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ORGANIZATION OF AMERICAN STATES

SUMMARY OF THE INFORMAL CONVERSATION BETWEEN THE SECRETARY GENERAL OF THE OAS  
AND THE REPRESENTATIVES OF CIVIL SOCIETY ORGANIZATIONS

“PEACE, SECURITY AND COOPERATION IN THE AMERICAS”

Lima, Peru – June 5, 2010

The Secretary General of the Organization of American States Jose Miguel Insulza and the representatives of civil society organizations (CSOs) held an informal conversation on June 5, 2010 in the framework of the XL OAS General Assembly. This event, which has become a tradition since the Administration of Secretary General Insulza, seeks to offer a space for open dialogue to CSOs to outwardly express their points of view in relation to the issue areas of the inter-American agenda. The event was moderated by Dr. Irene Klinger, Director of the Department of International Affairs of the OAS.

Dr. Klinger began the meeting by welcoming the civil society representatives and making reference to the importance of their participation in the activities of the OAS, as well as those carried out previously by the Department of International Affairs since the last General Assembly that took place in Honduras. Dr. Klinger shared with the participants the recently published *Manual for Civil Society Participation in OAS Activities*, which contains information about the structure and elements that guide civil society participation in the OAS, in addition to the requirements that non-governmental organizations must satisfy if they wish to be registered in the OAS, participate in the General Assembly and ministerial meetings, and sign cooperation agreements. The Director of the Department of International Affairs introduced OAS Secretary General Jose Miguel Insulza and offered him the floor.

The Secretary General thanked civil society for their participation in the meeting and emphasized that it is becoming a permanent event in the framework of the General Assembly. The Secretary General highlighted the presentation by the Department of International Affairs of the Draft Strategy for Strengthening Civil Society Participation in the Activities of the Organization of American States to the OAS Permanent Council, which has as its objective to offer greater access to civil society organizations to OAS programs and projects, promote clear and transparent procedures to ensure their participation, and place a greater emphasis on follow-up to civil society contributions in relation to OAS resolutions and declarations. Secretary General Insulza also referred to other activities that were carried out with civil society over the year, such as the Dialogue between Civil Society and the Candidates for Secretary General and Assistant Secretary General of the OAS, the Haitian Diaspora Forum and the Civil Society Hemispheric Forum.

Next, the Secretary General opened the floor to the civil society representatives to share their topics of interest, ask questions and present their recommendations.

Ms. Irsa Flores of the Association of Judges for Democracy commented that she was one of the four judges fired on May 5, 2010 by the Supreme Court of Justice of Honduras and argued that their dismissal was due to their affiliation with an organization of judges critical of the judicial branch, for their opposition to the coup d'état, and for contributing to the reestablishment of democratic order through legal means. She explained that one of the most serious problems in Honduras currently is the collapse of institutions that has made the return of the fired judges impossible, creating an atmosphere of impunity. She argued that during the administration of President Porfirio Lobo, multiple human rights violations have taken place that have not been investigated and stated that the Honduran people require basic conditions, such as recognition of the data found in the Report of the Inter-American Commission on Human Rights and the recommendations of the United Nations Office of the High Commissioner of Human Rights. Ms. Flores affirmed that before recognizing the government of Porfirio Lobo, there must be a commitment to investigate human rights violations and reorganize of the justice system in Honduras. She also demanded a return of the four judges dismissed of their duties and inquired about the opinion of the Secretary General regarding the return of Honduras to the OAS.

Mr. Eduardo Kohn of B'nai B'rith International thanked the Secretary General for his participation in the Informal Conversation and explained that his organization is a network of Jewish civil society organizations that work in conjunction with the State in 50 countries (19 in Latin America) on projects in the areas of education, health and human rights. Mr. Kohn made reference to the Secretary General's participation in the Third Forum of the Alliance of Civilizations in Brazil on May 28-29, 2010, and asked if the OAS could eventually play a role in the Alliance. He also inquired about what conclusions the Secretary General could offer from the two panels in which he participated and how the topics of the forum could be more relevant and involve all in an effort to promote dialogue and peace. Mr. Kohn asked the Secretary General if he believes that there is political will in the majority of the States to give the OAS the weight for the political development of the region or if the growing number of regional and subregional organizations is diminishing the strength of the OAS.

Ms. Cecilia Olea of the Centro de la Mujer Peruana Flora Tristan thanked Dr. Klinger and the Secretary General for facilitating civil society participation in the OAS. She shared her concerns about the obstacles to the exercise of human rights, especially of people of different sexual orientation, the high rates of maternal mortality, and the indices of economic development despite the commitments in the Millennium Development Goals. Ms. Olea called on the OAS to prioritize sexual and reproductive rights and to elaborate a convention on these topics in order to ensure the observance of human rights in the region.

Mr. Julio Wilfredo Guzmán Jara of Disabled Peoples' International and the Confederación Nacional de Discapacitados del Peru noted that there are over 104 million disabled people in the Americas, 80 percent of whom are living in poverty and extreme poverty, over 90 percent of children with disabilities do not attend school and more than 80 percent of women and men with disabilities of working age are unemployed. He proposed that the OAS use its own funds and not those of Member States to finance the participation of people with disabilities in OAS activities and to support the Technical Secretariat of the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities. He also stressed the importance of creating conditions that empower people with disabilities to find employment and have access to education and health. Finally, he commended the Secretary General for his efforts to include people with disabilities in the activities of the OAS.

Ms. Maria Ines de Ferrari, representative of the Corporación Participa and the Active Democracy Network, in cooperation with the Latin American and Caribbean Network for Democracy, Partners for

Democratic Change, Transparency International, and Global Rights - Partners for Change, announced the presentation of a declaration that promotes civil society participation in cooperation and invited the meeting participants to sign it to be presented during the Dialogue of Heads of Delegation with Representatives of Civil Society.

The Declaration emphasizes the need to avoid restrictions to the participation of civil society organizations in the OAS and to create a permanent, consultative space for civil society in the OAS. It also calls for the Member States to approve the Draft Strategy for Strengthening Civil Society Participation in the Activities of the Organization of American States, supports greater access for CSOs registered in the OAS to attend the General Assembly and other OAS meetings without requiring the authorization of the Permanent Council and the host country, and promotes greater civil society participation in monitoring the Inter-American Democratic Charter, among other elements.

The Secretary General commented that all the Foreign Ministers of Member States participate in the General Assembly and it is impossible for everyone who is interested in the meetings to enter. He added that there is no restriction on civil society participation in the General Assembly hall, except in one case a couple of years ago, and no one will be excluded from the Dialogue of the Heads of Delegation with Representatives of Civil Society that will take place in the framework of the General Assembly.

With regard to the comments by Ms. Flores, Secretary General Insulza said it was a unique case because judges are usually punished for crimes in their official position or common crimes, but in this case, they were forced from the judiciary because they gave their opinion about the coup d'état, and that did not seem acceptable. In this regard, the Secretary General said he would ask the Executive Secretary of the Inter-American Commission on Human Rights (IACHR) to investigate the case. As for the reintegration of Honduras to the OAS, he said that he wanted an OAS with the 35 Member States and when a State is suspended, it should be reinstated as soon as possible because human rights can deteriorate when the OAS is not present. In the case of Brazil, Chile and Honduras, the countries invited the IACHR to come. He stressed that the return of former President Zelaya of Honduras is crucial for national reconciliation and his exile is unconstitutional. Mr. Insulza indicated that some countries are unwilling to consider the reinstatement of Honduras to the OAS, but the new President of Honduras is legitimate because there were elections and he was elected constitutionally. He also mentioned that the IACHR would report to the General Assembly on the situation of Honduras and the OAS will continue to work in that country. The subject of Honduras' return to the OAS would be discussed in private meetings of the Foreign Ministers.

In relation to the Alliance of Civilizations, the Secretary General said that he believes it has an important value since it was not created during a period when relations between the Arab world and the West were in conflict. He also mentioned that the conflict between the Western world and the Middle East stems from an economic issue—the demand for oil—and has nothing to do with a territorial or geographic matter. The cultures of the two regions are completely different and the purpose of the Alliance of Civilizations is to promote a mutual understanding between both cultures. Secretary General Insulza commented that the Alliance of Civilizations carries out important activities with its limited resources and expressed his belief that in the future, the Alliance should dedicate its focus as a coalition against discrimination. The OAS will continue participating in the Alliance to keep strengthening peaceful relations between cultures.

On the subject of the quality of democracy in the region, Mr. Insulza commented that in accordance with the Inter-American Democratic Charter, the Secretary General can send special missions to the countries of the Americas with the permission the government of a Member State when it considers that its democratic political institutional process or its legitimate exercise of power is at risk. He expressed that, in his opinion, an agreement exists among the majority of the States that measures must be taken to prevent future disruptions to democratic order, and emphasized that the OAS has prevented various crises to democracy in the region during recent years. The principal lesson in the case of Honduras is that it is difficult to correct a crisis to democracy if it is not addressed in advance.

In regards to the topic of violence against women, the Secretary General commented that it is an area in which the OAS is working very hard in the Inter-American Commission of Women (CIM). The CIM also contributes to women's issues related to work, poverty, equal rights and political participation. Furthermore, he indicated that a declaration on women's reproductive rights would probably face many barriers by the Member States.

In relation to disability, Secretary General Insulza assured the participants that there will not be a shortage of funding for the follow-up to the Program of Action for the Decade of the Americas for Persons with Disabilities, and that the OAS Technical Secretariat in Panama will receive the necessary funds to continue its work. Mr. Insulza added that the First Lady of El Salvador is supporting this initiative and promoting the follow up of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities and the OAS will find the funds for this purpose.

After answering the first round of questions, the Secretary General offered the floor again to civil society representatives. Ms. Eugenia Russian of the Fundación Latinoamericana por los Derechos Humanos y el Desarrollo Social (FUNDALATIN) inquired about the OAS position in regards to Israel's raid of the humanitarian fleet that she constituted as a violation of human rights. In this sense, the Secretary General stated that he had already condemned the situation and that he had joined those requesting clarification from Israel on what happened.

Mr. Luis Eduardo Salcedo of the Asamblea Permanente de la Sociedad Civil por la Paz referred to Colombia's internal armed conflict and internally displaced people, paramilitary, militarization in Colombia, and the regional conflict with Ecuador and Venezuela. He called upon the international community to continue diplomatic efforts to promote peace and end armed conflict. He also commented that in 2009, Brazil proposed the creation of a Peace and Security Council in UNASUR and said the OAS should participate more in this type of initiative. Additionally, he insisted that the OAS take up the issue of paramilitaries in Colombia as a regional problem and proposed holding a regional conference for peace in Colombia.

Ms. Paola Ortiz of the Asociación de Afrocolombianos Desplazados (AFRODES) spoke on behalf of the Movimiento Social Afrodescendiente de las Américas. She discussed how the situation in Haiti called attention to the more than 150 million Afro-descendants in the region living in situations of marginalization, discrimination and racism. She congratulated the OAS for holding the Haitian Diaspora Forum and requested inclusion in the agenda of the Permanent Council in 2011 to receive input from Afro-descendent organizations to improve their conditions in the hemisphere in the framework of the International Year for People of African Descent.

Mr. Carlos Ponce of the Asociación Civil Consorcio Justicia and the Latin American and Caribbean Network for Democracy acknowledged the effort made by the OAS to strengthen civil society

participation, although with respect to the Registry of Civil Society Organizations in the OAS, he stated that no government has the right to veto such participation. In this regard, he stressed the importance of the rights of free association and expression to situations in which some governments want to systematically veto CSOs. He also noted that it is important to create a special rapporteurship on freedom of association to promote forums for ongoing consultations with civil society and Member States to take into account the recommendations generated by the CSOs.

Ms. Teresa Ulloa of the Coalición Regional contra el Tráfico de Mujeres y Niñas en América Latina y el Caribe, A.C acknowledged the work done by Director Klinger and Secretary General Insulza, which allowed civil society to be heard in recent years. She began by expressing her concern that the recommendations generated in the Civil Society Hemispheric Forum were not taken into account, since it still lacks a gender perspective or mention of organized crime in the Declaration of Lima. She reiterated that organized crime is a multidimensional security threat, and that, while it manifests itself in various forms, it has the same goal of "making money."

Ms. Rocio Muñoz of the Centro de Estudios y Promoción Afroperuanos expressed concern that women (especially the poorest and youngest) and youth have less access to comprehensive sex education. Unsafe abortions, deaths from preventable causes, and unwanted pregnancies remain issues that affect the integrity of women. In this sense, she concluded by recommending the creation of an inter-American convention on sexual and reproductive rights for all women.

Ms. Norma Rios de Flores of the Alliance of Pan-American Round Tables shared the concerns raised by the representatives of civil society on the topics of gender, security and civil society participation and highlighted the effort and work that civil society organizations carry out to develop recommendations for the Member States. She also requested the Secretary General to find a way that the Heads of Delegation of Member States attend the meetings with civil society since little attention has been given to this area recently.

Ms. Aixa Armas of Espacio Civil began by highlighting the work done by the General Secretariat in relation to civil society participation in the OAS and affirmed that the Secretary General, after his second term has the opportunity to make civil society a strategic actor of the State. She also argued that the OAS is not only a political forum for States, but also should be a forum for civil society and that, by mandate, CSO recommendations should be heard and taken into account by Member States.

In relation to citizen participation, Secretary General José Miguel Insulza expressed that the Inter-American Democratic Charter emphasizes that public participation is a right, responsibility and necessary for the full exercise of democracy and that the OAS seeks to promote participatory democracy. He indicated that more staff has been allocated and resolutions have been adopted with the common aim of strengthening civil society participation in OAS activities. In this regard, he said that Member States have to respond to that situation with greater attention. He highlighted a number of initiatives and programs undertaken by the OAS, such as the Lecture Series of the Americas, the Dialogues with Civil Society, the Model OAS General Assembly, and mechanisms for monitoring, follow-up, and action on gender issues, security, disabilities and human rights, among others, where civil society was involved. He also said that the OAS is an organization of States and it is they who make the final decisions beyond what he can propose as Secretary General.

He affirmed that existing poverty and inequality in the region should not exist and that they are closely linked to discrimination and the minorities that face discrimination are a reality that requires the

attention of the OAS. He stressed his concern that the majority of indigenous, disabled and households headed by women are poor and recalled that this is the Inter-American Year of Women and 2011 will be the International Year for People of African Descent, which means a year of more activities to improve the conditions of those sectors of the population.

Secretary General Insulza reaffirmed the willingness of the OAS to participate in any action for peace in Colombia, and mentioned that so far the OAS has carried out among the toughest tasks in the country, giving the example of the identification of members of the Valle del Cauca and checks. He further argued that in Colombia there are still armed gangs, violence against victims, false positives, and he highlighted the work of the Mission to Support the Peace Process in Colombia (MAPP/OAS) and the Inter-American Commission on Human Rights (IACHR).

Ms. Mercedes De Freitas, representative of Transparency Venezuela, acknowledged the work of the OAS, in particular that of the Secretary General and the hard work undertaken by civil society organizations in order to have a better America. She also criticized restrictions on civil society participation, making reference to the erroneous initiative by some to consider that such participation must be in line with the national legislation of each Member State. She said that to advance this proposal, any State that is not in agreement with the opinions and work of civil society would be in a position to veto civil society participation in OAS activities, which would imply a violation of human rights.

In this regard, the Secretary General expressed his opposition to any restrictions and that he considered that the adoption of this resolution would not take place because approximately seven countries had already expressed their disagreement.

Mr. Franco Fuica of the Organización de Transexuales por la Dignidad de la Diversidad expressed concern about the situation of sexual minorities in Chile, giving as examples the lack of guarantee of their reproductive rights and education, and sought the opinion of the Secretary General.

Ms. Luz Marina Becerra of Asociación de Afrocolombianos Desplazados (AFRODES) expressed concern about the humanitarian crisis facing Colombia's Afro-descendent population and the lack of clear policies for prevention and care. She reiterated the threats that various community leaders and human rights defenders receive, for which she called for an active involvement of the Inter-American Commission on Human Rights.

Mr. Carlos Jara of Fundación Vida Grupo Ecológico Verde expressed the importance of all areas of participation and debate that the OAS provides for civil society organizations.

Mr. Julio Ernesto Icaza Gallard Casaya, representing Fundación Iberoamericana de las Culturas (FIBRAS), Movimiento por Nicaragua and Unión Ciudadana por la Democracia thanked the efforts of the Secretary General and expressed support for the letter sent by the Group of Friends of the Inter-American Democratic Charter (IDC) in relation to violations by the government of Nicaragua, specifically criticizing the electoral process. He also shared his support for the Secretary General in order to perform preventive efforts, saying that Article 20 of the Charter provides sufficient powers for that purpose. In relation to security in Central America, he pointed out the close link between democracy and security.

Ms. Sara Roque Ocampo of Fundación Humanistas por la Paz acknowledged the work of Dr. Irene Klinger and her continued willingness to answer all the concerns of civil society organizations via email and

other means. She also expressed concerns of the perception that civil society organizations in Ecuador have lost interest in participating in the decisions of the OAS. She explained that this is linked to the state of marginalization that, in her opinion, many organizations in Ecuador have and requested that the OAS seek measures to increase civil society participation in OAS activities. She concluded by calling attention to the high increase in violence and insecurity in Ecuador in the last three years.

Mr. Giovanni Romero of the Movimiento Homosexual de Lima and member of the Coalición de Gays, Intersex, Lesbianas, Transexuales, Transgéneros, Travestis said that policies of economic development must go hand-in-hand with those policies recognizing human rights of all citizens of the Americas. He also expressed concern about the situation of these communities in Peru, due to lack of guarantees of their fundamental rights and advocated for an end to impunity. He stated that without recognition of human rights of sexual minorities it is not possible to build an America with peace, security and cooperation. Furthermore, he expressed his concern to the Secretary General that in the Declaration of Lima the rights and perspectives of sexual minorities are not considered and he affirmed his support for the Draft Resolution “Human Rights, Sexual Orientation and Gender Identity” presented by the Brazilian Delegation and co-sponsored by Bolivia.

Mr. Devon Gabourel, representative of United Belize Advocacy Movement, commented that colonial laws still exist in the constitution of some countries in the Caribbean, including laws against gross indecency, unnatural crimes and buggery. Mr. Gabourel argued these laws, which increase the vulnerability of men, women and children, are an insult to democracy, human rights, and sustainable development. Additionally, he said that they are an example of how Caribbean States support fundamentalism, fear and ignorance and he hopes the Caribbean begins to support conventions regarding race, liberty of expression and gender and all other forms of discrimination.

Ms. Mirte Postema, representative of the Due Process of Law Foundation, which is part of the Alianza para la Libertad de Expression, congratulated the work of the OAS in regards to access to information. She also expressed her disapproval regarding restrictions that have been proposed in operative paragraph three of draft resolution “Increasing and Strengthening the Participation of Civil Society and Social Actors in the Activities of the OAS and in the Summit of the Americas Process,” which limits the involvement of civil society.

In relation to the topic of sexual orientation, the Secretary General commented that the OAS tries to promote greater tolerance and openness in this matter and that they will have to find a way to accelerate the approval of the Draft Inter-American Convention against Racism and All forms of Discrimination and Intolerance.

Also, the Secretary General expressed his concern with regard to the displaced people in Colombia, making specific reference to the Mission to Support the Peace Process in Colombia (MAPP/OAS) and the creation of the Law for Justice and Peace, indicating that in the last trimester reports, progress has been seen in some areas with the exception of displaced people.

The Secretary General referred to the upcoming elections in Nicaragua and the OAS’ respective involvement. He reminded the participants that the OAS must be invited by the host government to send an electoral observation mission. Furthermore, he explained that in extreme instances, it is possible to enact Article 20 of the Inter-American Democratic Charter if a threat to democracy is perceived. He pointed out that what happened in Nicaragua was that the courts annulled the

constitution. This process, he explained, is a little different from other countries where traditionally Congress will change the constitution.

With respect to laws regarding Caribbean countries, the Secretary General said the issue could be taken to the attention of the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights. He promised to further investigate this issue and that he would keep civil society informed.

The Secretary General spoke about freedom of expression. He explained that the Inter-American Democratic Charter discusses democracy in a general manner and freedom of expression in a specific manner. The reason for this is that in any country where freedom of expression is limited, all other rights have little significance. He stated that there are three threats to freedom of expression. First, there is the direct attack on freedom of expression where the government directly limits it; secondly, there are monopolies and mechanisms of controlling the mass media; and lastly, there are threats and attacks against journalists.

A representative of Confederación Nacional de Discapitados del Perú (CONFENADIP) thanked the Secretary General's presence and established that this event allows for the democratization, consolidation and the guarantee of people's participation in the resolution of large continental problems. Currently, there are four million persons with disabilities in Peru and 100 million in Latin America, but disabilities do not only affect the individuals with disabilities, but also the families and friends, meaning approximately 12 million and 500 million are affected respectively. He also asked for the OAS to recommend to the Member States the issue of disabilities and that it be part of university curricula and political groups, noting that youth and women's groups benefit from such attention and the disabled are entitled to the same rights. He concluded by asking that the press, radio and television instill as a public issue solutions to the problem of persons with disabilities.

Ms. Jana Villayzan of the Red Latinoamericana y del Caribe de Personas Trans (REDLACTRANS) explained that it is not possible to establish economic growth when a group of citizens is not being recognized with regards to identity. She demanded that representatives of the region promote legislation that recognizes the right to gender identity. She explained the urgency regarding identity, stressing that not recognizing these rights will create vulnerabilities and will affect society, and she recommended immediate action on this topic.

Ms. Rosalba Castillo Vivieros of Afroamérica XXI thanked the Secretary General and especially Dr. Irene Klinger for always responding to her organization's questions and needs. She asked that the OAS initiate a dialogue and speak out about the problem regarding mines in Colombia where there have been various cases of violations to agreements, selective assassinations, massacres and forceful displacement. Ms. Castillo declared that these acts are sponsored by foreign and national companies that exploit mines in areas with Afro-Colombian populations. She also requested that they try to carry out statistical studies to have on hand when designing and implementing policies, strategies and projects to help Afro-Colombian communities.

Mr. Rodney Jericó da Silva of Geledés Instituto da Mulher Negra called on the OAS to promote statistical data and public laws that combat poverty experienced by many Afro-descendants. He spoke about the approval of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance but also expressed his concern with the significant changes from the original text.

Mr. Antonio Valle Tristan of the Instituto Internacional de Aprendizaje para la Cohesión Social (IIACOS) established that many of the spiritual values and fundamentals in Latin America are similar to Christian principles, although there are many other religions in the region. He proposed holding an interfaith inter-American dialogue because the different religions have much to say about their role in society and global development. He also recommended that the topic of religion be included in the Declaration of Lima, as it is a part of human rights.

Mr. Santiago Norberto Pszemiarower, representative of the Asamblea Permanente por los Derechos Humanos, announced there is a draft resolution on human rights and older persons, which will be discussed in the General Assembly and he asked that the Secretary General help support its approval. He concluded by saying that through this resolution there will be a greater recognition of older persons in Latin America.

Mr. Rodolfo Ondarza Rovira, representing the Red Solidaria Década contra la Impunidad, denounced and called for intervention by the OAS and the international community concerning various people who are victims of experimental surgeries from more than a decade ago. Dozens of victims have died and others have suffered permanent neurological problems. Mr. Ondarza requested that the OAS present a statement or recommendation to the Mexican government on this matter.

The Secretary General concluded the Informal Conversation by mentioning that on the topics mines and experimental surgery, in which the OAS has little experience, civil society organizations should take the initiative and present cases before the Inter-American Commission on Human Rights. Regarding the status of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance, he suggested that representatives of civil society contact their Permanent Missions to the OAS. In addition, he stressed that as Secretary General of the OAS, he does not have the authority to submit draft resolutions. Finally, he explained that prior to the XL OAS General Assembly there were a series of draft resolutions that were already agreed upon, other draft resolution still open to further debate, and that there was the possibility that Member States submit new proposals.

Secretary General Insulza thanked civil society and adjourned the meeting.