

The Quebec Summit: A Summary of Recent Progress Toward Western Hemispheric Integration

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I. Introduction

The democratically elected leaders of the Western Hemisphere recently concluded the Third Summit of the Americas, held in Quebec City, Canada, on April 20–22, 2001 (Quebec Summit). The Summit leaders included the heads of state of 34 out of 35 nations within the Hemisphere.¹ Following the policy of past Summits, Cuba was excluded from the Quebec Summit since it is not a democratic state. The underlying objective of the Quebec Summit focuses on the further development of the accomplishments and initiatives of the previous two Summits, the first held in Miami in 1994; the second in Santiago in 1998.

The concept of the Summit of the Americas has evolved from an *ad hoc* meeting in 1994, into its present form as an institutionalized set of meetings at regular intervals. This transformation into institutionalized meetings led to the notion of a “Summit process” intended to provide a forum for Summit leaders to discuss common issues and seek solutions to problems shared by all the countries in the Americas, be it political, economic, military, or social in nature.²

One of the remarkable attributes of the Quebec Summit is that it demonstrates an increasingly cooperative atmosphere and convergence of thinking among the nations of the Hemisphere. This new era of cooperation is remarkable because, until recently, many of these same nations harbored strong suspicions toward one another and at times advocated political ideals at opposite ends of the spectrum. In his remarks to the Council of the Americas, President Bush proclaimed that the Quebec Summit “symbolized the new reality in our hemisphere—a unity of shared values, shared culture and shared trade.”³

Although various attempts were made over the last 175 years to integrate the nations of the Western Hemisphere, progress has been limited at best.⁴ Indeed, the wars, rebellions, economic crises, and the trend toward isolationism and protectionism during the early twentieth century severely hindered political and economic integration around the

1. The 34 Summit of the Americas nations are Antigua and Barbuda, Argentina, The Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Granada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, the United States, Uruguay, and Venezuela. See Summit of the Americas Information Network, *The Summit Process*, at <http://www.summit-americas.org>.
2. *Id.*
3. President George W. Bush, Remarks by the President to the Council of the Americas (May 7, 2001), at <http://www.embaixada-americana.org.br.htm>.
4. In 1826, Simon Bolivar convened a Congress in Panama of the new American republics. One of the two U.S. delegates died en route and the other only reached Mexico City by the time the Panamanian Congress had adjourned. In 1889, U.S. Secretary of State Blaine convened the first International American Conference. When the conference ended, the delegates agreed to expand commercial cooperation, but when they returned to their respective countries, they were unable to maintain the momentum and the initiatives faded. More recent Summits in 1956 and 1967 enjoyed more success, but included only 19 countries of the Hemisphere. See Robert B. Zoellick, U.S. Trade Representative Addresses Council of the Americas, *Free Trade and the Hemispheric Hope* (May 7, 2001), at <http://www.embaixada-americana.org.br>.

world. One need only look at the level of global trade over the last 100 years for evidence of this lack of progress. Trade as a percentage of global Gross Domestic Product (GDP) plummeted during the early twentieth century, and has only now recovered to the level it was about 100 years ago. In other words, it took the second half of the twentieth century to make up for the problems of the first half of the century.⁵

Adhering to the mandate of the Summit process, the Summit leaders issued a Plan of Action (the "Quebec Plan"), which is intended to build upon the Plans of Action from the previous two Summits. Summit leaders also issued a formal Declaration of Quebec City, which provides a memorialization of the general principles generated from the Summit.

In this article, I have attempted to outline the latest developments in the Summit process as reflected in the Quebec Plan. The next section, Section Two, provides an analysis of some of the rationales underlying the Summit countries' participation in the Summit process and highlights the differences between the perspectives of the industrialized North American countries versus those of the Latin American and Caribbean countries. Section Three provides a general discussion of some of the significant initiatives and mandates outlined in the Quebec Plan and their interrelation with the three underlying themes chosen for the Quebec Summit—strengthening democracy, creating prosperity, and realizing human potential. Sections Four and Five continue with discussions regarding Summit management and implementation and the role of the OAS, respectively. Finally, this article concludes with brief comments about the upcoming Fourth Summit of the Americas.

II. Rationales Underlying the Summit of the Americas Process

A. RATIONALES FROM AN "INDUSTRIALIZED NORTH" PERSPECTIVE

The "Industrialized North" comprises the United States and Canada. The Bush administration of the United States has emphasized that the Western Hemisphere, especially the North American continent, is one of its top foreign policy priorities.⁶ The Summit process presents a unique opportunity for the Bush administration to further U.S. policy in the Western Hemisphere and to increase U.S. influence not only in the Americas, but also on a global scale. In his May 7, 2001, address to the Council of the Americas, U.S. Trade Representative Robert B. Zoellick emphasized that continued U.S. vitality is linked to the success of its hemispheric neighbors. While this view might appear obvious today, Zoellick explains that it is in contrast with the typical view taken by many of the developed countries during the nineteenth century, namely, that it was

5. See U.S. Dep't of State, Summit of the Americas (2001), Press Briefing by U.S. Trade Representative Robert Zoellick (Apr. 21, 2001), at <http://usinfo.state.gov/regional/at/summit/zoellick21.htm> [hereinafter Zoellick Press Briefing].

6. The Quebec Summit marked only the second time that President Bush had left U.S. soil since taking office on January 20, 2001. His first foreign trip was a day visit to Mexico. Both trips were meant to show the importance Bush places on the region. See Deborah Charles, *Bush Hobbled in Quebec Without Fast Track*, REUTERS, Apr. 18, 2001, at http://dailynews.yahoo.com/h/nm/20010418/pl/americas_bush_dc_10.htm.

preferable for strong countries to have weak neighbors that they could dominate.⁷ In his address, Zoellick outlines the current view of the twenty-first century that,

strong countries will benefit from healthy, prosperous, and confident democratic neighbors. Troubled neighbors export problems like illegal immigration, environmental damage, crime, narcotics, and violence. Healthy neighbors create stronger regions through economic integration and political cooperation. If the Americas are strong, the United States will be better positioned to pursue its aims around the world. But if our hemisphere is troubled, we will be preoccupied at home and handicapped abroad.⁸

Another rationale for U.S. participation in the Summit process is reflected in the 2000 Census, which reveals that Hispanics now make up the largest minority population in the United States. The massive growth of the Hispanic population in the United States is a relatively recent phenomenon. In 1965, so few Americans traced their ancestry to Latin America that the Census did not even bother to tabulate them. In 2001, an estimated 35 million people in the United States are of Hispanic origin.⁹ Both the Democratic and Republican political parties of the United States are keenly aware of the prominence of the Hispanic population in the State of Florida and the fact that Hispanics could cast the deciding votes in Florida on the next presidential election day.¹⁰ It is hardly surprising that the current Administration would pay special attention to issues of importance to Hispanic voters such as the Summit process.

In addition to the political rationales outlined above, there are several economic rationales for the Industrialized North to participate in the Summit process. A key economic rationale is related to exports and trade. Over twelve million aggregate jobs in the United States and one in five manufacturing jobs are supported by exports.¹¹ Moreover, the average export job pays between 13 percent and 18 percent more than other jobs.¹² Trade and international payment flows for the United States have been steadily increasing and currently represent about one-third of the value of the U.S. economy, compared to 1970, when it represented only 13 percent.¹³ Trade is a vital component of U.S. economic growth. Between the years 1990 and 2000, trade accounted for between 20 percent and 25 percent of U.S. economic growth.¹⁴

At least one author, however, questions the good faith motives of the United States with respect to trade in the region. This author claims that the United States is not looking for trade parity, but rather is attempting to increase its own power with respect

7. See Zoellick, *supra* note 4.

8. *Id.*

9. See Bush, *supra* note 3.

10. In the November 2000 presidential election, George W. Bush won the State of Florida, and the election, by an extremely narrow margin of a few hundred votes.

11. See Zoellick Press Briefing, *supra* note 5.

12. *Id.*

13. *Id.*

14. *Id.*

to world trade.¹⁵ If the United States is successful in orchestrating the integration of the Free Trade Area of the Americas (FTAA), the author contends, "the United States will significantly influence the regulations which govern trade within the Americas and place itself in an enormously powerful position with respect to defining the process of commercial integration on a global level."¹⁶

Canada's economic rationales for supporting the Summit process and the FTAA Agreement are even more compelling than those for the United States because approximately 50 percent of Canada's economy is related to trade. Since negotiating the North American Free Trade Agreement (NAFTA), Canada has emerged as a champion of free trade within the Hemisphere and has taken the initiative in successfully negotiating trade agreements with Chile, MERCOSUR, and the countries of Central America. In the period from 1996–2001, Canada's two-way trade within the region (excluding the United States) has doubled in volume to over \$18 billion, a level that is two times that of Canada's two-way trade with the ASEAN countries.¹⁷

Nevertheless, Canada's incentives for participating in the Summit process are not limited to those related to trade and the economy. Canada views the Summit process as an important platform to further such national interests as (1) gaining regional and global leverage on issues vital to Canadian domestic and international interests; (2) taking the lead on critical global issues; and (3) showcasing Canadian domestic achievements, technology, and values.¹⁸

B. RATIONALES FROM A LATIN AMERICAN AND CARIBBEAN PERSPECTIVE

Today, many Latin American and Caribbean countries in the Hemisphere view Mexico as an example of how a nation can benefit through hemispheric integration. Mexico, more than any other Latin American country in the Hemisphere, has benefited from free trade and integration. Since NAFTA took effect, employment in Mexico has grown 22 percent, generating approximately 2.2 million new jobs. Mexico's increase in income per capita rose over 8 percent between the years 1993 and 1999, despite the negative effects of the peso crisis in the years 1994 and 1995.¹⁹ Considering the tensions between the two governments, which existed as recently as the early 1980s, and the economic disparity, it is remarkable in retrospect that Mexico and the United States have made such progress toward economic integration.

In addition to promoting economic growth and stability, NAFTA has been a catalyst for the political transformation of a modernizing Mexico. For the first time in approximately seventy years, Mexico is led by a democratically elected member of the opposition party. Now largely viewed as a stable democracy, Mexico is ideally positioned to emerge

15. See Joe Zopolsky, *Implementing the FTAA: A Survey of Hemispheric Unification Efforts within the Americas over the Past Ten Years*, *Currents: INT'L TRADE L.J.* 91, 92 (Winter 2000) (citing Carlos Castillo, *Evoking the Magic of Economic Integration*, *INTER PRESS SERVICE*, Dec. 19, 1994, available at 1994 WL 3223563).

16. *Id.* at 92.

17. See *Frequently Asked Questions*, at <http://www.americscanada.org/faqs>.

18. *Id.*

19. See Zoellick Press Briefing, *supra* note 5.

in the next few years as a hemispheric leader and an increasingly significant contributor to the Summit process.

After the United States and Canada, Brazil's economy is the largest in the Hemisphere and is the tenth largest in the world.²⁰ Its annual GDP is even greater than that of Russia and India combined, giving it substantial clout in the Summit process.²¹ Brazil's clout has been further strengthened by its membership in MERCOSUR, the third largest trading pact in the world, and through participating as a single unit with its MERCOSUR partners in the FTAA discussions.²² Brazil's rise in prominence is a fairly recent development and its increasingly aggressive promotion of the MERCOSUR agenda has at times put a strain on the FTAA negotiations. Nevertheless, it is evident that Brazil is committed to the FTAA as well as to the Summit process. Brazil recognizes that the successful enactment of the FTAA, coupled with steady integration through the Summit process will allow the country to emerge as a global player and will further establish it as the leader among the South American countries.

While both Mexico and Brazil share significant clout among the Latin American countries in the Hemisphere, the majority of the thirty-four countries within the Hemisphere are geographically small, with relatively vulnerable and insignificant economies. In terms of GDP, the two largest countries—the United States and Canada—together account for 85 percent of the Hemisphere's GDP.²³ The disparity between the sizes of the economies of the Hemisphere is illustrated by the fact that the largest economy, that of the United States, is over 850 times larger than the aggregate GDP of the ten smallest countries.²⁴

Smaller economies share certain characteristics that make their participation in the global trading system riskier and more problematic. Such characteristics include: (1) small size of population and territory; (2) small size of GDP and GDP per capita; (3) high dependence on external trade; (4) high level of imports; (5) high degree of vulnerability to fluctuation in world prices and demand for their exports; (6) limited human resources and technical expertise; relatively undiversified economic base; (7) small size of domestic markets; and (8) extreme vulnerability to external shocks.²⁵

Historically, the smaller economies of the Hemisphere, and for that matter the larger Latin American economies, have attempted to insulate themselves from economic vulnerability by maintaining an economic policy of import-substitution and severe restrictions on foreign direct investment. This economic policy complemented a national foreign policy based on a perceived "North-South" struggle between the industrialized nations and the developing nations.²⁶

20. See Rubens A. Barbosa, *A View from Brazil*, THE WASH. Q. 24: 2, 149, 155 (Spring 2001).

21. *Id.*

22. *Id.*

23. See Frank J. Garcia, *The Integration of Smaller Economies into the FTAA*, 5 NAFTA L. & BUS. REV. AM. 221, 231 (Spring 1999) (citing Richard L. Bernal, *The Integration of Small Economies in the Free Trade Area of the Americas*, CSIS Policy Papers on the Americas, vol. IX, no. 1, 6–10 (1998)).

24. *Id.*

25. *Id.* at 225–26.

26. See Joseph J. Norton, *Doing Business under the FTAA: Reflections of a U.S. Business Lawyer*, 6 NAFTA: L. & BUS. REV. AM. 421, 424 (Summer 2000).

In addition to policies of import-substitution and foreign investment restrictions, the governments of these smaller countries typically pursued policies of protectionism, populist fiscal policy, expansive monetary policy, acceptance of high inflation interspersed with failed attempts at correction, use of debt to finance foreign currency expenditures, and nationalization of private enterprises.²⁷

The movement by developing nations within the Hemisphere toward market-oriented economic policies stemmed largely from the self-realization of these nations that the old economic development model simply did not work and had become largely counterproductive.²⁸ Rather than protecting and strengthening their economies the policies based on the old model led to stagnant economic growth and increased vulnerability.²⁹ Consequently, developing countries have shifted their focus toward attracting private foreign direct investment in an effort to obtain jobs, growth, and tax revenues to spend on social programs, services, technology, know-how, higher productivity, higher environmental standards, and better labor standards.³⁰

Nevertheless, while it is now almost universally recognized that the prosperity and development of smaller economies depends ultimately on trade openness, smaller economy industries remain uniquely vulnerable to competition from older, more established, and technologically developed industries.³¹ For this reason, the Summit process and the Plans of Action from each Summit incorporate special provisions to address the basic need of the smaller economies for a framework to protect the interests of the smallest and the most vulnerable economies.³²

III. The Plan of Action

The Plan of Action is the mechanism through which the initiatives and mandates agreed upon during the Summits are memorialized. These initiatives and mandates are then coordinated and implemented by the Summit Implementation Review Group (SIRG).³³ The Quebec Plan is ambitious in its scope, encompassing a wide range of issues including free trade, drugs, human rights, education, and the environment, among

27. See Georges A. Fauriol & Sidney Weintraub, *The Century of the Americas: Dawn of a New Century Dynamic*, *THE WASH. Q.* 24: 2, 139, 143 (Spring 2001).

28. See Norton, *supra* note 26, at 429.

29. A World Bank study reported that "globalizing" developing countries grew by over 5% a year in the 1990s while "non-globalizing" countries output fell over 1% a year. The growth in the globalizing countries translated into sharp declines in absolute poverty rates over the past twenty years. See Zoellick Press Briefing, *supra* note 5.

30. *Id.*

31. See Garcia, *supra* note 23, at 227.

32. See U.S. Dep't of State, Summit of the Americas (2001), Summit of the Americas Leaders' Closing Press Conference (Remarks by Owen Arthur, Prime Minister of Barbados) (Apr. 22, 2001) [hereinafter Owen Arthur Remarks], at <http://usinfostate.gov/regional/ar/summit/closing22.htm>.

33. The SIRG is an institutional group created in 1995 with the purpose of coordinating and implementing the mandates of each Plan of Action. The group is composed of representatives from all the countries of the Hemisphere and is chaired by whichever country will be serving as the host of the next Summit. See *The Summit Process*, *supra* note 1.

others. An in-depth analysis of all of the initiatives and mandates contained in the Quebec Plan would, therefore, be beyond the scope of this article. This section will instead provide a very basic outline of some of the key initiatives and mandates contained in the Quebec Plan and their relation to the three main Summit themes: (1) Strengthening Democracy, (2) Creating Prosperity, and (3) Realizing Human Potential.³⁴

A. INITIATIVES RELATED TO STRENGTHENING DEMOCRACY

A fundamental policy concern of the United States and the majority of the countries participating in the Summit is preserving and strengthening democracy within the Hemisphere. While the Hemisphere has recently enjoyed an unprecedented period of democratic rule, with all but one country, Cuba, governed by democratically elected leaders, many of these democracies are far from politically stable. In Colombia, for example, an open insurgency from drug traffickers is increasingly placing the armed forces into national leadership roles.³⁵ Peru's former president, Alberto Fujimori, fled the country under charges of corruption, thereby fueling support for the populist anti-government movement. Equally discomfoting is the fact that, since taking power, Venezuela's current president, Hugo Chavez, a former military coup leader, has suspended the Venezuelan legislature, appointed several military officers to high government posts, and become progressively outspoken on behalf of Cuban dictator Fidel Castro.³⁶

1. *The Democracy Clause*

For these and other reasons, Summit leaders drafted a "Democracy Clause" as the centerpiece of its Declaration of Principles. The Democracy Clause states,

[t]he maintenance and strengthening of the rule of law and strict respect for the democratic system are, at the same time, a goal and a shared commitment and are an essential condition of our presence at this and future Summits. Consequently, any unconstitutional alteration or interruption of the democratic order in a state of the Hemisphere constitutes an insurmountable obstacle to the participation of that state's government in the Summit of the Americas process.³⁷

Democracy is the foundation upon which the Summit process rests. The absence of democratic rule would therefore make implementing the Summit mandates very difficult, if not impossible, and would impede the underlying goal of the Summit process to improve the lives of the peoples within the Hemisphere.

34. U.S. Dep't of State, Fact Sheet, Summit of the Americas (2001), Third Summit of the Americas, *Advancing Our Common Agenda* (ND), at <http://usinfo.state.gov/regional/ar/summit/agenda22.htm>.

35. In a show of support for Colombia and to express their concern for the ongoing conflict with leftist guerillas, Summit leaders issued a special Declaration in Support of the Peace Process in Colombia.

36. See Paul Magnusson, *Hemispheric Free Trade Is Still a World Away*, BUS. WK. ONLINE, Apr. 23, 2001, at <http://www.businessweek.com>.

37. See Summit of the Americas Information Network, Third Summit of the Americas, *Declaration of Quebec City* (Apr. 22, 2001), at <http://www.summit-americas.org>.

2. Electoral Systems

A strong democracy depends on a sound electoral system, which is essential to ensuring that elections are conducted in a free and fair manner. In the absence of a transparent electoral process administered by independent electoral bodies, the legitimacy of the elected government weakens and the public's support for and involvement in democratic institutions diminishes. In order to improve the quality of the electoral processes and procedures within the Hemisphere, the Quebec Plan calls for Summit countries to: (1) share best practices and technologies with respect to increasing citizen participation in electoral processes; (2) promote the participation of all persons eligible to vote, without discrimination; (3) enhance electoral mechanisms to guarantee the independence and impartiality of the bodies responsible for the conduct, supervision, and verification of the elections; (4) facilitate the exchange of legislative and technological experiences; (5) deploy, upon request, election observers; and (6) convene a meeting of experts to examine in more depth issues such as campaign financing, election oversight, political party registration, and others.³⁸

3. Media

The media, and the emerging communication technologies, have become increasingly influential catalysts in the development of strong democracies. The Quebec Plan mandates that Summit countries ensure that the media is free from arbitrary interventions by the state and that equitable access to television and radio is available for registered political parties during election campaigns.³⁹ The Quebec Plan also encourages cooperation among public and private broadcasters in order to support the exchange of best industry practices and technologies and to guarantee a free, open, and independent media and further encourage media self-regulation efforts, including norms of ethical conduct, to address the concerns of civil society.⁴⁰

4. Transparency

Transparency remains a cornerstone to good governance and strong democracies. In particular, developing and developed countries alike have recognized that good governance requires "transparent and accountable government institutions at all levels,"⁴¹ as well as "public participation, effective checks and balances, and the separation of powers."⁴² To enhance the level of transparency in government institutions, the Quebec Plan calls for a number of cooperative efforts such as: (1) the cooperation and exchange of information among national agencies of the Summit countries that are involved with the preparation, presentation, auditing, and oversight of public accounts; (2) the cooperation and exchange of experiences and parliamentary best practices between national legislators of the Summit countries; and (3) the creation and implementation of programs to

38. See Summit of the Americas Information Network, Third Summit of the Americas, *Plan of Action* (Apr. 22, 2001), at <http://www.summit-americas.org>.

39. *Id.*

40. *Id.*

41. *Id.*

42. *Id.*

facilitate public participation and transparency in decision-making processes and in the delivery of government services.⁴³

5. *Corruption*

Political corruption has long been recognized as a severe impediment to economic growth and to maintaining a strong democracy. Further, corruption can jeopardize the basic needs and interests of a country's most underprivileged groups, when funds originally earmarked for the poor are being siphoned off by unscrupulous bureaucrats. In addition to strengthening the Inter-American Network of Institutions and Experts in the Fight Against Corruption, the Quebec Plan proposes that Summit countries consider signing and ratifying the Inter-American Convention Against Corruption and establishing a follow-up mechanism for the Convention's implementation, and that Summit countries further their cooperation with multilateral organizations and Multilateral Development Banks (MDB) to encourage the participation of civil society in the fight against corruption.⁴⁴

6. *Security*

The experiences of the twentieth century have demonstrated that hemispheric security is essential to ensuring peace and freedom. Accordingly, the Quebec Plan contains several proposals designed to promote hemispheric security and to build upon the previous proposals initiated during the Santiago Summit. Some of these proposals include supporting initiatives to address the security needs of small island states, improving the transparency of military institutions, eradicating the production and use of anti-personnel mines within the Hemisphere, and supporting the initiatives of the Organization of American States (OAS) such as the OAS Fund for Peace.⁴⁵

7. *Drugs*

One of the greatest threats to hemispheric security and democracy to emerge in the last thirty years has been the proliferation of the drug trade and the transnational organized crime that it has spawned. Acknowledging that the drug war is a shared responsibility, the Quebec Plan mandates a coordination of national efforts through the Hemispheric Anti-Drug Strategy and further mandates the continued support of organizations such as the Inter-American Drug Abuse Control Commission and the Multilateral Evaluation Mechanism, which is designed to monitor national and hemispheric efforts against drugs and to recommend actions to encourage cooperation and strategies to combat drugs and organized crime.⁴⁶ Additionally, the Quebec Plan encourages all Summit countries to sign and ratify, or accede to, the U.N. Convention Against Transnational Organized Crime, a convention that not only addresses trafficking of drugs, but also trafficking in firearms and ammunitions and the trafficking of persons, especially women and children.

43. *Id.*

44. *Id.*

45. *Id.*

46. *Id.*

Cooperation among the countries of the Hemisphere has increased significantly since the first Summit. One example of the increased cooperation among the American states is Plan Colombia, a program designed to assist Colombia and the surrounding nations with developing infrastructure and crop replacement programs in addition to more traditional drug interdiction programs. The United States has already lent financial support of over \$1.3 billion, and the Summit leaders at the Quebec Summit have committed to an additional \$880 million. On the domestic front, the United States is spending nearly \$20 billion in drug prevention programs.⁴⁷

B. INITIATIVES RELATED TO CREATING PROSPERITY (THE FTAA)

The second major theme of the Quebec Summit addresses the creation of prosperity within the Hemisphere. The centerpiece of the Summit's efforts to increase prosperity continues to be the FTAA.⁴⁸ If enacted, the FTAA would create the world's largest trading block, stretching from Alaska to Tierra Del Fuego. The trading block would encompass 800 million people (approximately 15 percent of the world's population), have an economic output of \$11 trillion,⁴⁹ and have an estimated \$3 trillion in cross-border trade.⁵⁰ The Quebec Plan mandates that the FTAA be a balanced, comprehensive agreement, consistent with WTO rules and disciplines, and that it avoid any conflict with current trade agreements in the Hemisphere such as NAFTA and MERCOSUR.⁵¹ The FTAA will avoid, to the extent possible, policies or measures that may adversely affect regional trade and investment or impose further barriers to countries outside the Hemisphere.⁵² Finally,

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47. See U.S. Dep't of State, Summit of the Americas (2001), Summit of the Americas Leaders' Closing Press Conference (Apr. 22, 2001), at <http://usinfo.state.gov/regional/ar/summit/closing22.htm>. For another example of cooperation, on June 20, 2001, U.S. Federal law enforcement authorities announced that they had crushed a major drug trafficking ring responsible for funneling tens of millions of dollars worth of Colombian drugs into the United States through Mexico. The operation, called "Operation Marquis," involved participation from Mexican and Colombian law enforcement agencies and netted 268 arrests, 9,000 kilos of cocaine, and 28,000 kilos of marijuana, a significant disruptive impact to the international drug trade. Praising in particular Mexican President Fox's commitment to the drug war, the U.S. DEA Deputy Administrator stated, "Operation Marquis is a wonderful example of the increasing cooperation between law enforcement agencies in our two nations." See Russ Rizzo, *268 Arrests Crush Drug Operation: Sweep Shuts Major Pipeline into U.S.*, DALLAS MORNING NEWS, June 21, 2001, available at <http://www.dallasnews.com>.
48. However, the Quebec Plan also addresses issues related to corporate social responsibility, macroeconomic stability, and the need to ensure that benefits of economic growth extend to the lesser-developed nations by creating an "enabling economic environment" through development financing from multilateral development banks and the development of credit unions and bureaus. See Third Summit of the Americas, *Plan of Action*, *supra* note 38.
49. See Deborah Charles, *Bush Defends Free Trade, Says Builds on Freedom*, REUTERS, Apr. 22, 2001, available at http://dailynews.yahoo.com/h/nm/20010422/ts/americas_leadall_dc_17.htm.
50. See Doug Palmer, *Leaders Bless Plan to Create Trade Pact by 2005*, REUTERS, Apr. 22, 2001, at http://dailynews.yahoo.com/h/nm/20010421/pl/americas_trade_zoellick_dc_1.htm.
51. See FTAA, Buenos Aires Ministerial Declaration (April 7, 2001), at http://ftaa.alca.org/ministerials/Bamin_e.asp.
52. *Id.*
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in adherence with commitment to transparency in the Summit process, the Quebec Plan calls for the development of a preliminary draft FTAA Agreement to be published as soon as possible following the Quebec Summit. Summit leaders hope that such transparency in the FTAA negotiation process might alleviate some of the public concerns about the agreement.

Since concluding the Miami Summit in 1994, negotiators have been debating the appropriate target date for the completion of the negotiation process and for the enactment of the FTAA Agreement. The United States has argued strongly for completing the negotiations by the year 2003, but Brazil and other countries rejected that target date as too ambitious and have argued instead for completing the negotiations by 2005. Summit leaders at the Quebec Summit settled the debate by incorporating a provision into the Quebec Plan that officially directs the trade negotiators to conclude negotiations no later than January 2005, and to enact the Agreement as soon as possible thereafter, but in no event later than December 2005.⁵³

The Bush administration has passionately advocated the merits of free trade and its ability to create prosperity within the Hemisphere. In his remarks to the OAS prior to the Summit, President Bush emphasized that free trade is "an essential foundation" for prosperity and that it "reinforces the habits of liberty that sustain democracy over the long term."⁵⁴

However, while the FTAA should provide a significant positive economic boost to the Hemisphere as a whole, at least one respected economist predicts that it is unlikely to provide as great a stimulus for U.S. exports to the Hemisphere as NAFTA did for exports to Mexico since geography makes co-production arrangements between the United States and Mexico more efficient than those between the United States and distant countries in the Southern Cone of South America.⁵⁵

Increasingly, a nation's trade alliances and not its military alliances are what determine its global status. In this regard, the United States has been falling behind the rest of the world during the last ten years. Globally, there are approximately 130 free trade agreements. The United States is a party to just two of these agreements.⁵⁶ In contrast, the European Union has free trade or special customs agreements with twenty-seven countries, twenty of which it completed within the last ten years.⁵⁷ In an effort to regain

53. See Third Summit of the Americas, *Plan of Action*, *supra* note 38. The Plan of Action mirrors the formal recommendation from the Ministerial Declaration that the Summit leaders "direct us to ensure negotiations of the FTAA Agreement are concluded no later than January 2005 and to seek its entry into force as soon as possible thereafter, but in any case, no later than December, 2005." Buenos Aires Ministerial Declaration, *supra* note 51. Venezuela, however, has not officially agreed to the deadline for the enactment of the Agreement on the grounds that its legislature may need more time to enact the Agreement.

54. George W. Bush, Remarks by the President to the Organization of American States (Apr. 17, 2001), at <http://www.embaixada-americana.org.br>.

55. See Sidney Weintraub, *The Meaning of NAFTA and Its Implications for the FTAA*, 6 *NAFTA: L. & BUS. REV. AM.* 303, 313 (Summer 2000).

56. One is with Canada and Mexico (NAFTA) and the other is with Israel. See Robert B. Zoellick, Statement by U.S. Trade Representative before the Committee on Agriculture of the U.S. House of Representatives (May 23, 2001), at <http://www.embaixada-americana.org.br>.

57. *Id.*

the momentum lost during the last decade, the Bush administration is pursuing bilateral trade agreements with Chile, Singapore, Vietnam, and Jordan and a renewal of the Andean Trade Preferences Act.

Despite widespread support among Summit leaders for the FTAA Agreement, there are several obstacles that must be overcome before a final agreement can be reached. One such obstacle stems from the lack of full participation in the negotiation process by the smaller countries. At some FTAA subcommittee meetings, fewer than 50 percent of the smaller economies are represented.⁵⁸ The Quebec Plan falls short of specifically addressing the problem. Instead it simply directs Summit countries to "[e]nsure full participation of all our countries in the FTAA, taking into consideration the differences in the levels of development and size of the economies of the Hemisphere, in order to create opportunities for the full participation of the smaller economies and to increase their level of development."⁵⁹ The Quebec Plan further urges the Tripartite Committee institutions to continue to respond positively to requests for technical support from FTAA entities and to favorably consider requests for technical assistance related to FTAA issues from the smaller economies in order to facilitate their integration into the FTAA process.⁶⁰

Brazil has been viewed by many as a disruptive force during the FTAA negotiations because of its support for postponing the deadline for concluding negotiations and because of its insistence that the Industrialized North pay for a hemispheric deal by eliminating trade barriers to Brazilian farm exports. Brazil has further demanded that the United States and Canada eliminate agricultural subsidies.⁶¹ However, ending farm subsidies through the FTAA is a nonstarter, according to Senator Charles Grassley, Chairman of the Senate Finance Committee, since such unilateral disarmament would reduce any leverage that the United States might have during the next WTO round to persuade Europe and Japan to reduce their heavy subsidies.⁶²

While Brazil's demand for the elimination of agricultural subsidies represents a significant challenge the Bush administration's lack of trade promotion authority (TPA)⁶³ poses an even greater threat to the negotiations.⁶⁴ If the Bush administration fails to obtain TPA by the time concrete negotiations begin, many countries will be wary of offering concessions to the U.S. negotiators out of fear the United States Congress might

58. See Zopolsky, *supra* note 15, at 95.

59. Third Summit of the Americas, *Plan of Action*, *supra* note 38.

60. *Id.*

61. The Organization of Economic Cooperation & Development estimate this to be \$365 billion per year. See Magnusson, *supra* note 36.

62. *Id.*

63. Under TPA, the executive branch would be bound by law to consult regularly and in detail with members of Congress as trade agreements are being negotiated. Once negotiations are complete, however, Congress may only approve or reject the agreement in its entirety, without amendments.

64. TPA has not been renewed since it expired in 1994. Former President Bill Clinton lost fast track in 1994, in part because of his insistence on linking environmental and labor standards to trade deals. See Deborah Charles, *Bush Defends Free Trade, Says Builds on Freedom*, REUTERS, Apr. 22, 2001, at http://dailynews.yahoo.com/h/nm/20010422/pl/americas_bush_dc_21.htm.

later amend its part of the deal. In the worst scenario, FTAA negotiators might proceed without the United States' participation. Fully aware of the importance of obtaining TPA, the Bush administration has stated that its top trade priority is for Congress to enact TPA as quickly as possible. Obtaining TPA quickly, however, will pose a formidable challenge. This challenge stems from a longstanding and intense disagreement between Republicans and Democrats over whether trade agreements should contain enforceable protections for labor and the environment.⁶⁵ Democrats, who traditionally side with labor unions and environmental groups, strongly favor protections in the form of trade sanctions. They point to the demonstrations at the World Trade Organization (WTO) conference in Seattle and at the Quebec Summit in claiming public support for their position. Republicans, on the other hand, believe that such matters should be discussed in a forum other than a trade agreement. Every other Summit country shares the Republicans' view.

C. INITIATIVES RELATED TO REALIZING HUMAN POTENTIAL

The third theme of the Summit addresses broadly the issue of realizing human potential. Democracy and prosperity cannot succeed without adequately addressing issues such as human rights, education, health, and gender equality. The common thread binding all of these issues is the improvement of people's quality of life.⁶⁶

1. Human Rights

Perhaps nothing affects one's ability to realize his or her human potential as profoundly as the protection of human rights. The Quebec Plan builds upon the human rights pledges and initiatives established in the previous two Summits by broadly mandating Summit countries to "take concrete measures at the national level to promote and strengthen respect for human rights and fundamental freedoms of all persons, including women, children, the elderly, indigenous peoples, migrants, returning citizens, persons with disabilities, and those belonging to other vulnerable or discriminated groups."⁶⁷ The Quebec Plan devotes special attention to the promotion of human rights issues pertaining to migration, freedom of expression, and the rights of women, children, and adolescents.

In order to meet the broad goals outlined above, the Quebec Plan directs the Summit countries to strengthen and improve the inter-American human rights system by supporting international human rights declarations such as the United Nations Declaration on Human Rights Defenders and the 1993 Vienna Declaration and Programme of Action, and also by promoting the functioning of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights (IACHR).⁶⁸ The Quebec

65. The Bush administration prefers encouraging support for improved labor conditions by enabling labor unions and advocacy groups to form locally. In his remarks during the Quebec Summit, Bush expressed empathy for the unionists' interest in preserving labor protections but strongly asserted, "I don't want those labor protections to be used to destroy a free trade agreement." U.S. Dep't of State, Summit of the Americas (2001), Remarks by President Bush and President Vicente Fox of Mexico in Photo Opportunity (Apr. 21, 2001), at <http://usinfo.state.gov/regional/ar/summit/bushfox21.htm>.

66. See Third Summit of the Americas, *Advancing Our Common Agenda*, *supra* note 34.

67. Third Summit of the Americas, *Plan of Action*, *supra* note 38.

68. *Id.*

Plan further directs the Summit countries to "strengthen the capacity of governmental institutions mandated with the promotion and protection of human rights, such as national human rights institutions ... and contribute to the successful establishment of a network of all such institutions of the Hemisphere."⁶⁹

2. Health

The good health of all of the citizens of the Hemisphere is also recognized as essential to realizing one's human potential. In fact, the Quebec Plan makes the bold proclamation that the enjoyment of good health is one of the *fundamental rights* of every human being.

At the forefront of health concerns is the epidemic of HIV/AIDS. Describing HIV/AIDS as a major threat to the security of people in the Americas, the Quebec Plan seeks to increase resources for research, prevention, education, and access to care and treatment. The Quebec Plan promotes access to treatment through measures designed to: (1) ensure the provision and distribution of HIV/AIDS drugs; (2) encourage the availability of affordable drugs for HIV/AIDS treatment; and (3) promote and protect the human rights of all persons living with HIV/AIDS.⁷⁰ In addition to programs for the treatment of HIV/AIDS, the Quebec Plan mandates the negotiation of a proposed Framework Convention on Tobacco Control to develop and adopt policies and programs to reduce the consumption of tobacco products, and also mandates the initiation of programs to prevent, control, and treat communicable diseases such as tuberculosis, dengue, and malaria, and to reduce health risks from non-communicable diseases such as cardiovascular disease, hypertension, cancer, and diabetes.⁷¹

3. Education

Education was a major theme of the Santiago Plan of Action and was extolled as a key to progress in the Hemisphere. The Quebec Plan echoes the Santiago Plan, portraying education as a key to strengthening democratic institutions, sustaining economic growth, reducing poverty, and promoting the development of human potential, equality, and understanding among the peoples of the Western Hemisphere.⁷² The Quebec Plan reaffirms the commitments made at previous Summits to "ensure, by 2010, universal access to and completion of quality primary education for all children and to quality secondary education for at least 75 percent of young people, with increasing graduation rates and lifelong learning opportunities for the general population; and also reaffirming the commitment to eliminate gender disparities in primary and secondary education by 2005."⁷³

The Summit leaders have entrusted the OAS to organize, within the framework of the Inter-American Council for Integral Development, a meeting of Ministers of Education in Uruguay, to be held before the end of 2001, with a mandate to set up mechanisms

69. *Id.*

70. *Id.*

71. *Id.*

72. *Id.* The educational needs of the Hemisphere are great. Only one in three Latin American children attends secondary school. See Zoellick, *supra* note 4.

73. Third Summit of the Americas, *Plan of Action*, *supra* note 38.

to implement the education initiatives set forth in the Quebec Plan and in previous Summits and to establish time lines and benchmarks for follow-up on the implementation of the education commitments made in the Quebec Plan, as well as to promote dialogue and cooperation with civil society organizations.⁷⁴

Finally, the Quebec Plan directs the Summit countries to: (1) strengthen education systems by decentralizing their decision-making, promoting the participation of parents and promoting transparent school management; (2) enhance the performance of teachers by improving their conditions of service and by raising the profile of the profession through ongoing professional development and accessible and flexible training strategies; and (3) support the mobility, between countries of the Hemisphere, of students, teachers, and administrators in order to increase their knowledge of other cultures and languages, and to enable them to access information on post-secondary studies and learning opportunities offered across the Hemisphere.⁷⁵

4. *Indigenous Peoples*

One of the more complex subjects addressed in the Quebec Plan is the issue of the indigenous peoples of the Hemisphere. Historically, the interests of indigenous peoples have not been given great importance or have been ignored altogether. However, events such as the 1994 Chiapas rebellion in Mexico have demonstrated the need to take into account the special concerns of indigenous peoples and to find ways to assist them in realizing their full human potential. Describing the promotion of the interests of indigenous peoples as "a valuable element in the continuous strengthening, not only of human rights in our hemispheric community, but also, more broadly, of our democracies, economies and civilizations,"⁷⁶ the Quebec Plan mandates that the Summit countries: (1) support hemispheric and national conferences in order to exchange experiences among indigenous peoples and their organizations in implementing activities to promote their sustainable cultural, economic, and social development; (2) increase the availability and accessibility of educational services in consultation with indigenous peoples by promoting linguistic and cultural diversity in education and training programs for indigenous communities; and (3) promote the collection and publication of national statistics to generate information on the ethnic composition and socio-economic characteristics of indigenous populations in order to define and evaluate the most appropriate policies to address the needs of indigenous peoples.⁷⁷

5. *Labor and Employment*

Employment provides the most direct link between economic activity and the improvement of one's standard of living. Summit countries agree that "true prosperity can only be achieved if it includes protecting and respecting basic rights of workers as well as promoting equal employment opportunities and improving working conditions for people in all countries in the region."⁷⁸ To meet these goals, the Quebec Plan

74. *Id.*

75. *Id.*

76. *Id.*

77. *Id.*

78. *Id.*

proposes that Summit countries: (1) strengthen the capacity of the Ministers of Labor to develop and implement effective labor and labor market policies; (2) continue to work towards the elimination of child labor; (3) take action to eliminate gender discrimination and harassment; and (4) provide technical assistance to smaller economies to effectively implement labor laws and standards.⁷⁹

6. *Technology and Connectivity*

Connectivity and information technology issues received significant attention from Summit leaders at the Quebec Summit. In the seven years since the 1994 Miami Summit, a technological revolution has taken place in the countries of the Industrialized North, brought about by the proliferation of computers and the use of the Internet, and making it possible to transmit vast quantities of information virtually instantaneously. These technological advancements have encouraged the transition to increasingly knowledge-based societies. Unfortunately, while the use of computers and the Internet throughout parts of Latin America is growing at a relatively active rate, the percentage of the population taking advantage of this technology still lags well behind the United States and Canada. Moreover, the lack of necessary infrastructure in many of the smaller economies of the Hemisphere has impeded their ability to take advantage of the benefits of the new technology. This technological disparity between the countries of the Hemisphere is often referred to as the "digital divide."

The opportunities that new technological tools offer to facilitate reaching one's human potential have not gone unnoticed by the Summit leaders. The Summit leaders' enthusiasm toward the new technology has motivated them to issue a separate declaration entitled the Connectivity Agenda.⁸⁰ Through the Connectivity Agenda, the Summit leaders intend to promote the development of the necessary telecommunication infrastructure, encourage the growth of e-commerce, and enhance the provision of government services and information on-line, with the ultimate goal of reducing the barriers of distance and geographical isolation and thereby bring the peoples in the Hemisphere closer together.⁸¹

IV. Summit Management and Implementation

A. THE SUMMIT FOLLOW-UP

A significant achievement of the Santiago Summit was that it laid the groundwork for the institutionalization of the Summit as a process through the mechanism of a

79. *Id.*

80. Leaders of the smaller economies are especially enthused about the Connectivity Agenda. One leader even described it as "the most exciting new development from this Summit." See Owen Arthur Remarks, *supra* note 32.

81. Health care is one such area where connectivity could be put to use. The Quebec Plan proposes that the Summit countries use connectivity to provide sound, scientific, and technical information to health workers and the public, utilizing innovations such as the Virtual Health Library of the Americas, and to encourage the use of tele-health as a means to connect remote populations and provide health services and information to under-served groups. See Third Summit of the Americas, *Plan of Action*, *supra* note 38.

follow-up section to the Summit Plans. The follow-up section to the Quebec Plan furthers the development of the Summit as a process through the formation of a regionally representative Executive Council of the SIRG, with a permanent Steering Committee composed of past, current, and future Summit hosts.⁸² The Executive Council will serve to (1) assess, strengthen, and support the follow-up of Summit initiatives; (2) maximize coherence between the Summit of the Americas process and subregional Summit processes; (3) deepen partnerships and coordination between the Summit of the Americas process and its partner institutions, such as the OAS and the World Bank; and (4) advance greater engagement and partnerships with subregional foundations and with civil society groups in the support of Summit mandates.⁸³

B. THE ROLE OF THE OAS AND MULTILATERAL BANKS

The OAS already plays a central role in the Summit process by serving as a Summit monitor and as a forum for civil society's participation. The Quebec Plan formalizes the monitoring role of the OAS by designating it a technical secretariat, which will allow the organization to serve as the "institutional memory" of the Summit process by monitoring its progress, recommending remedies to impasses in Summit negotiations, and creating a specific fund to finance the activities supporting the SIRG.⁸⁴

Multilateral development banks (MDB) also serve an essential role in providing financing for Summit initiatives. The Quebec Plan directs the Summit leaders to encourage the MDBs to (1) promote the development of programs supportive of the Summit's social and economic goals; (2) support the efforts of the IDB and the World Bank to provide expertise and mobilize resources for the implementation of Summit initiatives and mandates; and (3) promote policies to develop and maintain access to international capital markets to finance sustainable development efforts.⁸⁵

V. Comments on the Future of the Summit Process

Just as the mandates and initiatives of the Quebec Summit were designed mostly to build upon the mandates and initiatives of previous Summits, the Fourth Summit of the Americas to be hosted by Argentina should continue this trend. Accordingly, the next Summit will not likely produce any dramatic or divergent new issues or initiatives. As the Summit process evolves, the emphasis will progressively shift from the generation of new initiatives to the development of existing initiatives. Because any process is evolutionary in nature, only time will show if the Summit process successfully leads the Hemisphere to continually increasing levels of integration and whether such integration might eventually reach a level that renders the Summit process redundant or diminishes the perceived utility of its continuation in its present form. The current trend, however, indicates that integration will continue at a swift pace during the rest of the decade.

82. The Steering Committee's purpose is to assist the Summit Chair in preparing for future Summits, including preparations for SIRG meetings.

83. Third Summit of the Americas, *Plan of Action*, *supra* note 38.

84. *Id.*

85. *Id.*
