

**ACTIVE DEMOCRACY  
CITIZEN NETWORK FOR GOVERNMENTAL  
COMPLIANCE WITH THE SUMMITS**

# The Summits must not end up as empty promises

**HEMISPHERIC REPORT 2006 - 2008**



**Hemispheric Coordination:**



**Active  
Democracy  
Network**



**INVESP**

**INSTITUTO VENEZOLANO DE ESTUDIOS SOCIALES Y POLITICOS**



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**Active Democracy**  
Citizen Network for Governmental Compliance with the Summits  
[www.sociedadcivil.net](http://www.sociedadcivil.net)

### Hemispheric Coordination



**INVEP**  
INSTITUTO VENEZOLANO DE ESTUDIOS SOCIALES Y POLITICOS

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▲  
Active Democracy Network, meeting in  
ECLAC after 12 years of work in the Americas  
promoting civil society participation and  
responsible government action at the  
Summits of the Americas.

# Presentation

THE HEMISPHERIC REPORT 2006 – 2008 “THE SUMMITS MUST NOT END UP AS EMPTY PROMISES”, IS A RESULT OF THE WORK OF CIVIL SOCIETY ORGANIZATIONS PRESENT IN 21 COUNTRIES OF THE AMERICAS THAT MONITORED COMPLIANCE WITH GOVERNMENTAL COMMITMENTS MADE AT THE SUMMITS OF THE AMERICAS IN FOUR CENTRAL AREAS FOR THE STRENGTHENING OF DEMOCRACY.

Active Democracy: Citizen Network for Government Compliance with the Summits has been working in the Americas for 12 years and is committed to the inter-American process of the Summits of the Americas, promoting civil society participation and responsible government action by monitoring compliance with the governmental commitments made at the Summits.

The Hemispheric Report 2006 – 2008 The Summits must not end up as empty promises, is a result of the work of civil society organizations present in 21 countries of the Americas that monitored compliance with governmental commitments in four central areas for the strengthening of democracy. These are: access to public information,

freedom of expression, decentralization & local governments, and the strengthening of civil society participation. As a crosscutting theme, the gender and women’s rights perspective was also included.

The follow-up on compliance with these mandates was carried out through the use of a methodology especially designed for such a purpose by the Active Democracy Network: the Evaluation of Government Compliance Index (EGCI). The hemispheric results of this index, presented in this report, show that the rate of the implementation of these commitments during the period from 2006 – 2008 has been slow, with difficulties and even worrying setbacks.

Access to public information is the mandate that presents the most progress, as 13 of the

## PRESENTATION



21 governments evaluated showed positive results. On the other hand, on the matter of freedom of expression, 12 countries reported worrying setbacks.

The purpose of this report is not to provide detailed information on each country; rather it seeks to highlight progress and setbacks in the four areas evaluated based on national examples. The analysis of each national reality can be found in the national reports created by each National Coordinator, and which will be available on the web site of the Active Democracy Network: [www.sociedadcivil.net](http://www.sociedadcivil.net).

The research performed by the member organizations of Active Democracy seeks to make a substantial contribution to the Summits process. There is consciousness that these multilateral meetings are an effective mechanism for establishing agreements and priorities for progress in the region. However, the commitments adopted in this context often end up as empty promises, without the political will to take actions that would contribute to their fulfillment.

Civil society has a fundamental role in the Summits process; both in making proposals for how to approach the matters that





each Summit faces, and in contributing to and monitoring compliance with the commitments that governments take on.

It is for this reason that the Report prepared by Active Democracy is of great use to this multilateral process, as it provides a vision of the progress and setbacks or difficulties that have occurred in the implementation of four of the Summits mandates.

We are especially thankful for the experts who contributed to the creation of the EGCI methodology, to the member organizations of the Active Democracy Network that carried out the research (See Annex I), to the

governments that facilitated information on the actions taken during 2006 – 2008 in terms of the areas under evaluation, the national experts and civil society organization representatives who evaluated their government's performance, the donors, as without their resources and trust this work would not have been possible, and finally to the Summits of the Americas Secretariat and the Department of International Affairs of the Organization of American States, who have given us their support in order to inform the governments and civil society on the work carried out by the Network.





▲  
Ms. Amsale Maryam, Chairperson -  
Association of Development Agencies; Dr.  
Joan Neil, Director - Organisation of American  
States; Professor Neville Duncan, Director  
- Sir Arthur Lewis Institute for Social and  
Economic Studies; Mrs. Madai Hernandez,  
Charge 'd Affairs - Embassy of Venezuela in  
Kingston; Miss Karen Small, Policy Analyst  
- Bureau of Women's Affairs.

# Executive Summary

THE ACTIVE DEMOCRACY NETWORK, WITH 12 YEARS OF EXPERIENCE WITH THE SUMMITS PROCESS, WANTS TO CALL THE ATTENTION OF THE GOVERNMENTS IN THE REGION TO THE PACE OF THE IMPLEMENTATION OF THE COMMITMENTS MADE AT THE SUMMITS DURING THE PERIOD 2006 – 2008, WHICH HAS BEEN SLOW, WITH DIFFICULTIES AND EVEN WORRYING SETBACKS.

Faced with the significant number of announcements and commitments that different governments have made in the context of the Summits of the Americas, and the lack of follow-up on the implementation of policies designed to fulfill these commitments, **Active Democracy** was created in 1997. This group is a network of civil society organizations from the Americas, whose mission is to contribute to governmental compliance with the announcements and commitments made in the context of the summits.

The Active Democracy Network, with the support of the Canadian International Development Agency (CID) and the Organization of the American States (OAS), created an instrument that allowed us

to measure the degree of government implementation of their commitments during the period 2006 – 2008 in four specific areas: access to public information, freedom of expression, decentralization & local governments and strengthening of civil society participation.

The measure of the fulfillment of these commitments was reached through the **Evaluation of Government Compliance Index (EGCI)**.

The index also measured compliance with the gender mandates regarding the 4 previously mentioned key areas, taking explicit consideration of some indicators referring to the Summit mandates on gender and women's rights for each of these areas. In this way, women's human

## EXECUTIVE SUMMARY

**Left:**

Mrs. Lourdes Morales, Executive Director of Alianza Cívica of Mexico, together with Mr. Emilio Álvarez-Icaza Longoria, President of the Commission on Human Rights of the Federal District.

**Right:**

Mr. Alfredo Feria, Minister of the Secretariat of Foreign Affairs of Mexico, and Mr. Rigoberto Ocampo of the Instituto Federal de Acceso a la Información Pública of Mexico.



rights were analyzed from the perspective of the interaction in each country between specifically “women’s” public policies and institutions and those relating to the four areas of analysis, based on the verification of the existence or inexistence of some objective elements, such as laws, programs and others, and on opinions regarding the progress or setbacks that this implies for the Summit mandates.

**It is important to point out that the Index seeks to determine how much the governments have progressed or been set back on their compliance with the mandates assumed at the Summits of the**

**Americas, during the period 2006-2008**, based on the information that the governments themselves provided as well as official sources consulted by national research teams of the Active Democracy Network.

For example, a country could have a decentralized operational structure that is internationally recognized, but if during the period 2006-2008 the government performed no substantial activities in this area, it would have a negative evaluation from the EGCI.

This Report informs on the results obtained from the first application of the EGCI **in 21 countries**, considering more than 600

**Below:**

National Workshop in Colombia, organized by Fundación Presencia. Mrs. Susana Restrepo, Executive Director of Fundación Presencia; Mr. Camilo Reyes, Ex-Vice Chancellor of Colombia; Mr. Gabriel Murillo, Director of the Active Democracy Project, Colombia; and Mrs. Patricia Cortés, Director of the Office of the United States, Canada and the Summits of the Americas for the Colombian Chancellery.



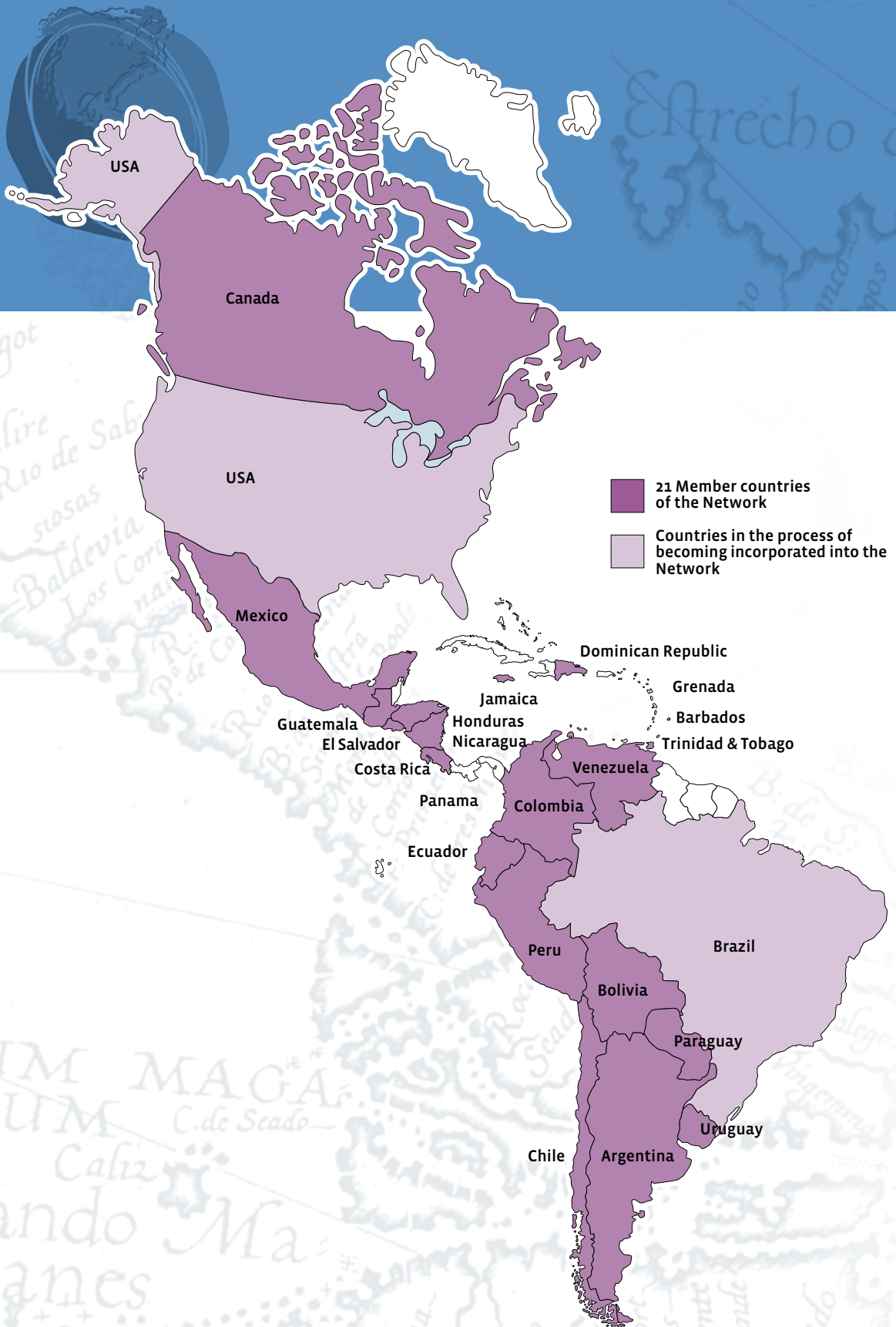
opinions collected from all over the region, and the regional value of which reaches 0.01 (on a theoretical range between +3 and -3).

Of the 21 countries analyzed, **57% (12) have an index lower than 0**, which means that there has been scarce progress, and **12 governments have even taken actions that go against the implementation of the mandates**.

The study shows that some governments have developed best practices, but at the same time it demonstrates that others have done very little to progress on the commitments made in these four areas in

the context of the Summits of the Americas. Some governments have even implemented measures that represent set backs against such compliance. Progress regarding gender and women's rights is even less encouraging.

Active Democracy seeks to make a critical and constructive contribution with these results, in such a way as to call attention to governments and civil society organizations (CSOs) regarding the importance of making progress on these key matters for the strengthening of all the democratic nations in the Americas.



# Active Democracy Network

ACTIVE DEMOCRACY: CITIZEN NETWORK FOR GOVERNMENT COMPLIANCE WITH THE SUMMITS, IS A NETWORK OF CIVIL SOCIETY ORGANIZATIONS PRESENT IN 21 COUNTRIES OF THE AMERICAS, THE PURPOSE OF WHICH IS TO INFORM THE PUBLIC AND CIVIL SOCIETY ORGANIZATIONS (CSOs) ON WHAT THE SUMMITS OF THE AMERICAS PROCESSES ARE, THE COMMITMENTS THAT GOVERNMENTS ACQUIRE IN THEM AND HOW THESE ARE CONNECTED TO THE DEVELOPMENT OF COUNTRIES AND THE LIVES OF THEIR CITIZENS.

## **Active Democracy: Citizen Network for Government Compliance with the Summits**

is a network of civil society organizations present in 21 countries of the Americas that have been working together since 1997 after the Sustainable Development Summit held in Santa Cruz – Bolivia in 1996. It is coordinated on a hemispheric level by the Coporacion PARTICIPA of Chile, the Venezuelan Institute for Social and Political Studies (INVESP, for its Spanish acronym) and the Canadian Foundation for the Americas (FOCAL).<sup>1</sup>

The purpose of the Network is to inform the public and civil society organizations (CSOs) on what the Summits of the Americas processes are, the commitments that

governments acquire in them and how these are connected to the development of the countries and the lives of their citizens.

Specifically, during the period 2006-2008 this initiative had as an objective to widen and strengthen the hemispheric network of civil society organizations, so that they would have more and better tools and information to be able to bring about improvement of the degrees to which the Summits of the Americas mandates are implementation by governments in the area of strengthening democracy.

Based on this objective, the network has followed-up on the fulfillment of the mandates related to four themes that are fundamental for democratic governance:

<sup>1</sup> FOCAL of Canada was part of the Hemispheric Coordination until December 31, 2008.



- Access to public information
- Freedom of expression
- Local governments & decentralization
- Strengthening of civil society participation.

Active Democracy bases its work on 3 lines of action:

## 1

### Evaluation of Government Compliance Index (EGCI)

The Network designed a follow-up methodology to measure the degree of compliance with the Summits commitments, which is called the Evaluation of Government Compliance Index. Research was carried out during the period from 2006-2008 in the 21 countries in which the Network operates, allowing it to produce hemispheric and national results. The former are presented in this publication, and the latter can be found in the country reports made up by each National

Coordinator in the Network, and which will be available on the Active Democracy web site: [www.sociedadcivil.net](http://www.sociedadcivil.net).

## 2

### National Alliances

The Network imposes a seal of collaboration on the work that it carries out on an international level. Besides monitoring the fulfillment of commitments, it seeks to establish national alliances between civil society organizations and governments in order to achieve progress on the implementation of the Summits mandates through specific activities.

At the beginning of the project in 2007, eight countries claimed to have the conditions and political will to form these alliances: Argentina, Chile, Colombia, Mexico, the Dominican Republic, Paraguay, Uruguay and Trinidad & Tobago. However, this matter has represented a major challenge. Some





countries changed their governmental authorities, others do not have a counterpart in their Ministries of Foreign Affairs with whom civil society organizations can interact, and for others the matter of the summits remains an international issue, and is not a priority on a national level. Also, for the Civil Society organizations it has not been easy to understand the complexity of the State.

Nonetheless, the Ministries of Foreign Affairs in Colombia, Chile and Trinidad & Tobago are an exception, given that they have worked together with the Network's organizations in the context of the Summit at Trinidad & Tobago.

### 3

#### Dissemination of the Summits of the Americas process

Throughout the 12 years of the Network's existence, one of the main objectives has been to contribute to an increase in knowledge

about the summits in those countries where the project is being developed. For this reason, the role of the web site ([www.sociedadcivil.net](http://www.sociedadcivil.net)) has been fundamental, as it informs users of the Network's activities in the participating countries as well as on an international level. For its part, the project's National Coordinators carry out dissemination campaigns to inform the public on their activities, as in the dissemination of their National Reports.

In order to support the dissemination activities that each National Coordinator carries out in its own country, the project developed a manual for dissemination and outreach, which provides specific orientation and supporting materials for the Coordinators.

To carry out this initiative, the Network counted on financial support from the Canadian International Development Agency (CIDA), the Inter-American Council for Integral Development of the Organization of American States (CIDI/OAS) and the National Endowment for Democracy (NED).





THE EVALUATION OF GOVERNMENT COMPLIANCE INDEX CREATED BY ACTIVE DEMOCRACY WAS BUILT ESPECIALLY FOR DETERMINING HOW MUCH GOVERNMENTS HAVE PROGRESSED OR SEEN SETBACKS DURING THE PERIOD FROM 2006 TO 2008 ON THE FULFILLMENT OF THE MANDATES SIGNED AT THE SUMMITS OF THE AMERICAS.

Corporación Participa presents the results of the EGCI in the Ministry of Foreign Affairs.



# Methodology for the Evaluation of Government Compliance Index (EGCI)

The **EGCI** is a tool that is especially designed for civil society monitoring of the Summits of the Americas process.

This index summarizes the opinion of a network with more than 600 experts and civil society organization representatives in a total of 21 countries. Each of these informants was asked to judge to what degree their respective government made progress or had difficulties on the fulfillment of the four previously defined mandates.

The mandates can be understood as obligations of a permanent nature that demand governments to take constant action in the context of their public policies. In addition, governments must always abstain from taking actions contrary to or damaging for the fulfillment of these mandates.

Methodologically, each of these four mandates was divided into indicators referring to actions that must be carried out by governments in order to comply with

their commitments. In addition, indicators were developed to measure the gender perspective as a crosscutting concept within each of the themes analyzed. In sum, the EGCI is made up of 232 indicators (See Annex).

To analyze the behavior of each indicator, governments were asked to provide information on the actions they had taken during the period from 2006 – 2008. On the basis of the information they provided and from official sources consulted by the national research teams, the national civil society experts evaluated their governments.

The scores established by the EGCI run from -3 to +3. The positive numbers (+) indicate a perception of progress on the fulfillment of the commitments. The negative numbers (-) indicate a perception of difficulty or setbacks. A score of 0 shows that there was no progress or setbacks of any kind regarding the mandates.



▲  
Discussion of the results of the EGCI in  
Jamaica and Uruguay.

Mrs. Andrea Sanhueza, Corporación  
Participa of Chile

# Results

OF THE 21 COUNTRIES ANALYZED, 12 HAVE AN AVERAGE INDEX LOWER THAN 0, WHICH MEANS THAT THEIR GOVERNMENTS HAVE TAKEN ACTIONS THAT REPRESENT A SETBACK FOR THE FULFILLMENT OF THE SUMMITS MANDATES.

THE AREAS OF ACCESS TO PUBLIC INFORMATION, STRENGTHENING CIVIL SOCIETY PARTICIPATION AND DECENTRALIZATION & LOCAL GOVERNMENTS PRESENTED PROGRESS. ON THE OTHER HAND, FREEDOM OF EXPRESSION DISPLAYED WORRYING SETBACKS.

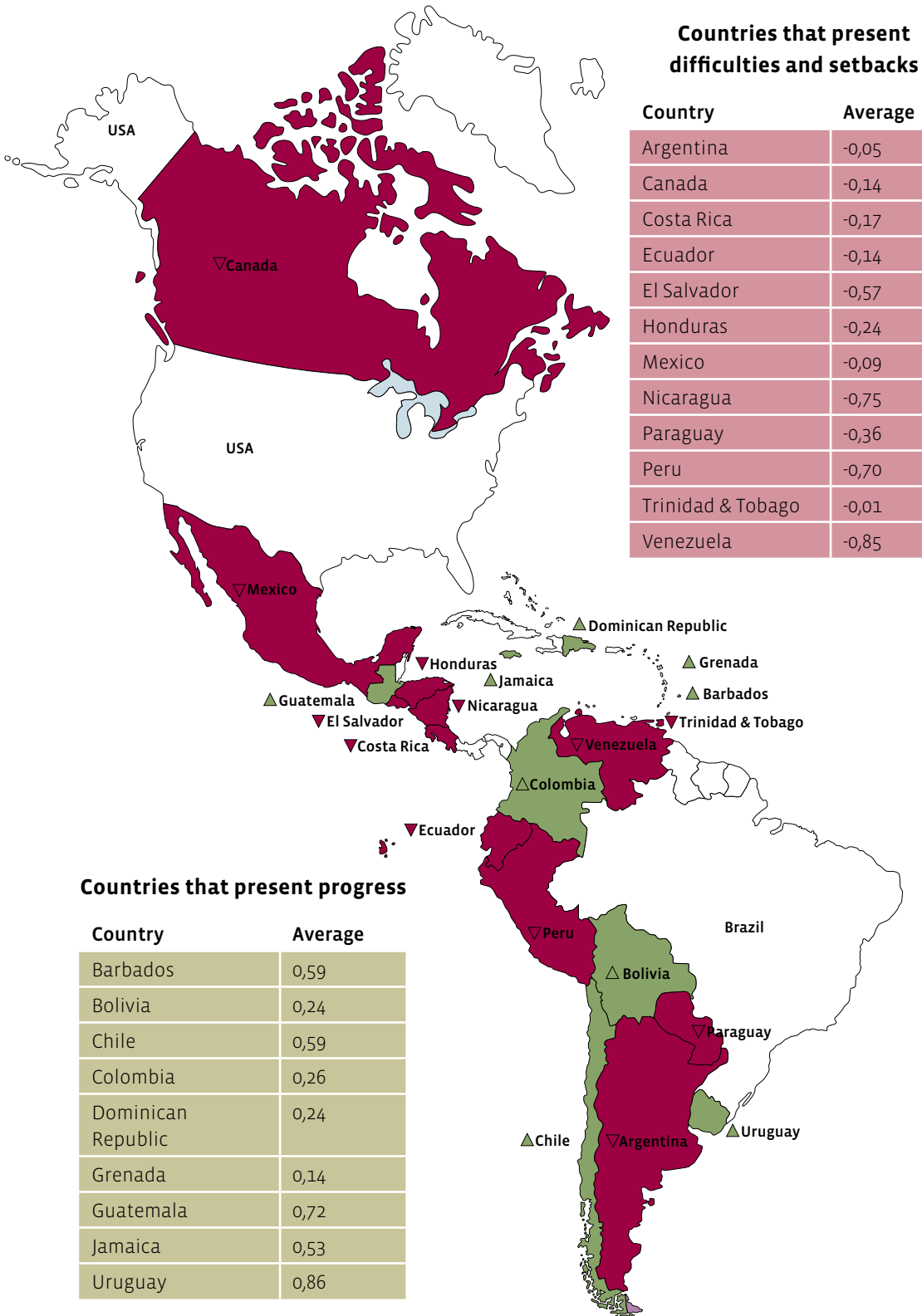
Of the 21 countries analyzed, 57% (12) have an average index lower than 0. Considering the more than 600 evaluations made throughout the region, the total EGCI reached a value of 0.01 (on a range between +3 and -3).

As a result, this value, which comes quite close to zero, expresses that there is little progress that the 21 governments have

made, and many have even experienced setbacks towards fulfilling the mandates signed at the summits during this period.

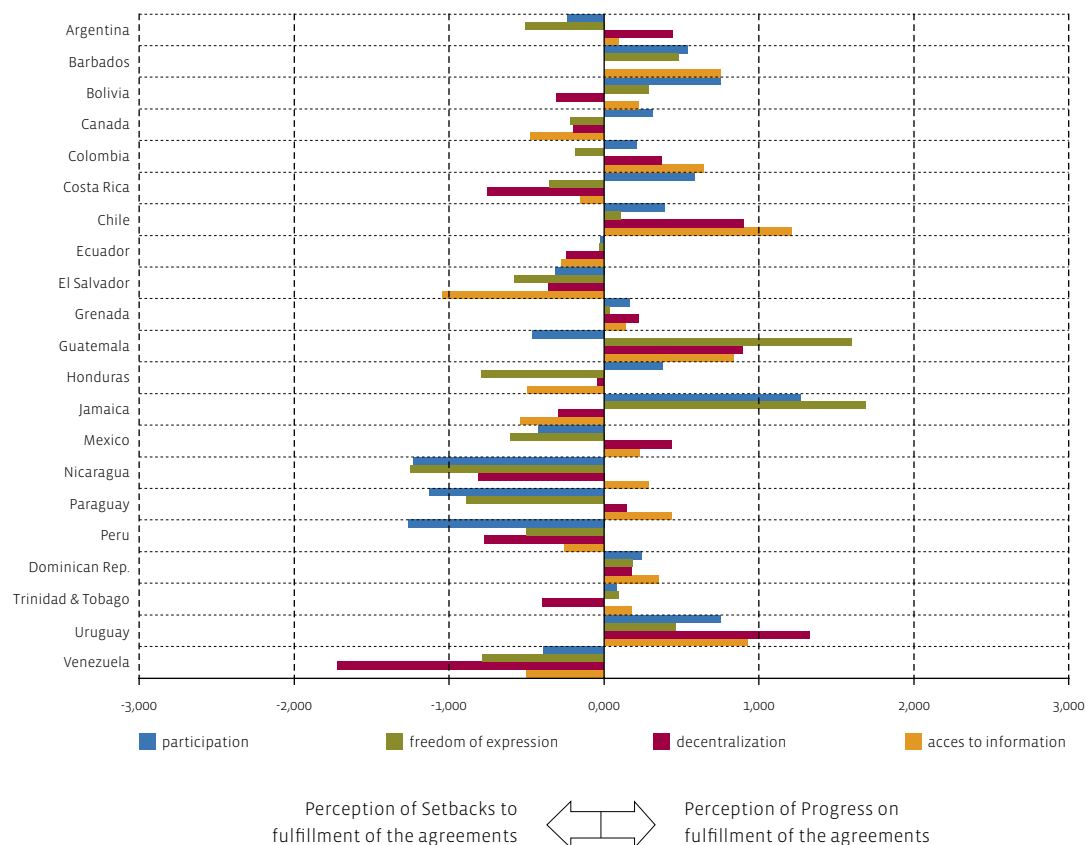
The country results as far as their progress and difficulties/setbacks on the implementation of the Summits commitments during the period 2006 – 2008 are listed in the following alphabetical order:

# RESULTS



The following graph compares the situations between the participating countries for each of the four areas of the mandates evaluated.

### Mandates ECGI Country Results



**The government of Uruguay showed the most progress on fulfillment with the mandates (+0.86), and the Venezuelan one showed the most setbacks and difficulties (-0.85).**

**In considering the total value of the ECGI, only in 9 countries was there some degree of progress, while in 12 it was perceived that there were setbacks and difficulties.**

As can be seen in the graph, the government of Uruguay took actions that meant progress

in the four areas. Specifically in the area of access to public information, the Law of Access to Public Information and the National Archives Law were passed, and the CEIBAL Plan was put into effect, which allows for all children enrolled in public education to have access to a laptop computer. As for freedom of expression, the most recognizable act was that the Executive branch negotiated with civil society on a reform that restricts the interpretation of what is to be considered as illegal reports and information.

## RESULTS

Regarding decentralization, the government formed the National Agriculture Council, Departmental Agriculture Councils and the Rural Development Committees. In addition, Public Attention Centers were installed in rural areas.

Regarding the strengthening of civil society participation, it is considered that the government has extended the support that it supplies to these organizations, especially in terms of financial backing.

For its part, the government of Venezuela took actions that meant setbacks in the four areas of analysis. Specifically in the area of access to public information, websites were modified in order to diminish the information available to the public; a Law of Access to Public Information has not been passed, and the access of the media to government sources of information, such as through press conferences, is limited.

As for freedom of expression, the Provea report<sup>2</sup> records 134 cases of violations against the freedom of expression and access to public information during the period 2006-2007; practices of self-censorship were detected as well as media restrictions.

<sup>2</sup> Annual Report October 2006-September 2008, Caracas, Provea, 2007. [www.derechos.org/ve](http://www.derechos.org/ve)



In the area of decentralization, Communal Councils were created that have a direct relation with the Executive, thus cutting out the city halls and state governments and diminishing the powers of local institutionalities. Examples of this include reduced resources for state governments, and the transfer of responsibilities of local and regional governments to the central government.

In the strengthening of civil society participation, discussions began on the Law of International Cooperation, the contents of which would limit foreign funding for CSOs, and the experts consulted provided evidence of a governmental campaign to discredit civil society.

In breaking down this general scoring according to the dimensions of the EGCI, it can be appreciated that 13 of the 21 countries studied show progress in some areas, but at the same time setbacks in others. As such, it can be seen that within this panorama of scarce general progress, the “access to public information” dimension stands out, which is the most commonly mentioned as being the best evaluated of all the dimensions among all the different countries. On the other hand, the “freedom of expression” dimension is that which, many times, appears with negative evaluations among the different countries involved in the study.

### Left:

Launch of the National Report in Bolivia. Mr. Jaime Alvarez, President of the Board of Directors of the Red Participación y Justicia; Mrs. Guadalupe Palomeque, Director of the Summits Unit, Ministry of Foreign Affairs and Religion of Bolivia; Mrs. Edy Carmen Jimenez, Executive Director of the Red Participación y Justicia; Mr. Ambassador Bernard Gresinger, OAS Representative in Bolivia; and Mr. Ramiro Orias, Sub-Director of Ciudadanos Trabajando por la Justicia, and National Coordinator of the Project for follow-up on the Summits.



With these results, a group of civil society organizations from the Americas is expressing an important criticism regarding what is not being done by their governments to comply with binding commitments.

**Countries that stand out in each of the four dimensions that makes up the EGCI**

Governments with the most progress	Mandates evaluated	Governments with the most setbacks and difficulties
Chile, Guatemala and Uruguay	Access to public information	El Salvador, Jamaica and Venezuela
Chile, Guatemala and Jamaica	Freedom of expression	Honduras, Nicaragua and Paraguay
Chile, Guatemala and Uruguay	Decentralization and local governments	Nicaragua, Peru and Venezuela.
Bolivia, Jamaica and Uruguay	Strengthening of civil society participation	Nicaragua, Paraguay and Peru

**Summary of progress and setbacks by mandate**

Mandate	EGCI Result
Access to public information	13 of 21 government with progress
Freedom of expression	12 of 21 governments with setbacks
Decentralization and local governments	9 of 21 governments with progress
Strengthening of civil society participation	12 of 21 government with progress



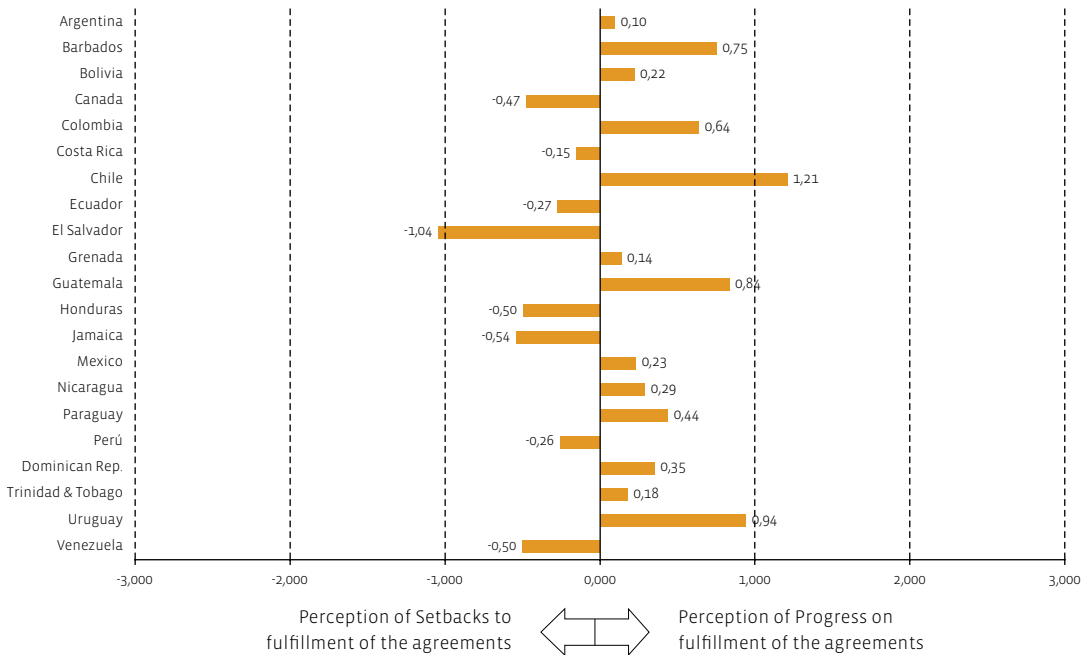
**Left:** Active Democracy Network at the General Assembly of the OAS, Medellín, 2008. Mrs. Kris Rampersad of Trinidad & Tobago; Mrs. Francine Jácome of Venezuela; Mrs. Nathalia Castañeda of Colombia; Mrs. Catalina Delpiano of Chile; Mrs. Karen Mejia of El Salvador; Mr. Ramiro Orias of Bolivia; Mrs. Victoria Pereyra of Argentina and Mr. Alfonso Andrade of Ecuador.

# RESULTS

## RESULTS FOR ACCESS TO PUBLIC INFORMATION

Most highly evaluated area, in that 13 of the 21 countries analyzed showed progress. It must be highlighted that 9 of these have laws that guarantee access to public information, as well as the incorporation of information technology and the use of websites, which contributes to the dissemination of public information.

**EGCI Dimension: Access to Public Information**



It is essential to have a legal framework that guarantees the right of access to public information. Regarding the actions that report that progress has been made as far as a legal framework that guarantees this right, 9 of the 21 countries evaluated have laws that refer specifically to accessing public information (Chile, Ecuador, Grenada, Guatemala, Honduras, Mexico, Dominican Republic, Trinidad and Tobago and Uruguay), which represents 42.85% of the countries evaluated. In Chile and Guatemala, these laws were passed in 2008. However, the cases of Ecuador and Honduras show that the

existence of a law is not enough, and that such proceeding must be institutionalized as a necessary condition for the adequate application of such a law.

The majority of the countries have constitutional guarantees and several laws that protect the right to access public information, but personal decisions by public officials persist when the public requires access to public documents. In some countries, for example Canada and Honduras, laws or norms have been passed that go so far as to restrict

the information that can be accessed, extending the procedures necessary to request information and making them longer.

In several countries, public agencies have websites that allow for access to public information related to public services and certain official documents; but despite this, difficulties or setbacks persist, such as the reduction of the information available on such platforms as in Venezuela, or that the information available is not relevant or updated.

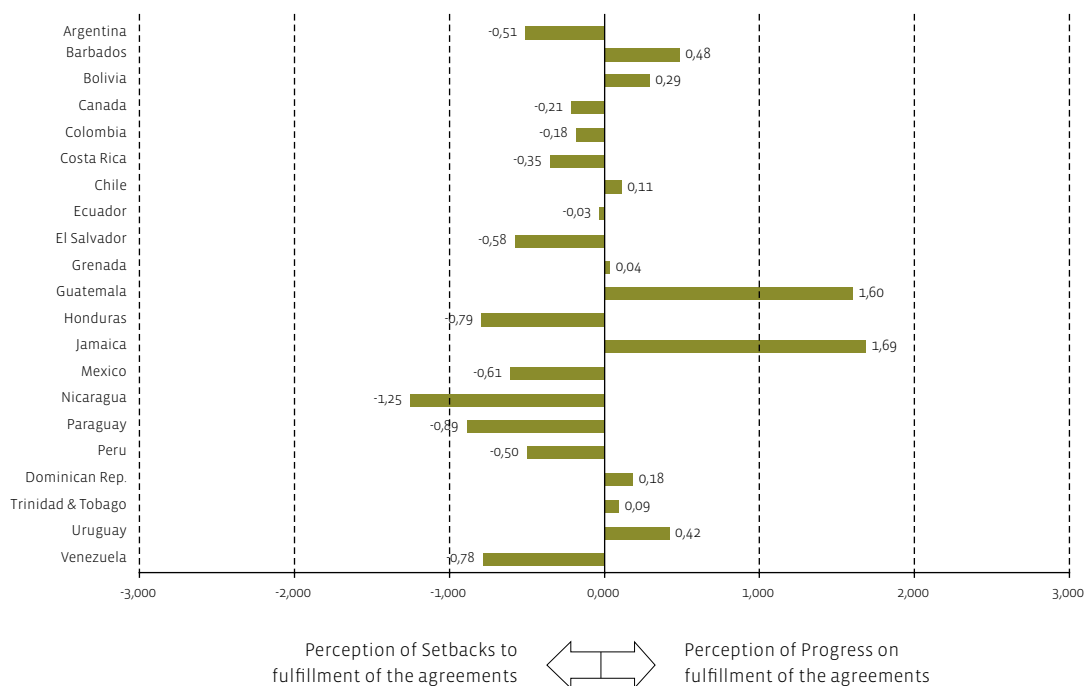
These limitations can also be found in other countries such as Costa Rica, where the provision of information is conditioned. One case of this is the decree by the President of the Republic and the Minister of the Environment in 2008, establishing that in cases of environmental damage, only those who are directly affected can have access to the relevant environmental information.

Finally, the lack of transparency and access to public information on public finances and electoral expenditures is evident in almost all of the countries evaluated.

### RESULTS FOR FREEDOM OF EXPRESSION

*This is an area with important setbacks, in that 12 of the 21 countries presented negative results. This is due to threats, persecution and even the assassination of journalists, which affected the opinions of the civil society representatives who evaluated this area negatively.*

**EGCI Dimension: Freedom of Expression**



## RESULTS

This area represented a great difficulty in being able to identify examples of best practices that would prove progress towards compliance with this mandate.

In this way, it can be appreciated that in 12 of the 21 countries, which is 57% of the total, setbacks or difficulties were reported for this item. No country reported progress for this period in terms of laws that contribute to guaranteeing or extending this right. However, some governments took actions to revert limitations to the freedom of expression. In the case of Uruguay, the reform to reduce the classification of illegal reports and information stood out, and in Chile, the widening of the possibilities of the right to retort also stood out.

In some cases, such as in Grenada, one aspect that has contributed to compliance with this area is the opening of new media and the expansion of public forums that allow for a higher level of public participation in the discussions held on budgets and projects to be implemented by the government. In the same way, in Bolivia, one best practice has been the extension of telecommunications services, especially in rural areas.

However, difficulties and challenges persist in the region on this matter. In Mexico, for example, laws have been passed that contribute more towards limiting this right.

Another common problem in the countries of the Americas is the concentration of ownership of the media. It was even shown that this concentration is associated with economic and political interests, such as in the cases of Honduras, Mexico and Paraguay. Second of all, in some countries there are still serious cases of threats, persecution, trials, incarceration and even assassination of journalists, as reported to have occurred in Argentina, Colombia, El Salvador, Grenada, Honduras, Mexico and Venezuela.

It was also discovered that there is an important setback as far as the use by national governments of several mechanisms for applying pressure, which lead to censorship or self-censorship, such as in the cases of Argentina, Colombia, Honduras and Venezuela. Among such mechanisms is the removal or non-allocation of advertising spaces to media organizations that do not respond to the government's interests.

**Right:**

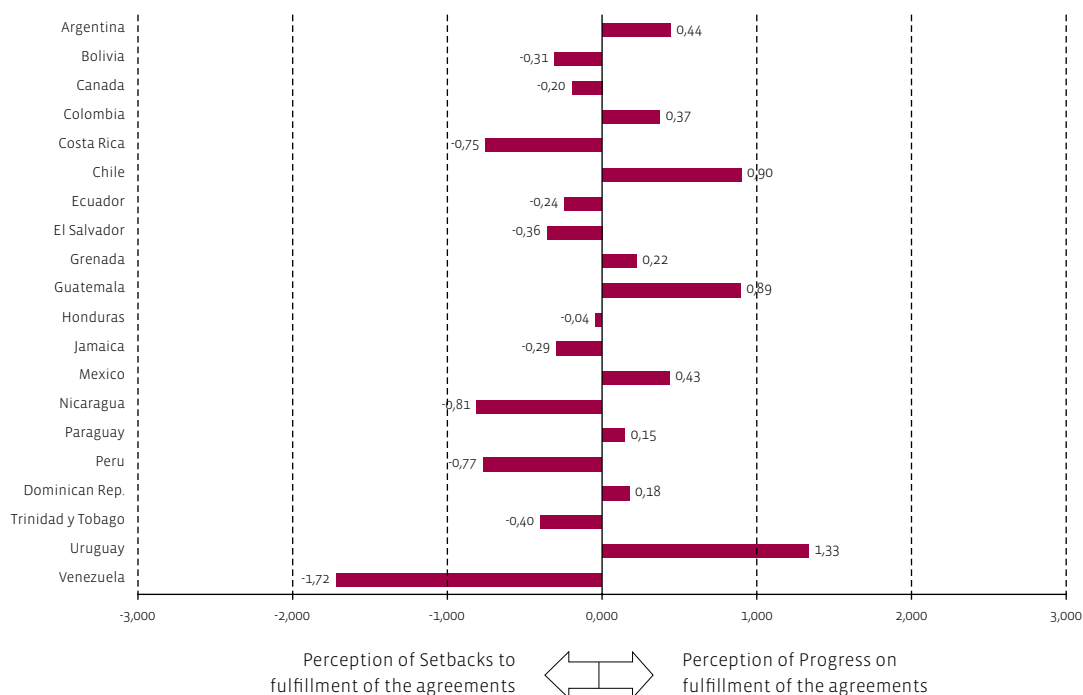
National Workshop in Uruguay. Mr. Edison Lanzas of the Grupo Archivos y Acceso a la Información (GAIP); Mr. John Biehl del Río, Representative of the Office of the Organization of American States in Uruguay; and José Clastornik, Director of the Agencia del Gobierno Electrónico Sociedad Información y Comunicación (AGESIC).



### RESULTS FOR DECENTRALIZATION AND LOCAL GOVERNMENTS<sup>3</sup>

*This is an area with moderate results. 9 of the 21 countries studied showed progress. It must be pointed out that progress has been made in some countries regarding the transfer of responsibilities and resources to the local level, and the political strengthening of mayors and governors.*

**EGCI Dimension: Decentralization and Local Governments**



On the matter of decentralization and local governments, the reality of the region is divided.

In 9 of the 21 countries, almost 43%, progress is perceived in this area. In those countries where the civil society recognizes progress on the fulfillment of the mandates, governmental actions towards the transfer of responsibilities and resources from the central government to local governments were valued. This is because such actions strengthen decentralized and more autonomous management for local

governments. It was also recognized that laws have been passed that allow local governments to have a certain degree of autonomy for obtaining financial resources, so that they do not depend exclusively on the central government for such resources. These best practices were found to take place in countries like Argentina, Colombia, Paraguay, Dominican Republic and Uruguay.

It was estimated that a positive aspect was the establishment of programs by the central government that built on

<sup>3</sup> Barbados is not included because in this nation there are not local government figures.

## RESULTS

strengthening technical capacities of the local governments for their modernization. Even in some countries, such as Chile, new regions were created, widening the coverage of local governments. In the same way, the strengthening of local and regional leaderships was also positively evaluated in Guatemala.

The installation of Public Attention Centers or the inclusion of public participation in rural areas are counted as an expression of political will to decentralize management and increase connections with the public, such as in Uruguay. The establishment of spaces for consultation and discussion with local communities on budgets and public policies in the case of Grenada was also assessed as an example of best practices.

On the other hand, the setbacks in this area that took place in 12 countries were related to various kinds of actions that are detrimental

to processes of decentralization. First of all, there is the transfer of responsibilities from local governments to the central government, as in Trinidad and Tobago and Venezuela. In the same way, there is evidence of insufficient funding or budget cuts for local governments, as in the cases of Canada, Costa Rica and Venezuela. Another setback is represented by the creation by the central government, of institutions that operate parallel to local governments, which discredits them and makes their functioning much more difficult, as in the case of Venezuela.

In other cases, such as Peru, institutions that would have allowed for a higher degree of coordination between local and national governments have been eliminated, leading to a higher degree of centralization of decision-making processes, and reverting a fundamental aspect of the decentralization process.



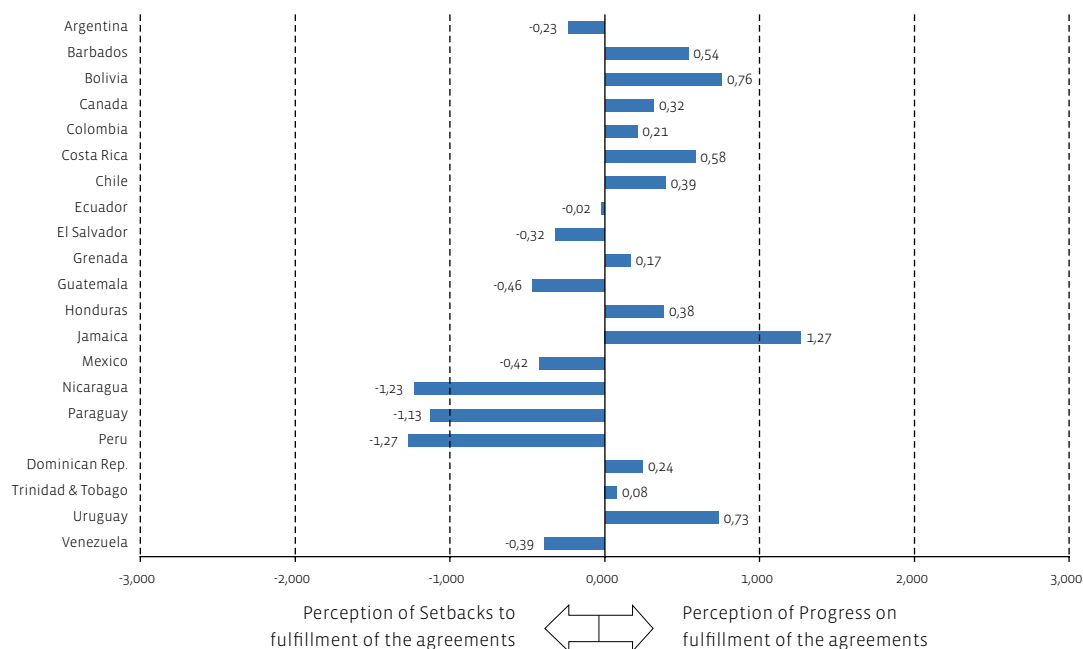
**Above:**

Dialogue between Government and Civil Society during the General Assembly of the OAS, Medellín 2008

## RESULTS FOR STRENGTHENING OF CIVIL SOCIETY PARTICIPATION

Here there was progress, with positive results in 12 countries. Specific examples of measures adopted by governments to make progress in this area include national legislation that strengthens civil society participation, increasing their activities, and the transfer of resources.

### EGCI Dimension: Strengthening of Civil Society Participation



The strengthening of civil society participation is, like access to public information, another of the EGCI dimensions with higher levels of progress in the region. In this way, 12 of the 21 countries (57%) show progress in this area.

Among the best practices, one of the most significant includes the passing of laws that strengthen the participation of CSOs, such as in the cases of Bolivia, Honduras and the Dominican Republic. There is also the creation of spaces for consultation and dialogue with civil society for the discussion

of bills and other matters, in countries such as Costa Rica and Guatemala.

Another aspect that was positively evaluated was the provision of resources to finance the initiatives of civil society organizations, such as in Chile. Some countries also value the parliamentary discussion of bills that would assist the establishment of civil society organizations and the existence of public audiences and accountability as examples of participation on a local level.

Regarding participation in the inter-American system, in Canada one best practice has

## RESULTS

been the country's support for civil society organizations to be able to participate in different forums and spaces, especially those connected to the processes of the Summits of the Americas and the General Assemblies of the OAS. In other cases, such as Guatemala, the participation of civil society organizations in the elaboration of reports to be presented by the government at OAS meetings also stands out.

The difficulties in this area are shown by insufficient legislation on citizen participation in public affairs, and in some countries such as El Salvador and Paraguay, there is not even a legal framework that

guarantees or promotes the participation of civil society organizations.

As for the lack of compliance with the mandates from the Summits process, in this area the fact that situations that promote dialogue between governments and CSOs have not been put into practice stand out, such as that shown in the evaluations of Barbados and Peru. In other cases, restrictions have been placed on non-violent protest by the citizenry, and in many examples there are only spaces for participation in projects funded by international cooperation agencies, but not under governmental initiatives.



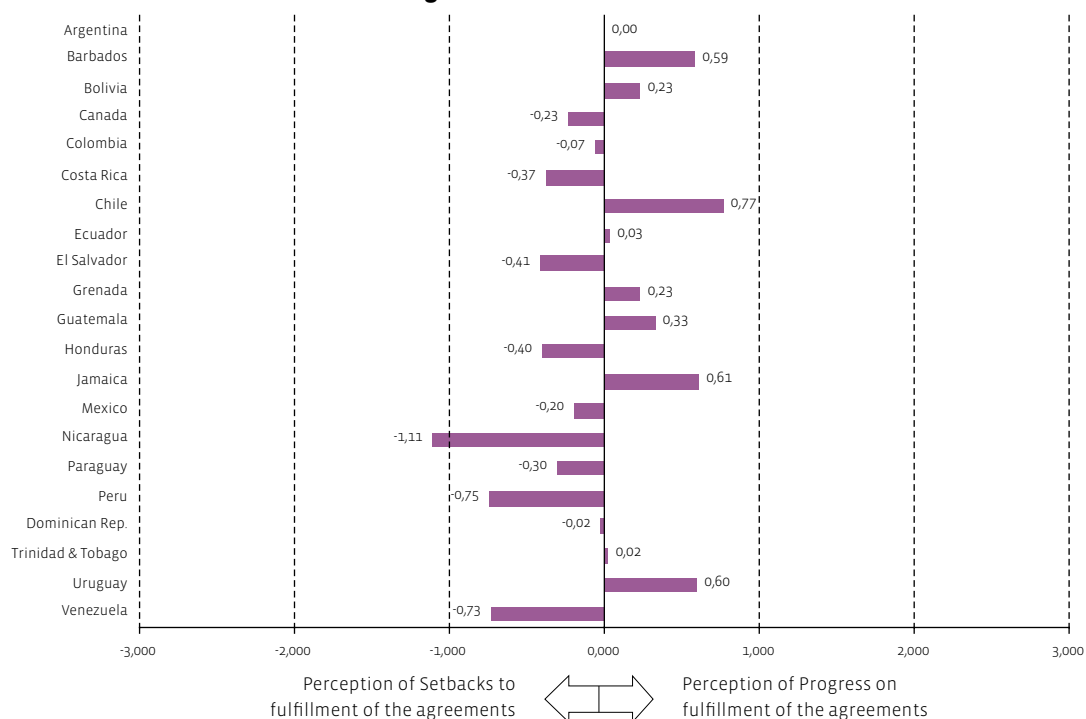
**Above left and above right:**  
Semillas para la Democracia of Paraguay held a National Workshop to discuss the results of EGCI research.



## RESULTS FOR THE GENDER PERSPECTIVE

*The eradication of gender violence and the materialization of women's human rights still do not make up part of the core of all public policies in the four areas studied. The results of the EGCI in these areas were lower than the relative perception of all the mandates together: -0.06 versus 0.01.*

EGCI. Average for Gender Sub-Dimensions



The gender perspective and that of women's human rights is explicitly considered within each of the four thematic areas covered by the EGCI.

In this way, women's human rights are analyzed as the interaction in each country between the specifically "women's" public policies and institutions and the public policies and institutions regarding the other four areas mentioned. This analysis is based on the verification of the existence or nonexistence of certain objective elements (the existence of laws, programs, etc.) and on

opinions regarding the progress or setbacks that this implies for the Summits mandates.

As far as access to public information, modest progress is found as far as laws that remove legal barriers and that provide for the incorporation of measures that promote access to public information for women and women's rights in general. This modest progress is overshadowed by the scant production of information on women's human rights and the scarce promotion and dissemination of fundamental information for women on this matter.

## RESULTS

Information is essential to be able to exercise women's rights, in particular those pertaining to sexual and reproductive health, as well as family violence. However, very little information is produced and its circulation is insufficient.

The information available via websites is insignificant due to its precariousness and as a result of the negative effects of the digital divide on women.

The panorama regarding the freedom of expression for women is no more encouraging. In general terms, in the majority of the countries there are no laws or specific government measures towards progress on fulfillment with the mandates referring to gender equity and women's human rights and their freedom of expression. Censorship of sexual and reproductive rights stands out, in particular regarding access to abortion. Also, the absence of government financing for activities concerning women's freedom of expression and women's rights is notable.

Gender equity is not promoted in property of media or their programs. The use of mass media for the expression of women's rights is scarce, and there is no control over the media's use of sexist language or the reproduction of sexist stereotypes. Any governmental measures designed to extend the objective possibilities for women to express themselves freely are the exception instead of the rule.

In the area of gender related to decentralization, there is a positive record that the majority of legislation in the countries analyzed incorporate quotas in favor of women taking on public positions, as well as consciousness of the difficulties

involved in the effective implementation of such measures. However, there are no specific measures for the promotion of political participation by indigenous or rural women, or for women of African descent. On the other hand, progress on gender equity and the modernization of the state have been recorded, as far as government regulations and administrative measures that include the gender perspective. Nonetheless, there is also a distinct stagnation in public hiring and equal promotion by gender.

As such, some progress has been detected on laws that recognize women's rights and that establish some programs to assure their enforcement on a local level. However, funding is still too scarce to note any substantial progress on the fulfillment of this mandate. Despite this, budgets are not set with the gender perspective taken into consideration. Instead, in the existing cases of progress, the funds channeled through thematic institutions and specific programs have increased. Also, inaction and setbacks have been recorded as far as gender and cultural diversity, which characterizes non-compliance with this mandate. This is especially harmful to indigenous women, whose self-determination and other fundamental rights are affected, and which conditions their progress on overcoming poverty that affects the majority of such women.

Public participation is evaluated similarly, with some progress but also some setbacks and deficits. Regarding the removal of legal barriers and the incorporation of positive measures, that promotes the participation of women and women's rights organizations. The panorama with

respect to compliance with this mandate points to progress in a significant number of countries.

However, the persistence of deficits is also perceived, in particular having to do with the participation of rural and indigenous women, and those of African descent. On the other hand, progress has been detected on increasing the budget for coalitions between governments and civil society organizations, in particular for

the provision of services oriented towards women.

Finally, the participation of women in the inter-American system has experienced an increase, but there has not necessarily been an increase in the effects that women's organizations that defend women's rights have on the inter-American system. Government support for such participation is still scarce and insufficient.



**Above:**  
Presentation of the results of the Evaluation of Government Compliance Index in Bolivia, 2009.



▲  
Members of the Active Democracy Network working for the V Summit of the Americas, 2009.

First row: Mr. Humberto Dirani of Ecuador, Mrs. Deborah Van Berkel of Venezuela, Mrs. Kris Rampersad de Trinidad y Tobago, Mrs. Laura Shubeius of Paraguay, Mrs. Eugenia Braguinsky of Argentina, Mrs. Josefina Arvelo of Republica Dominicana, Mr. Arch Ritter of Canadá.

Second row: Mr. Molvina Zeballos of Peru, Deborah Maresko of Estados Unidos, Mr. Ricardo Sol of Costa Rica, Mrs. Andrea Sanhueza of Chile, Mr. Roberto Gossi of Uruguay, Mrs. María Inés De Ferari of Chile, Mr. Martín Prats of Uruguay, Mr. Ramiro Orias of Bolivia, Mrs. Amsale Maryam of Jamaica and Mrs. Karen Mejía of El Salvador.

# Proposals for the Summit

TASK TO MAKE PROGRESS ON THE SUMMITS PROCESS, DEVELOPING A SPECIFIC AND PERMANENT STRATEGY ON MATTERS OF CIVIL SOCIETY PARTICIPATION IN THE INTER-AMERICAN SYSTEM; DISSEMINATING THE AGREEMENTS ADOPTED AT THE SUMMITS OF THE AMERICAS IN THE NATIONAL SPHERE; AND IMPLEMENTING AN EFFECTIVE MECHANISM FOR MONITORING THE LEVEL OF GOVERNMENT COMPLIANCE WITH THE MANDATES, IN WHICH THE EGCI METHODOLOGY WOULD BE AN INPUT FOR THIS KIND OF INITIATIVE.

**Active Democracy: The Citizen Network for Government Compliance with the Summits** has an important commitment as far as citizen participation in the Summits process. This is shown by the proposals the network has presented to governments at all of the Summits. In order to contribute to governments improving their performance on the implementation of the Summits mandates and other commitments made in the inter-American system, the Active Democracy Network now proposes the:

1. **Development of a specific and permanent strategy regarding civil society participation in the inter-American system.** It is necessary to establish an institutionalized dialogue between governments and civil society on national,

sub-regional and hemispheric levels. Its main objective would be discussing the main challenges that the region faces, with special emphasis on influencing the commitments that governments make at the Summits and their implementation. As such, it is suggested to continue holding the annual sub-regional and hemispheric civil society forums within the framework of the General Assemblies and Summits process.

2. Establishment, through the Inter-American Commission of Human Rights, of a **regional Special Office for Citizen Participation.**
3. Design and implementation of a **mechanism to measure compliance with the mandates** and agreements, which

would include the participation of civil society organizations. The methodology developed by the Active Democracy Network using the EGCI could be one input for this initiative.

4. Formation of a **Consultative Council of Civil Society Organizations** that could contribute to the work of the Summits of the Americas Secretariat and other OAS authorities, as well as promote the participation of social organizations in the General Assemblies and the Summits process. (Central American Sub-Regional Forum proposal).
5. Establishment of a **financial support** program that would enable the participation of CSOs in the design, development, implementation, follow-up and evaluation of national and regional public policies. (Caribbean Sub-Regional Forum proposal).
6. Formation of follow-up **national commissions or National Alliances**, in which CSOs would participate together with government agencies and which would include among their activities:
  - a. **Meetings between Ministries of Foreign Affairs** and CSOs in order to provide information on the state of compliance with the Summits process and to present suggestions.
  - b. **Promotion of SCO representatives into the official SIRG delegations**, and the upcoming Summit. These delegations must have previously worked together and developed a joint agenda for the Summits and the General Assemblies.
  - c. Preparation of an **Annual Report** to be widely disseminated, in which progress and challenges for the implementation of the commitments made at the Summits are recorded.
  - d. **Consultation processes with CSOs** that would include their proposals to be considered in the Summits process and other inter-American system meetings. (Caribbean Sub-Regional Forum proposal).
  7. **Extension and strengthening of a gender perspective and women's** rights in all the inter-American system, as well as in the law making and public policy decision-making of the member countries of the OAS.



**Above:** Presentation of the results of the EGCI in the Special Session of the Commission on Management of Inter-American Summits and Civil Society Participation in OAS activities, March of 2009 in Washington DC.

# Annex I

## MEMBERS OF THE ACTIVE DEMOCRACY NETWORK

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# Annex II

## DIMENSIONS, SUBDIMENSIONS AND OBSERVABLE ACTIVITIES OF THE EGCI

### A. ACCESS TO PUBLIC INFORMATION

#### Dimension N° 1 Legislation over freedom of access to public information and other regulations

**1.1** Specific actions that imply progress in terms of legislation over access to public information.

The Government has promoted advances in:

- Establishment of the right to access information in the Political Constitution and in terms of the elimination of restrictions.
- The public agencies that are obligated to publish information.
- Matters allowing any person to request information provided by the State.
- The application of the legislation in the three branches of the state: Executive, Legislative and Legal.
- Obligating private companies that provide public services to provide information.
- Not requiring the need to provide a reason for requesting information.
- Limiting the exceptions for the provision of information.
- The time limits (reduction of and compliance with these) for the state to provide a response to requests for information.
- The possibilities for effective access to justice when the State unduly denies requested information.

- Establishment of clear responsibilities and sanctions for any public official who chooses to deny information without reason.

- The elimination of laws inconsistent with the principle of maximum access to public information and with the international commitments made by the State.

- Establishment of “Habeas Data” in legislation and the characteristics with which this resource is established.

- Description of any legal norm that implies progress or a setback for the matter of the right to access.

**1.2** Removal of legal barriers and the incorporation of measures that promote women’s access to public information and women’s rights.

The Government has promoted advances in:

- Legislation that improves access to public information on matters that have a particular affect on women, such as birth control (regular and emergency) and aspects related to violence against women.
- Legal norms to eliminate formal and de facto restrictions to women’s access to all kinds of public information.
- Laws providing incentives and promoting women’s access to all kinds of public information.
- Establishing and promoting legal and/or legal measures that extend the

circulation of information on women's rights.

## **Dimension N° 2 Effective access to public information**

### **2.1 Information on State Activity**

- The Government instructs its agencies as well as public officials on the rationalization and systematization of proceedings for the provision of information.
- Creates incentives within the evaluation carried out by the State of the quality of the management of its agencies, for those who apply sanctions to any entity that has denied information.
- Establishes criteria for awards or incentives for those agencies that facilitate the provision of information.
- Instructs its agencies and public officials, providing training on the right to access information.
- Creates incentives for public institutions to develop mechanisms that assure women's access to public information on their rights (especially sexual and reproductive rights, as well as those dealing with violence against women) and all public matters, applying sanctions on any entity that discriminates against women in the provision of information.
- Produces mechanisms to periodically evaluate the quality of information provided to women.

### **2.2 Information on the public budget.**

- The Government has implemented information systems with free access on the Nation's budget.

### **2.3 Information on authorities and high public ministers.**

- The Government details or disaggregates information on the public budget.
- Performs a gender analysis of the budget, such as expenditure, and provides this information to the public.
- Establishes an obligation for the provision of information in terms of the declared interests and assets of public officials in the three branches of the State.

### **2.4 Information on legislative activity.**

- The Parliament has implemented information systems on the state of bills of law and congressional votes. The information system is easily accessible to the public.

### **2.5 Information on lobbying activities with authorities in the Executive and Legislative branches.**

- The Government maintains information for the public regarding lobbying activities. Example: on the ministerial agendas, with information on who ministers meet with and the objectives of such meetings?
- Guarantees that organizations working for progress on women's rights have access to such records.
- That there be a record of people who lobby and other influential groups or persons (the Church).

### **2.6 Activities and finances of private companies that provide public services.**

- The Government promotes the approval of legal norms that oblige private companies to provide information.

### **2.7 Access to public information on violations of human rights.**

- The Government creates institutions or opportunities (legally recognized) that look to implement preventative policies regarding the violation of human rights.
- Establishes and/or promotes a clear and adequate curriculum in terms of education on human rights in the formal education system.
- Proposes bills of law towards such ends.
- Works with police and security institutions on matter of human rights.
- Develops follow-up on the precincts and penitentiary establishments regarding matters of violence against detainees or victims of violence, complete with a gender analysis.

### **Dimension N° 3 Use of ICT to facilitate access to public information**

#### **3.1 Electronic media**

- The Government propels the creation of public service websites and State administration agencies (in all three branches), establishing minimum content requirements that each page must display.
- Allows for access to public documents of interest through electronic medium, which requires the implementation of a digital signature system in the different State branches. For example, the provision of birth, death or marriage certificates through electronic media.
- Enables free Internet centers for public use, producing the effective possibility for all citizens to be able to access electronic media.
- Promotes the approval of legal guidelines directed at the massification

of electronic tools and the possibility to access information through them.

- Establishes electronic access to facilitate the exercising of the previously mentioned social rights, especially those regarding housing, health, education and access to justice.

#### **3.2 Gender and electronic mediums for accessing information**

- The Government applies programs and projects to improve access to electronic information media and new technologies by women, particularly those of low-income and rural sectors.
- Publishes relevant information on women's rights through electronic media.
- Produces, promotes and carries out ICT training activities for women and other discriminated groups, especially rural sectors.

#### **4 Electoral spending**

- The Government promotes legislation that regulates matters of electoral spending.
- Official information on candidates' expenditures.
- Legal norms that impede secrecy on matters of the origins of campaign contributions.
- Discussion has taken place on legal matters in this area at each of the sub-national or local levels of government.
- Dissemination of information on electoral spending disaggregated by gender of the person who receives funding and who makes the contribution.

## **B. FREEDOM OF EXPRESSION**

### **Dimension N° 1. Legislation on the freedom of expression.**

**1.1** Specific actions that imply progress in terms of legislation on the freedom of expression.

- The Government has promoted progress in the Political Constitution in terms of explicitly guaranteeing the freedom of expression.
- Laws (civil, military or special) that guarantee freedom of expression.
- Legislation on public access to expression through public media.
- Establishment of the right to issue complaints and the conditions necessary for the practice of this right.
- Laws that regulate restrictions in terms of freedom of expression (civil, penal or military).
- Matters of publicity abuses.
- Legislation that protects privacy, private life and personal honor, making a conclusive analysis of the way in which conflicts of interest between the peoples' right to privacy and honor and the right to the freedom of information are solved.
- Creation of formal situations for denouncing the State or civil society, beyond courts of justice, against abuses or violations against the freedom of expression.
- Matter of the transparency of the system for the concession of licenses and rules, in order to determine the mechanisms that impede the concentration of property over media.
- Legal norm on the creation of alternative or community media, that assures their independent operation.

- Regulations against monopolies in the ownership of media.
- The existence of ethical conduct norms for the media.
- Legislation on the free exercise of journalism (consciousness clause) and protection of sources of information (professional secrecy).
- Legislation on the access of political parties to the media during electoral campaigns.
- Elimination of laws inconsistent with the principle of maximum freedom of expression consistent with international commitments made by the State.
- Analysis of actions that facilitate the freedom of expression for women in areas that affects them in particular, such as sexual and reproductive rights.
- Description of any legal norm that implies progress or a setback in terms of the right to the freedom of expression.

**1.2** Removal of legal barriers to and the incorporation of measures that promote the freedom of expression for women and women's rights.

- The Government indicates and/or presents laws or reforms that strengthen women's freedom of expression and those of women's rights organizations. Examples: establishment of time slot quotas in media for women and matters of women's human rights (sexual and reproductive rights, violence against women, among others).
- Establishes rules to guarantee that the voice of women be heard on media and through other channels for expression. Example: sanctions against discrimination.

- Legal decisions that affect women's freedom of expression in the same way.

**Dimension N° 2 Censorship, limitations and sanctions.**

- The Government promotes and presents progress on legal rulings or decisions designed to protect the freedom of expression, in particular by considering the existence of legal decisions on the protection of women's freedom of expression, especially indigenous, rural and migrant women, and women of African descent.
- Knows of and makes announcements about situations regarding journalists or communicators having been detained, processed or judged due to aspects relating to limitations of the freedom of expression.
- Promotes sanctions and applies them in cases of impediments to free dissemination, confiscation of publications, threats against journalists, programs, media or censored publications.
- Disseminates information and promotes sanctions regarding journalists or communicators assassinated or tortured due to their profession.
- Makes announcements regarding the matter of censored works or spaces.
- Promotes legal norms and regulations that impede the restriction of the right of expression regarding religious cults and in terms of education. Law of Cults.
- Reacts to emblematic cases regarding restrictions of the right to protest in public, where the use of excessive

violence has been determined, applying sanctions.

- Expresses progress in terms of audiences requested with political, administrative and legal authorities, and statistics on the concession of such audiences.

It is recommended to collect information that allows for the measurement of:

- Progress through rulings reached by courts of justice that have imposed restrictions on the freedom of expression. This study should be complemented by an analysis of lawsuits presented in recent years before the Inter-American Commission on Human Rights for violations against the freedom of expression.
- Progress through case studies in which journalists or communicators have been detained, processed or judged for aspects related to limitations of the freedom of expression. The resulting number of these cases and their seriousness would be a very useful instrument for comparing the situation in all of the States in which such measurements are applied.
- Complement the study of the progress experienced on this matter through the numbering of cases in which there has been censorship, the elimination of transmissions or limitations of the freedom of the media or printed publications.

**2.1 Censorship, limitations and sanctions on women's expression or women's rights.**

- The Government makes progress so that no person is detained, processed or judged because of aspects relating

to limitations of women's freedom of expression or women's rights.

- Progress towards the elimination of impediments to free dissemination, confiscation of publications or threats to journalists, censored programs, media or publications on women's rights.
- Finances activities regarding women's freedom of expression and women's rights.

### **Dimension N° 3 Media.**

- It is recommended to know of the progress on the use of the right to issue complaints in the media, being able to describe the conditions for exercising this right.
- Progress in terms of the distribution of public media ownership.
- Case study to determine the accuracy of the information emitted by media, through the use of appropriate sources of information.
- Study to determine progress in the concessions provided by the State for a determined period of time, establishing the economic and political connections of the groups that have been awarded the concessions.
- The Government promotes the existence and operation of alternative or community media.
- The proposal by the Executive branch of bills of law that tend to fulfill the mandates regarding the plurality of ownership over media.
- The Government disseminates the annual reports of Inter-American Commission on Human Rights on matters related to the freedom of expression.
- It is recommended to make a study on

progress through the rulings emitted by courts of law regarding the free competition of each State with relation to the undue concentration of media ownership. This study should be complemented by an analysis of lawsuits presented in recent years before the Inter-American Commission on Human Rights regarding the concentration of media ownership.

#### **3.1 Media and women's rights.**

- The Government promotes gender equality in ownership and management of communications and dissemination media.
- In public media, women's issues and rights are covered.
- Promotes and puts into practice the non-use of sexist, discriminatory and gender stereotypical language during the presentation of information and contents.

### **Dimension N° 4 New technologies.**

- The Government establishes public service websites for the agencies of State administration (including the 3 branches).
- Incorporates formats and proceedings for petitioning authorities and freely expressing public opinion into public service websites.
- Makes the organization of a public audience through electronic media possible, which requires the implementation of a digital signature system in the 3 branches.
- Implements free Internet centers for public use, in order to be able to determine the effective possibility

for the entire population to be able to access electronic media.

- Promotes recently approved legal norms directed towards the massification of electronic tools and the possibility to access information through them.
- Makes electronic access possible for the exercising of the freedom of expression.

### **Dimension N° 5 Objective possibilities for the public to express itself freely.**

- It is recommended to determine the progress in the number of communications instruments per capita and by gender (telephones, cell phones, televisions and radios).
- Number and coverage of mass and local media related to the population by gender.
- Distribution and number of inhabitants by actual spoken and written language in the population, regarding media presented in languages different from the official language of the population.
- Number and percentage of inhabitants with Internet access in their homes, by gender.
- Analysis of the progress made by each State level on this matter, with the most recent applications and implementations.
- To these ends, the progress on matters of recently approved legal norms directed towards the massification of electronic tools and the possibility to access information through them must be determined.

#### **5.1 Objective possibilities for women to express themselves freely.**

- The Government promotes the existence of channels and spaces designed for women's expression, especially rural, indigenous and migrant women, as well as those of African descent.
- Actions in favor of women's accessibility to communications resources and instruments. For example, achieving a transfer of technology, the enablement of time slots in communications frequencies, and other activities, through training programs.
- Actions and strategies that strengthen the presence of women in public and private spaces.

### **C. DECENTRALIZATION AND LOCAL GOVERNMENT**

#### **Dimension N° 1 Strengthening local-regional democracy.**

- #### **1.1 Promoting democracy and autonomy in sub-national government decision-making.**
- The Government passes laws that perfect the legal and institutional framework of local-regional democracy and autonomy in decision-making regarding the central Government, which considers some of the following matters:
  - Regulates direct elections of representatives on a regional level.
  - Limits the number of times that a person can be reelected to a position by popular election on a sub-national level.
  - Facilitates citizens' registration in electoral records, especially for rural, indigenous and migrant women, and those of African descent.
  - Facilitates the inscription of independent candidates or those supported by civic organizations.

- Widens the framework of powers for sub-national Governments, especially regarding decisions related to their territorial development and the preservation of their environment.
  - Grants local-regional authorities the general right to act on their own initiative regarding any matter, always when not dealing with the exclusive powers of another authority, or one that is specifically excluded from local interference.
  - Grants an administrative capacity that is equivalent to its powers.
  - Guarantees to supply sub-national governments with adequate financial resources, different from those corresponding to other levels of Government.
  - Grants local-regional authorities powers to determine their own internal administrative structure, in order to adapt it to the local-regional needs and assure an effective administration.
  - States expressly that the proceedings for the supervision of local authorities must be established only by the Constitution or by law.
- 1.2** Strengthening public participation in local politics.
- The Government passes a law that updates the juridical framework for public participation, establishing mechanisms that strengthen its reach and effectiveness. For example:
  - Creates new spaces for public participation in the diagnostic and formation of policies, and decision-making, such as: consultative advice, participatory budgets, deliberative surveys, citizen juries, local-level tele-democracy or e-government.
  - Creates mechanisms for more public control and accountability of authorities, such as: right to petition authorities, actions for the fulfillment of laws and administrative acts, public oversight, public accounts, publication of auditing reports, websites with information on the management and use of public resources, public contracts and purchases, public workers, declaration of the assets of politicians, authorities and high public officials.
  - Promotes the participation of women and organizations that work for progress on women's human rights, especially those of rural, indigenous and migrant women, and those of African descent.
  - In the formulation of the budgets for ministries and national public services, information derived from the application of participatory mechanisms that include gender equity is incorporated in order to prioritize resources, goods and services that are to be assigned to each territory. Also, information is incorporated that promotes gender equity in budgetary assignment, in addition to mechanisms that assure the participation of organizations that work for women's human rights, especially for rural, indigenous and migrant women, as well as those of African descent.
  - Promotes communicational campaigns of an informative and educational nature that encourage public organizations to participate in local political life, explaining the participative mechanisms and processes, showing results and promoting public values, such as volunteer work.



**1.3** Strengthen dialogue and social harmony for local-regional development.

- The Government creates and/or effectuates several occasions for public-private meetings, for dialogue and the coordination of development activities between sub-national Governments and social organizations; such occasions include forums, partnerships, and socio-economic development agencies or councils.
- Through the budget of certain ministries and/or public services, assigns funds for the financing of initiatives derived from public-private agreements made at sub-national levels and duly accredited for such ends. In granting this funding, the Government has criteria for gender equity and so that the institutions, as well as the individuals that receive this funding, be respectful of women's human rights and promote gender equity.
- Achieves backing from social media to disseminate information, organize meetings, news reports and programs dedicated to this social dialogue and the resulting agreements.
- Is able to gain the support of regional universities for the development of studies and meetings that strengthen social dialogue in their territories.

**1.4** Support national and regional Government associations.

- The Government passes laws that facilitate the creation of sub-national Government associations and defines mechanisms for their organization as well as their funding.
- Provides technical and financial backing for the functioning of a public

information system in which the associative actions of sub-national Governments are recorded. For example, the joint coordination and/or activities between sub-national Government and/or municipal-communal associations.

- Considers resources for the funding of training and formation programs or initiatives for the authorities and officials of sub-national entities on the design and application of associative programs within the budgets for ministries and/or national public services.
- The existence of resources conditioned on subscription to agreements with sub-national Governments within the budgets for ministries and national public services.

**1.5** Strengthening of women's participation in political institutions on a local-regional level.

- The national and local-regional Governments promote the existence of quotas for women's participation in public institutions and political parties, and control the application of such quotas so as to guarantee the inclusion of women in political institutions on a local-regional level, especially rural, indigenous and migrant women, as well as those of African descent.
- The Government has a policy of gender equity that considers different mechanisms to facilitate access to popularly elected public positions, as well as programs that promote women leaders on a local-regional level, providing funding for, among other things, local offices, meetings, publications, training and formation.
- Has passed a law for gender equity or

equivalent participation that seeks to increase the proportion of women that work as regional Government officials, in all areas: professional, technical, administrative and general services.

- Has a gender equity policy that promotes different mechanisms to facilitate access to public positions, including:
- The shortlists for competitive positions must include at least one woman.
- Sanctions on any selection criteria for positions that are exclusive, that public services provide facilities such as daycare centers, the proportioning of work schedules that are appropriate for the needs of working women, among others, in order to guarantee women's participation in institutions and political decision-making spheres on regional and local levels.
- Mechanisms established for the inclusion of women and other discriminated groups in local participatory spaces, and to avoid domination by elites.

## **Dimension N° 2 Modernization and improvement of public, local-regional management.**

**2.1** Qualitative transformation of public administration: modernization, simplification and transparency.

- The Government supports the improvement of sub-national Governmental management, transferring resources to finance initiatives that promote the incorporation of administrative criteria to get results in the following areas:
- Non-discrimination.
- Gender equity.
- Financial-budgetary administration.

Simplification of processes and incorporation of technology.

- Facility of access to public services, through information and complaint offices, service windows, use of the Internet or improved territorial coverage.
- Transfer of services to sub-national levels
- Transparency in the use of resources, especially public purchases and concessionary contracts.
- Accounting, public accounts and accountability.
- System of high public management, public contests and the professionalizing of leadership positions.
- Has a functioning system of public information on the Internet that keeps record of the progress and evaluation of the public modernization process.
- Has passed a legal initiative that regulates procedures for the promotion of transparency in sub-national administrative actions.
- Ministries and/or national services make a formal, annual, public account of their management, with the participation of a group of representatives of their clients, users and beneficiaries, taking note of their suggestions and recommendations. The Government holds public accounts, incorporating the gender perspective and gender analysis.
- Ministries and/or national services publish a public account of their management in written and electronic media, which considers the evaluations made by their clients, users and beneficiaries.

**2.2** Technical and methodological support to improve the quality of the decentralization processes.

- The Government applies a system of measurement to monitor the quality of regional and local management, on the basis of objective indicators that sub-national agencies use to compare their management performances.
- The ministry responsible for decentralization has a program for providing technical support to the strategic and methodological design for decentralized management of the territory in the sub-national Governments.
- Publishes and disseminates evaluative studies on the application of methodologies for decentralized territorial management by sub-national Governments.
- Provides technical and methodological support for the incorporation of the gender perspective and a gender analysis in the decentralization processes.

**2.3** Promotion of the professionalizing of officials working in sub-national Governments.

- The Government passes a law that regulates the civil service of sub-national Governments and which includes matters connected to the working environments, careers and professionalizing of public officials. It has a “Civil Service” that is a public service with a Board of Directors or Council that regularly promotes the professionalizing of the public sector (schools for municipal formation and/or schools for formation on matters relating to sub-national Government).
- Supports the design and application

of human resources policies for sub-national Governments through specialized ministries and/or public services.

- Respects gender equity in its training programs and includes the gender perspective as a crosscutting theme in its contents.

**2.4** Gender equity and modernization of the State.

- The Government formulates and applies rules and protocols for prevention and sanctions against work-related violence and sexual violence in the workplace, as well as policies to eradicate discrimination against women and other forms of gender discrimination.
- Incorporates women’s social rights in the workplace. Examples of these rights are: a work environment free of violence, social security and health protection without discrimination, equal pay for equal work, and for women’s work to be recognized as socially valued work with dignified pay (domestic work, childcare, etc.).
- Formulates and applies laws, rules and protocols to promote gender equity in the hiring of public officials and employees.

### **Dimension N° 3. Transfer of skills from the central Government for decentralization.**

**3.1** Transfer of responsibilities.

- The Government passes a law that regulates the transfer of ministerial powers or national public services to sub-national Governments.

- Transfers a relevant power for regional or local autonomy, based in a ministry, at the request of sub-national Governments.
- 3.2** Transfer of financial resources.
- The Government increases the percentage of resources that correspond to financial transfers on a national level, decided regionally or locally, assuring gender equity in decision-making.
  - Grants various financial incentives for sub-national Governments that are able to fulfill certain management standards and gender equity in particular.
- 3.3** Transfer of technical abilities.
- The national budget incorporates programs that finance the strengthening of the technical capacities of sub-national Government officials, considering training, technical assistance, studies, methodologies and/or strategies.
  - The Government promotes the strengthening of the technical capacities of local and regional Government officials and employees.
  - Undertakes the strengthening of officials' and employees' technical capacities to integrate the gender perspective into the design, planning, financing, implementation and evaluation of public policies.
  - National ministries and public services transfer the design and execution of public programs to sub-national Governments, so as to be adjusted to the realities of each sub-national territory.
- 3.4** Decentralization of women's policies and rights.
- The Government makes an evaluation using the gender perspective, and in

which local and national organizations that work for the progress of women's human rights (especially for rural, indigenous and migrant women, as well as those of African descent) participate, before transferring powers from the central Government for decentralization.

Examples:

- Transfer of police or security forces (municipal police).
- Transfer of legal powers (local courts).
- Decentralization of sexual health and reproductive policy (provision of free anti-conception by the municipality).
- Transfer of social programs.

#### **Dimension N° 4. Financing of local-regional administration.**

- 4.1** Strengthening of financial administration.
- The Government applies a public program for official approval of the presentation of public financial information and the establishment of budgetary best practices.
  - Develops a system for the measurement of the efficiency and quality of spending and the public investments made by regional and municipal Governments. This system considers the efficiency and quality of spending with relation to rural, indigenous and migrant women, as well as those of African descent, in particular.
- 4.2** Fiscal strengthening.
- The Government has passed a law that sanctions local tax evasion and creates adequate mechanisms for control and collaboration between state and municipal fiscal authorities.

- Applies a program that supports the improvement of the capacity for self-financing and fundraising by municipalities.
- Makes studies that analyze indicators of sub-national Government participation in the production and assignation of tax-generated income, public debt and self-financing at every level of government.

**4.3 Gender and financing of local-regional administration.**

- The Government incorporates the gender perspective in the design, creation, application and evaluation of the budget, as well as in fiscal policy.
- Includes the participation of women (especially rural women) in the design, creation, application and evaluation of the budget, as well as fiscal policy.
- Assures gender equity in decentralization, transferring the financial resources necessary to implement policies, as well as measures that assure equity, in facilitating control over public spending.

**Dimension N° 5. Respect and valuation of local-regional cultural diversity.**

**5.1 Respect for cultural diversity in each sub-national territory.**

- The Government has passed a law, decreed a reglement or instructions that sanction discrimination in all its forms, especially for access to public or private jobs, representative positions or in teaching establishments.
- Applies contents in their educational policies and learning materials that are connected to cultural diversity, as well

as gender equity as a factor of cohesion and development.

**5.2 Supports the preservation of local-regional cultural heritage.**

- The Government applies a policy that demands the public sector to respect and value the elements of local cultural heritage in the design, location and execution of high-impact investment projects in local territory.

**5.3 Supports local-regional cultural expressions.**

- The Government passes a law that facilitates the creation of civil society organizations dedicated to promoting cultural diversity and respect for minorities.
- Applies a program that collaborates on the funding of cultural initiatives of regional and municipal Governments, especially those created with public participation that recognize, restore or value local identity and heritage, and/or contribute to the development of local artists, and the production and dissemination of their work.

**5.4 Gender and cultural diversity**

- The Government recognizes the intrinsic value of women's culture. It promotes the valuation and equal respect of the diversity and cultural heritage of women through specific measures, especially those of rural, indigenous and migrant women, as well as those of African descent.
- Promotion of women's cultural expressions through research, investment and protective measures.
- Quotas for the assignation of resources and spaces for cultural activities.

## **Dimension N° 6. E-government and access to public information technology at a local-regional level.**

### **6.1** Development of connectivity and access to public information and communication technology (ICT).

- The Government has a policy to grant facilities for access and funding for broadband, connectivity and/or computer equipment for sub-national agencies and public services.
- A funding program for the operation of free Internet access centers in territories with difficult access and/or low-income populations.

### **6.2** Support for the development of the e-government on a local-regional level.

- The Government applies a program that finances training in the uses of ICT for local and regional level officials.
- There is a system of information in operation that is directed by, or accessible by, local and regional level officials, to promote and train them in the use of ICT.
- Has created a policy to promote the e-government on a local and regional level, which considers the following, among other initiatives:
- Situational diagnoses of access to ICT at a local and regional level.
- Identification and formulation of projects directed at the development of ICT.
- Transfer of lessons learned, best practices and knowledge.
- Formation of human resources trained to manage programs for the promotion and development of ICT.

### **6.3** Promotion of public-private cooperation for access to public information technology.

- The Government has passed a law that facilitates the coordination of cooperative actions between different public and private sector agencies, directed towards promoting the use of ICT.
- There are agreements with the private sector to facilitate access to and financing of broadband and Internet connectivity for community and educational centers.
- Applies a program that provides funding and/or technical assistance to promote the creation of user networks, websites and original content for local communities.
- Develops a policy that gives incentives to the private sector to extend telecommunications infrastructure and provide services to unprofitable locations.

### **6.4** Gender and ICT in the local-regional sphere.

- The Government provides formation in programs and projects to improve women's access to ICT, particularly low-income and rural women.
- Incorporates the gender dimension in all stages of the ICT projects, especially the e-government.
- Trains women and other discriminated groups in ICT, especially in rural sectors.

## **D. STRENGTHENING CIVIL SOCIETY PARTICIPATION**

### **Dimension N° 1. Legal changes that weaken or strengthen civil society participation.**

**1.1** Removal of legal barriers and the incorporation of measures that promote civil society participation.

- The Government promotes constitutional changes that create new mechanisms of public participation. This means the inclusion of clauses specifically related to gender equity, women's participation and positive actions in favor of women and other discriminated groups.
- Presents new laws or reforms that regulate the role of civil society.
- Establishes mechanisms to foment civil society participation, considering gender equity, women's participation and positive actions in favor of women and other discriminated groups.
- It is recommended to know of any legal decisions in the national, sub-national and/or local spheres that affect the participation of civil society organizations. This means the inclusion of legal decisions specifically having to do with gender equity, women's participation and positive actions in favor of the participation of women and other discriminated groups.

**1.2** Removal of legal barriers and the incorporation of positive measures that promote the participation of women and women's rights organizations.

- The Government presents and promotes laws or reforms that strengthen the participation of women and organizations for the progress of

women's rights in decision-making processes.

- Increases the participation of rural, indigenous and migrant women, as well as those of African descent, in policies regarding budgets, culture, and sexual and reproductive health, among others.
- It is recommended to recognize the existence of legal decisions that affect the participation of women and women's rights organizations in rights dealing with sexual and reproductive health, social programs and violence against women.
- Laws or rules that establish controls or programs for women to be able to participate effectively. Examples: rules that establish meeting schedules so women would be able to participate; measures to cover the work that women perform in the home, so that they are able to participate; transfer of technical skills; mechanisms to assure that women are able to express themselves in meetings, and that their opinions be taken into the account when making decisions.

### **Dimension N° 2. Relation between national Government and Civil Society Organizations in practice.**

**2.1** Financial support.

- The Government establishes funds for the assignation of specific resources.
- Provision of public information on the criteria used to decide the granting of such funds.
- Establishes and informs on the use and assignation of SCO funds with criteria of transparency. These criteria are: access to public information on

Government websites, information on the amount assigned to each organization, information on the modality of the official announcement and assignation of funds (public contest, direct assignation, bidding), among others.

- Has a list accessible to the public regarding the women's CSOs that received assignations.
  - It is recommended to establish formal mechanisms created for the periodic assignation of special funds for CSOs. Examples: decision that a certain percent of the national budget will be given to CSOs or evidence of the institutionalization of the creation of special funds for CSOs in the national sphere.
- 2.2** Operation, in practice, of the various institutionalized instruments for participation in the national sphere.
- The Government uses consultative mechanisms (oversight, town councils, public assemblies, consultative referendums, among others).
  - Promotes legally binding mechanisms (approval referendums, revocations, among others).
  - Applies other mechanisms (follow-up on public policies, participation in committees for the hiring of authorities, public legislative initiatives, social accountability, budgetary decisions).
  - Systematizes and informs on women's rights organizations that participated in the various, previously listed mechanisms.
  - Maintains and informs on the list of women's rights organizations that lead in the use of such mechanisms.

**2.3** The Government provides the information required to strengthen civil society participation.

- The Government maintains and informs on media and instruments that strengthen channels of participation. Examples: informative newsletters, workshops, dialogues, meetings with CSOs, among others).
- Formulates and executes specific strategies to promote gender equity.
- Designs and executes specific strategies to promote the participation of women's rights organizations.

**2.4** Government accepts and allows activities or initiatives of CSOs.

- The Government establishes dialogues or negotiations. There is participation of women's rights organizations.
- Authorizes protest and mobilization. Participation of women's rights organizations.

**2.5** National Government and institutionality for the participation of women and their organizations (funding, instruments, agencies, among others).

- The Government implements public participation in its various forms and channels, taking the gender perspective into account. For example: produces situations that replace women in the primary care of their children and other domestic work, in order to assure the presence of women and their participation.
- Intervenes in the cases in which the males in the environment intimidate the females (parents, girl/boyfriend, or others) by prohibiting them from



participating in activities outside of the home, at times becoming violent.

- Intervenes to stop violence and hostilities to which women are exposed when participating in activities outside the home.
- Takes measures to diminish the gap in participation between males and females, due to women's lower level of access to education, health, work and others, making them worse off than men are for exercising their leadership and participating under equal conditions in public life.
- Execute specific measures so that organizations for the defense and promotion of women's human rights can participate in and influence public policies. Example: implements policies of transparency that guarantee the offer of accessible and timely information on women's rights.
- Develops systems for accountability, so that women's organizations are able to complain and denounce their exclusion from participative processes, censorship and other abuses of power, clientelism, among others.
- Calls on these organizations for decision-making processes dealing with budgets and security, as well as other public policies.

### **Dimension N° 3. Participation in the Inter-American System.**

- 3.1** Strategies for national alliances (Government-SCO), based on:
- a. General Assemblies of the OAS.
  - b. Summits of the Americas
  - c. Ministerial meetings.
- The Government establishes and

promotes consultations and dialogues. Participation of women's rights organizations, in particular those representing rural, indigenous and migrant women, as well as those of African descent.

- Formulates proposals and joint strategies. Participation of women's rights organizations, in particular those representing rural, indigenous and migrant women, as well as those of African descent.
- Includes the participation of women's rights organizations' representatives, including those concentrated on rural, indigenous and migrant women, as well as those of African descent in its official delegations.

### **3.2** Participation in OAS activities.

- The Government promoted and supported the CSOs – through funding requests – so that they would be able to participate in the IV Summit of the Americas, including women's rights organizations, in particular those relating to rural, indigenous and migrant women, as well as those of African descent.
- Presented proposals related to gender equity in the IV Summit of the Americas.
- Promoted SCO participation in the XXXV, XXXVI and XXXVII General Assemblies, including women's rights organizations and, in particular, those representing rural, indigenous and migrant women, as well as those of African descent.
- Presented proposals regarding gender equity in the XXXV, XXXVI and XXXVII General Assemblies.

- It is recommended to keep record of the CSOs that participate in other situations, such as the Inter-American Commission on Human Rights (IACHR) and the Inter-American Commission Against Corruption (IACAC) and meetings convoked by the Summit Implementation Review Group (SIRG).

### **3.3** Compliance with the Member States' agreements that foment the participation of CSOs.

- The Government has made contributions to the Specific Fund to Support the Participation Civil Society Organizations in OAS Activities.
- Presents reports on regulations and procedures for consultations with civil society.
- Grants transparent financial support for the assistance of CSOs at the XXXV, XXXVI and XXXVII General Assemblies, at

the IV Summit of the Americas, and other meetings of the inter-American system. Equitable distribution of these resources with criteria for gender equity.

- Requests financial, technical or human assistance to strengthen its institutional capacity to receive process and act on civil society initiatives. Specific requests regarding the issues of gender or ICT.
- Facilitates and supports the registry of CSOs with the OAS.
- The ministers of Foreign Relations participated in the dialogues at the XXXV, XXXVI and XXXVII General Assemblies, as well as at the IV Summit.

### **3.4** Women's participation in the Inter-American System.

- The Government adopts the recommendations of the CSOs on women's rights, as agreed to at meetings of the Inter-American System.