, will directly affect the lives of our citizens. From education, to a higher standard of living, to democratic governance, each of our citizens deserves the prospect of a better life. And that is the purpose, and promise, of our gathering here today.

In this regard, let me just say a word or two about the US commitment to open trade in the hemisphere. We should not mince words; our temporary inability to get fast track trade negotiation authority is disappointing. That is not to say the issue is resolved--far from it. I have spoken personally to the President about

this, and as he said during the visit of President Zedillo to Washington November 14 and repeated in Vancouver, this is not the final chapter and we plan to renew the effort in the coming year with a view to obtaining such authority by the Santiago Summit.

And we maintain our commitment, as agreed in Belo Horizonte last May, to begin negotiations in Santiago leading to a Free Trade Area of the Americas by 2005, whether we have fast track authority or not. But we should also remember that trade and the FTAA have always been just one component of a very full Summit agenda. We need progress across the board to ensure the success of Santiago, and a temporary setback in one area should not be allowed to forestall further progress in others.

So let's move ahead with purpose and resolve, starting now, as we work together in the spirit of Miami--indeed, the promise of Santiago--to build a new New World.

On behalf of President Clinton, I am delighted to be with you at this forum today, and I wish each of us success as we continue this week to chart the bright path to Santiago.

**Eleventh Meeting of the
Summit Implementation Review Group
OAS Headquarters, Washington, D.C., December 9, 1997**

**Opening Remarks by
Assistant Secretary Jeffrey Davidow**

- Acknowledge Juan Martabit, Genaro Arriagada, Cesar Gaviria, and Mack McLarty.
- Let me extend and add my welcome to all of you at this very important eleventh meeting of the Summit Implementation Review Group. What we do here over the next two and a half days will certainly contribute substantially to what we want to achieve at the Santiago Summit of the Americas.
- Over the last few months, many of us have met at specialized meetings to consult with experts in areas ranging from health and education to human rights and transportation just to name a few of the areas we've covered.
- We have had the benefit of expert opinion, heard analysis that is on the cutting edge of many fields. We have listened to the views of our citizens -- both as individuals and those involved in civic groups -- whose aspirations we want to capture in the action proposals we plan to introduce at the Summit. In so many words, we have written down the state of the hemisphere and compiled a list things experts, common citizens and policy makers believe will make this hemisphere a better place for us all.
- Now the big task comes back to us. We must produce a plan of action, arrived at by consensus, that will address many of the hemisphere's needs in tangible ways. Hopefully we can develop action items that will be measurable, so that two or three years hence we can point to easily recognizable achievements.
- Most importantly, we must find those select action items, worthy of our leaders' endorsement, that can have a real impact and force change for the better. Put another way they need to be truly *presidenciables*.

- That leader quality means among other things that our action plan has to inspire our peoples and has to make them want to put their hands to the tasks that will make these Americas a fairer, safer and more prosperous hemisphere for us all.
- We must lay our hands on the information, documents and opinions that we have gathered together, the draft action items produced at our meetings, and the outline our governments endorsed in Lima last June. Taken together they are the bricks and mortar and plan for building a shining city on the hill where everyone will want to live. But, we have to build it.
- We have to produce concrete plans -- not the fanciful or farfetched -- because in the end we will be held accountable by people everywhere for implementing what we finally agree upon.
- Juan, I don't want to carry this construction metaphor too far, but I speak for all of us when I say that we look forward to building this edifice under your leadership and continuing to work under Chile's strong guidance as we prepare for the Santiago Summit. We all want this summit to be remembered as a watershed event in the history of the hemisphere.

REMARKS BY AMB. RICHARD C. BROWN

- Thank you, Juan. I want to extend my thanks to you and your staff for your tireless efforts in organizing this meeting. We are all aware of the long hours you have been putting in Santiago and I want you to know that it is much appreciated.
- Today is the third anniversary of the open of the Miami Summit. On that day, our leaders gathered for the first hemispheric Summit in 27 years and the first in which all the attendees were democratically elected. It was the first time in history that our countries gathered together as a community of nations to express a hemispheric vision that democracy, open markets, and free trade were essential for raising the quality of life for our people – and essential for ensuring freedom and prosperity for the future.
- We agreed to an ambitious work program in Miami. But more importantly, we agreed to a comprehensive implementation process.
- The SIRG was born as a result and has served as an effective monitoring mechanism – moving the process of implementation along in positive ways. We have accomplished a great deal in the three years since Miami.
- To be able to demonstrate this to the hemisphere, we have decided to compile a report of progress made on all the 23 action initiatives our leaders signed in Miami three years ago.
- We will publish this report and distribute it in Santiago.
- We have asked that all Responsible Coordinators transmit their reports to my office by no later than December 16, which is next Tuesday. As of yesterday, we have already received _____ reports. I would like to encourage all Miami Responsible Coordinators to be as helpful as possible in meeting this deadline.
- In the coming months, my office will work to get the individual reports into a consistent format for presentation to the leaders in Santiago. I will keep you apprised of our progress as we approach the Summit.
- I know we have a lot of ground to cover in the next two and half days. I believe we are in a good position to finalize language on several important areas of the agenda. I look forward to working with all of you to make this the best Summit ever.
- Thank you.

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I. Education

- Formulation actions in accordance with the proposals of the Responsible Coordinator in the Plan of Action they have prepared on the subject.**
- Additional actions such as student and teacher exchange programs, distance education programs and incorporation of new technologies.**
- Actions to develop training and skills improvement programs for workers with the aim of confronting under favorable circumstances changes resulting from the application and development of new technologies. Special attention should be given to programs for adult training.**

II. Preserving and Strengthening Democracy and Human Rights

- Actions in the area of education for democracy and full respect for human rights.**

HEMISPHERIC PLAN OF ACTION ON EDUCATION

The Hemisphere's commitment to education is reflected in the sweeping reform processes encompassing all levels of the educational system, and based on broad consensus with respect to the problems to be overcome and the shared commitment and effort of society as a whole. These processes are based on the principles of **equity, quality, relevance, and efficiency**. **Equity** is defined as the creation of conditions that ensure that every sector of the population has the opportunity to receive quality education services, thereby significantly reducing the effects of inequalities based on socio-economic status, disability, and ethnic, cultural, and gender discrimination. **Quality** implies the achievement of high levels of cognitive development, skills, and ethical attitudes. **Relevance** is defined as the ability of an educational system to meet the needs and aspirations of society as a whole, taking into account its social, cultural, ethnic, and linguistic diversity. **Efficiency** is defined as the provision of adequate resources, used optimally, in order to enhance educational achievements.

Therefore, the Heads of State and Government, fully recognizing and respecting national sovereignty and responsibilities with regard to education of the jurisdictions and institutions of our respective countries, reiterate the commitment assumed at the Miami Summit to ensure, by the year 2010, universal access to and completion of quality primary education for 100% of children, and access for at least 75 percent of young people to secondary education, with increasing percentages of young people who

complete secondary education, and assume responsibility for providing the general population with opportunities for life-long learning. At the Santiago de Chile Summit, they undertake the following commitments regarding educational equity and quality:

1. Implement targeted and inter-sectoral educational policies, as necessary, and develop programs that focus specifically on groups at disadvantage in the areas of education, functional illiteracy, and socio-economic and cultural conditions, with attention to women, minorities, and vulnerable populations. Inter-sectoral programs in education, health and nutrition, as well as early childhood educational strategies will be priorities, inasmuch as they contribute more directly to plans to combat poverty.
2. Establish or strengthen national or subnational systems to evaluate the quality of education, which permit assessment of the performance of various educational agencies, innovations, and factors associated with achievements in learning. Information and indicators will be made available that can be used to design, carry out, and evaluate quality-improvement programs based on equity. Standards for reading and writing, mathematics, and science shall receive special attention. Also, where appropriate, criteria and methodologies for collecting data shall be established that permit comparison of some educational indicators across countries in the Hemisphere.
3. Develop comprehensive professional development programs among teachers and school administrators that combine adequate preservice and in-service training, exploring incentive mechanisms tied to upgrading and updating their skills and to meeting such standards as may have been agreed upon. Higher education must collaborate in this endeavor through research and pedagogy, both of which should be strengthened in order to meet this goal.
4. Strengthen education management and institutional capacity at the national, regional, local, and school levels, furthering, where appropriate, decentralization and the promotion of better forms of community and family involvement in education. Encourage the mass media to contribute to bolstering efforts being made by educational systems.
5. Strengthen preparation, education, and training for the world of work so that the maximum number of workers can improve their standard of living, and, together with employers, have the opportunity to benefit from hemispheric integration, with the involvement of different sectors and the adoption of new technologies based on various options and alternatives, ranging from specific occupational training to strengthening general employability competencies. The establishment or strengthening of mechanisms that permit workers to obtain certification of job-related competencies acquired through formal education and work experience are particularly important. These actions will include the development of entrepreneurial skills linked to the ability to confront changes in the labor market with enhanced employability prospects, involving different sectors and offering various options and alternatives.

6. Establish or reinforce educational strategies relevant to multicultural societies, so as to be able to shape, with the participation of indigenous peoples and migrants, models for bilingual and intercultural basic education. Similarly, within the contents of basic education, more attention should be given to respect and appreciation for cultural diversity.

7. Develop within and outside schools, with the assistance of different actors and social organizations, educational strategies that foster the development of values, with special attention to the inclusion of democratic principles, human rights, gender-related issues, peace, tolerance, and respect for the environment and natural resources.

8. Promote access to and use of the most effective information and communication technologies in education systems, in combination with renewed pedagogical methods and proper training for teachers in the use of these technologies. Special attention shall be paid to the ethical imperative of reaching the most vulnerable sectors. To that end, distance education programs shall be strengthened and information networks established.

Efforts shall be made to increase the availability of learning materials, in collaboration with official institutions, and, depending on the specific conditions in each country, with the private sector.

Technology should be used to link schools and communities, as a way of establishing ties in the Hemisphere, while encouraging the participation of higher education institutions that have advantages in this field.

9. Foster scholarship and exchange systems for students, teachers, researchers, and educational administrators using different strategies, including institution-to-institution ties, communications technology, and internships which permit exposure to pedagogical and management innovations in other countries of the Hemisphere. This will contribute to strengthening the institutional capacity of Ministries or Departments of Education, decentralized administrative entities, and centers of higher learning.

FUNDING

The Heads of State and Government, recognizing the cardinal importance of education as a foundation for development, agree, in accordance with their respective legislative processes, to promote allocation of the resources necessary for educational expenditure with a view to attaining increasing levels of equity, quality, relevance, and efficiency in educational processes, emphasizing the optimal use of resources.

HORIZONTAL AND MULTILATERAL COOPERATION STRATEGIES FOLLOW-UP TO THE PLAN OF ACTION

The Presidents and Heads of State and Government reaffirm their commitment to promote horizontal and multilateral cooperation in educational matters. To that end, they:

- Instruct the OAS and request the IDB and World Bank, together with the other national and multilateral technical and financial cooperation agencies operating in the Hemisphere, to provide, within their respective areas of action, support for programs and initiatives that are consistent with the goals, objectives, and actions proposed in this Chapter of the Plan of Action.
- Instruct the OAS and request the IDB to use the mechanisms within their scope to develop and strengthen regional cooperation in areas such as distance education including satellite technology; internships and exchange programs; the creation of an information technology clearinghouse; the updating of education statistics and quality assessment.
- Instruct the OAS to foster, articulate, and facilitate, through ministerials and other mechanisms being developed by member States in the framework of the Inter-American Council for Integral Development (CIDI), collaboration and joint effort in the Hemisphere and, to that end, to convene, in consultation with the coordinating countries, technical consultation forums of the countries in the Hemisphere in order to contribute to the implementation of the commitments included in this Chapter of the Plan of Action.
- Entrust the Meeting of the Ministers of Education, to be convened by the OAS within the framework of CIDI's Strategic Plan for Partnership for Development, to be held in Brazil by August 1998 at the latest, with the development of an implementation plan for this education initiative.
- Instruct the OAS and request the IDB, World Bank, and other multilateral institutions to report on the execution of this Plan to a group of government representatives responsible for review and follow-up of the commitments of the Summit of the Americas.

RATIONALE:

The current draft document meets many of the concerns we have improving education in the hemisphere: standards, community participation, equal access to education opportunities, preparation of teachers and school administrators, and appropriate use of information technologies. Although we might make a few suggestions if the opportunity arises, it is a document that the US will support.

STATE OF PLAY:

In the March 1997 meeting of the SIRC, Brazil suggested education as an initiative for the Santiago Summit. By the time of the Lima SIRC of Foreign Ministers, education had become the lead item in the action plan outline, with eight or nine action items. At an August meeting in Santiago, Chile, Mexico presented its the first draft education action plan which consisted of 59 action items and extensive declaratory language. Through some very hard negotiation at three more meetings in Washington and Mexico City, the current draft emerged. It has nine action items, much less declaratory language and some implementation guidelines.

Talking Points: Education
XI SIRG
December 9-11, 1997

- The United States thanks the Responsible Coordinator, Mexico, and the Co-Coordicators, Argentina and Chile, for their extensive efforts to work with the other nations of the Hemisphere in order to have an Education Initiative at the Santiago Summit of the Americas. We might have wished to make some additions, deletions or modifications, and undoubtedly other countries might say the same thing. Nevertheless, the current draft represents a solid compromise between our many different interests in the field of education and forms the basis for an acceptable plan of action. The United States hopes that a consensus emerges around the acceptability of this document, the United States is prepared to join it.

Point # 6 Imperative: Indigenous “peoples” must be changed to “societies” or “populations.”

If the following action items are opened:

Point #1: Seek to change intersectoral for crosscutting or multidisciplinary.

Point #7: Seek to remove the expression “with special attention to the inclusion.”

Point #8: Seek to insert “quality” before the words “learning materials.”

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4

Divider Title: _____

II. Preserving and Strengthening Democracy and Human Rights

- Formulate actions based on the work that the Responsible Coordinators of this theme are carrying out.

Governments will:

[ORIGINAL U.S. LANGUAGE]

- Create an office within the OAS to help resolve peacefully, at the request of involved member states, conflicts within and between countries.
- Strengthen the sustainable hemispheric capacity to protect and support human rights by providing discretionary funding to the Inter-American Institute of Human Rights.
- Call on the OAS to establish by 1998 a mechanism to advocate and promote freedom of the media in the hemisphere, including the preparation of periodic reports in this area, and to inform the SIRG of its progress at regular intervals.

RATIONALE

Between large scale conflicts and those usually resolved by courts of law, there are disputes, some times between nations or regions, some times between groups of people, which can undermine democratic practice or delay economic progress. In order to have a permanent cadre of experts available, this office in the OAS could provide member states the services of professional mediators. It could also create for member states a database of materials related to mediation and conflict resolution and organize seminars to train government officials and private citizens in mediation, conflict resolution, and arbitration. [NOTE: In the consolidated text suggested by the U.S. to the Brazilians and Canadians (see below) this item would be folded-in under the CSBM issue.]

Democracy cannot exist without elections or official respect for the rights of individuals. For the last 17 years, the Inter-American Institute of Human Rights (IIHR) has advanced both of these fundamentals of democracy for many years. The IIHR assists countries in creating institutional capacity in electoral organization in areas like voter registration, election monitoring, and election courts. The IIHR also conducts training for judges who must resolve cases involving abuse of human rights. The IIHR deserves the financial support (i.e., core funding that allows for IIHR to expand its human rights programs to the hemispheric level) of all the nations of the hemisphere.

Promoting freedom of the media is of critical importance in consolidating democratic governance. The OAS has done important work in this area, especially through its human rights bodies, but more can be done to protect this key freedom. Presidents in Santiago could give a mandate to the OAS to develop a mechanism (to be determined by member states subsequent to the Summit) to advocate and promote freedom of the media.

STATUS

Responsible Coordinators Brazil and Canada developed a proposal from the work undertaken by the OAS Working Group on Democracy and Human Rights (established to implement the Miami initiatives of the same name). When the Brazilians and Canadians first unveiled the proposal at the November 21 consultation in Santiago, a small working group was convened to consolidate other action items from other governments and organizations. The U.S. the general ideas of its original three proposals were incorporated into the Brazil-Canada proposal. Due to time constraints, the group did not attempt to consolidate the proposal into a realistic length, though we have indicated our desire to see a shorter document, consistent with the other sections of the action plan.

Secretary General Gaviria sent a delegation to the November 21 meeting to push for specific language regarding the inter-American human rights system. It is obvious this section needs much work. It must be reduced in size and become more focused and presidential.

The U.S. condensed the proposal down into six points and suggested to Brazil and Canada that such a formulation could be introduced at the outset of discussions at the SIRG in order to save time.



United States Department of State

Washington, D.C. 20520

December 4, 1997

Adhemar Bahadian
Ambassador
National Summit Coordinator
Brasilia

Peter Boehm
Ambassador
National Summit Coordinator
Canada

Dear Adhemar and Peter:

I appreciate all the hard work you and your staffs are putting in on the democracy and human rights proposal for the SIRG. As I have indicated to both of you, we believe the current proposal, while a good list of possible hemispheric actions, is too long to serve as a useful negotiating document. I therefore asked our experts to attempt to sort the actions contained in the document by topic and consolidate them into a few action items.

Attached is a possible reformulation of the proposal which I am offering to you as a suggestion as you prepare for the SIRG meeting. I believe next week's discussions would be facilitated greatly if a new, consolidated text were introduced at the beginning of the work session.

Thank you for your consideration. I look forward to seeing you both next week.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard".

Richard C. Brown
Ambassador
Summit Coordinator

PROPOSED CONSOLIDATION OF BRAZIL-CANADA PROPOSAL

(NOTE: Numbers after action items are references to the paragraphs in the proposal that emerged from the Nov. 21 working group in Santiago.)

Governments will:

(Gender Equality/Non-discrimination)

- **Ensure legal equality between men and women by the year 2000. Priority should be given to property, inheritance, violence and custody. (2, 3)**
- **Enhance cooperation to combat and eliminate all forms of violence and discrimination against children. (6, 7)**

(Administration of Justice/Due Process of Law)

- **Guarantee that all individuals have the right to due process of law, including the presumption of innocence and trial within a reasonable time; ensure by the year 2000 that no person shall be detained for a period exceeding the minimum sentence for the crime with which the person is charged; improve conditions of detention and enhance education on human rights for officials involved in the justice system. (23)**

(Human Rights)

- **Strengthen support for human rights, including full protection of the law for human rights defenders. Governments will support the process of strengthening the OAS human rights system, including greater autonomy for the Inter-American Human Rights Commission (IACHR), and promote stronger ties between OAS human rights entities, the Inter-American Institute of Human Rights, and national human rights organizations. (9, 16, 18-21)**

(Freedom of Expression)

- **Reiterate that freedom of expression is a fundamental human right whose exercise is fundamental to the exercise of all human rights and to the consolidation of democracy, and propose to establish within one year, within the OAS framework, a mechanism to defend and promote the freedom of the media in the hemisphere, including the preparation of regular reports in this area and reports on progress observed to the GRIC/SIRG. (12, 13)**
- **Commit themselves to creating a legal framework in which freedom of expression for mass media is fully supported, and the human rights of journalists are fully protected. (national counterpart to 12, 13)**



United States Department of State

*United States Permanent Mission to the
Organization of American States*

Washington, D.C. 20520

December 3, 1997

UNCLASSIFIED

MEMORANDUM

TO: EPSC -- Richard C. Brown

FROM: ARA/USOAS -- Ron Godard

SUBJECT: Brazil-Canada Summit Proposal on Democracy and Human Rights

Rich, thanks for your November 28 memo on the Brazil-Canada Summit proposals on democracy and human rights. You asked us to give you (1) "ideas on how best to consolidate the various proposals into a few solid action items," bearing in mind "the criteria for Summit action items: concise, presidential, and achievable in a three-year period"; and (2) comment on each of the action items listed in the document.

As developed more fully in section A below, it appears to me that there are perhaps four major areas into which we could consolidate the Brazil-Canada paper's 20-plus paragraphs. I've suggested language for those areas. In section B, I've made comments on all of the Brazil-Canada paper's paragraphs. I've also attached their paper with numbered paragraphs for ease of identification. (Note that, following the proposed consolidated language in section A, I've listed the numbers of the paragraphs in the Brazil-Canada paper which the consolidated language arguably addresses. Those paragraphs not specifically mentioned have been omitted).

As you suggested, I have consulted with Margaret Sarles in preparing this paper.

A. Proposed consolidation of action plan items

Gender Equality/Non-discrimination. Governments will:

Ensure legal equality between men and women by the year 2000. Priority should be given to property, inheritance, violence and custody.

(2, 3)

Enhance cooperation to combat and eliminate all forms of violence and discrimination against children.

(6, 7)

Administration of Justice/Due Process of Law. Governments will:

Guarantee that all individuals have the right to due process of law, including the presumption of innocence and trial within a reasonable time. Governments will ensure by the year 2000 that no person shall be detained for a period exceeding the minimum sentence for the crime with which the person is charged. Governments will improve conditions of detention and enhance education on human rights for officials involved in the justice system.

(23)

Human Rights. Governments will:

Strengthen support for human rights, including full protection of the law for human rights defenders. Governments will support the process of strengthening the OAS human rights system, including greater autonomy for the Inter-American Human Rights Commission (IACHR), and promote stronger ties between OAS human rights entities, the Inter-American Institute of Human Rights, and national human rights organizations.

(9, 16, 18-21)

Freedom of Expression. Governments will:

Reiterate that freedom of expression is a fundamental human right whose exercise is fundamental to the exercise of all human rights and to the consolidation of democracy, and propose to establish within one year, within the OAS framework, a mechanism to defend and promote the freedom of the media in the hemisphere, including the preparation of regular reports in this area and reports on progress observed to the GRIC/SIRG.

(12, 13)

Commit themselves to creating a legal framework in which freedom of expression for mass media is fully supported, and the human rights of journalists are fully protected.

(national counterpart to 12, 13)

With regard to the above, I'd like to reiterate the importance of obtaining Summit support for an OAS role in promoting a free press. In addition, I continue to believe that the U.S.-supported "Dispute Resolution" tick should be included but wonder if it is better placed in the "Confidence and Security Building Measures" category. If not, it should be included as a separate tick here.

B. Comments on specific paragraphs

Action Plan. Unclear. Does the first sentence mean that respect for human rights is the yardstick by which we measure democracy in the hemisphere? The second sentence is also unclear: what are “attainable multilateral efforts made at the local level”? What COULD this mean?

1. **“Integrated human rights policies.”** Vague. What are “integrated human rights policies”? Why are the promotion and protection of human rights limited to “the local level”? Has there been any discussion of a “National Plan on Human Rights”? What would it contain?

2. **Discrimination.** Phrase “eliminate and amend” makes no sense. At least say “eliminate OR amend.” Issue of listing protected classes could be problematical for us. The U.S. Constitution gives different levels of constitutional protection to different classes, e.g., race and sexual orientation are not accorded the same protection.

3. **Equality.** Full LEGAL equality? Or substantive equality? This makes a big difference. The next sentence suggests that only legal equality is being considered. Even if so, the specified examples are largely matters of STATE, not federal, law.

4. **Advocates.** Omit “legitimate.” Clarify “advocate”: does this refer to human rights advocates in general (i.e., anyone)? only to persons appointed to state positions as “human rights advocates”? lawyers? The definition could make a significant difference. If it applies only to state-appointed “advocates,” for example, it could be interpreted as downgrading support to the NGO’s fighting the battles in tough circumstances.

5. **Indigenous Peoples.** Omit this language. It’s intended to put pressure on govt’s to approve a still-controversial draft declaration. If it’s necessary to have a paragraph on this issue, use language from the final paragraph of the attached OAS resolution on this subject, from the 1996 OAS Lima General Assembly. This, already approved, language commits member states to work on the draft with a view to the possibility of adopting it at the next OASGA.

6. **“Cooperation network.”** Worthy objective, but vague. What is a “cooperation network”? Does this mean that we’re asking for enhanced judicial/law enforcement cooperation? That sounds fine. What are we committing to with increased cooperation on educational and social measures?

7. **“Regional information systems.”** Again, vague. What is a “regional information system”? Very poorly worded. How can a “regional information system” evaluate U.S. social policies? Who would do this?

8. **Ratification.** Omit. This is directed principally at the U.S. and Canada for not having ratified the American Human Rights Convention and has no place in this kind of document.

9. **Human Rights.** Generally OK. The relevance of the Peruvian suggestion is unclear. It doesn't add anything. At a minimum, Peru should be asked to explain what this adds. I'd be careful with this.

10. **UPD/CIDI.** OK. Not opposed to UPD references as we believe the Unit does good work and we support it financially, but we're not sure that we should be expending political capital fighting for this item's inclusion.

11. **UPD.** OK. See above.

12. **Freedom of expression.** OK, but would be better if broadened to refer to the OAS as well as the IACHR. Also need to clean up the grammar.

13. **OAS mechanism.** This is our suggestion and should be pressed.

14. **OAS office on resolution of disputes.** U.S. suggestion but perhaps better placed in “Confidence and Security Building” area if space becomes limited.

15. **Mexican proposal on pacific resolution.** This appears to be an attempt to torpedo #14 and should be resisted, no matter where we place #13.

16. **Human Rights.** OK, but doesn't say much. This is the minimum we can say about human rights.

17. **Human Rights.** OK, but wordy and vague. Who does the assessment?

18-21. **Human Rights.** Good points, but overly detailed for a presidential document.

22. **Ministerial.** This is an OAS matter and it should be discussed and resolved there. We don't need to be bounced into something without having had a proper discussion at the OAS. The Secretary General has raised this idea already and it doesn't seem to have broad support. In principle, it sounds like a good idea but the concept needs to be further discussed.

23. **Administration of justice.** This is unclear. What does it mean to increase cooperation through “advance information technology”?

Political Declaration. Again, the Peruvian proposal should be clarified. What does it add? It seems that they want to emphasize the “second generation” social and economic rights. The U.S. has affirmed the importance of these rights in various contexts, but I’m not sure what the “Declaration of the United Nations” is in this regard. We defer to L on a USG position on such matters.

Attachment:

As stated.

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

(2)

DEMOCRACY AND HUMAN RIGHTS

Proposal prepared by the Drafting Group
established during the Sectorial Meeting
on November 21, 1997

Action Plan

The consolidation of democracy, having as its criterion a growing respect for human rights, continues to be the most important political priority in the Americas. In addition, attainable multilateral efforts must be made at the country level to reinforce democratic values and institutions, including the promotion and in particular the protection of human rights, in a manner consistent with international obligations assumed by the states in this respect.

The governments will:

Define and develop integrated human rights policies, in consultation with the civil society, aimed at the promotion and protection of human rights at a local level, consistent with international rules and will give special consideration to the incorporation of those policies in a National Plan on Human Rights. (1)

Review all current legislation with the aim of eliminating and amending those clauses that lead to a violation of international obligations due to discrimination based on sex, religion, language, ethnic origin, age, political beliefs, sexual orientation, disability and race. (2)

(They will guarantee, furthermore, full equality between men and women by the year 2000, giving priority in this matter to the right to property, succession, rights of custody wazzu over children and the prohibition of violence.) (Proposal of the Group). (3)

(Highlight the legitimate work of human rights advocates and their important contribution towards the respect and the full force of fundamental rights. Likewise, to promote a state policy of support, communication and cooperation with them). (Proposal of Colombia). (4)

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

Instruct their ministers of Foreign Affairs in order that they, during the next regular period of sittings of the General Assembly of the OAS, complete the process of adopting the American Declaration on Indigenous Peoples, currently being considered by OAS bodies. (Proposal of CIDH/OAS).

(5)

Promote the establishment of a cooperation network among countries, which will include possible legal, judicial, educational and social measures, to combat and eliminate the sale of children, child prostitution and exploitation, in particular pornography. Similarly, they will adopt measures to exclude them from all forms of violence and participation in armed confrontations. (Proposal of the Group, based on proposals from Mexico and Colombia).

(6)

(Implement, by the year 2000, a regional information system on infants that will provide inputs to facilitate decision making, to monitor the situation of infants, and formulate and evaluate social policies to thus contribute to improve the living conditions of girls, boys and women in our countries. For these purposes, we commit ourselves to enhance the national information systems and call upon international organizations to participate and promote this initiative. UNICEF's proposal).

(7)

They will continue to give serious consideration to adhering to international instruments on human rights of which they are not a party, (in particular regional instruments,) and will examine and give, if necessary, to the obstacles preventing universal and full adherence to those instruments (Proposal of the Group based on the proposal of SG/OAS).

(8)

They will improve the capacity of the Organization of American States to:

- Promote and defend human rights (which are universal, indivisible and interdependent and are inter-related) (Proposal of Peru, using the wording of the Vienna Declaration), cooperating in the greater strengthening of the Inter-American system of human rights by the year 2000, specially through its key institutions, the Inter-American Commission on Human Rights and the Inter-American Court on Human Rights; (Proposal of the Drafting Group).

(9)

Assist the states in consolidating democratic values and institutions to promote greater cooperation between the Inter-American Council for Integral Development and Unity for the Promotion of Democracy towards financing projects in this area;

- Assist the states in democratic values and institutions through the strengthening of the UPD in the performance of its role as the senior level facilitator of political dialogue, exchanging experience and the development and exchange of information (Proposal of the Group);

- Reinforcing freedom of expression and of opinion as a right which full exercise is key for the consolidation of democracy, cooperating and supporting in a comprehensive manner the activities of the Inter-American Commission on Human Rights in this aspect.

- (Propose, within the OAS framework, the establishment during 1998 of a mechanism to defend and promote the freedom of the media in the hemisphere, including the preparation of regular reports in this area and reports on progress observed to GRIC/SIRG) (Alternative Proposal of the USA).

- (Assist in the pacific resolution of conflicts within and between states, at the request of the member states involved, establishing an office with that mandate within the OAS) (Proposal of the wazzu USA).

- Assist in the pacific resolution of conflicts within the framework of the solutions mechanisms existing in the Inter-American system) (Proposal of Mexico).

(SG/OAS consolidating proposal starts)

- They will continue to support the Inter-American system of human rights and will encourage the process to strengthen such system which is taking place in the OAS.

- They will carry out an extensive assessment of the status of human rights in our hemisphere and will prepare concrete proposals to reinforce and, if necessary, and by means of a clear decision, modify the system to adapt it to the new challenges faced by the promotion and protection of human rights in this stage.

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

(6)

- They will consider, as a parameter for such undertaking, that it is fundamental:
- to provide the system with the capacity to substantially increase the number of cases attended to and the pace and quality of the processing of same; 18
- reflect in our system the recognition that the roots of the respect and protection of human rights lies with the national systems of the member States, among other things, by means of the creation of operational and judicial links between the judicial regional and national systems and the office of the people's advocate or Ombudsman; 19
- highlight the independence and autonomy of the system, even by means of granting greater authority on the appointment of its personnel and budget; 20
- commit itself to regular financing of the human rights system that will guarantee its capacity to carry out everything required of it; and 21

call a senior level ministerial meeting, or dedicate a future General Assembly of the OAS, to attain the consolidation of the decisions adopted and the execution of the specific conclusions reached in this process of strengthening human rights. (22)

(End SG/OAS proposal).

In partnership with the Organization of American States and the Inter-American Development Bank and the Inter-American Institute of Human Rights, to support international cooperation and local initiatives through the use of advance information technology. This will permit a better coordination of activities, the continuity of same and greater participation of all parties involved in the three key areas of the administration of justice identified by the Group on Democracy and Human Rights of the OAS. These key areas are: Police training; the necessary steps to remedy inhuman prison conditions and reduce the number of detainees waiting for a judicial resolution (pre-trial detainees); education on human rights for judges, magistrates, prosecutor attorneys and other judicial officers (Proposal of the Group). (23)

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

(7)

Paragraphs suggested for the political declaration:

(All human rights are universal, indivisible and interdependent and are inter-related. In this context, we reassert the right to development, as proclaimed in the Declaration of the United Nations on the right to development, as a universal and inalienable right and as an integral part of basic human rights.) (Proposal of Peru according to the wording of the Vienna Declaration).

The recognition of the rights that are intrinsic to the human condition is indispensable for democratic practices. However, to have respect for democratic rights, it is equally indispensable to create the conditions required for their exercise. A body of responsible and informed citizens presupposes the existence of an educated society. Conditions of access to education shape the exercise and realization of all other civic rights. No democratic ideal will become a reality without the democratic upbringing of the citizens.

We have chosen education as the key issue in this Santiago Summit. The promotion of a body of citizens is therefore dealt with in its double democratic dimension: The creation of equal opportunities as well as the creation of conditions for the full exercise of recognized rights. If democracy attempts to create equal opportunities for all, it is imperative for governments to create the material conditions for the exercise of the right to education. The accomplishment of such duty becomes easier when countries mutually support themselves. In our continent, educational needs may be more effectively and realistically responded to if we adopt, jointly, cooperation policies, thus launching the foundations for the democracies that will flourish in the Americas of the 3rd millennium. Equality, in order to be democratic, should mean the right that each individual has of choosing and running his own existence and the right to protect one's individuality against detrimental pressures of homogenization.

In Santiago we have adopted decisions for partnerships in many fields, in the overall subordination to the essential issue of Democracy and its fundamental connections to Education. Under democratic values, our youth will be educated to be citizens in a more enlightened world; consequently in a better world. Thus our States will be consistently modernized and our populations will participate more intensely and consciously in the resources of a fair and democratic society.

TWENTY-SEVENTH REGULAR SESSION
June 1, 1997
Lima, Peru

OEA/Ser.P
AG/doc.3573/97
5 June 1997
Original: Spanish

PROPOSED AMERICAN DECLARATION ON
THE RIGHTS OF INDIGENOUS PEOPLES

(Resolution adopted at the seventh plenary session,
held on June 5, 1997)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the Annual Report of the Inter-American Commission on Human Rights (AG/doc.3492/97);

CONSIDERING:

That, under resolution AG/RES. 1022 (XIX-O/89), the General Assembly asked the Inter-American Commission on Human Rights to prepare a declaration on the rights of indigenous populations; and

That, at its meeting on April 10, 1997, the Permanent Council received the "Proposed American Declaration on the Rights of Indigenous Peoples" (CP/doc.2878/97 corr. 1), prepared by the Inter-American Commission on Human Rights,

RESOLVES:

1. To express its appreciation for and take note of the "Proposed American Declaration on the Rights of Indigenous Peoples," prepared by the Inter-American Commission on Human Rights.
2. To instruct the Permanent Council to study the "Proposed American Declaration on the Rights of Indigenous Peoples."
3. To express the view that the text of the "Proposed American Declaration on the Rights of Indigenous Peoples" should reflect the concerns of indigenous populations as well as the work of the United Nations in this area.
4. To ask the governments of the member states to transmit, prior to December 31, 1997, their observations and recommendations on the "Proposed American Declaration on the Rights of Indigenous Peoples," prepared by the Inter-American Commission on Human Rights.

5. To ask the Inter-American Juridical Committee and the Inter-American Indian Institute to transmit to the Permanent Council their comments on the "Proposed American Declaration on the Rights of Indigenous Peoples" (CP/doc.2878/97 corr. 1), taking into account any observations and recommendations presented by the governments of the member states.

6. To instruct the Permanent Council to convene a meeting of government experts in this field, subject to resources allocated in the program-budget and other resources, upon receipt of the observations and comments referred to in the preceding paragraphs, and once it has carried out other activities it deems pertinent, with a view to possible adoption of the "Proposed American Declaration on the Rights of Indigenous Peoples" by the General Assembly at its twenty-eighth regular session.

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REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

③

DEMOCRACY AND HUMAN RIGHTS

Proposal prepared by the Drafting Group
established during the Sectorial Meeting
on November 21, 1997

Action Plan

The consolidation of democracy, having as its criterion a growing respect for human rights, continues to be the most important political priority in the Americas. In addition, attainable multilateral efforts must be made at the country level to reinforce democratic values and institutions, including the promotion and in particular the protection of human rights, in a manner consistent with international obligations assumed by the states in this respect.

The governments will:

Define and develop integrated human rights policies, in consultation with the civil society, aimed at the promotion and protection of human rights at a local level, consistent with international rules and will give special consideration to the incorporation of those policies in a National Plan on Human Rights.

Review all current legislation with the aim of eliminating and amending those clauses that lead to a violation of international obligations due to discrimination based on sex, religion, language, ethnic origin, age, political beliefs, sexual orientation, disability and race.

(They will guarantee, furthermore, full equality between men and women by the year 2000, giving priority in this matter to the right to property, succession, rights of custody wazzu over children and the prohibition of violence.) (Proposal of the Group).

(Highlight the legitimate work of human rights advocates and their important contribution towards the respect and the full force of fundamental rights. Likewise, to promote a state policy of support, communication and cooperation with them). (Proposal of Colombia).

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
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④

Instruct their ministers of Foreign Affairs in order that they, during the next regular period of sittings of the General Assembly of the OAS, complete the process of adopting the American Declaration on Indigenous Peoples, currently being considered by OAS bodies. (Proposal of CIDH/OAS).

Promote the establishment of a cooperation network among countries, which will include possible legal, judicial, educational and social measures, to combat and eliminate the sale of children, child prostitution and exploitation, in particular pornography. Similarly, they will adopt measures to exclude them from all forms of violence and participation in armed confrontations. (Proposal of the Group, based on proposals from Mexico and Colombia).

(Implement, by the year 2000, a regional information system on infants that will provide inputs to facilitate decision making, to monitor the situation of infants, and formulate and evaluate social policies to thus contribute to improve the living conditions of girls, boys and women in our countries. For these purposes, we commit ourselves to enhance the national information systems and call upon international organizations to participate and promote this initiative. UNICEF's proposal).

They will continue to give serious consideration to adhering to international instruments on human rights of which they are not a party, (in particular regional instruments,) and will examine and give, if necessary, to the obstacles preventing universal and full adherence to those instruments (Proposal of the Group based on the proposal of SG/OAS).

They will improve the capacity of the Organization of American States to:

- Promote and defend human rights (which are universal, indivisible and interdependent and are inter-related) (Proposal of Peru, using the wording of the Vienna Declaration), cooperating in the greater strengthening of the Inter-American system of human rights by the year 2000, specially through its key institutions, the Inter-American Commission on Human Rights and the Inter-American Court on Human Rights; (*Proposal of the Drafting Group*).

5

- Assist the states in consolidating democratic values and institutions to promote greater cooperation between the Inter-American Council for Integral Development and Unity for the Promotion of Democracy towards financing projects in this area;
- *Assist the states in democratic values and institutions through the strengthening of the UPD in the performance of its role as the senior level facilitator of political dialogue, exchanging experience and the development and exchange of information (Proposal of the Group);*
- Reinforcing freedom of expression and of opinion as a right which full exercise is key for the consolidation of democracy, cooperating and supporting in a comprehensive manner the activities of the Inter-American Commission on Human Rights in this aspect.
- (Propose, within the OAS framework, the establishment during 1998 of a mechanism to defend and promote the freedom of the media in the hemisphere, including the preparation of regular reports in this area and reports on progress observed to GRIC/SIRG) (Alternative Proposal of the USA).
- (Assist in the pacific resolution of conflicts within and between states, at the request of the member states involved, establishing an office with that mandate within the OAS) (Proposal of the wazzu USA).
- Assist in the pacific resolution of conflicts within the framework of the solutions mechanisms existing in the Inter-American system) (Proposal of Mexico).

(SG/OAS consolidating proposal starts)

- They will continue to support the Inter-American system of human rights and will encourage the process to strengthen such system which is taking place in the OAS.
- They will carry out an extensive assessment of the status of human rights in our hemisphere and will prepare concrete proposals to reinforce and, if necessary, and by means of a clear decision, modify the system to adapt it to the new challenges faced by the promotion and protection of human rights in this stage.

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

⑥

- They will consider, as a parameter for such undertaking, that it is fundamental:
- to provide the system with the capacity to substantially increase the number of cases attended to and the pace and quality of the processing of same;
- reflect in our system the recognition that the roots of the respect and protection of human rights lies with the national systems of the member States, among other things, by means of the creation of operational and judicial links between the judicial regional and national systems and the office of the people's advocate or Ombudsman;
- highlight the independence and autonomy of the system, even by means of granting greater authority on the appointment of its personnel and budget;
- commit itself to regular financing of the human rights system that will guarantee its capacity to carry out everything required of it; and
- call a senior level ministerial meeting, or dedicate a future General Assembly of the OAS, to attain the consolidation of the decisions adopted and the execution of the specific conclusions reached in this process of strengthening human rights.

(End SG/OAS proposal).

In partnership with the Organization of American States and the Inter-American Development Bank and the Inter-American Institute of Human Rights, to support international cooperation and local initiatives through the use of advance information technology. This will permit a better coordination of activities, the continuity of same and greater participation of all parties involved in the three key areas of the administration of justice identified by the Group on Democracy and Human Rights of the OAS. These key areas are: Police training; the necessary steps to remedy inhuman prison conditions and reduce the number of detainees waiting for a judicial resolution (pre-trial detainees); education on human rights for judges, magistrates, prosecutor attorneys and other judicial officers (Proposal of the Group).

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

⑦

Paragraphs suggested for the political declaration:

(All human rights are universal, indivisible and interdependent and are inter-related. In this context, we reassert the right to development, as proclaimed in the Declaration of the United Nations on the right to development, as a universal and inalienable right and as an integral part of basic human rights.) (Proposal of Peru according to the wording of the Vienna Declaration).

The recognition of the rights that are intrinsic to the human condition is indispensable for democratic practices. However, to have respect for democratic rights, it is equally indispensable to create the conditions required for their exercise. A body of responsible and informed citizens presupposes the existence of an educated society. Conditions of access to education shape the exercise and realization of all other civic rights. No democratic ideal will become a reality without the democratic upbringing of the citizens.

We have chosen education as the key issue in this Santiago Summit. The promotion of a body of citizens is therefore dealt with in its double democratic dimension: The creation of equal opportunities as well as the creation of conditions for the full exercise of recognized rights. If democracy attempts to create equal opportunities for all, it is imperative for governments to create the material conditions for the exercise of the right to education. The accomplishment of such duty becomes easier when countries mutually support themselves. In our continent, educational needs may be more effectively and realistically responded to if we adopt, jointly, cooperation policies, thus launching the foundations for the democracies that will flourish in the Americas of the 3rd millennium. Equality, in order to be democratic, should mean the right that each individual has of choosing and running his own existence and the right to protect one's individuality against detrimental pressures of homogenization.

In Santiago we have adopted decisions for partnerships in many fields, in the overall subordination to the essential issue of Democracy and its fundamental connections to Education. Under democratic values, our youth will be educated to be citizens in a more enlightened world; consequently in a better world. Thus our States will be consistently modernized and our populations will participate more intensely and consciously in the resources of a fair and democratic society.

TALKERS FOR U.S. CHAIR

DEMOCRACY/HUMAN RIGHTS

[NOTE: The U.S. proposed a consolidated text to the Brazilians and Canadians prior to the SIRG. If the suggestion was not taken, the U.S. chair should support an effort to create a working group with the clear instruction of producing about six action items.]

[If no consolidated text:

- Thank you, Mr. Chairman. The United States commends the Governments of Brazil and Canada for providing leadership in this area, not only in the Santiago Summit, but for their efforts on the Miami Summit as well.
- My government participated in the working group at the November 21 pre-SIRG consultation meeting that produced the current text. We see the document as a good menu of options that can be pursued in this area.
- We believe the document needs to be boiled down into a few topics and the points summarized therein.
- We would be happy to participate in a working group, Mr. Chairman, but we believe that the group should have a specific mandate of producing, say, no more than six action items that capture the relevant points contained in the first proposal.

[Points regarding U.S. proposals, for use in the working group or plenary, as appropriate.]

- My government would like to mention three points that are contained within the current proposal.
- First, we raised at the November 21 pre-SIRG meeting a proposal for a special office at the OAS to that could be available, at the request of member states, to help mediate conflicts within and between OAS member states. Several governments agreed that it would be worth exploring the possibility of improving the responsiveness of the OAS in this area, which before has been on an ad hoc basis.
- With you permission, Mr. Chairman, and in the interest of trying to narrow the focus of the current proposal, we would like to request that this action item be moved to the CSBM area of the agenda. This particular action item, we believe, will fit comfortably under that heading.
- Second, we proposed greater hemispheric support for the Inter-American Institute of Human Rights, or IIHR. For the last 17 years, the IIHR has worked in support of democratic elections and protection of human rights. Currently, many governments

contract with the Institute for special projects or training seminars. We propose that leaders endorse an increase in the central budget of the Institute so that it can expand its programs to a hemispheric level, in support of the Summit objectives in this area.

- Finally, we believe that freedom of the press and of the media is a relevant topic that leaders in Santiago should address. A concrete action in this area would be the establishment of a mechanism within the OAS that could promote and protect such freedoms. This mechanism could be asked to produce periodic reports on press freedom in the Americas, as well as be an advocate for freedom of the media.

REPUBLICA DE CHILE
Ministerio de Relaciones Exteriores
Coordinación General
II Cumbre de las Américas

(2)

037823 5 41152

Nº 57

Santiago, December 05, 1997

Nº 112 051152

Dear National Coordinator :

Please find enclosed a joint proposal of the coordinators, Brazil and Canada, for the item of "Democracy and Human Rights".

This proposal consolidates the proposal prepared by the drafting group at the meeting held on last November in Santiago, and wich you have recived through my circular Nº 47 of November 28, 1997.

Yours sincerely,



JUAN MARTABIT
COORDINADOR GENERAL
Ambassador
General Coordinator



REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

3

PROPOSAL
SUBJECT : "DEMOCRACY AND HUMAN RIGHTS"

Proposal of Brazil - Canada

The consolidation of democracy, which has its touchstone growing respect for human rights, remains the most important political priority in the Americas. Further attainable efforts must be undertaken domestically and multilaterally to reinforce democratic values and institutions, including the promotion and, in particular, the protection of civil and political as well as economic, social and cultural rights, in a manner consistent with international obligations assumed by States in this respect.

Governments will, by the next Summit of the Americas:

- Define and develop integrated human rights policies, in consultation with civil society, aimed at the promotion and protection of human rights at the domestic level, consistent with international norms, and give special consideration to the embodiment of those policies in a national human rights plan. Such policies should include government support for, as well as communication and cooperation with human rights defenders.
- Review all legislation in force in order to eliminate or amend those provisions which lead to discrimination, in contravention of international obligations, by reason of gender, religion, language, ethnic origin, age, political beliefs, sexual orientation, disability and race, and to guarantee full legal equality to affected individuals.
- Implement legal, educational and social measures to combat and eliminate the sale of children, child prostitution and child exploitation through pornography.

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

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- With the participation of and promotion by concerned international organizations, implement a regional information system on children, based on enhanced national information systems, which provides inputs for decision making, monitoring the condition of children, and formulating and evaluating social policies so as to contribute to the betterment of the living conditions of girls, boys and women in the hemisphere.
- Continue to give serious consideration to adherence to international human rights instruments to which they are not already party, including identification of the impediments preventing adherence to those instruments.

Governments also will:

Enhance the capacity of the Organization of American States to:

- Promote and defend human rights, by submitting concrete proposals to strengthen the Inter-American Human Rights System, including the Inter-American Human Rights Commission and the Inter-american Court of Human Rights, in order to increase its independence, autonomy and efficiency as well as its operational and juridical links with national systems and Ombudsmen offices;
- Assists States in the consolidation of democratic values and institutions by strengthening the role of the unit for the promotion of democracy as a facilitator of high-level political dialogue, exchanges of experiences, and development and exchanges of information;
- Strengthen freedom of opinion and expression as a human right whose full exercise is key to the consolidation of democracy, by fully cooperating with, and supporting the activities of the Inter-american Human Rights Commission in this regard, particularly in connection with the promotion and protection of freedom of the media in the hemisphere;

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

(5)

- Assist in the peaceful resolution of conflicts by examining possible improvements to existing mechanisms within the Inter-american System and making recommendations through the OAS General Assembly by 2000;
- In partnership with the Organization of American States, the Inter-American Development Bank and the Inter-American Institute for Human Rights, and through the use of advanced information technology, promote further international cooperation and domestic initiatives, by 2000, in one or more of three key areas of administration of justice identified by the OAS working group of democracy and human rights.
 - Police training
 - The necessary steps to remedy inhumane conditions in prisons and minimize the number of pre-trial detainees; and
 - Human Rights education for judges, magistrates and other court officers.

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5

Divider Title: _____

II. Preserving and Strengthening Democracy and Human Rights

- Actions in the area of education for democracy and full respect for human rights.

Governments will:

- Incorporate, within three years, active methodologies for education in democracy and human rights, including women's rights, in the primary and secondary school curricula of their countries, drawing on expertise from the public and private sectors on curriculum development and reform.

RATIONALE

Nurturing a democratic culture challenges every country of the Americas. New democracies are emerging from years of authoritarian rule or armed conflict and must build a foundation for democratic citizenship and participation, often under difficult circumstances. Established democracies face challenges from ethnic and racial conflict, apathy, and crime. Yet, these very different national realities share common ground, including the goal and commitment of educating their populations about the rights and responsibilities of citizens. Incorporating formal instruction on democracy and human rights into school curricula will be one of the most effective ways we have of developing citizens who will participate in democratic political life and the market-based economy.

STATUS

The placement of this topic in the action plan is not clear. The Chilean Summit Secretariat combined this issue with the democracy and human rights actions proposed by Brazil and Canada, though the current proposal in that area does not have a reference to education for democracy. The U.S. proposal was raised at the November 21 consultation in Santiago, where Brazil called for a broader timeframe than the three-year one proposed by the U.S. The U.S. noted that the then recently completed education proposal contained references to education of democratic principles and that perhaps this issue could be consolidated into the education initiative. The Chileans may decide that this item has already been adequately covered in the Mexican education initiative draft and ask the SIRG to let it be subsumed.

United States Information Agency
Office of Inter-American Affairs

BRIEFING MEMO

December 4, 1997

MEMORANDUM FOR: ARA/EPSC - Christian Kennedy fax: 736-7618
Dept. Of Education - Lenore Garcia fax: 401-2508
USAID - Dave Evans fax: 216-3262

FROM: AR - Liza Davis *LD*

SUBJECT: Summit action item on Education for Democracy

In advance of Friday's education meeting, following is our proposed revision of Mexico's current draft of the education for democracy action item. I have tried to incorporate key points of Mexico's language, while holding onto some of the most important ideas from our original USG proposal.

Proposed compromise: Incorporate active strategies for education for democracy, with special attention to human rights, gender-related issues, peace, tolerance, and respect for the environment and natural resources, both within primary and secondary school curricula and outside school, with the assistance of public and private sector actors and social organizations.

USG original language: Incorporate, within three years, active methodologies for education in democracy and human rights, including women's rights, in the primary and secondary school curricula of their countries, drawing on expertise from the public and private sectors on curriculum development and reform.

Current Mexico version (EPSC translation): Develop within and outside schools, with the assistance of different actors and social organizations, educational strategies that foster the development of values, with special attention to the inclusion of democratic principles, human rights, gender-related issues, peace, tolerance, and respect for the environment and natural resources.

cleared: USIA/AR:BMoore
USIA/AR:KDavis

TALKERS FOR U.S. CHAIR

EDUCATION FOR DEMOCRACY

[NOTE: This item was supposed to be addressed by the Responsible Coordinators for democracy and human rights, which did not occur. The U.S. proposal, however, is similar to paragraph 7 of the Mexican proposal on education. The U.S. chair should, if necessary, offer to let the topic be subsumed by the Mexican text, using the following points:

- Mr. Chairman, we note that the current proposal for the democracy and human rights agenda item does not contain a reference to education for democracy.
- We also note, however, that the substance of this agenda area is covered by the current proposal on education. We therefore suggest, if the Chair is so disposed, to move this entire item under the education basket.]

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6

Divider Title: _____

II. Preserving and Strengthening Democracy and Human Rights

- Actions aimed at enhancing the participation of civil society.

Governments will:

- [ORIGINAL U.S. LANGUAGE] Develop jointly, within one year, model regulations for the formation and operation of non-profit civil society organizations and formulate a work plan for implementing such regulations in their respective countries; in carrying this out, hold working- and high-level conferences and seek technical input from the IDB, OAS, and interested members of the public.

RATIONALE

Organizations that genuinely represent citizen desires and interests can contribute to democratic governance by educating citizens to communicate effectively their concerns to decision makers and by mobilizing citizens to contribute to the improvement of their communities. Sound regulatory frameworks allow such organizations to operate and receive financing in support of these objectives. Model regulations in this area have been developed by several international organizations and private groups. Our proposal is to develop a common set of non-binding model regulations which governments could apply in accordance with their national legal frameworks. International organizations could assist countries as needed to develop the regulations and strategies to implement them. As this is a process that directly affects citizens, the proposal calls for input from members of the public during the formulation process.

STATUS

The Jamaica-Uruguay proposal has three action items: 1) authorize Jamaica and Uruguay with coordinating follow-up on the initiative; 2) develop “model mechanisms” for establishing civil society organizations and public-private partnerships and establish a workplan for implementing them; and 3) generic language referring to the Foundation of the Americas.

In addition, the Jamaicans and Uruguayans produced a list of civil society-related actions to be inserted into other areas of the Santiago Action Plan. Four of them, however, are associated with the civil society area, from which one could assume these are second-tier proposals in addition to the three principal action items (a slightly revised version of the U.S. proposal is among them.) These items are largely hortatory and could be summarized in the political declaration.

The recommendation on strengthening local government, is already contained in the current proposal, drafted by the U.S. The recommendation on education for democracy is contained in the current Mexican text on education.



The only item not currently addressed is the reference to NGOs with regard to capital investment and community development. Perhaps this item could be integrated into the third action item dealing with “hemispheric financial mechanisms to promote civil society.”

TALKERS FOR U.S. CHAIR

CIVIL SOCIETY

- Jamaica and Uruguay have done an excellent job canvassing civil society groups for input. The U.S. has always been a strong supporter of civil society involvement.
- The current proposal is a good start to identifying some of the priorities for the hemisphere in this area. However, we believe the proposal could use some re-working. Specifically:
 - the first action item deals with implementation and should be considered in the context of what is eventually decided by the SIRG; and
 - the second action item needs to be re-drafted to be more clear and presidential.
- As for the list of “considerations” to be inserted into other areas, we have four brief observations:
 - 1) the four items that refer to section II.3 of the Action Plan, which is in fact the civil society section, are important statements that should be folded into the political declaration;
 - 2) on the item referring to local and regional administrations, my government has folded the recommendation into the current proposal, for which we had the responsibility to draft;
 - 3) the item on education for democracy is duly covered by paragraph 7 of the Mexican education text; and
 - 4) the action item referring to economic integration could be folded into the third action item, which deals with a similar topic.
- Also, we have reviewed the Brazilian proposal on volunteerism and believe that it could be an appropriate action to consider in this area.
- Mr. Chairman, my government is prepared to produce these comments in writing and would be happy to work with the Governments of Uruguay and Jamaica during this meeting in order to produce a more focused and presidential draft.

REPUBLICA DE CHILE
Ministerio de Relaciones Exteriores
Coordinación General
II Cumbre de las Américas

Nº 43

Santiago, Chile, 25 NOV 1997

Dear National Coordinator :

Please find as attached, the statement for the proposal named "Civil Society", received from Jamaica and Uruguay as Responsible Coordinators in this subject. This topic is included in the chapter "Preserving and Strengthening Democracy and Human Rights".

The said proposal will be discussed during the the XI SIRG Meeting, that will be held on december 9-11 at the Headquarters of the Organization of the American States (OAS) in Washington D.C.

Sincerely,



Santiago Summit of the Americas -- April 1998
Proposed Actions to Increase Civil Society Participation

Background and Rationale

Governments of the hemisphere, through recent global and regional summits, have recognized that strong civil society engagement in decision-making is fundamental for enhancing democracy, promoting sustainable development, achieving economic integration and free trade, improving the lives of all people, and conserving the natural environment for future generations. Important progress has been made since the Miami Summit of the Americas and the Bolivia Summit on Sustainable Development in addressing the need for public participation in decision-making and in identifying and developing the means to strengthen civil society. For example, the Organization of American States, in compliance with the Bolivia Summit mandate, is presently formulating an Inter-American Strategy for Public Participation (ISP) to identify concrete mechanisms for securing the universal rights and obligations of individuals, civil society and governments recognized in previous summits, and to promote participatory decision-making in environmental and sustainable development issues. This strategy is being formulated by conducting demonstration studies, analyzing relevant legal and institutional frameworks and mechanisms, sharing information and experiences, and establishing a basis for long-term financial support for public-private alliances. In addition, governments of the hemisphere are establishing Councils for Sustainable Development at a national level consistent with Rio Summit Agenda 21. The proposed action would thus complement ongoing work undertaken pursuant to prior hemispheric and global summits, and expand the scope of this work to include all relevant areas of development. The action would rely upon creating and strengthening partnerships between government and all sectors of society as a means to secure meaningful participation in decision-making. The action would also advance existing hemispheric commitments by moving toward concrete and realizable goals.

Proposed Measures

In order to ensure that there is a strong, diverse and participative civil society committed and able to give depth and durability to the objectives of this Plan of Action, there must be consensus on the appropriate roles and operations of the social partners including the need for all partners to acknowledge their individual responsibilities.

I. Separate Civil Society Action Item

We would propose that the Santiago Summit SIRG consider inserting, as a separate action item on civil society participation, the following measures:

" Governments will:

1. Entrust Jamaica and Uruguay, along with other interested states, with the responsibility to coordinate this initiative and encourage support among governments and members of civil society, and to follow up with the OAS and the IDB to assure that appropriate programs to

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carry out this initiative are established and supported.

2. Develop, strengthen and expand, within one year of the date of this Plan of Action, modalities permitting the formation and operation of non-profit and other civil society organizations and model mechanisms for establishing government-civil society partnerships in decision-making and policy implementation in all areas addressed in this Plan of Action. These modalities and mechanisms will be developed with the support of the OAS, IDB and other relevant organizations, and in consultation with civil society, and they will draw on experiences in the area of sustainable development gained through formulation of the Inter-American Strategy for Participation (ISP) and through operation of the National Councils for Sustainable Development, among other relevant experiences. Further, within two years, the countries will adopt a work plan to implement these modalities and model mechanisms.
3. Urge the IDB to develop and implement, along with interested states, hemispheric financial mechanisms specially devoted to the implementation of programs oriented toward strengthening civil society and public participation mechanisms. "

II. Civil Society Considerations For Insertion Into Other Action Plan Areas

We further would recommend that the SIRC integrate civil society participation as a preferred mechanism in each of its substantive areas of the Summit document, and to that end we recommend that language be inserted as appropriate into relevant sections of the Summit documents, including language committing the governments to:

Relevant Section (s)*	Language
Democracy II.3	Promote consultations on the preparation and implementation of policies designed to optimise the participation of civil society in the various spheres of their national life.
Democracy II.3	Ensure that all citizens, women and men, are incorporated in all spheres of public and political life and ensure that their gender interests are taken into account in the promulgation of public policies and programmes.
Poverty IV.6 and/or Democracy II.3	Encourage the expression and forms of participation appropriate for indigenous peoples to assert their cultural identity, on the basis of respect and guarantee of their rights.
Economic Integration III.2	Support the efforts of NGO's to develop integrated approaches to capital investment and community development. In particular Governments should support the initiatives which utilise an integrated approach to community development in the inner cities.
Democracy II.4	Aid the decentralization of local governments/municipalities to ensure that communities can participate in decisions which directly affect their environment, productivity and livelihoods.
Education I.4 and/or	Include in the educational curriculum themes relevant to building and

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Democracy II.2	educating for peace (peaceful resolution of conflicts, collective responsibility, non-violence, respect for life and dignity, etc.)
Democracy II.3	Develop jointly with all members of civil society, as soon as practical, model mechanisms and regulations to secure full and responsible participation of civil society. In so doing, governments will seek the cooperation, both technical and financial, of the organisations in the hemisphere (OAS, IDB), and other interested members of the international community.
Education & Democracy & Economic Integration & Poverty	Formulate in the second year a work plan for implementing these mechanisms and regulations in their respective countries.

* Note that section references are to the Proposed Agenda for the Summit of the Americas circulated by the government of Chile

**U.S. Department of State
Office of Language Services
Translating Division**

LS No. 118015
JPM/ML
Portuguese

[Handwritten: Brazil]

Proposals for the Summit of the Americas

II. Preservation and Strengthening of Democracy and Human Rights

Actions Designed to Broaden Participation in Civil Society

1. Strengthen the proposed action already contained in the Uruguayan document regarding the holding and broadening of national processes of consultation between government and civil society, with a view to defining procedures for dialogue and partnership.

The relationship between government and civil society is still marked by political tensions and operational difficulties in many countries of the Hemisphere. Under the Plan of Action approved by the Miami Summit, the Inter-American Development Bank launched a regional program of national consultations between government and civil society with a view to overcoming mutual misunderstandings and exploring flexible mechanisms for dialogue and cooperation. The consultations held in Brazil, Colombia, and Mexico led to the consensus-based identification of national agendas for initiatives to strengthen civil society in each country.

The Uruguayan proposal makes no reference to the consultations already held, and gives no assessment of their operational progress. The innovative significance and operability of these initiatives could be strengthened by:

- (i) Recognizing the positive impact of the national processes under way for public debate and consensus-building between government and civil society;
- (ii) Recommending the extension of consultations to countries that have not yet held them, with the support of the IDB;
- (iii) Recommending that the action priorities identified on a consensual basis become elements of national programs to bolster civil society, supported by the respective governments and the IDB.

2. Add a new item to the action proposals appearing in the Uruguayan document referring to the development of a regional program to promote volunteerism as an expression of cooperative civic participation.

In Latin American and the Caribbean, volunteerism, i.e., citizens who donate their time, labor, and talent to public interest causes, is still a relatively unknown and unappreciated phenomenon. Nevertheless, in various countries, there has recently been an upsurge in public and private programs designed to foster and to enhance the value of this direct civic participation in freely chosen initiatives to work together to improve the quality of life.

These national programs to promote volunteerism may be enhanced by:

(i) Routinely exchanging know-how, information, and experience in the area of volunteer work among the countries of the Hemisphere;

(ii) Developing joint human resource training initiatives to manage volunteerism programs;

(iii) Providing incentives for the establishment of volunteerism programs that primarily target socially vulnerable youth in underprivileged urban communities.

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Divider Title: _____

December 4, 1997

USG PROPOSED ACTION ITEM FOR SANTIAGO SUMMIT

Preserving and Strengthening Democracy and Human Rights

-Actions to guarantee the protection of the human rights of all migrant workers and their families.

Chapeau and Action Item Language:

Our nations have the right to control migration across our borders, and share the responsibility for managing it in ways that seek, among other ends, to guarantee the basic human rights of migrant workers and their families. We recognize the contributions of workers from foreign countries to our societies and economies, and we must, within the legal framework of each country, strive to prevent discrimination against them. In light of the foregoing,

Governments will:

- o Condemn violations of the human rights of migrants, including migrant workers and their families.
- o Endeavor to enhance mutual compliance with the consular notification and access obligations of the 1963 Vienna Convention on Consular Relations, with respect to migrant workers and their families.
- o No later than the year 2001--and in accordance with each country's internal legal framework--protect the rights of migrant workers and their families by taking steps to: (1) provide with respect to working conditions, the same legal protection as for national workers; (2) gather and forward, as appropriate, full wages owed when the worker has returned to his/her country; (3) recognize the citizenship rules applicable to the children of migrant workers and any rights they may have within each country; (4) permit the legal migration of workers documented with visas; and (5) through law enforcement and information campaigns, safeguard migrant workers and their families from criminal depredation, including alien smuggling.

RATIONALE

We received useful, substantive contributions and observations from El Salvador, Haiti, Mexico and Guatemala to assist in the revision of the action item on protecting the human rights of migrant workers and their families. The new submission includes elements of the suggestions from these governments. We have sought to offer actions that are concrete and achievable so that, with endorsement by our heads of state and government, they will have a direct, palpable impact on the lives of migrants in the Americas. Suggested changes to legislation seemed problematic because the Summit is a meeting of democratically elected executives and not legislatures. In revising the action item, we focused on measures that have an impact only on migrant workers who are outside their country of citizenship. Many of the excellent suggestions that we received--for example, to conduct studies--seemed to have a greater relevance to implementation and follow-up, and we would ask that they be left to later fora.

The proposed revised action item reiterates the concept that all countries must protect the safety and human rights of all people within their national boundaries, including migrants, migrant workers, and their families, whatever their legal status. Numbers one and two of the revised action item address the issue of working conditions and wages, and they forestall the possibility that migrant workers might be forced to work in unhealthy or other substandard conditions. The possibility that a migrant worker might lose part of the pay agreed to by employer and employee has also been addressed. Many migrant workers travel with their families and stay for long periods in countries not their own. Number three focuses on the citizenship rights of their children born during these stays abroad as well as other rights under the laws of both the country of their parents' citizenship and the country where they are born.

Regardless of their documented or undocumented status, migrant workers and their families are especially vulnerable prey for criminals because of their unfamiliarity with the countries in which they work and their often perceived need to maintain a near invisibility. Number four seeks to bring together the protective obligations of the state and the need of both migrants and citizens of the receiving country to learn about the migrant's rights and contributions in his or her adopted society. Number five reaffirms, with regard

to migrant workers and their families, the obligation that signatories to the 1963 Vienna Convention on Consular Relations have to notify promptly appropriate consular representatives when a national of another signatory country is detained by law enforcement officials.

STATE OF PLAY

The U.S. drafted the current proposal with input from El Salvador, Guatemala, Haiti, and Mexico. At the November 21 consultation meeting, the Brazilians asked that a reference be added on education and health services for migrants. The Mexicans asked for language condemning "racist and discriminatory" actions against migrants.

December 4, 1997

USG PROPOSED ACTION ITEM FOR SANTIAGO SUMMIT

Preserving and Strengthening Democracy and Human Rights

-Actions to guarantee the protection of the human rights of all migrant workers and their families.

TALKING POINTS

- We would like to thank the delegations of Haiti, El Salvador, Guatemala, and Mexico, for their contributions and suggestions which aided us in the drafting of this document. We have earnestly tried to take their opinions into account.
- It is a fundamental responsibility of government to protect the human rights of all human beings, including migrant workers and migrants in general. Consequently, our first item--respect for human rights--would apply to all migrants.
- Prompt consular notification and access is absolutely essential for the protection of all citizens of our countries when they are traveling abroad. The faster the notification, the better. In this age of rapid electronic communications, prompt notification should not be a problem.
- Migrant workers do not have rights because they are "migrants", but because they are "workers." They have internationally recognized core worker rights, which include freedom of association, the right to organize and bargain collectively, the right to be a fair wage for their labor, the right to work in conditions which safeguard health and safety, etc.
- Citizenship is a matter governed by the laws of each individual nation, not something uniformly imposed by "international law." But we benefit greatly from the work performed by migrants in our countries, who often travel with their families and stay for long periods. We should enforce the citizenship rules which apply to children born to migrant workers during these stays abroad, avoid imposing the burden of statelessness on

such children, and safeguard any other rights to which they might be entitled, according to each country's laws.

- Above all, we must do more to keep migrants and their families from being preyed upon by criminal elements.

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OA/ID: 1521

Protection of Migrant Workers

Proposal of Mexico

Statement of Principles

We wish to express our deep concern for the ever increasing racism and discrimination against migrant workers and their relatives despite the efforts made by the international community to enhance human rights protection.

It is fundamental to create and develop conditions promoting an increased harmony and tolerance between migrant workers and the society within the State they reside in.

We strongly reject repressive, enforcement measures adopted to prevent and control migratory flows which, far from solving problems, disturb relationships between borderline communities and, more frequent than not, are reflected in racism and xenophobia in many societies, by individuals or groups against migrant workers and their families.

We acknowledge that migration may have a positive impact on the economy and culture, both in the country of origin and within the recipient country.

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We wish to encourage development and adoption of a holistic, unbiased, long-term approach to migration, effectively attending its root causes and manifestations.

Action Plan

- * To draw and/or strengthen measures ensuring respect for and protection of human rights of migrant workers and their families and the eradication of increased racism and xenophobia within certain groups of society, and to promote harmony and tolerance within societies.
- * To adopt measures aimed at preventing situations translating into violations of migrant workers' human rights or adversely affecting the physical and moral integrity of such workers.
- * To further full observance of the provisions contained in Article 36 of the Vienna Convention on Consular Relations on the right of migrant workers, regardless of their status as such, to resort to the their respective consulates should they be detained.
- * . To develop mechanisms aimed at preventing migrant workers

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from being abused or ill-treated by authorities charged with the implementation of migration policies and borderline control.

- * To promote economic and social development within the region by fostering trade and productive investments, and granting economic and social policies the status of key component contributing - concurrently with international cooperation - to tackle certain root causes of migration.
- * To perform specific surveys contributing to a better understanding of regional and international migration, to the identification of underlying causes and effects and to the assistance in tackling this issue.

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**U.S. Department of State
Office of Language Services
Translating Division**

LS No. 108488
ML/JPM
French

Republic of Chile
Ministry of Foreign Relations
General Coordinations
II Summit of the Americas

Proposals regarding Migrant Workers

HAITI

The majority of Latin American countries face the tragic problem of migration, which sometimes leads to crises due to poor management of the situation by governments, or, quite simply, to a lack of cooperation among the interested partners.

Here are a number of proposals aimed at facilitating a solution to the problem. These principles are based on:

The shared responsibility of the countries of the Americas in the management of migrant workers;

The adoption and application of new legal provisions favorable to migrant workers;

The funding by multilateral financing institutions (IDB, IMF, UNDP) of labor-intensive projects in areas plagued by socio-economic instability;

The need to emphasize participation by the international community (UN, ILO) in negotiations among States;

Regularization of the right of children born in the territory of host countries to enjoy legal privileges;

The creation of an intergovernmental regional entity for the protection and defense of migrant workers.

Once the vision of governments has been articulated and the strategy implemented with respect to the different proposals regarding the topic of migrant workers, it would be desirable for the countries of the Hemisphere to agree to adopt these proposals with a view to managing the situation in an orderly fashion. The Hemisphere and each country of the region, poised to usher in the great Free Trade Area of the Americas (FTAA) in the year 2005, do have a stake in this.

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Document Title Guatemalan proposal

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8

Divider Title: _____

II. Preserving and Strengthening Democracy and Human Rights

- Actions aimed at strengthening municipal and regional administrations.

Governments will:

- Within their legal framework and within a reasonable time, promote transparency in local government finance and operations and establish mechanisms for citizen participation in local decision-making, such as open public hearings and public budget reviews.
- In accordance with their legislation at all levels, provide for financing options for municipal governments to expand the delivery of quality services and training for local officials through transfers of national revenue, access to private capital markets, and local authority for raising revenue locally.

RATIONALE

Local governments in the Americas are increasingly asked to carry out key government functions such as construction and maintenance of basic infrastructure (e.g., roads and bridges), delivery of basic services (e.g., water and sewer), and social services (health and education). As such decentralization occurs, it is important that democratic practices are deepened and strengthened through transparent decision-making mechanisms that are open to citizen participation. Access to resources for local and regional governments that is commensurate with an increased level of responsibility is also essential to maintain responsiveness in the delivery of services, particularly in poor and rural areas.

STATUS

At the pre-SIRG consultation in Santiago on November 21, the Government of Brazil and others made constructive comments regarding the timing of the implementation phase originally referenced in the first action item. They also sought to improve the language of the second tick so as to make it more amenable to national constitutions. Changes were made to reflect these comments.

TALKING POINTS FOR U.S. CHAIR

STRENGTHENING LOCAL GOVERNMENT

- Mr. Chairman, decentralization of government is a phenomenon taking place across the Americas. While the Miami Summit was quite explicit with regard to democratic reforms being undertaken on the national level, there was little said of the democratic values and practices on the local and regional level.
- We believe the Santiago Summit should address these issues. As such decentralization occurs, it is important that democratic practices are strengthened. Our proposal seeks to endorse transparent decision-making processes and increased citizen participation.
- As a result of this process, local governments are increasingly expected to carry out key government functions such as construction and maintenance of basic infrastructure, the delivery of basic services, and social services.
- Our proposal seeks to make the financing options for local and regional governments commensurate with these increased responsibilities is essential in order to maintain responsiveness in delivering services, especially in poor and rural areas.
- Mr. Chairman, I would now like to introduce Mr. Mark Schneider of the U.S. Agency for International Development to further explain this proposal.



United States Department of State

Washington, D.C. 20520

November 17, 1997

Juan Martabit
Ambassador
Ministry of Foreign Affairs
Chile

Dear Juan:

In response to your letter of November 12 regarding strengthening local government, I have reviewed the proposals put forward by your government with our technical experts. I would like to give you some of our initial impressions, realizing that we will discuss on November 21 as well as at the SIRG meeting in December.

I believe your proposals are essentially in agreement with the central themes of our proposal: 1) democratic reforms that have been prevalent in the hemisphere in the last decade should extend to regional and local governments, especially as they are being given more responsibilities as central governments constrict; and 2) regional and local governments should have the necessary resources to carry out their new responsibilities.

The two specific actions we drafted assumed that decentralization is already a reality in the hemisphere. In an effort to keep the Santiago Plan of Action concise and achievable, we proposed two action items that we believe offer the potential to advance the hemispheric agenda in the next three years. Your ideas for stimulating the associations among smaller municipalities in order to maximize their effectiveness are valuable and could be worked into the existing proposal.

I am sure we can find an agreeable formulation for these action items at the November 21 meeting in Santiago.

With warmest regards,

A handwritten signature in cursive script that reads "Richard".

Richard C. Brown
Ambassador
Summit Coordinator

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Document Title Juan Martabit to Richard Brown

Language: Spanish

Folder Title [Santiago Summit of the Americas 1998] [Loose Material] [2]

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Document Title Chilean proposal on decentralization of the state

Language: Spanish

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OA/ID: 1521

Decentralization of the State

Chilean Proposal (Ministry of the Presidential General Secretariat)

1. The collection/complex of functions and resources which are currently administered by the central government and its agencies (ministries and public services), will be studied to determine those which should be naturally based in regional governments and municipalities, likewise also a calendar will be established and the procedures for its execution/carrying out.

2. To the measure/level that the juridical order of each state permits, (we) will seek to transfer to the regional or state legislative organs the ability to adapt to the local realities/conditions the application of general legislation dictated by the National Congress.

3. There will be special incentives so the smaller municipalities can associate among themselves enabling them to undertake the more complex responsibilities, where their management is affected nowadays because of their economic-institutional fragility. Some of those management areas could be: health administration, education, generation of development projects and plans, promotion of sports-recreation activities.

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Series: Inter-American Affairs

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Document Title Revised proposal on strengthening local government

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Divider Title: _____

December 5, 1997

USG PROPOSED ACTION ITEM FOR SANTIAGO SUMMIT

Preserving and Strengthening Democracy and Human Rights

-Actions aimed at reinforcing Hemispheric proceedings to confront corruption, narco-trafficking, and terrorism.

Action Item Language

Governments will:

- Seek to sign and ratify the 1996 Inter-American Convention Against Corruption, and establish a mechanism within the OAS to discuss enacting legislation against transnational bribery and to monitor implementation of the Convention, including through mutual evaluations.
- Establish financial disclosure requirements for senior public officials and adopt and implement measures to prevent bribery in the public procurement process.

RATIONALE

Twenty-four countries of the Hemisphere have signed the 1996 Inter-American Convention Against Corruption. Signature by all the democracies of the Americas would build on our already positive achievement of negotiating the world's first anticorruption convention and send a strong signal of our collective will to make the Hemisphere a corruption-free zone. Although states' sovereignty must be protected, the signatories should be accountable for implementing the precepts of the Convention once they have ratified it. As the forum for negotiating the Convention, the OAS is the natural venue for such a monitoring mechanism, which would, in turn, facilitate mutual evaluations.

The best watchdog of public officials' probity is a well-informed public. A transparent, comprehensive financial disclosure system for public officials would allow citizens to satisfy themselves that their government officials have behaved in an upright, honest way while holding public office or enjoying government employment. This would reduce

the incidence of bribery and make its punishment more certain.

STATE OF PLAY

The Venezuelan proposal on corruption was first seen at the November 21 pre-SIRG consultation in Santiago. The U.S. proposal for a follow-up mechanism for the Inter-American Corruption Convention, while not listed in the Venezuelan proposal is nevertheless complementary to it and could be worked in during the December SIRG. The Venezuelans have agreed to include the second U.S. action in their proposal to the SIRG.

The Venezuelans also proposed actions in campaign finance reform, which were reviewed and rejected by relevant U.S. agencies, citing domestic sensitivities on this particular issue. The time needed to change domestic laws on campaign funds--plus any subsequent negotiation of a multilateral approach--would require action far into the future, well beyond the time frame envisaged for the Summit action items. This issue needs to be worked domestically in hemisphere countries.

December 5, 1997

USG PROPOSED ACTION ITEM FOR SANTIAGO SUMMIT

Preserving and Strengthening Democracy and Human Rights

-Actions aimed at reinforcing Hemispheric proceedings to confront corruption, narco-trafficking, and terrorism.

TALKING POINTS

- We commend Venezuela for its effective work in trying to assemble action item proposals on corruption which are practical, workable, and well focused.

My government would prefer that presidents in Santiago concentrate on a few specific action items which can be carried out relatively rapidly in accordance with the Corruption Convention.

- We note with satisfaction that twenty-four countries of the Hemisphere have so far signed the 1996 Inter-American Convention Against Corruption. Signature by all the democracies of the Americas would build on our already positive achievement of negotiating the world's first anticorruption convention and send a strong signal of our collective will to make the Hemisphere a corruption-free zone.
- Although states' sovereignty must be protected, the signatories should be accountable for implementing the precepts of the Convention once they have ratified it. The Venezuelan proposal does not address this. The US, however, believes that there should be a monitoring mechanism and that the OAS, which was the forum for negotiating the Convention, would be the natural venue for such a monitoring mechanism.
- The best watchdog of public officials' probity is a well-informed public. A transparent, comprehensive financial disclosure system for public officials would allow citizens to satisfy themselves that their government

officials have behaved in an upright, honest way while holding public office or enjoying government employment.

- We agree with Venezuela that corruption is a major threat to democratic societies, as well as a hindrance to economic and social development. Democratic societies must be constantly vigilant that corruption does not undermine their stability or erode the bond of trust between the government and the governed.
- We share Venezuela's concern about the introduction of "dirty money" in our domestic election campaigns and political processes, particularly from individuals, businesses, organizations, or groups engaged in narcotics trafficking or organized crime. These criminal elements have enormous amounts of money at their disposal, which they use to protect their interests. The so-called "generous contributions" to influence political campaigns, finance political parties, or support influential politicians is a particularly pernicious form of corruption and a threat to democracies in our hemisphere. We must all take steps to keep these criminal elements from undermining our democratic institutions, civil service, legislatures, judicial systems, governments, or military.
- Venezuela's proposal regarding campaign finance reform, however, adds an action item which would require substantial discussion and legislative changes within each of our countries before we could address the matter multilaterally. The time frame for such preparation would take us well into the future. Consequently, we believe this issue should be left to the internal decision-making process of individual governments.
- Also, our experts are unaware of any upcoming meeting of Government Representatives on Contributions to Electoral Campaigns, and, in any case, would hesitate to prejudge the outcome of any meeting before it occurs.

IF AN ALTERNATE ACTION ITEM IS NEEDED

The action items should be as focused as possible. We therefore recommend the following language be used instead: "Governments will take steps to prevent the acceptance of financial contributions or electoral campaign funds from individuals, businesses, organizations, or groups engaged in narcotics trafficking.

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United States Department of State

Washington, D.C. 20520

November 28, 1997

Edmundo Gonzalez Urrutia
Ambassador
Ministry of Foreign Affairs
Venezuela

Dear Edmundo:

I have received the revised version of your proposal for the corruption area of the Santiago Summit action plan from Amb. Martabit. I appreciate your efforts to forge a hemispheric consensus in what is such a complex issue.

I would like to make one point on your proposal with regard to corruption. In the proposal we submitted to you in July, we sought a specific mention of the use of financial disclosure statements for public officials and a reference to measures to prevent bribery in the public procurement process. I raised it again at the meeting in Santiago on November 21. I believe these ideas are consistent with your proposal, and would appreciate if you would include them in the text of the proposal.

I found your proposals on transparency in campaign financing interesting and worth further discussion. I am currently discussing with officials in my government the desirability of including this topic in the Santiago Plan of Action.

Thank you for your consideration. I look forward to seeing you in two weeks in Washington.

With warmest regards,

A handwritten signature in cursive script, reading "Richard".

Richard C. Brown
Ambassador
Senior Coordinator

cc: Amb. Juan Martabit

3

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordination
Second Summit of the Americas

c) Civil Society

There will be discussions on the wording sent to you by Circular Letter No 43, dated 25 November, 1997.

d) Migrant Workers

There will be discussions on the wording sent to you by Circular Letter No 55, dated 3 December, 1997.

e) Decentralized Administrations

There will be discussions on the wording sent to you by Circular Letter No 51, dated 2 December, 1997.

f) Corruption

There will be discussions on the wording sent to you by Circular Letter No 45, dated 28 November, 1997.

In this regard, the Government of Venezuela asked us to add the following two action before the paragraph "Financing of electoral campaign":

Government will: (USA PROPOSALS)

- Promote in local legislations the obligation of employees in public office posts to file and declare their personal assets and liabilities to the corresponding office.
- Encourage the approval of effective and concrete measures to fight against all forms of corruption, bribery and illegal practices related within commercial transactions.

g) Drug Trafficking

There will be discussions on the language sent to you by Circular Letter No 54, dated

REPUBLICA DE CHILE
Ministerio de Relaciones Exteriores
Coordinación General
II Cumbre de las Américas

URGENTE

Nº 45

Santiago, Chile, November 28, 1997

Dear National Coordinator,

Please find as attached the revised version on "Corruption" prepared by Venezuela, the "Responsible Coordinator" for the Subject.

The said proposal brings together the various comments and suggestions from the different delegations at the sectorial meeting, held in Santiago, November 21, 1997.

Yours sincerely,


JUAN MARTABIT
Ambassador
General Coordinator


CORRUPTION

Proposal of Venezuela

Corruption appears as one of the main threats for democratic societies, as an obstacle for economic and social development, that must be thoroughly fought against with the joint and common effort of all countries and sectors. One of the specific actions of the Miami Action Plan was the adoption of the Inter-American Convention against Corruption (1996), a novel instrument aimed at repressing corruption in the exercise of public functions and preventing, as far as possible, impunity for this kind of crime.

One of the most important achievements embodied in the Convention is the definition of corruption under Inter-American law as a crime intimately linked to political activity. That instrument provides, among other things, several areas for action: Judicial cooperation, assistance in identifying, tracking, locking-up and confiscating assets derived from acts of corruption.

The Inter-American Convention against Corruption constitutes a first level international legal instrument and represents an important progress for actions developed within the Organization of American States. Considering that the Twenty-Seventh Period of Sessions of the General Assembly of the OAS adopted the resolution entitled "Inter-American Cooperation Program to Combat Corruption", which provides for the implementation of actions in the legal, institutional and international area and in the civic society, we propose to give solid support to that Program and, in this context, we call upon the governments to implement the actions provided for therein, particularly the adoption of an strategy to attain a prompt ratification of the 1996 Convention, to propose the preparation of codes of conduct for public officials as an instrument guiding the behavior of the public servant, considering the problem of laundering assets of products derived from corruption and place special emphasis on information campaigns to strengthen citizen's education.

REPUBLIC OF CHILE
Ministry of Foreign Relations
General Coordinations
Second Summit of the Americas

Financing of Electoral Campaigns

The issue of financing of electoral campaigns of political parties and their candidates has been in the agenda of the national and international public opinion. The considerable economic resources used in political campaigns and growing costs of electoral processes may induce participants to seek sources of funding which origins are not always transparent.

The following actions are proposed in this context:

- To design mechanisms of internal controls so that the financing of electoral campaigns and the financial affairs of political parties and groups of electors are institutionally supervised by electoral and competent bodies, in accordance with the legal system of each country, to guarantee a lawful and transparent management.
- To propose the exchange of experiences that may be used as a support for each country so that, according to their own reality and legal system, they adopt or develop internal rules that regulate contributions to electoral campaigns, limit its cost and favor state funding.
- To coordinate efforts and explore mechanisms of international cooperation to fight against the threat of utilizing funds from organized crime in political processes, specifically in electoral campaigns.
- To take into account the recommendations and alternatives of cooperation evolved from the Meeting of Governmental Representatives on Contributions to Electoral Campaigns (Caracas, February of 1998) and continue organizing other meetings and seminars with the participation, for instance, of academics and representatives of political parties, in order to enrich the exchange of experiences with different perspectives on this issue.