

WORKING PAPER **267**

Civil Society Participation in
Trade Policy-making in
Latin America: Reflections
and Lessons

Peter Newell and Diana Tussie
May 2006

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Abstract

This paper explores the question of civil society engagement with trade policy in Latin America, identifying key factors which shape the dynamics and possibilities of participation. These include (a) key strategic issues within the movements and among groups themselves; (b) the organisation of institutional access; and (c) key economic and political regional dynamics. The authors compare three different sets of trade negotiations and institutional arrangements: NAFTA, Mercosur and FTAA, and examine the key drivers and shapers of change in each case through a comparative analysis of the dynamics of the environmental, labour and women's movements. In examining the diverse forms of engagement and non-engagement, lessons are derived about the possibilities of constructing more effective, sustainable and transparent mechanisms of participation and representation in trade policy. The paper begins with an analytical framework, followed by sections exploring and comparing the strategies of the environmental, labour and women's movements in trade policy. In each case, the authors ask: Who mobilises and how, around what sort of issues? How do the coalitions use the spaces that exist in trade arenas or protest the limitations imposed? How do regional dynamics affect these processes? Diverse and imaginative sets of strategies are used by groups interested in or affected by trade policy in Latin America, which change over time, accommodating a rapidly changing context; though a key lesson showed that merely having mechanisms of participation in place does not mean they are used effectively. Civil society groups move in and out of policy spaces and shift between 'insider' or 'outsider' strategies, including movement across levels and between arenas. Just as states practice two-level games, so too civil society engages in double-edged diplomacy, playing national and international arenas off against one another depending on the political opportunity structures available in each and the political dynamics underpinning them.

Keywords: civil society, participation, social movements, trade, trade policy, trade unions, women, environment.

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Abbreviations

ACJR	Alianza Chilena por un Comercio Justo y Responsable (Chilean Alliance for Fair and Responsible Trade)
AEC	Asociación de Estados del Caribe (Association of Caribbean States)
AFL-CIO	American Federation of Labour-Congress of Industrial Organisations
ALCA	Área de Libre Comercio de las Américas (Free Trade Area of the Americas)
ALIDES	Alianza Centroamericana para el Desarrollo Sostenible (Central American Alliance for Sustainable Development)
ANAD	Asociación Nacional de Abogados Democráticos (National Association of Democratic Lawyers, Mexico)
ASC	Alianza Social Continental (Hemispheric Social Alliance)
ATPDEA	Andean Trade Promotion Drug Eradication Act
CAES	Comité Asesor Económico y Social (Andean Social and Economic Advisory Committee)
CAFTA	Central America Free Trade Agreement
CAN	Comunidad Andino de Naciones (Andean Community of Nations)
CAW	Canadian Auto Workers
CAWN	Central American Women's Network
CCSC	Consejo Consultativo para la Sociedad Civil (Consultative Council for Civil Society)
CCSCS	Coordinadora de Centrales Sindicales del Cono Sur (Coordination of Southern Cone Trade Unions)
CEC	North American Commission for Environmental Cooperation
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CEDEA	Centro de Estudios Ambientales
CFO	Comité Fronterizo de Obreras (Border Committee of Women Workers)
CGR	Committee of Government Representatives
CJM	Coalición Pro Justicia en las Maquiladoras (Coalition for Justice in the Maquiladoras)
CLC	Canadian Labour Congress
CLOC	Coordinadora Latinoamericana de Organizaciones del Campo (Latin American Coordination of Peasant Organisations)
CNDM	Conselho Nacional dos Direitos da Mulher (National Council of Women's Rights, Brazil)
CNM	Consejo Nacional de la Mujer (National Women's Council, Argentina)
CNMT	National Women Workers Commission (Comision Nacional de Mujeres Trabajadoras)
COB	Central Obrera Boliviana (Bolivian Workers' Central)

COFE	Confederacion de Organizaciones de Funcionarios del Estado (Confederation of Civil Service Organisations)
CONAIE	Confederación de las Nacionalidades Indígenas del Ecuador (Confederation of Indigenous People of Ecuador)
COPA	Confederacion De Parlamentarias de las Americas
CSO	Civil Society Organization
CTA	Central de Trabajadores Argentinos (Argentinean Workers' Central)
CTM	Congreso de Trabajo Mexicano
CTV	Central de Trabajadores de Venezuela (Venezuelan Workers' Central)
CUT	Central Unica de Trabajadores (Single Workers' Party)
EDF	Environmental Defence Fund
EPZ	Export Processing Zones
EZLN	Zapatista National Liberation Army
FARN	Fundación Ambiente y Recursos Naturales
FAT	Authentic Labour Front (Frente Auténtico del Trabajo)
FCES	Foro Consultivo Económico y Social (Economic and Social Consultative Forum)
FEA	Foro Empresarial de las Américas (American Business Forum - ABF)
FFL	Fundación Futuro Latinoamericano
FTAA	Free Trade of the Americas Agreement
GMC	Grupo de Mercado Común (Common Market Group)
GMO	Genetically Modified Organism
HRW	Human Rights Watch
HSA	Hemispheric Social Alliance (Alianza Social Continental- ASC)
ICFTU	International Confederation of Free Trade Unions
IDB	InterAmerican Development Bank
IGTN	International Gender and Trade Network
IISD	International Institute for Sustainable Development
ILO	Internacional Labor Organisation
INAINE	Autonomous Institute for Ecological Research
IUCN	International Union for the Conservation of Nature and Natural Resources
JPAC	Joint Public Advisory Committee
MAI	Multilateral Agreement on Investment
MERCOSUR	Mercado Comun del Cono Sur
MODTLE	Mobilization on Development, Trade, Labor and the Environment
MST	Movimiento de los Trabajadores Sin Tierra

NAALC	North American Agreement on Labour Cooperation
NACEC	North American Commission for Environmental Cooperation
NAFTA	North American Free Trade Agreement
NAS	National Academy of Sciences
NEPA	National Environmental Protection Agency
NGO	Non-governmental Organisation
NRDC	Natural Resources Defense Council
NWFF	National Wildlife Federation
OEA	Organisation of American States (Organización de Estados Americanos-OEA)
ORIT	Organización Regional Interamericana del Trabajo (Interamerican Regional Labour Organization)
PIT-CNT	Plenario Intersindical de Trabajadores-Convención Nacional de Trabajadores (Inter-union Workers' Plenary-National Convention of Workers)
PPM	Production Process Methods
PRI	Partido Revolucionario Institucional (Institutional Revolutionary Party)
PRTR	Pollution Release and Transfer Register
PT	Partido dos Trabalhadores (Workers' Party)
REBRIP	Rede Brasileira pela Integração dos Povos (Brazilian Network for People's Integration)
REIH	Red Empresarial para la Integración Hemisférica (Business Network for Hemispheric Integration - BNHI)
REM	Reunión Especializada de la Mujer (Special Meeting of Women)
REMA	Reunión Especializada de Medio Ambiente (Special Meeting on the Environment)
REMTE	Red Latinoamericana Mujeres Transformando La Economía (Latin American Network of Women Transforming the Economy)
REPEM	Red de Educación Popular Entre Mujeres de América Latina y el Caribe (Women's Popular Education Network)
RMALC	Red Mexicana de Acción Frente al Libre Comercio
RMSM	Red de Mujeres Sindicalistas Mexicanas (Mexican Network of Union Women)
SECOFI	Secretaría de Comercio y Finanzas (Secretariat of Commerce and Finance)
SERNAM	Servicio Nacional de la Mujer (National Women's Service, Chile)
SGT	Sub Grupo de Trabajo (Sub Working Group of Mercosur)
SICA	Sistema de Integración de Centroamérica (Central American Integration System)
TNC	Trade Negotiations Committee
UGAM	Union of Environmental Groups (Unión de Grupos Ambientales)
UNCED	United Nations Conference on Environment and Development

UNEP	United Nations Environment Program
UNT	National Workers Union (Unión Nacional de Trabajadores)
USTR	United States Trade Representative (office of)
WRI	World Resources Institute
WTO	World Trade Organization
WWF	World Wildlife Federation

Introduction

In recent years, and particularly perhaps since the ‘battle of Seattle’ in 1999, the issue of civil society participation in trade policy has attracted increasing policy and academic attention. Much of this attention has been drawn to the question of institutional access and channels of participation and representation within the World Trade Organisation (WTO). Improving the transparency of and access to decision-making in the context of up-scaling civil society participation is not exclusively a global challenge, however. There has been a great deal of activity at the regional level around trade negotiations increasingly under the umbrella of the Free Trade of the Americas Agreement (FTAA) in Latin America, following in the wake of NAFTA (North American Free Trade Agreement) and Mercosur.

Participation has risen to prominence as a result of a series of inter-related reasons. Firstly, involving civil society actors in economic policy can be seen as a legitimating exercise in the face of powerful critiques about the secrecy in which key decisions regarding trade and investment get taken. Such critiques are lent greater moral force by growing evidence of the social and economic inequalities and environmental damage that flows from decision-making processes on these issues conceived in narrow economic terms alone. These claims have been articulated most vociferously by the anti-globalisation movement, but resonate with deeper social concerns about who is benefiting from globalisation and who is bearing the costs of the process. Governments have sought to make the case that globalisation, and trade liberalisation in particular, is good for the poor. ‘Managing’ globalisation through strong institutions responsive to diverse societal actors is seen to be key to ensuring that these benefits are realised (DFID 2000; Newell *et al.* 2002). In this sense, institutionalised public participation is seen as an important vehicle by which states can defend their claims to represent a broad notion of the public interest, especially perhaps because the public, some publics more than others, will be expected to bear the costs of adjustments and realities under new market conditions. It reflects the idea that those whose lives are affected by trade policy have a right to a role in the process of designing those policies (Brock and McGee 2004).

Closely related to legitimacy, is transparency in respect to decision-making. Key to public trust is evidence that governments’ policies reflect a careful consideration of issues including social and environmental concerns, for example and are not merely designed to serve special interests. There is an important distinction here between popular participation and the participation of organised civil society (Albán 2003), where with the latter important issues of accountability arise and need to be addressed if civil society actors are not also to be regarded as just another cadre of special interests.

Instrumentally too, an informed public and open debate is said to help raise key issues and to ensure that non-trade issues are brought into the negotiations. Participation can allow for more complete information and priority-setting and therefore better quality decision-making. Civil society organisations can inject new ideas, specialised expertise and lend technical support to delegations lacking capacity. There is also a complementary role for citizen participation in monitoring and enforcement, filling gaps left by governments and regional bodies (Caldwell 2002). Perhaps most crucially, from a strategic point of view, the involvement of NGOs can also make it more likely that they will provide much needed support to get accords through national parliaments, as well as help to monitor the implementation of agreements.

Institutional recognition of these roles has been embodied as an obligation enshrined in a range of multilateral agreements. Impulses towards public participation derive from agreements such as principle 10 of the Rio Declaration of 1992, as well as individual multilateral environmental agreements. They emphasise public consultation and participation, as well as access to information. Civil society organisations themselves often invoke the right to participation before, during and after negotiations towards trade agreements in the phases of design, implementation and evaluation.

It is against this broad global canvass that this analysis will attempt to explore the question of civil society engagement with trade policy in Latin America. It seeks to identify key factors which shape the dynamics and possibilities of participation. These include:

- 1 key strategic issues within the movements and among groups themselves (diversity of strategies, politics of coalition-building, patterns of influence and engagement/non-engagement)
- 2 the organisation of institutional access (rights, representation, process, decision-making)
- 3 key economic and political regional dynamics (differences between and within individual countries regarding key issues and attitudes towards participation)

By comparing across three different sets of trade negotiations and institutional arrangements; NAFTA, Mercosur and FTAA, it will be possible to identify what the key drivers and shapers of change appear to be. In other words, the extent to which these appear to derive from the nature of the institution or process itself, the strategies of the movement engaging with it, or more likely still, some combination of both these elements. The challenge will be to attempt to account for diverse forms of engagement and non-engagement and, more importantly, to derive lessons from them about the possibility of constructing more effective, sustainable and transparent mechanisms of participation and representation in trade policy based on experiences to date in Latin America. The following section develops a framework for analysing this. We subsequently describe the strategies of the environmental, labour and women's movements in trade policy by posing the following questions; Who mobilises and how, around what sort of issues? How do the coalitions use the spaces that exist in trade arenas or protest the limitations imposed? How do regional dynamics affect these processes?

Towards a framework for analysis

The purpose of this section is not to review all literatures that are potentially relevant to our enquiry here. Rather, it is to identify key insights from important bodies of work that help us to make sense of the patterns of mobilisation and participation we describe in the sections which follow.

We differentiate here between those literatures exploring the role of social movements and those which focus more narrowly on the political influence of non-governmental organisations. While both are recognised elements of civil society, there is a distinction between more formally organised pressure groups and the broader movements from which they may derive, or be associated with, where what brings groups together is a sense of common purpose or identity even amid diversity of strategy and politics. Likewise, while in liberal readings civil society is thought to be constituted by the space between the state and the market, there are many politically organised business organisations that while representing market actors, operate within the public sphere. We pay less attention here to business actors, nevertheless, and more to the role of NGOs, often, but not exclusively, operating on the 'inside', working with institutions and occupying and making use of 'invited spaces' (Cornwall 2004) and the broader movements working on trade issues, often more critical, either denied or choosing not to make use of those institutionalised channels of engagement or invited spaces that institutions provide from above.

Our use of the distinction between 'inside' and 'outside' to describe groups is neither static nor clearly defined. Groups can, on occasion, move between inside and outside reflecting cycles of mobilisation and attempts at political cooption. Often it is also the strategy, rather than the group, that is 'inside' or 'outside' and the same group can employ combinations of these simultaneously. This loose categorisation merely serves to cluster sets of groups and strategies that on the one hand seek to exercise influence through engaging with state, regional and international institutions active in trade policy, employing research and advocacy work to shift policy agendas, and on the other seek to contest the very framing of the debate, employing strategies of protest and often kept out of the formal arenas of trade governance.

Social movements

Much of the social movement literature in general, and in relation to Latin America specifically, focuses on groups and struggles that are in many ways outside the formal arenas of political bargaining that are the subject of our analysis here, even if they react to and define themselves in opposition to those processes. This is partly explained by the fact many Latin American NGOs began to organise and mobilise under, and in opposition to, authoritarian rule, an experience which led to ambivalence towards cooperation with the state. (Friedman *et al.* 2001: 11) The experience helps to understand the forms of mobilisation taking place around FTAA for example, or that preceded and continues to characterise the NAFTA and Mercosur negotiations. It sheds light on the organising strategies of 'outsiders' in trade debates, as well as the politics of bargaining between governments and elements of civil society within formal negotiating arenas.

Early work on social movements with Latin America during the 1970s was oriented towards the radical agendas of left intellectuals concerned with the revolutionary potential of those movements to overthrow the capitalist state. As Haber notes, at that time, 'environmental and women's movements were assessed in terms of their assault on capitalism and the capitalist state, whether or not they saw themselves in those terms' (1997: 127). Through the 1980s and 1990s interest has grown in new social movements and different ways of understanding their relevance to political life. There has been significant interest, for example, in high-profile movements such as the urban squatters in Chile and Peru (*pobladores* and *barriadas*), the *Madres de la Plaza de Mayo* in Argentina, the Zapatistas in México and the Movement of the Landless (MST) in Brazil. More recently, the focus has been more on the democratising potential of social movements in Latin America; the extent to which they can sustain and deepen the transitions to democracy witnessed across the region since the 1970s, as well as their role in constructing alternative politics or new visions of development (Alvarez *et al.* 1998; Jacobs 2002). There is danger here of romanticising Latin American social movements (Roberts 1997), but the observation that they have been a crucial element in the changing landscape of Latin American politics holds true. More recently, the role of movements in responding to the limits of state capacity to deliver basic human needs and to cope with the fall-out of economic crisis and the social dislocation it produces has provided another rich vein of enquiry, mainly focused on Argentina in the wake of the economic crisis there (Auyero 2003; Almeyra 2004; Bombal 2003). Changing economic relations, therefore, make new forms of protest politics possible, even if the form of protest chosen and the elite response to such protest plays out differently in diverse country settings.

Different academic traditions are employed in these literatures to make sense of the movements from Marxist and Gramscian analysis emphasising class politics and the (re)production of hegemony (Petras and Morley 1990) to more postmodern readings which emphasise identity and knowledge politics and the need to capture power not solely in terms of ability to change institutional behaviour, and not driven entirely by material concerns (Alvarez *et al.* 1998).

Influence and impact

In thinking about influence and what enables movements and NGOs to be more or less successful, again there are wide-ranging debates and literatures that we cannot attempt to do justice to here. There is nevertheless some consensus around the importance of (i) *political opportunity structures*; the role of formal political institutions in providing points of access and channels of influence which shape how groups mobilise and which strategies they adopt in order to utilise these; (ii) *structures of mobilisation*; the types of organisation, the networks and resources that groups draw on for collective action; and (iii) *framing devices*; the meaning civil society groups give to their goals in order to create cohesion internally and to communicate their intentions to external actors (McAdam, McCarthy and Zald 1996).

Such approaches form part of a growing interest in the transnational dimensions of social movements and international networks of protest and collaboration (Keck and Sikkink 1998; Korzeniewicz and Smith 2003). More activist oriented literatures on global citizen action,

for example, (Edwards and Gaventa 2001) seek to identify lessons about the conditions in which international coalitions are able to impact on the operations of regional and global economic actors, suggesting relevance for our enquiry here. Some of the key insights are summarised in Box 1.

Box 1 When global citizen action works

Brown and Fox (2001: 56) suggest groups able to do some of the following may have a longer-lasting impact;

- Make the campaign fit the target by using the right tactics, coalitions and resources to bring about a particular type of change. Reflecting on IFI campaigns, Nelson suggests (2001: 69) 'NGO influence is focused on a handful of policy issues and their victories have come in carefully, strategically chosen campaigns'.
- Open up cracks in the system by engaging with allies within the system that may also be looking for support for their own positions.
- Recognise that impact takes different forms and that definitions of success will change over time. Brown and Fox suggest (2001:51), 'Campaigns that do not succeed with direct influence may still be considered to have had significant impact when measured by more indirect indicators.
- Create footholds for others to follow, creating institutional openings and changes that will allow other groups to shape change in the future from the earliest stages of the policy process.
- Address their own accountability to those they claim to represent; beyond NGOs as a proxy for civil society.
- Address power and communication gaps to build trust and enable quick and cohesive responses to changing circumstances.

Assessing the impact of NGO participation on trade policy presents a fraught task, however. It implies all the familiar problems of mistaking correlation (participation in trade policy and an outcome favourable to an NGO agenda) with causation (assuming that one is directly related to the other), as well as attempting to capture the multiple dimensions and forms of power at play. We do not have space here to explore the intricacies of debates about power, but it is worth noting the importance of notions of 'non-decision-making power' and 'anticipated reaction' in understanding processes of exclusion from decision-making processes, as well as power that operates silently and often invisibly, but which nevertheless has an impact on policy outcomes. In the case of non-decision-making this refers to the power to ensure that through active negligence some issues are not discussed at all, often because they threaten powerful interests (Bachrach and Baratz 1971). Likewise, to the extent that governments anticipate the reactions of powerful actors to policy ideas, they internalise the preferences of those actors by not considering or developing policy options that will invite hostility and resistance from the subjects of intervention, often industry (Crenson 1971).

Charting the influence of civil society groups on trade policy also has to be placed in a context of the counter-veiling influence of actors opposed to their positions. Power is of course relative, and political economy or structural accounts would expect that business leaders and representatives of regional and global capital enjoy privileged access and representation within trade negotiations. Indeed there is ample evidence of the disproportionate degree of access and influence enjoyed by business groups in trade talks in Latin America. Their input has been organised through coalitions such as the *Foro Empresarial de las Américas* and the *Red Empresarial para la Integración Hemisférica*, a key mechanism for attempting to demonstrate a transnational interest in market liberalisation that transgresses specific sectoral and national concerns (Botto and Tussie 2003). Though such activities have

not been the focus of our analysis, it is useful to mention the influence of business actors, both because in some accounts they are considered part of civil society (at least as organised political actors) and therefore make use of, and are shaped by, many of the same institutional channels that guide civil society involvement in general, and because cross-referencing serves to highlight some key differences in the resources, access and influence of business compared with other civil society actors.

Insights from the literatures and debates mentioned here need to be adapted to resonate with the contemporary regional realities of Latin America to reflect, for example, the growth of political opportunity structures at the regional level and the growing density of transnational links which can serve to amplify the voice of movements in the region within other decision-making fora (Hochstetler 2003a). Clearly, the challenges of effectively making use of political opportunity structures, of mobilising effectively and of framing campaigns in ways which resonate with diverse publics across the region, are magnified when we scale-up to regional trade arenas.

The uniqueness of trade policy

There is also something unique about the trade policy process which we need to take account of in thinking about the possibilities for civil society engagement. Trade is inherently distributive. It has a direct impact on consumption, production, fiscal revenues and employment. Brock and McGee (2004) summarise some of the challenges that flow from this in terms of: (i) structural complexity and inequities; (ii) the exclusion of alternatives to trade liberalisation narratives; and (iii) the dynamics of representation. Trade policy thus produces a particular form of political conflict and creates unique political opportunity structures. The policy-making process on a 'high-politics' issue such as trade has tended to be much more secretive and less accessible to non-state actors, particularly those with fewer established ties and points of access to the ministries involved. Within Latin America, the process has been led by national ministers and ministries of foreign affairs and economy through bodies like Mercosur's *Consejo del Mercado Común*. In this sense, there has been less access for NGOs to trade policy compared with many other international and regional bodies in issue areas where entitlements to make statements, access to delegations, and availability of information are routine expectations. Instead, private meetings and 'flexible' decision-making processes are often a euphemism for 'a system of governance deeply flawed by lack of transparency and accountability' (Brock and McGee 2004: 8).

Trade negotiations are characterised by a great deal of bilateral bargaining over reciprocal measures on commercially sensitive issues and there is less emphasis on plenary-based open negotiation compared with other issue areas. There are also high requirements for legal and economic expertise that many NGOs are not well placed to provide. The highly technical nature of the negotiations also heightens the challenge of using traditional campaigning tools such as media work and popular education where the challenge of 'demystifying' is exacerbated. Meaningful engagement is often further compounded by 'the sealed, ideological homogeneity of knowledge, information and analysis in the trade area' (Brock and McGee 2004: 27). As we argue below, perhaps especially with trade policy, these factors place a high premium on national political arenas and individual state-civil society complexes.

The disparities in resources between trade negotiators and those seeking to influence them are also clearly key. Cavanagh argues 'To negotiate NAFTA, the three governments devoted millions of dollars to infrastructure. They had top-level translators and interpreters. They had hundreds of people freed from other duties for the process. As citizen groups, we are still in the beginning stages of developing such an infrastructure' (Cavanagh *et al.* 2001: 158). In terms of understanding the competing pressures on governments in relation to trade policy, it is also important to acknowledge the pressure exercised by other global economic agents such as the World Bank and IMF towards market opening and trade liberalisation. This broader politics of aid and debt has been shown to have an important effect on the 'negotiating space' of developing countries when aid and trade are linked through policy.

In addition there is a broader trend within trade policy-making where ministries with the weakest ties to many of the groups examined here have the strongest influence over the direction of policy. As Alanis-Ortega and Gonzalez-Lutzenkirchen (2002: 44) note; 'Within Mexico, the Economic Ministry exerts extensive influence on environmental policy decision-making, regulations and practices that could influence economic or trade activity. At the international level, Mexico's Economic Ministry actively negotiates for Mexico in multilateral environmental forums where trade questions arise.' In this sense, officials from these ministries get to exercise a veto over environmental policy measures with which they disagree. For those civil society organisations with good access to such departments this can of course provide a direct entry point for exercising influence over trade policy, but it also often serves to close off opportunities for challenging the current direction of trade policy.

The processes and structures we describe are not of course static. The turning point in terms of domestic contestation around trade policy in Latin America was the abandonment of import substitution which had allowed a measure of insulation of trade politics from external pressures. Under high tariffs business and labour were able to fix a price structure which favoured domestic production and consumption. The distributional impact of trade was invisible. Once layer after layer of trade protection was shed, the international price structure was internalised. Subsequent international negotiations had an immediate impact on prices and incomes. The requirement to grant reciprocity in negotiations whereby the gains of one sector abroad require another sector to adjust to heightened import competition increased domestic sensitivity to the adjustment process. Trade has thus, over time, acquired an unprecedented salience in domestic politics in Latin America.

The WTO experience

The policy challenge(s) that is the focus of this analysis is that which trade negotiators at the WTO, including many Latin American countries of course, have faced for a long time. For this reason, it is worth summarising, for a moment, some of the key issues that have emerged in this context as they suggest insights for regional attempts to grapple with the same challenge. The WTO has evolved a relationship with civil society where NGOs (not broader social movements), particularly those 'concerned with matters related to those of the WTO', are regarded as a 'valuable resource' that 'can contribute to the accuracy and richness of the public debate', that can 'increase the awareness of the public in respect of WTO activities' (WTO 1996). Allowing them to fulfil this role requires members to improve transparency and communication with NGOs, making information available more rapidly and improving public access to documents through the internet. This is in addition to the organisation of *ad hoc* symposia on specific WTO-related issues, informal arrangements 'to receive the information NGOs may wish to make available for consultation by interested delegates and the continuation of past practice of responding to requests for general information and briefings about the WTO' (WTO 1996). The danger with this model, as Wilkinson notes, citing Marceau and Pedersen, is that symposia serve as 'a useful arms-length exercise in NGO-WTO relations with the secretariat serving as a 'buffer' between Members and NGOs' (2002: 203).

There remains limited scope for institutionalised forms of engagement by civil society groups with the WTO. Item 5 of the same declaration makes clear that 'If chairpersons of WTO councils and committees participate in discussions or meetings with NGOs it shall be in their personal capacity unless that particular council or committee decides otherwise' (WTO 1996). Wilkinson (2002:204) rightly suggests that this means 'NGOs are unable *officially* to influence WTO policy'. More bluntly still, item 6 states;

As a result of extensive discussions, there is currently a broadly held view that it would not be possible for NGOs to be directly involved in the work of the WTO or its meetings. Closer consultation and cooperation with NGOs can also be met constructively through appropriate processes at the national level where lies primary responsibility for taking into account the different elements of public interest which are brought to bear on trade policy-making.

Not only then are NGOs not involved in the work of the WTO or its meetings, but there are guards in place to secure the essentially inter-governmental nature of WTO decision-making. Where interaction does have to take place, the emphasis is clearly on organised elements of civil society with, what the WTO would define, as a legitimate interest in its work. As Wilkinson argues 'The emphasis is on the development of relations with NGOs, rather than with the more informal, less well organised tracts of public opinion. And, by committing itself to court only those willing to engage with the WTO, large sections of more critical public opinion are marginalised' (2002: 204).

Even for organised civil society with relevant expertise, there are many barriers to effective participation. For example, although the Appellate body allowed NGOs to submit *amicus briefs* to panels and appellate bodies, broader forms of participation from independent experts have not thus far been permitted. Moreover, panels and the appellate body continue to meet behind closed doors and submissions of parties are not automatically made available to non-participants (Williams 2001). Williams notes elsewhere that while;

The earlier closure of the WTO process to non-corporate actors has been tempered ... the venue still privileges those who possess structural power, granting them superior instrumental access. While the WTO has progressively expanded access to non-governmental organisations, the fact that the organisation includes business groups in the NGO category reinforces the influence of the corporate sector in the policy processes (2001b: 46).

Regional spaces for participation

Although there is a great deal of relevant experience with these issues within global trade fora, there are challenges peculiar to Latin America. In large parts of the region, democratic processes remain, in historical terms, relatively new. This bears on the strategies of engagement and non-engagement pursued by organised civil society. Friedman *et al.* argue (2001: 32): 'The contention among NGOs over the most effective use of energy and resources can easily be traced to a history of confrontation between civil society and the state in Latin America and to uncertainties about the extent of democratization'. This experience has served to produce an unease regarding the participation of civil society actors in trade policy in Latin America. There are a complex set of historical and political reasons for this suspicion. Besides the Mexican government's bitter experience of the NAFTA negotiations in which it felt bullied into accepting an NGO agenda on social and environmental issues, (discussed further below), there is also a prevailing fear about loss of competence or sovereignty for decision-making in this area. This relates to a concern that the numerical and financial superiority of organised civil society in North America would serve to compound existing under-representation of less developed countries within the region in trade negotiations with their more powerful counterparts. It is perhaps unsurprising then that with the exception of Mercosur, many of the initiatives for the inclusion of civil society actors in trade negotiating processes within the region have come from North American governments, a path set most clearly by the Clinton administration in the context of the NAFTA negotiations.

At an institutional and regional level, the challenge of participation is a relatively new one. Despite the existence of mechanisms for consultation with business and labour within the Andean Pact and a permanent consultative committee within the *Sistema de Integración Centroamericana*, for example (Botto and Tussie 2003: 31), there is a strong sense in which NAFTA definitively broke with the traditional model of tripartite participation composed by business, labour and the state by allowing the inclusion of a broader range of actors. The Free Trade Area of the Americas (*Área de Libre Comercio de las Américas* – ALCA) opens up the possibility of extending this change across the whole hemisphere. Few institutional reforms have been brought about without significant pressure from civil society, however. Some challenges are common to all movements attempting to participate and make their voice heard in the sensitive and traditionally closed arena of trade negotiations. But others are unique, and reflect distinct regional political histories, previous experiences of

mobilisation and prevailing social and material realities. Given this, it becomes important to understand what can be learned from the experience of a globally significant region like Latin America about the possibilities and limitations of civil society participation in trade policy. There is now a rich history of experience within Latin America around these issues which warrants reflection and analysis. Our analysis here will focus on NAFTA, Mercosur and FTAA. By comparing the documented experiences of NAFTA with analysis of Mercosur and the evolving FTAA negotiations, in terms of the participation of diverse movements, with a particular focus on the labour, environmental and women's movements, important insights may be gained about: who is participating in trade policy, how and with what effect and, equally importantly, who is not participating and what are the implications of this?

The trend towards participation in trade policy is certainly not an even or linear one. Hence while NAFTA broke new ground in its provisions for participation, control of decision-making has rested firmly with national governments within Mercosur. The majority of decisions regarding Mercosur are taken by national Presidents and their economic and diplomatic advisers with little input from citizens. The process has been led by national ministers and ministries of foreign affairs and economy through bodies such as the Mercosur *Consejo del Mercado Común*. Primary responsibility for implementation is given to the *Grupo del Mercado Común*, made up of representatives from the national economic and foreign ministries and central banks. Unlike NAFTA, the dispute resolution mechanisms within Mercosur, which in theory could provide an opening for citizen engagement, are under-developed and specifically, there are no environmental dispute resolution mechanisms and no mention of the role of citizen groups. Most conflicts are resolved through direct presidential negotiations, a mechanism not especially open to participation. As for the joint congressional commission (*Comisión Parlamentaria Conjunta*), it is simply made up of selected members of the four national congresses and, while in theory this provides more opportunities for engagement by civil society actors, it is structurally very weak and therefore plays a limited role in key decision-making.

Unlike Mercosur, the involvement of diverse social actors has been on the agenda of ALCA from the very beginning (Botto 2003). From Quebec onwards, the summits of the Americas have pronounced the importance of civil society participation in ALCA deliberations. The Ministerial reunion in San José in 1998 produced a declaration to this effect. At the Santiago summit, governments confirmed that they encouraged 'all sectors of civil society to participate and to contribute in a constructive manner their points of view through mechanisms of consultation and dialogue created in the process of the ALCA negotiations' (Ricco 2004: 7 [our translation]). Efforts to promote transparency, access to information through the internet (such as text being negotiated between states), public reports and participation in seminars, are held up as evidence of efforts to reach out to civil society (CEDA 2002), even if concerns remain about the technical nature of information provided which is difficult for citizens to make sense of (Ricco 2004).

It is the establishment of a Committee of Government Representatives (CGR) on Civil Society that forms the centre piece of ALCA's architecture of participation, however. The FTAA draft declares the objectives of the committee to be information exchange, establishing procedures for accepting submissions, issuing status reports on the negotiations and managing civil society inputs. It is dismissed by critics, meanwhile, as a 'meaningless side show'. This is due to its absence of authority, work plan and lack of a real mandate, operating more as a 'drop box' for comments from civil society than a serious forum for debate (Deere and Esty 2002: 7). According to ALCA's own website; 'Vice-Ministers and Ministers are to decide the treatment and response to be given to these contributions' (ALCA 2004). Groups can submit recommendations to the committee; 'but the committee is not obligated to actually consider the views expressed' (Blum 2000: 6). This lack of follow-up on the impact of proposals submitted has led to sharp criticism of its effectiveness as a mechanism of participation (Casaburi and Zalazar 2001).

The underlying political purpose of the committee is made clear in the FTAA draft; 'The aim of the Committee of Government Representatives on Civil Society is to *build broad public understanding of and support for* hemispheric trade liberalization by serving as a channel

of communication between civil society at the regional level and the FTAA negotiations' (cited in Blum 2000: 6 [emphasis added]). It is also open only to those groups that express their views in a 'constructive manner' (ibid.), a device clearly intended to screen out critics. Former Mexican Commerce Minister, Herminio Blanco, stressed the limited role of the committee in the following terms; 'This is no study group, no negotiating group, it's a committee that receives proposals and presents them to ministers' (cited in Blum 2000: 7). The short summaries produced by the committee of inputs from civil society for the *Trade Negotiations Committee* led environmentalists to react by saying; 'We just don't think it's a good use of our time ... We don't want our view mediated by a bunch of bureaucrats' (quoted in Blum 2000: 7). For all its limitations, the committee remains the only remaining official avenue for consideration of the environmental implications of the FTAA, given that the negotiating groups have failed to identify specific opportunities for raising environmental concerns directly (Caldwell 2002). Even the existing body has faced opposition from a number of Latin American countries (Fisher 2002).

Since its creation, the CGR has met about 20 times and has extended three open invitations to civil society groups to present contributions regarding the ALCA process (CIECA 2002), the first of which was issued on 1 November 2001 (CEDA 2002). The first two calls received 70 contributions and the third received 56. Declining interest perhaps reflects both greater enthusiasm in response to the first call, the first such innovation of its sort, and subsequent frustration with the 'drop-box' model of participation (CIECA 2002:337). In addition, five regional seminars about ALCA were organised (CIECA 2002). Yet no formal process links the civil society dialogue and any of the FTAA's nine negotiating groups. Deere and Esty (2002: 7) suggest 'In fact, no procedures even exist to guide the consideration of submissions from civil society, let alone analysis of them'. They claim there has been no substantive analysis of the more than 80 submissions received from various groups and organisations since the committee was established, only the brief summaries mentioned above. On this basis, they argue 'Although the Civil Society Committee nominally reports directly to the FTAA trade ministers, it does so in terms that are far too general to be of any real use. Such lip service to critical issues and to the process of public participation promises to become a serious obstacle when it comes to ratifying the FTAA (Deere and Esty 2002: 7).

As with Mercosur discussions, within ALCA, the false separation of arenas for the discussion of trade issues with the active involvement of business actors, and those where social and environmental issues were discussed and in which NGOs were present, led to many civil society groups withdrawing from the process (Botto and Tussie 2003: 41). Without looking at the two sets of issues together, it would be impossible to explore the effects of trade on poverty and the environment and entrenches a separation of trade objectives from broader development goals which many groups have been critical of (ONGs Chilenos 2003).

There have been government led initiatives carried forward by individual administrations within the ALCA process to improve the participation of civil society in decision-making. Examples would include the initiative between the Bolivia government and the World Resources Institute, or the roles created by the governments of the US and Canada for processes led by groups such as *Fundación Futuro Latinoamericano*, the North-South Centre of the University of Miami and latterly *Corporación PARTICIPA* and *Fundación Esquel* at key summits (Botto 2003). Civil society groups have also created their own parallel conferences to register their views and make their voices heard on social and environmental issues. The 'Cumbre de los Pueblos' that was set up alongside the Santiago meeting, for example, included a *Foro de Medio Ambiente*. Organisations such as *Grupo de Apoyo a la Sociedad Civil* also operated as a vehicle for coordinating the recommendations and evaluations of civil society groups during the summits (Korzeniewicz and Smith 2003)

National cultures of participation and political opportunity structures

National cultures of participation are particularly important to our analysis here in the light of the limitations we have discussed above regarding political opportunity structures at regional and international levels *vis-à-vis* trade policy. It has essentially been left to each

individual country to decide on appropriate mechanisms of participation, such that activists have come to depend again on national structures of decision-making where consultations demonstrate 'very diverse quality' (Von Bülow 2003: 87). Maintaining and strengthening spaces for participation at the national level is seen by NGOs themselves as a key way of influencing broader debates about trade policy within the region (CEDA 2002).

Across Latin America, state institutions have different cultures of participation which serve to enable or restrict opportunities for civil society engagement (see Box 2). This is in addition to uneven state capacity to build consensus and to construct channels of participation for non-governmental actors (Botto 2003). Weaker governments have been shown, in other contexts, to be more open to, and to some extent more reliant upon, input from CSOs in trade policy making. The reflections of an official from an African trade ministry resonate with the experience of poorer states within Latin America where; 'civil society has demonstrated that they have more strong analytical capacity than most government agencies, which don't have the capacity because they don't have the resources, the time, to engage in trade policy analysis' (quoted in Brock and McGee 2004: 46).

In North America, channels of participation have tended to be more institutionalised, while in Latin America they have been more informal and more restricted to private interests with a direct stake in trade negotiations. The pace at which channels have been opened up to civil society participation has also been varied across the region with Mexico leading the way, followed by Chile, Costa Rica, Brazil and Peru and finally Argentina (Botto 2003). Trade policy is in many ways then, grafted onto existing patterns of regional and national decision-making and interest group representation (Aravena and Pey 2003; Natal and González 2003; Botelho 2003; Guiñazú 2003).

The political opportunity structures available to groups are affected by the degree of institutional embeddedness of the issues on which they are campaigning. In the case of the environment, the degree of development of national environmental policy supported by an effective bureaucracy appears to be a key shaper of access and influence for different environmental groups. In the context of Mercosur, for example, while in Brazil environmental activism predates trade reforms, there is also a more extensive and well-established framework for environmental protection, while in Argentina the level of environmental protection is relatively under-developed and in Paraguay the problem is one of a more generalised lack of political institutionalisation. Relatedly, Brazil also has available many more institutional opportunities favourable to civil society participation. For example, environmentalists are represented on government councils that determine environmental regulations and evaluate environmental impact assessments. This may account for the way in which the Brazilian government was more responsive to the arguments and demands advanced by environmental activists than the other countries that were more sensitive to the demands of economic actors. Teubal and Rodriguez (2002) imply an ideological component to these differences of position, suggesting that the government of Brazil has been more willing to defend social sectors compared with Argentina, which, particularly during the Menem years, embraced more wholeheartedly the ideology of the free market. Yet in so far as such ideologies can be separated from institutional structures of participation, they may reflect the outlook of particular administrations, which are of course subject to change, as we discuss below.

It is also less clear that these differences always impact upon institutional channels available on trade policy specifically. Despite greater societal pressure, the Brazilian government has avoided the creation of specific spaces for civil society in the Mercosur negotiations, even if it remains the case generally that in Argentina and Mexico, there are comparatively fewer institutionalised opportunities for participation by civil society (Devia 2002). In the case of Argentina, this is true despite constitutional changes in 1994 that have become the focus of NGO campaigning by groups such as FARN (Fundación Ambiente y Recursos Naturales) for access to information on environmental matters. Pressure from civil society can of course encourage governments to create such structures of participation at the national level. Though only an associate member of Mercosur, Chile has created a working group on ALCA, in response to demands from Chilean NGOs, which brings together social organisations and the chancellor's office (Casaburi and Zalazar 2001) (see Box 2).

The approach a government takes to the question of civil society participation is nevertheless cast in important ways by the whims of party political differences. At the level of individual administrations, priorities can change with an impact on the profile of issues and the resources committed to tackling them, such as happened when former Argentine President Fernando de la Rúa lowered the status of the Environmental Secretariat in 1999. Conversely, in Chile, greater efforts have been made to consult with civil society groups on trade policy under the socialist administration of Ricardo Lagos (Botto 2003: 252). Much was expected of Lula's *Partido dos Trabalhadores* (PT) government in Brazil, brought to power with the backing of many populist and interest groups opposed to ALCA and further regional integration. As Hochstetler (2003: 25) notes, 'the PT will have a hard time ignoring the nearly 100 per cent rejection of the FTAA by its social base'. Compromise has nevertheless been inevitable. Petras and Morley (1990: 176), speculating on the electoral success of PT in Brazil before it came to power, suggested; 'Insofar as the political leaders of the PT, participating in the electoral process, gain access to state office and become members of the political class, they inevitably become enmeshed in the commitments and constraints of existing state power....The PT today stands between the class demands of the movements and the pressures of the institutional and economic powers'. Lula's thinly veiled criticism of the World Social Forum at a speech given at the event recently, calling it an 'ideological fair' (*Clarín* 28 October 2004), is perhaps suggestive of this tension.

Box 2 National Models of Participation

The **Dominican Republic** has set up a CCSC (Consultative Council for Civil Society) to coordinate discussions on WTO and ALCA related matters. Civil society groups have been less active than business groups in the council, complaining of a lack of information about the process and suggesting that the complexity of the negotiations makes it hard for them to link the negotiations to their core work.

Chile was the first country in Latin America to institutionalise the participation of business groups and to open dialogue with civil society specifically around the ALCA negotiations (Botto 2003). It has created a working group on ALCA in response to demands from Chilean NGOs which brings together social organisations and the chancellor's office (Casaburi and Zalazar 2001).

Mexico set up a *Consejo Consultivo del Acuerdo Comercial* inviting participation from the private sector, academia, unions and *campesino* groups, though not specifically for ALCA. Its principal function has been to inform these groups, but also to build consensus and support for trade policy. The body is said to exclude those groups, including environmentalists opposed to the government's position (Botto 2003).

In **Brazil**, the opening of official channels of participation was part of a broader restructuring of the state. Initiatives have included the creation of a web page on the internet aimed at improving the exchange of information, regional consultations and the construction of new spaces (though voluntary) in the inter-ministerial thematic groups working on trade issues (Botto 2003).

Though the last of the countries to open up channels of participation to civil society, the Chancellor in **Argentina** has set up a consultative council for civil society (CCSC) to encourage communication between government staff involved in the ALCA and Mercosur negotiations and civil society groups interested in international trade issues in which Argentina is involved (Walsh *et al.* 2003: 41). A website has been set up to share summaries and materials discussed at the meetings. This committee has met a dozen times, always in Buenos Aires, generating concerns about the under-representation of groups from the 'interior'. There is also a *Consejo de Comercio Internacional* which brings together government officials and representatives from the business and academic sectors.

Bureaucratic politics also play a major role here. We note below in the discussion on Mercosur, how environmental groups have been kept away from the key centres of decision-making by virtue of weak connections to the trade ministries that wield most authority in

these debates. Influence they have been able to exert with environmental ministries has not extended beyond those ministries because of their isolation within overall government decision-making. If access to powerful parts of the state is important, access to key states in the negotiations is even more so. Disparities in access to national processes have knock-on implications for the possibilities of regional influence, often serving to magnify disparities in voice and profile. Von Bülow (2003: 84) suggests, for example, in the case of the Miami summit, that while extensive processes of consultation were available to groups in the US and Canada, no such inputs were permissible for groups from Argentina, Chile, Mexico or Brazil. Within Mexico for example, the President's Office has never explicitly addressed the question of trade and environment and within the NAFTA discussions Mexican negotiators worked hard to limit side agreement provisions regarding transparency, public participation and public access to information (Alanis-Ortega and González-Lutzenkirchen 2002).

The concern of the Mexican government, as with other governments in the region, is that creating participatory structures at regional level that only better resourced and well-networked groups will be able to take advantage of, serves to reproduce the over-representation of North-American concerns and the under-representation of the agendas of Latin American groups. In other words, opening up channels at the international level allows 'two bites at the apple' for those groups that are vocal and well-mobilised at the national and international level (Wilkinson 2002: 208). The counter-claim is that it is the very lack of representation at the national level that makes entry points at the international level democratically important. If things are left for states to work out with their own civil societies, similar patterns of inequity and access will no doubt get reproduced, where those groups that are already powerful and have both good relations and institutionalised channels of access to government will be able to make their voices heard, and those that do not, will remain on the margins. State discretion to include also implies discretion to exclude.

Beneath these debates about the appropriateness of participation in trade policy within the region, often lie more fundamental concerns, that new mechanisms will allow the US, in the case of ALCA, or Brazil, in the case of Mercosur, to amplify and reinforce their positions within the negotiations via civil society groups from their countries lending their weight to calls for improved environmental or labour provisions, for example. As noted above, a repeated concern in the Mercosur negotiations has been Brazil's ability to gain a competitive advantage by raising the environmental performance requirements for businesses across the region, given the relative advancement of its own environmental policy. Likewise, within the context of ALCA, there is a suspicion that the insertion of environmental provisions is driven by the US as a device to offset a potential loss of competitiveness through practices of environmental dumping or to create forms of eco-protectionism (Von Bülow 2003). The possibility of alliances between groups, and the development of coherent agendas that adequately express the concerns of groups across North and South America, is disabled by these broader politics of trade and the place of social and environmental issues within those politics, as we will see below.

Having reviewed the global context of the debates we engage with here and the ways in which these have translated into regional and national responses, the following sections of the paper will analyse the experience of the three broadly-defined movements engaging in very different ways with trade policy in Latin America firstly taking the environmental movement, followed by labour and the women's movement.

1 The case of the environmental movement

This section explores the forms of mobilisation within the environmental movement around each of the three key trade agreements posing the questions ‘who is mobilising and how, around what sort of issues and which what effect?’ The aim is to generate insights into how groups claim rights to participation, and prepare themselves to make use of those spaces that exist within trade policy arenas or protest either the lack of such spaces or the limits imposed by the ways in which they are currently constituted.

A key feature of mobilisations around the environmental dimensions of the trade agreements discussed here has been their transnationality. The emergence of transnational relations between NGOs in Mexico, the US and Canada in the context of the NAFTA negotiations was, in many ways, unprecedented. Initially, it centred on collaboration between border organisations in the US and Mexico, but developed well beyond this over time. The novelty of the process and the ways in which the issues being addressed resonated with concerns environmentalists were expressing globally, meant that NAFTA became a site for a broader set of struggles about the relationship between trade and the environment and the development trajectory this implied.

In this sense the timing of NAFTA made a difference to the issues around which groups mobilised. Signed in 1992 and coming into effect in January 1994, the agreement emerged at a time of high levels of environmental concern on the back of the Rio summit (UNCED) in 1992. With global attention focused on the way in which NAFTA mediated the relationship between trade and environment, greater pressure was felt by those negotiating its terms to strengthen environmental provisions. By contrast, ongoing negotiations within Mercosur and ALCA have been, to some extent, overshadowed by economic crisis within the region (Argentina in 2000/2001 and previously Brazil’s massive currency devaluation in January 1999) such that the very project of regional integration has been in doubt at key moments.

Despite the existence of common elements of a transnational agenda, even at the time of NAFTA, there were important differences in structure, constituency and strategies that organisations adopted that were, to some extent, determined by nationality. In some cases such differences were a driver of the transnational alliances that were formed. In Mexico, for example, the lack of openings at state level was an important reason for Mexican NGOs’ alignment with foreign groups which had more political clout (Hogenboom 1998: 147). Mexican groups also relied on counterparts elsewhere for access to information about the negotiations, which their own government was failing to provide. Hogenboom (1998) describes the difference in approach as one between transnational *coalitions* that moderate NGOs were more inclined to construct, and transnational *alliances* that critical groups were more likely to develop. She notes, ‘While the transnational relations of moderate groups were limited, pragmatic and predominately tied to the political moment of NAFTA negotiations, the transnational relations of critical environmental organizations were more profound and directed at more structural cooperation’ (1998: 165).

The *Red Mexicana de Acción frente al Libre Comercio* (RMALC) (Mexican Action Network on Free Trade), for example, worked with Action Canada Network, the Canadian group Common Frontiers and the Alliance for Responsible Trade and the Citizens Trade Campaign in the US. This was in addition to the extensive collaboration between border groups, already noted. Such transnational ties served to amplify the influence of weaker groups in Mexico that, through connections with allies in North America, got to participate in key policy arenas where decisions on NAFTA were being taken. This participation took the form of hearings in the US Congress which, through exposure in the US, helped to secure access to Mexican officials, evidence of what Keck and Sikkink (1998) call the ‘boomerang effect’. For US groups, ties to Mexican groups helped to improve their credibility in presenting positions that went beyond their own narrow interests as well as permitting them to act as vehicles for transmitting information from the ‘front-line’ about environmental problems confronting Mexico.

The point of departure for many of these coalitions was not to claim that NAFTA was responsible for the social and environmental problems they were experiencing, but that it was accelerating them. A tactic on the part of NAFTA proponents was to characterise those against the plan as protectionist, encouraging some groups to demonstrate that they were not against trade and investment, but rather in favour of different frameworks of rules. Some went about articulating that alternative in the form of the 'Just and Sustainable Trade and Development Initiative for North America'. Following inputs from other groups within the region, the agreement was broadened to become 'Alternatives for the Americas: Building a Peoples' Hemispheric Agreement', explicitly building in chapters on labour, environment and gender. Coming as it did in the early 1990s, NAFTA managed to bring into loose alliance coalitions of labour and environmental interests to combat threats to hard-fought regulation (Obach 2004: 63). At times working independently, at other times together, national coalitions were formed that went on to work together in opposing fast-track trade authority for the Clinton administration through bodies such as the *Citizen's Trade Watch Campaign*.

Links with the unions were beneficial for environmentalists in amplifying their voice for a number of reasons. Audley notes 'the pre-emptive leverage enjoyed by environmental groups was ... as much a product of their association with other more traditionally influential trade actors opposed to NAFTA as it was their own importance as a political issue for members of Congress' (Audley 1997: 145). In other words, it was the anti-NAFTA labour forces that really challenged NAFTA's success. This opposition from labour created a political incentive for the office of the United States Trade Representative (USTR) to engage with an interest group 'they otherwise felt no obligation or political pressure to engage' (Audley 1997: 145). Suggesting that the alliance was mutually beneficial, Mayer notes (2002: 99) 'The environmental connection helped labour unions broaden their appeal to the media and to the general public which often appeared more interested in dramatic images of environmental degradation than in the plight of workers'. Araya (2001) suggests, however, that while such alliances were useful for drawing the attention of US Congress, in the context of ALCA, they could serve to compound fears that the environmental debate is a convenient cover for protectionist interests.

Though trade negotiations become focal points for cross-sectoral and transnational mobilising, it should be made clear that many groups also choose not to engage with trade policy processes. This can either be because they are not seen to be relevant to a group's core activities or because financial and/or technical barriers mean that mobilising around these issues is not a realistic possibility. Within Mexico, for example, the Mexican ecologist movement, with good connections to the media, largely 'side-stepped' the NAFTA issue (Hogenboom 1998: 145). There also often appears to be a divide between capital city based groups that are more geared to addressing national and international policy agendas, and environmental and *campesino* groups based in rural areas, that attach a lower priority to these agendas. The tensions between insider and outsider strategies are explored further below.

1.1 The politics of mobilisation

1.1.1 Insider strategies

We will see below how differences in perspective regarding the relationship between trade and environment played out between insider and outsider groups in the context of NAFTA within each of the countries party to the agreement. Similar divisions have also emerged in the context of the ALCA discussions with some groups adopting a critical position within the Hemispheric Social Alliance (*Alianza Social Continental* – ASC) and other groups investing in efforts to identify and advance 'win-win' linkages between environmental protection measures and trade liberalisation.

An example of an insider strategy comes from the Canadian-based International Institute for Sustainable Development (IISD) which, together with the international bodies IUCN and UNEP, organised symposia for the purpose of identifying win-win linkages between trade and the environment. Academic-leaning environmental NGOs also played a part in trying to forge the contents of a common deal on environmental provisions that would be acceptable to all parties to the summits, the 'Agenda Ambiental para el ALCA'. The organisations leading this effort included the *Centro de Investigación y Planificación del Medio Ambiente*, Global Environment and Trade Study (US) and *Centro Internacional de Política Económica para el Desarrollo Sostenible* (Costa Rica). *Grupo Zapallar* was also created in 1999 to bring together experts from different sectors and countries of Latin America to contribute to a more productive dialogue about trade and sustainable development (Von Bülow 2003: 102; CEDA 2002). One element of this strategy of engagement has been to build bridges with industry. The National Wildlife Federation (NWF) for example, was convinced that a dialogue with business could improve investment patterns and environmental quality. Such strategies may be particularly significant given prevailing scepticism, among both governments and the many in civil society, about the possibility of constructing a hemispherical environmental agenda.

At the level of implementation, leading American NGOs such as the Natural Resources Defense Council (NDRC) have taken a lead in trying to shape the coordination of proposals coming out of the summit meetings by initiating, among other things, bodies such as the *Foro Interamericano sobre la Legislación Ambiental*. Representation on the executive committee of the body is meant to be open both to governmental and non-governmental actors such that for Von Bülow (2003: 89) it represents another potential mechanism for the participation of civil society in policy implementation. Latin American groups less critical of the free trade agenda have organised themselves in similar ways. Some more research-oriented NGOs, such as *Fundación Ambiente y Recursos Naturales* (FARN) in Argentina, have supported efforts towards the harmonisation of environmental protection, producing their own analyses of existing legislation and suggesting places for common improvement. They hosted for example the project 'Environmental assessment and capacity building for the Free Trade of the Americas Agreement', coordinated by the *Foro Interamericano de Derecho Ambiental* within the ambit of the Organisation of American States (*Organización de Estados Americanos* - OEA) (Walsh *et al.* 2003). This was an attempt to assess environmental challenges resulting from the FTAA (amongst other trade agreements), pursued through country studies undertaken in collaboration with national environmental officials and experts. Domestic policy options were then discussed through 'public/private' dialogue with government officials (Walsh *et al.* 2003: vii). A similar function is performed in Costa Rica by the *Grupo Permanente de Análisis sobre Integración, Comercio y Ambiente* that brings together academics, NGOs and the private sector (Gitli and Murillo 2000).

Research-oriented groups such as FARN, *Centro de Estudios Ambientales* (CEDEA, Argentina) and World Wildlife Fund (WWF) have, therefore, engaged in ways which reflect their expertise, attending the key ALCA meetings and even being invited to make presentations. Sometimes the strategy is aimed at directly engaging the government with a view to shaping their negotiating stance. In Mexico, 30 NGOs organised themselves in the Union of Environmental Groups (*Unión de Grupos Ambientales* - UGAM) which sought to foster positive relations with the Mexican government in order to have a say in Mexico's official position on environmental safeguards in NAFTA (Hogenboom 1998). Despite their insider status, aided by the fact that one of UGAM's advisers was a prominent environmental lawyer, they faced many of the same barriers to effective participation as outsiders in terms of poor access to official information and the lack of state capacity to handle inputs from civil society. Their input, along with that of organisations such as the 'Group of Hundred', was restricted to some 'side-room' discussions during negotiations on the supplemental environmental agreement. Rather like CEDEA and FARN in Argentina, groups such as Mexico's Autonomous Institute for Ecological Research (*Instituto Autonomo para Investigacion Ecologica* - INAIINE) that carry out technical and scientific research for government agencies were invited into government processes and cooperated, on occasion, with other groups on the issue of incorporation of environmental measures within NAFTA.

Through their own insider role, many such groups have, nevertheless, pushed for the broadening of participation and the construction of an infrastructure of participation, raising such issues as access to information. Rights to participate often presuppose rights to know and access to information. This has become a key rallying cry in the context of NAFTA. The environmental right-to-know movement in the three countries party to the NAFTA agreement has fought to bring Mexico's Pollution Release and Transfer Register (PRTR) in line with those of the US and Canada. If President Fox signs, the regulations will make Mexico the first country in Latin America to require public disclosure of industrial chemical releases to air, water and land on an annual, site by site, chemical-specific basis, ensuring that Mexico lives up to its written commitments under the NAFTA environmental side accord (Nauman 2004). This comes on the back of efforts by Mexican NGOs writing public letters and carrying out personal visits to pressure the Mexican government and subsidiaries of the US and Canadian corporations operating in Mexico to comply with the stipulations of the NAFTA environmental side accord for reporting to a PRTR similar to those in the rest of North America (Nauman 2004).

This has inspired efforts in Chile to create a mandatory public register and NGOs in Costa Rica have been mobilising around the same issue. The campaign has taken 10 years to reach this far, however, with industry claiming compliance will be too cumbersome and costly and raising concerns about being forced to reveal trade secrets. Frequent turnover of staff within the Mexican government has also slowed the change process, amid changing bureaucratic roles, new battles over funding and having to build staff capacity each time. Learning the lesson from this campaign, groups mobilising around ALCA have been calling for strict information disclosure requirements. The Sierra Club, for example, has argued under its 'Fair trade bill of rights' that companies should be required to disclose information on their toxic releases when they operate abroad on the basis that communities everywhere have a basic right to know (Sierra Club 2001).

The extent to which groups mobilise around trade agreements, based on the Latin American experience, seems to reflect not only the formal political and institutional opportunity structures, as we discuss below, but also their sense of where their campaigning energies are most likely to yield change. The lack of spaces for engagement with Mercosur and the deliberate undermining of its environmental provisions has led some groups to abandon it and focus their attentions on ALCA, which is in any case potentially much more far-reaching in economic and environmental impact. Aware of its importance, therefore, Hochstetler (2003: 4) suggests 'South American environmentalists will join their Northern counterparts in opposition to the FTAA despite low levels of mobilisation around Mercosur'. Hence

The member states of Mercosur are likely to get quite a bit more pressure from regional environmentalists about a potential FTAA than they have over Mercosur itself. Regional environmentalists have strong ties across the hemisphere on trade issues, ties that are often stronger than those among environmentalists in just the Mercosur countries (2003: 26).

1.1.2 Outsider strategies

Environmental NGOs critical of free trade have organised around each of the three key agreements discussed here. In Mexico, NGOs actively opposed to the official NAFTA proposals were organised in the 'Pact of Ecologists'. As in the US, the government made efforts to divide the coalition which succeeded in 1998 in pushing some moderate groups to break away, leaving the remaining groups to coalesce around a more critical agenda, acting mainly through RMALC. Though generally cast as an outsider group, RMALC did also engage in formal exchanges with government on occasion, employing to some extent a 'double-strategy' (Hogenboom 1998: 144), adopting insider and outsider strategies simultaneously.

Opposition to ALCA within civil society has been widespread, reflecting both what is at stake in political and economic terms and the number of countries and associated civil societies involved. A large number of anti-ALCA movements have developed positions that

place themselves outside the process. The forms of protest in many ways mirror, and build on, experiences of campaigning around trade issues in the WTO and investment issues associated with the aborted Multilateral Agreement on Investment (MAI). 'Virtual' alliances held together through exchange of information and formulation of positions through exchange over the internet, combined with joint demonstrations around key summits such as Quito and Quebec, as well as the plurality of concerns hosted under 'rainbow' alliances, are indicative of this form of mobilising. Such protests have been aimed at challenging the secrecy of the process, as well as the nature of the development model being promoted. For example, one item of graffiti in Palermo, Buenos Aires from the time of the ALCA meeting there in 2001 reads '*Su opulencia es nuestra exclusión*'.

Within these coalitions, environmental groups critical of the process and sceptical about the compatibility of trade liberalisation with sustainable development have articulated concerns which resonate with a much broader critique of neoliberal development models. There are the familiar concerns about both the environmental impact of increased volumes of trade and the potential for mobile capital to exploit lower environmental standards, as it is claimed has occurred in the *maquila* processing zones. As one group argues, 'ALCA implies a direct increase in the consumption and therefore production of fossil fuels, this implies an increase in CO₂ emissions which the US does not want to control' (Acción Ecológica 2004 [our translation]). Relatedly, by reforming the legal base of energy policy in the region, there is concern that exploration for and extraction of fossil fuels will increase, further implying both social impacts on those that inhabit these areas (often poorer indigenous communities) and of course environmental damage in forested and fragile ecosystems.

On the question of rules, the issue is the compatibility of trade and environmental regulations. The title of a Sierra Club briefing on ALCA captures this position; 'New pro-corporate rules threaten our environment and health' (u.d). These strategies and positions are very much cast by the NAFTA debate and the need to build on the lessons from that experience. A key set of concerns, raised both during the NAFTA talks and subsequently, centre on the issue of the likelihood that trade rules will be allowed to over-ride environmental provisions, over-turning regulations hard won at national level. This resonates with claims environmentalists have made internationally that there is an imbalance between *regulation for business over regulation of business* (Newell 2001). In the NAFTA context the right of multinational companies to sue is one manifestation of this, where in the Ethyl case, for example, the Canadian company *Methanex* successfully sued the US for \$1 billion after California phased out a hazardous gasoline additive which the company helped to manufacture. Sierra Club (u.d.) claim 'Under the FTAA, as under NAFTA, individual foreign investors could gain the right to sue the United States for cash damages before secretive, three judge panels' should environmental laws affect their profits under broad interpretations of non-discrimination provisions. ALCA, like NAFTA, also proposes to ban the use of 'performance requirements' which environmentalists see as key to sustainable production (Newell 2005).

Beyond challenging specific provisions of the trade agreements, some outsider groups have sought to change the rules of engagement, rather than make use of those that exist. In the context of NAFTA, the strategy of the adversarial coalition was to try and change the rules of the negotiations through, for example, House resolutions (246) and a (National Environmental Protection Agency (NEPA) lawsuit. As noted, they also formed alliances with other oppositional elements, most notably from the labour movement. For example, the Mobilisation on Development, Trade, Labor and the Environment (MODTLE) was established as a tri-national dialogue among activists from all three NAFTA countries.

These differences in approach between insiders and outsiders indicate not only diverse strategic preferences, but also significant ideological differences, that successive trade negotiations have merely served to entrench. This difference in approach reflects a broader split within the environmental movement, in particular, between those who view trade liberalisation per se as antithetical to ecological sustainability and those who take the view that under certain conditions trade liberalisation can contribute to sustainability. Reflecting

these differences, groups such as the NWF, NRDC, the Environmental Defense Fund (EDF) and WWF were able to support NAFTA, while the Sierra Club and Friends of the Earth, Greenpeace and Public Citizen, for example, took an adversarial position (Obach 2004). The former constructed the 'Environmental Coalition for NAFTA' which sought to have the accord, complete with side agreement, accepted. Audley notes (1997: 91) 'What had begun in January 1991 as a unified effort to include environmental issues into trade policy ended in bitter disagreement among those organisations most actively involved in negotiations'. Ties between critics and the pro-NAFTA alliance were nevertheless maintained by groups such as Sierra Club and Public Citizen (Korzeniewicz and Smith 2003), suggesting the permeability of categories of 'insider' and 'outsider'.

These divisions made it easier for the US administration to minimise the conflict caused by environmental issues by targeting key environmental groups willing to accommodate President Bush's economic objectives. Endorsement of NAFTA by the majority of national environmental organisations 'neutralised' any threat posed by environmental opponents to the agreement because such endorsement gave the administration, members of Congress and other pro-trade policy elites solid support for their defence of NAFTA on environmental grounds. The deal was reciprocated. Audley notes, (1997: 130) 'organizations supporting NAFTA were rewarded with a higher number of advisory appointments, thereby facilitating long-term participation in trade policy monopolies.' During key debates on fast track decision-making on trade, for example, accommodating groups moderated their demands in exchange for formalised roles in trade policy. President Bush selected representatives from five national environmental organisations and one-state level environmental director to participate as members of the USTR's public advisory committee. Those invited were those that had shifted position to support the trade initiative including NRDC, WWF, NWF, Nature Conservancy and National Auduborn Society. The selection of these advisors clearly revealed 'an effort to incorporate environmental groups most likely not to oppose negotiations' (Audley 1997: 65). Their engagement (and effectiveness) was, therefore, heavily shaped by the tactics and policy agendas of the policy-makers they were seeking to influence who sought to minimise the impact of environmental interests on negotiations.

In return for access, accommodating groups also found it increasingly necessary to distance themselves from groups such as Greenpeace and Public Citizen. Part of this strategy involved not fielding politically unrealistic policy alternatives and being willing to offer politically acceptable recommendations. As a result of interviews with congressional staff, negotiators and administrative officials, Audley (1997: 90) deduces that WWF and EDF, in particular, were instrumental in creating the NAFTA provisions. Perhaps not coincidentally, these groups also have the strongest ties to Republican party elites. Mayer (2002: 102–3) also suggests that although many changes requested by the environmental community were not adopted, the language on environmental, health and safety standards was 'renegotiated'. The trade-off of dropping opposition in favour of participation did not perhaps yield the results the groups expected. Audley concludes overall; 'environmental groups traded the pre-emptive leverage they once enjoyed during the trade negotiations for procedural inclusion in trade policy decisions' (Audley 1997: 137).

Though bringing different benefits to the groups concerned, the strategies groups adopted may have had the effect of reinforcing one another. Audley's (1997) study of the environmental movement's role in the NAFTA debate suggests that accommodating and adversarial strategies were key to the participation of environmental groups in the trade talks. The combination of 'good cop/bad cop positions', meant that engagement with those groups pushing a more accommodating agenda was made more attractive by the vocal pressure and opposition of more confrontational elements within the movement. Responding to their moderated demands was necessary because the adversarial environmental coalition maintained a plausible threat to defeat NAFTA. Further, 'Organizations responsible for establishing and maintaining that threat were incapable of using the leverage to change the agenda but were essential in creating the space for cooperative environmental organisations to translate pre-emptive power into concessions' (Audley 1997: 152).

Despite criticism of the accommodating strategy of insider groups, Audley (1997: 152) maintains it may have been the engagement of these groups that gained environmental organisations the concessions now embodied in NAFTA. One factor that enabled them to do this was the small number of environmental groups actively involved in the decision-making. This reflected a general lack of priority attached to trade issues among leading environmental groups. Among the national environmental organisations involved in NAFTA from the U.S, there were fewer than six staff people dedicated to trade and environment issues. Their control of the agenda may be further consolidated by the subsequent additional resourcing they have been able to attract to work on trade and environment issues from philanthropic foundations as a result of their more accommodating positions.

1.2 Institutionalised participation and political opportunity structures

We have already been able to observe the ways in which political opportunity structures shape the ways in which the environmental movements has sought influence over trade policy in Latin America. The purpose of this section is to look at those mechanisms of participation that exist within the formal arenas created by NAFTA, Mercosur and ALCA respectively, with a view to understanding for whom such processes are working and which groups and interests are effectively screened out of current regional trade debates by the ways these institutional channels have been constructed. In sum, which mechanisms exist, who is able to use these spaces effectively and under what conditions?

1.2.1 NAFTA

The NAFTA trade agreement has perhaps generated the most interest because of its environmental clause and is the most high profile of the regional trade regimes because of the involvement of the US and Canada. Critics envisaged a scenario in which lower environmental standards in Mexico would attract polluting industries in the US and Canada towards Mexico and that harmonisation of standards would pull Canadian and US levels down to an inferior common denominator dictated by the less demanding nature of Mexican rules (Schatan 2000: 167). The NAFTA environmental side agreement, one of the most sensitive issues in the NAFTA negotiations, was aimed at countering these fears.

Limitations of environmental provisions within NAFTA from an environmental point of view include the fact that environmental concerns can only be raised with a party when a trade link exists; the scope of 'environmental' is restricted to traditional pollution control measures; the fact that lowering standards to attract foreign investment, though forbidden in the agreement, does not incur sanctions; key environmental principles such as 'polluter pays' are not incorporated into the agreement and, like the WTO, standards cannot be process-based (Schatan 2000). Hogenboom (1998: 250) claims in this regard, that the debate's narrow focus was partly caused by the strategy of the moderate wing of the US environmental movement in accepting the narrow environmental approach of the three governments and denouncing proposals by critical organisations for a North American development initiative which would comprehensively deal with environmental issues.

With NAFTA, we see clearly how institutional and historical factors interact to create opportunities and challenges for groups seeking to shape trade policy. Environmental organisations exploited this opportunity to formalise their participation in negotiations by benefiting, however unconsciously, from the strong differences of opinion over the merits of trade. This suggests the importance, not just of political windows of opportunity to push for change, but also the importance of issue-framing and discourse, either as a strategy to emphasise unity and diversity, as used by some of the alliances against free trade, or as a mechanism of exclusion and de-legitimation, as it is often used by policy elites. As we noted in the introduction, the impact of campaigns on institutional structures is often not easy to discern in the short term, but may yield longer term benefits for groups in the

future. Hence with NAFTA, although environmental concerns over trade policy did not substantively alter the norms and principles of trade policy, some (minor) changes to institutional procedures were achieved that may create windows of opportunity for future activism. In the case of trade disputes, panel members may now call upon experts from the environmental community to provide information. A Border Environmental Cooperation Commission was created in response to concerns expressed by NGOs about the effect of trade expansion on the Mexico-US border.

The Montreal-based trinational North American Commission for Environmental Cooperation (CEC), set up by the NAFTA environmental side agreement, has also been useful to the environmental right-to-know movement, described above. It has established a multi-stakeholder PRTR advisory council 'that foments cross-border efforts to strengthen environmental RTK' (Nauman 2004). Nevertheless, national level commitment to the process has been lacking on occasion. The Mexican PRTR advisory committee on the regulations 'was heavily weighted with industry opponents, federal funding for travel to meetings has been non-existent and meeting announcements often were made at the last minute. All this has made participation difficult' (Nauman 2004). Indicative of the trend towards industry domination of the process, the National Coordinating Group set up by the PRTR to oversee policy formulation consisted of 38 groups, only four of which were NGOs and academics. In addition, results of the reporting from the first cycle will not be made public because Mexican legislation does not require it and resources do not exist to go beyond requirements.

The environmental side agreement of NAFTA also creates a Joint Public Advisory Committee (JPAC) to the NACEC designed to provide input from NGOs and the private sector to the NACEC's governing council (Fisher 2002). The Joint Public Advisory Committee consists of 15 members, with each nation appointing an equal number of representatives. The committee seeks public input and recommendations to help determine the advice it provides to the Environmental Council (Blum 2000). According to Fisher (2002: 189), 'By consistently working to seek public input and incorporate the insights and expertise of civil society into its activities and projects, the NACEC's initiatives have been greatly enhanced'. Articles 14 and 15 of the side agreement provide that any citizen or NGO from the parties may send to the secretariat a submission asserting that a party is failing to effectively enforce its environmental law in order to promote exports or investment. In response, the NACEC's secretariat may be obliged to provide a factual record, though without legal value or the ability to trigger trade sanctions.

Despite these institutional innovations and the degree of interest the agreement generated, and continues to generate, NAFTA has been criticised for its top-down approach and lack of consultation with civil society in the negotiation process (Deere and Esty 2002). A key lesson from this experience has been that merely having the mechanisms in place does not mean they are used effectively. In the 10 year period few citizen submissions were received, many of which were terminated because they did not meet the established criteria. Resources, perceptions of return on effort and shifts in strategic priorities mean that the extent to which groups make use of or engage these mechanisms will change over time. For example, since the heyday of NAFTA, leading environmental groups such as the Sierra Club have shifted their focus away from daily participation in the activities of trade bodies and sought to focus their attention instead on raising the level of interest in trade policy among their members. Lack of resources, even among the accommodating groups, inhibits further participation. Costly engagement is more difficult to justify in a context of pervading frustration with lack of leverage in the process. The concern about lack of progress is compounded by a number of factors. First, the proliferation in the number of forum where dialogue takes place, each requiring time, personnel and money. 'None of the organizations has the resources to sustain such a high level of commitment. The large number of forums also serves to dissipate focused interest in the dialogue itself'. (Audley 1997: 133). And despite efforts by NGOs themselves to continue the dialogue informally, there remains a strong sense in which the political opportunity to continue pressing for trade policy reform in relation to the environment has passed.

1.2.2 Mercosur

In contrast to NAFTA, the debate on the relationship between trade liberalisation and environmental protection within Mercosur in Latin America is less well advanced. The incorporation of environmental issues has been weak and sporadic at best (Onestini 1999), despite the fact that the Asunción treaty that brought Mercosur into being lists regional quality of life and sustainable development amongst its broader aims. Efforts to negotiate an environmental legal agreement for Mercosur took a decade (1991–2001) reflecting a combination of regulatory competition, the weakness of environmental groups and the correspondingly high levels of influence exercised by business actors. Mercosur's environmental agency has a weak institutional status and a limited agenda, reflecting perhaps the low levels of institutionalisation that characterise Mercosur as a whole. While there is a technical sub-committee *Reunión Especializada de Medio Ambiente* (Special Meeting on the Environment, REMA), created in 1992, which looks at non-tariff restrictions, international norms (ISO 14001), labelling (a possible Mercosur eco-label) and the provision of information about countries' environmental legislation and joint impact assessments, it focuses only on trade-related aspects of environmental policies. The aim has been to eliminate non-tariff barriers to trade applied for environmental reasons by harmonising Production Process Methods (PPMs), expressed in the form of non-binding directives. There is no broader remit for its work, for example with regard the environmental impact of trade liberalisation, and environmental standards are viewed as barriers to trade in potential conflict with the goals of trade liberalisation that drive the Mercosur project. Business groups such as CEADS (Argentine Business Council for Sustainable Development) have lent their support to such initiatives, aimed at harmonising environmental standards and removing potential barriers to trade (Agüero 2002).

Since 1995, REMA has met as the environment working group (SGT6), about four times annually. The working group has, according to Hochstetler (2003a: 12), 'been unable to make environmental issues a significant component of the Mercosur processes'. It has far less formal power in comparison to the environmental institutions that exist within NAFTA, described above. REMA was initially not established as a formal sub group but instead as a temporary conference of environmental ministers and academics. This early informality reduced the impact it had on the agreement as a whole. This weakness is compounded by the fact that the dispute resolution process of the Mercosur is unavailable for environmental disputes, so REMA had no means for enforcement (Blum 2000). It also operated without the active engagement of civil society, which only started to mobilise actively around trade and environment themes from 1995 (CEDA 2002).

In 2001, the Mercosur Environmental Framework Agreement was signed in a form far less ambitious and expansive than the 1996 protocol version. The protocol to the Asunción Treaty is essentially an expanded re-articulation of earlier non-binding directives (Tussie and Vásquez 2000). This may in part reflect that, as Tussie and Vásquez note, Mercosur's path 'is mainly drawn up by agreements between the government and the private sector with little input from other actors in the society' (2000: 188). It may also reflect the fact that none of the Mercosur countries has yet adopted domestic rules for industry location from an environmental policy perspective and common minimal environmental requirements may be difficult to develop given that attracting investment is the driving rationale for Mercosur.

There are also issues around the broader 'ecological footprint' of Mercosur. If the infrastructural developments proposed for the region in order to enhance integration are not managed responsibly, the environmental consequences could be devastating. For example, the Inter-American Development Bank (IDB) has identified a mixture of transport, hydroelectric power projects and gas pipelines as essential foundations of an infrastructure for integration (Onestini 1999). Interesting, however, reflecting Brock and McGee's observation (2004) that development and aid policy may provide more (indirect) routes into trade policy than pursuing change through trade institutions alone, NGOs helped to successfully encourage the IDB to withdraw funding for the controversial *hidrovia* proposal to construct a water superhighway to be built on the River Plate system. The provision of alternative environmental and economic assessments and a legal case brought by coalitions

of opponents in Brazil and Argentina and backed by the Brazilian government were key to the successful stalling of this Mercosur initiative (Hochstetler 2003).

In comparison with NAFTA, Mercosur's mechanisms of participation are under-developed. While ambitious in its economic and commercial dimensions, Mercosur is weak in the construction of political dimensions that facilitate participation and representation of citizens that make up its member states (Scagliola 2002: 157). There is a *Foro Consultivo Económico y Social*, created by the Protocol of Ouro Preto in 1994, which has spaces designed for businesses and unions, but it offers few opportunities for environmental or other activists (Botto and Tussie 2003: 32). Indeed, business groups actively sought to exclude other social groups from this consultative forum. This privileging of business and labour actors over environment, human rights, peasant and womens' organisations is part of a regional trend in South America according to Gudynas (2001). In the case of both the *Foro* and the *Comisión*, described below, Hochstetler concludes (2003a: 212) since they only have consultative functions, they turn out to be *cul de sacs* for participation.

As with other regional integration processes, those standing to benefit from expanded market opportunities under the Mercosur agreement, have been heavily involved from the outset. Privileged industry access is often justified by the shared rationale of market integration and the practical and experiential expertise industry groups can claim to have (Hochstetler 2003a). The plans for Mercosur, according to Teubal and Rodriguez, 'were made with privileged participation of the big economic groups and governments leaving to one side small industry, small producers and workers' (2002: 185 [our translation]). The details of the decisions made at meetings of SGT6 are quite explicit about the key role of business, while civil society groups hardly get a mention (*Secretaria do Meio Ambiente Governo do Estado de São Paulo* 1997). This is despite the fact that the Agreement of Florianopolis, the Environmental Framework Agreement in Mercosur, spells out in two places the importance members attach to civil society participation 'in the treatment of environmental questions' and more generally 'in the protection of the environment and the use of sustainable natural resources' (Decision No. 2/01-Annex; preamble and chapter 1(e)). Business groups from Brazil and Argentina were among those that have participated most extensively. This general pattern of influence is also true of ALCA where *El Foro Empresario de las Américas* and *La Red Empresaria para la Integración Hemisférica* have gained recognition by governments, as well as extensive access to them in order to present their proposals (Casaburi and Zalazar 2001).

NGOs often have fewer established ties and points of access to those ministries leading the Mercosur negotiations. The design and implementation of Mercosur over time, has allowed the foreign and economic ministries primacy over the process. The regional environmental sub-committee is essentially a gathering of the four national environmental agencies. The working subcommittees of Mercosur have no permanent agenda or roles, except in the most general sense to enable the realisation of the goals of the Treaty of Asunción, leaving them little capacity to act as policy entrepreneurs. Weak institutions in this regard equate with fewer channels of access or mechanisms of influence, however indirect, regarding key power brokers within the foreign and trade ministries. It is clear then, that the majority of opportunities that environmental activists could make use of within the Mercosur decision-making structure are confined to environmental areas that are considered secondary by the key Mercosur bodies. Hochstetler (2003: 15) notes, 'Given the limited agenda and powers of the Environmental Sub-committee, it is not surprising that SGT6 has not become a major focus for environmentalists in the region, even though it has tried to include non-governmental actors.' The marginalisation of environmental concerns within Mercosur in general, compounds and even encourages their own (self) exclusion from the centres of decision-making.

Those openings for civil society participation that do exist are certainly not open to all groups and perspectives in the same way. Consistent with the pattern described above, SGT6 has been especially keen to involve industrial interests. From its fourth meeting in 1996, SGT6 invited the private sector to participate in the opening day of its meetings, though non-state actors were excluded from later decision-making sessions. SGT6 documents make clear the body's preference for bringing in groups that 'have some direct

interest in any of the stages of the process of production, distribution and consumption' (Hochstetler 2003: 15). Interestingly, this definition has been used to include environmentalists, even if it is clearly not a proactive call for their participation. In contrast, private sector actors can ask to be put on the first day agenda and to make their own proposals directly.

Pre-negotiation meetings with national delegations provide a potentially important avenue of influence for civil society actors. Both Argentina and Brazil hold national meetings before Mercosur meetings to discuss the agenda. Hochstetler (2003: 15) suggests in the past, government representatives from Argentina have presented written proposals and documents from national NGO networks in closed sessions. Government representatives from SGT6 have also participated in NGO-led dialogues such as that organised by the group *Fundación ECOS* in 1998 on 'External trade, the environment and sustainable development within Mercosur: The role of civil society'. Such informal engagements do not compensate for the many restrictions on meaningful NGO participation in Mercosur proceedings. There are difficulties in accessing information about decisions in the process of being made, or even that have already been made within Mercosur (CEDA 2002). Documents are not routinely distributed in advance so, as Hochstetler (2003: 15) suggests, 'meetings can consist of observers sitting at the margins of a room while SGT6 members sit at a central table and make cryptic comments about negotiating documents, without divulging their actual content'. Another mechanism which permits decision-makers within Mercosur to deny NGO access to their meetings is to call them 'extraordinary' rather than 'ordinary' which means that NGOs cannot even attend the first day of the meeting.

There is also evidence that levels of participation have actually decreased over time reflecting the dynamic, already noted, whereby some NGOs choose to disengage from a process that offers few returns, especially after the diluting of the protocol on environmental issues and the continued narrow pro-trade bias of SGT6. Though previously it was the case that the greatest presence from environmental groups would be from the country where the meeting was being hosted, by the time of the Mercosur meeting in December 2001, no environmentalists attended. In addition to what has already been said, this also underscores the importance of cost as a barrier to participation, even in regional trade meetings, as well as lack of awareness that the meetings were actually taking place. The importance of funding to enable participation from civil society has been underscored by NGO calls for financing mechanisms to cover the costs of groups wanting to attend the meetings of environment ministers (CEDA 2002).

1.2.3 FTAA

The Free Trade Area of the Americas (FTAA) surpasses the previous two agreements in its potential breadth and ambition, with some suggesting that Mercosur could be absorbed within ALCA (Carranza 2003). As Fisher puts it; 'As we begin the new century, negotiators are looking ahead to one of the most demanding trade negotiations in history: the goal is a comprehensive agreement linking 34 countries and 800 million people from the Arctic Ocean to Tierra del Fuego' (Fisher 2002: 183). For many, ALCA should be understood as a continent wide extension of the basic terms and conditions of NAFTA (Teubal and Rodriguez 2002), hence the caricature that activists use of 'NAFTA on steroids', or perhaps more diplomatically 'NAFTA-plus'. Because of the requirement for political coordination at continental level, critics suggest ALCA could imply 'the institutionalisation of strategies of neoliberalism and structural adjustment across the whole continent. It produces through these means the institutionalisation of a type of economic and social discipline' in a way which serves the interests of large corporations and the government of the US (Teubal and Rodriguez 2002: 174 [our translation]).

It is certainly true that the ALCA project was conceived by the US government. At the end of 1994, the heads of government of the Americas (with the notable exception of Cuba) produced a declaration expressing their desire to initiate negotiations towards an ALCA to be concluded before 2006. The negotiations only began in April 1998, three and half years later. In Quebec City in 2001, negotiators presented the first draft of the text of

an agreement. Rather like Mercosur and NAFTA before them, many activists are critical of the way in which the negotiations have been conducted 'in secret' (*Acción Ecológica* 2004). This is despite the fact that paradoxically 'The FTAA process has been conducted with rather more transparency than was the case with NAFTA' (Brock and McGee 2004: 12).

The proposed FTAA will address every major industry, commodity and trade issue. So far, a series of commissions have been established in areas of key relevance to the environment such as agriculture and intellectual property rights. Agriculture was considered so important a sector for negotiation that not only does it have a special commission, but it is also covered by the work of other commissions on subsidies, antidumping and compensation rights. Liberalisation of services also includes 'environmental services' such as water, controversial in light of the experience to date of water privatisation in countries such as Argentina and Bolivia (Finger 2005; Crabtree 2005). The national treatment provisions are what concern many activists, where companies from all countries in the region will be afforded the same entitlement to provide services on a commercial basis. Also, it is alleged quotas or prohibitions on the export of resources such as water for environmental reasons will be considered protectionist (*Acción Ecológica* 2004 [our translation]).

At ALCA meetings in Buenos Aires and Quebec there have been explicit inter-governmental statements in support of the trade in GMOs, prompting concerns among activists that ALCA will provide a back door route to spreading the use of GMOs in the region (Global Exchange u.d.). This would be against the expressed reservations of countries like Bolivia, and driven by the need to find new markets for the US, Canada and Argentina, the world's three largest producers and exporters of GM produce rejected in Europe and parts of Asia. This issue has been raised by *campesino* groups in countries that serve as centres of origin for key crops such as maize, like Mexico, a country which has already experienced 'contamination' of non-GM crops by transgenic varieties. The same groups have registered concern that IPR provisions within ALCA might continentalise North American patenting provisions, over-riding collective communal and indigenous peoples' rights (*Acción Ecológica* 2004). This forms part of a broader platform of opposition to biopiracy and the protection of indigenous knowledge, an issue of particular importance in Latin America given the richness and extent of its biodiversity.

ALCA negotiators have been divided on the role of environmental provisions with the agreement. Gitli and Murillo (2002: 156–7) describe three loosely defined positions on the appropriate relationship between trade and environment within ALCA. There is the US on one end of the spectrum in support of environmental provisions, Mexico, Central America and the Andean community on the other end, roundly opposed to their inclusion, and a group in the middle who might consider environmental provisions depending on what they contained, involving Canada, Chile and Mercosur. These positions are not, of course, static. There are differences within governments, which create openings for new alliances between groups from civil society and government departments. Mexican negotiators involved in the NAFTA negotiations that felt forced to 'swallow' environmental provisions, have been active in their opposition to linking environmental considerations with trade commitments (Deere and Esty 2002). Yet President Fox of Mexico appointed Victor Lichtinger as head of the *Secretaría de Medio Ambiente y Recursos Naturales*, who has affirmed the importance of the interface between trade and environment issues. Whether officials at Mexico's *Secretaría de Economía* will ultimately be convinced remains in question. In addition, nearly all Latin American governments (with the notable exception of Costa Rica) share the stance against developing an environmental agenda as part of the ALCA negotiations, a position made clear at the ministerial meeting in Miami, November 2003.

Drawing on the experience of NAFTA, many observers contend that an agreement with environmental provisions would be a precondition for acceptance by North American governments. During the Quebec summit in July 2003, Canada presented ALCA negotiators with a concept proposal broaching the issue of environmental provisions. On this basis, some have called for provisions that draw on NAFTA's Commission for Environmental Cooperation including defined mechanisms for individuals and organisations to submit issues and a citizen's advisory committee. These would go far beyond the

provisions within Mercosur which, as we have described, are limited to informal provisions for making presentations. Hochstetler (2003: 25) suggests that: 'Considering how little autonomy Mercosur decision makers grant their own national environmental agencies in a regional setting, they are unlikely to agree to grant such freedom of action to citizens across the hemisphere and an independent bureaucracy'. At the moment, environmental issues have been relegated to an advisory committee (the Civil Society Committee) responsible for a range of concerns and not enjoying the status of a working group.

In many ways, as we note above, it was awareness that the lack of social legitimacy of FTAA could seriously undermine the credibility of the process, that prompted governments to revise the regulatory framework for participation by non-governmental actors. In the run up to ministerial meetings of ALCA, space was first made available for academics, think-tanks and consultants, but not other elements within civil society. There is also a degree of political screening at work here in so far as these groups play a key role in consensus building because these actors, while perhaps disagreeing on the roadmaps to get there, support the basic principles of market liberalisation (Botto and Tussie 2003: 42). Given this, it is perhaps unsurprising that attempts to construct virtual mechanisms of engagement where groups can deposit suggestions, were essentially only taken up by these same actors; academics, business foundations and a sprinkling of NGOs principally from North and Central America. Many were sceptical of the value of engaging with initiatives such as this when there was no way of monitoring the impact of the proposals.

While the focus of this section has been on the institutional opportunity structures available to civil society within regional trade accords, we should not overlook the importance of bilateral or sub-regional agreements such as the Central America Free Trade Agreement (CAFTA), discussed at greater length in the following sections. Bilateral trade accords provide a potentially important policy space for civil society participation. The Chile-Canada Agreement on Environmental Cooperation, negotiated in parallel to their bilateral free trade agreement, is held up as a positive model for handling environmental protection measures, but also contains a provision that allows citizens and NGOs of the two parties to make submissions alleging a party's failure to effectively enforce its environmental laws. Such submissions may not include complaints affecting a private individual or a specific productive activity, although they may be filed against the parties if they fail to enforce their own environmental legislation (Matus and Rossi 2002: 266). In practice, critics allege many of the provisions regarding public participation in the agreement have too many weaknesses to be effectively utilised (CEDA 2002). The broader point remains valid, however, that excessive focus by activists on the high profile meetings of heads of state or summits of the Americas, can sometimes distract attention away from important battles over provisions in bilateral and sub-regional agreements that attract a lower profile.

1.3 Regional politics

Beyond the national political opportunity structures discussed in section 1.2, regional dynamics are also important to understanding the politics of mobilisation; the agendas around which groups cohere and the possibilities of transnational cooperation. There has been a general asymmetry in participation during the ALCA summits, where there has been a much stronger presence for environmentalists from North America than from organisations from Latin America (Von Bülow 2003: 84). There have also been tensions among US groups about their role in the preparations for the summit, with privileged roles for groups such as World Resources Institute (WRI), often at the expense of others previously used to extensive consultation. These dynamics reflect the experience during the NAFTA negotiations and the broader politics of transnational collaboration that characterised that process.

There are also, of course, differences of priority. NWF, NRDC and the National Academy of Sciences (NAS), as with NAFTA, were pushing for an environmental side agreement, while the *Fundación Futuro Latinoamericano* (FFL) of Latin American organisations attached less importance to environmental issues. On the environment, differences over the nature of the relationship between sustainable development and free trade have persisted, reflecting the

broader ideological divisions discussed above, as well as some fractures along North-South lines. Other fault lines include disagreements over subsidies and protection for agriculture and sectors like steel and textiles, as well as the role of environmental and labour rules.

At times, such differences were amplified by conflicts between protest cultures which bring together groups of such divergent social profiles as middle class students and *campesino* groups (Ruben ud). The different organisational structures of groups often prove to be a point of contention. In the context of NAFTA, the fact that compared with large membership based organisations from the US and Canada, many Mexican groups had fewer official members, created tensions about how wide a group of citizens were being adequately represented. This has been an issue in the ALCA negotiations too, with trade unions in particular questioning who NGOs represent, occasionally referring to them in dismissive terms as 'non-governmental individuals'. NGOs, in turn, have been critical of the overly hierarchical and bureaucratic nature of some trade unions (Korzeniewicz and Smith 2003: 69). In the NAFTA context, both the scale of funding disparities between groups from Mexico and North America and particularly, the extent of corporate funds received by the latter, also created suspicions among some Mexican NGOs about how far those groups agendas were influenced by their funding sources; companies that stood to benefit from NAFTA (Hogenboom 1998: 153–4).

Agreement has nevertheless been possible within the ASC on the core themes of official recognition of the social fora and inclusion on the official agenda of issues of labour rights, human rights and the environment (Botto and Tussie 2003: 41). At the summit of Santiago in 1999 the ASC was able to generate a document, following a series of workshops on key themes, laying out alternatives to the programmes being promoted within ALCA. What emerged was '*Alternativas para las Américas: Hacia la construcción de un acuerdo hemisférico de los pueblos*'. United positions were possible, such as the Common Declaration on NAFTA in 1991 issued by a group of more than twenty Mexican, US and Canadian NGOs calling, among other things, for the inclusion of environmental issues in NAFTA, a review of the environmental effects of NAFTA and the participation of environmental experts in the negotiations. Common ground among groups across the region has also been found on the need for enhanced transparency in the deliberations in the run up to and during the summits of the Americas and for improvements in mechanisms for the participation of civil society.

Demands around civil society participation have continued to be made through the Peoples' Summits that led to the *Alianza Social Continental* (ASC), a network, officially founded in 1999, of those groups most critical of the summits of the Americas, and of ALCA in particular (see Appendix). Over the course of the summits of the Americas ASC has been strengthened by the group's frustration with the lack of openings within formal processes and the failure to meaningfully act on the promising rhetoric regarding civil society participation that peppered early ministerial drafts.

The fact that Brazil is the most reticent of the Latin American countries about ALCA, is perhaps reflected by the fact its civil society groups are the most active from the region within the ASC. National networks by this name also exist. In Chile for example the *Alianza Chilena por un Comercio Justo y Responsable* (Chilean Alliance for Fair and Responsible Trade – ACJR) was created by a range of groups critical of the Pinochet-led model of neoliberal restructuring. In the ALCA context it has pushed for the incorporation of social and environmental clauses. In Brazil, there is *La Rede Brasileira pela Integração dos Povos* (Brazilian Network for People's Integration - REBRIP) which advances a similar agenda through good links to the PT. Groups that have been involved in the politics of previous regional trade agreements such as NAFTA, including RMALC, are also active within the alliance (see Appendix). ASC also maintains links to other networks that cover different sectors and issues such as *campesino* concerns. An example would be the *Coordinadora Latinoamericana de Organizaciones del Campo* (Latin American Coordination of Peasant Organisations – CLOC), a regional network based in Quito, Ecuador that coordinates the work of organisations working with *campesinos*, indigenous communities and rural worker and small producer organisations (Korzeniewicz and Smith 2003). The meeting point with broader ASC agendas is issues such as economic justice, food sovereignty and sustainable agricultural development.

2 The labour movement

One of the most important aspects of globalisation is the change in production structures across borders (Newell *et al.* 2000). In reviewing how civil society participates in trade policy, a focus on the labour movement is particularly important as production structures and trade policy highly affect employment and labour issues. This section reviews the labour movement and its position relative to other civil society groups in terms of their participation in the institutional mechanisms, the strategies and tactics that labour groups employ to protect the interests of workers and the regional dynamics that affect the strategies they adopt and the influence they are able to wield. The work outlines how strategies have been readjusted in the context of snowballing regional trade agreements. Reflections are offered on the labour movement's current challenges and learning experiences.

Of the three movements analysed in this work, labour has the longest history embodied in a strong tradition of cooperation and conflict with the state which pre-dates the current trade agreements. Given these roots, labour has enjoyed some level of access but it has been marked by conflicts and tensions. On one hand, it has often been the case that trade liberalisation was meant to undermine the sway that organised labour and collective bargaining practices had held in the era import substitution. Neoliberal reforms resulted in putting trade unions on the defensive, while business groups gained ascendancy in trade talks through coalitions such as the *Foro Empresarial de las Américas* (American Business Forum – FEA) and the *Red Empresarial para la Integración Hemisférica* (Business Network for Hemispheric Integration – REIH) (Botto and Tussie 2003). Until the election of new labour based governments, especially in the Southern Cone after 2002, trade negotiations were almost exclusively corporate driven. In the new scenario there are now offsetting influences that are helping to redress this trend which we discuss below.

On the other hand, the geography of jobs has produced a rather competitive division among labour groups in Latin America *vis-à-vis* labour groups in the North, while other civic groups used the opportunity to join forces across borders. At one end of the spectrum, the environmental movement extended its global reach and pushed open the doors of trade negotiations; at the other, the labour movement in Latin America was first decimated and then from time to time 'invited to participate', when the tendency for formal institutions to consider NGOs as default representatives for civil society was in full vogue. The labour movement was thus needed to respond to the need for new geographical alliances and coalitions with rising social actors, such as the environmental movement. There may be instrumentalist reasons for such alliances; yet at the same time, most of the labour movement remains aware that while taking every opportunity to work inside formal arenas, it is still important to be part of a broader social movement going beyond the confines the national level imposes upon organisation. In this respect it has followed the environmental movement. Secondly, the labour movement does not generally favour the trade liberalisation process at the multilateral level or hemispheric level because it is seen as replacing democratic governance procedures with corporate dominated economic governance (Anner and Evans 2004), and especially American corporate interests. However, groups that may stand as outsiders to the ALCA process due to the impact on domestic production and employment of opening markets to the US (Lengyel and Ventura-Diaz 2004), see sub-regional integration with neighbouring countries as a defensive strategy. Thus they are inclined to look for ways of being recognized as insiders to these. Thirdly, the situation is characterised by being in constant flow: many labour leaders that as 'outsiders' had marched against trade reforms were sworn into office in countries such as Uruguay and Brazil; in Argentina too, labour leaders from the left-leaning *Central de Trabajadores Argentinos* (Argentinian Workers' Central – CTA) were elected for Congress in 2003.

2.1 The politics of mobilisation

The labour movement has been deeply shaken by massive economic, political and social

changes in recent years. Mobilisation of trade unions is becoming increasingly organised around trade issues for several reasons, not least of which is its historical alignment with the state. The traditional pattern for negotiating worker's rights was based on the ILO tripartite format where state, corporate and labour representatives met together to ensure workers' and business interests are defended in tandem. Dating back to the initial steps towards import substitution predating the wave of right-wing military regimes, this arrangement reflected a relatively collaborative relationship between the state and labour federations, where business and the state maintained a commitment to full employment and labour held the responsibility for maintaining peace in labour relations. Corporatist unionism was aligned with the state in protecting the rights of workers. Its role was not simply to mediate interests, but also to assist in the design and assurance of economic, labour and social policies. Dominant in Mexico, Venezuela, Brazil, Argentina and Paraguay, corporatism has often been associated with populist or development oriented regimes (de la Garza Toledo 2001). Such corporative labour federations had two practical implications: union leaders participated as designers and guarantors of economic, labour and social policy to secure peaceful labour relations; they were prized for concessions extracted by developing a harmonious relationship with the state rather than class confrontation.

Military regimes in Latin America throughout the 1970s and 1980s changed the balance and significantly suffocated the influence of organised labour. Unions were targeted in the authoritarian régimes that ailed much of Latin America in this period (with the notable exceptions of Mexico, Venezuela, Costa Rica and Colombia) decimating labour organisations. Loss of legitimacy of the federations with its membership can also be seen in this period as union bureaucrats blacklisted militant workers so employers would not contract them (Kohan, 2004) or the security services could detain and dispose of them. As with the gender movement, the more contemporary position of trade unions in several Latin American countries can be related directly to repression during the dictatorships (Riethof 1999).

Subsequent economic crises led to new economic reforms that would see even greater rupture. Democratisation was followed by neoliberal economic reforms promising relief from inflation and staggering economic crises. Large scale capital inflows were seen to be dependent on the ability of governments to contain labour conflicts and wage pressures. In order to implement the sweeping changes, governments sought greater independence from labour organisations. These reforms were characterised by their attempts to strengthen the private sector and market forces, privatise state owned enterprises, restrict state intervention and other rigidities such as labour rights and labour market protection. Drastic reductions in state employment as well as the selling of state-run enterprises, public lands, and infrastructure affected sectors that had previously represented a large part of organised labour, shrinking sectors in which trade unionism is traditionally strong. Temporary workers and precarious work conditions became widespread in the growing agriculture export sector. The overall result of these reforms effectively reduced union membership. Exclusion of temporary workers and short term workers from unionisation coupled with a considerable informal sector demonstrated the growing inability of unions to effectively represent the working classes or to provide as they had done during a good part of the twentieth century a 'central pillar of citizenship' (Palomino 2002: 25).

Argentina was one of the Latin American countries that courted the neoliberal agenda with unrelenting passion. Menem came to power in 1989 and made no secret of his pro-US approach and deep commitment to neoliberal reforms. This included the labour flexibilisation policy (Richards 1995: 61). Union leaders sought favours through Menem as the labour organisations were no longer able to confront the President as the new system dissolved the previous system of relationships. Clientelism was rampant under the Menem Administration. Union leaders were 'bought' into new government positions leaving the spokes with little leverage. Corruption and legitimacy issues seriously tainted labour's reputation to the extent that mistrust towards unionists still exists (Kohan 2004). Corruption and legitimacy issues currently hinder labour's reputation as the movement did not recover its pre-1976 galvanising role after the return to civilian rule.

In Central America, with labour markets highly sensitive to the globalisation of value chains in key industry such as textiles, workers found it difficult to assert their union rights: attempts to do so always confront the risk of production relocating, putting jobs in danger. Likewise, governments did not recognise unions in hopes of attracting capital and keeping jobs (Connor 2004). The violent and systematic violation of labour and human rights in the region during the 1980s left unions weak and fragmented and this limited recognition by government officials continues today. In the Guatemalan context, Human Rights Watch issued a report (1997) denouncing that efforts to form labour unions in the maquila sector were met with insurmountable resistance from the industry as a whole and, at best, government negligence. Unionisation efforts have been countered with mass dismissals, intimidation, indiscriminate retaliation against all workers, and even plant closings.

Nationally then, labour organisations do not have the strength or degree of access to decision making as in previous times. Sweeping privatisations and national restructuring of sectors where trade unionism was traditionally strong significantly reduced union membership and led to a general deterioration of the labour movement and a relative strengthening of the hand of business in key roles in the national political arena.

2.1.1 Insider strategies

The strong upper hand gained by business and the resulting weakness of organised labour in Latin America is being met with two principal strategies – both of which involve new alliances to replace the vanishing potential of state-labour cooperation. The first of these strategies is the modernisation of organised labour in the region in terms of internal organisation addressing issues of legitimacy, as well as broader structures of cooperation. The second involves the formation of new alliances across borders building on Mexico's experience in NAFTA.

Firstly, the modernisation of organised labour. Corporatist unionism became increasingly obsolete for all parties involved as neoliberal reforms took root during the 1990s. Not only were unions distanced from their previous interlocutors, business and the state, but also the direction of reforms by necessity required governments to seek an arms length relationship with labour organisations. In many countries this tension led to a split in the labour movement between the fraction that struggled to retain its corporatist instincts and the fraction that pushed for renovation. Marieke Riethof (2002) coins the concept of 'new unionism' to describe the renewal that has taken place. This segment of organised labour has attempted to reassert itself as a legitimate representative of workers in both politics and in the work place. Riethof indicates that organised labour re-emerged during the opposition to the military regime at the end of the 1970s and beginning of the 1980s as a social and political actor. Trade unions managed to act more independently and played an important role in establishing the new rules of the political system. Their new independence and growing links with social movements is often seen as an answer to the problems that unions face in the era of globalisation. A powerful reflection of this innovative movement is the establishment of the Workers' Party (*Partido dos Trabalhadores* – PT) in 1979, which tried to break with traditional political parties and intended to develop democratic and empowering political practice. In Brazil, the *Central Unica de Trabalhadores* (Single Workers' Central – CUT) emerged from the strength of new unionism in 1983, a development that changed the scene not only in Brazil but also shook the region, especially after the PT won the national election in 2002 and CUT militants were elected into office.

This shift away from bureaucratic and corporatist structures is rising in Latin America, likely reflecting both domestic and international circumstances. On one hand, there is a rise in new unions such as the CTA in Argentina, whose grassroots are in the white collar sectors most hit by the reforms, teachers, nurses and public employees who mobilised quickly to resist. On the other hand, is the experience left by NAFTA and the risk of excessive alignment with business and the state. Labour's desire for greater protection in trade negotiations has led to shifting strategies in several domains. One aspect of its strategy has

been to assess labour's organisational structures in hopes of regaining lost trust within membership in terms of legitimacy. Particularly in corporatist structures, grassroots members view the bureaucracy as watching out for personal interests and excessively concerned with retaining linkages with business and the state apparatus. Some unions are hence seeking greater independence, an interest that contributed to the end of the over 60 years of single party government in Mexico by the *Partido Revolucionario Institucional* (Institutional Revolutionary Party – PRI) and the election in 2000 of an opposition candidate as President of Mexico (Cavanagh, Anderson, and Hansen-Kuhn 2001). Following the trend, the presidency of the inter-American workers organisation, *Organización Regional Interamericana del Trabajo* (ORIT) passed from corporatist Mexican to Canadian leadership, with new union heavyweight, the Brazilian CUT swiftly gaining ascendancy.

The experience of living under NAFTA changed trade union perspectives on both sides of the border. It challenged the tendency for the labour movement to mobilise strictly within borders. For the first time a trade agreement was sought across North-South boundaries igniting concern that fierce competition for jobs would result in a race to the bottom in terms of labour standards and salaries. Being subjected to neoliberal reforms confirmed the suspicions of some progressive Mexican trade unionists that nationalist strategies built for over 60 years around corporatist ties with the PRI were unlikely to improve their wages and working conditions (Anner and Evans 2004). At the same time, US trade unionists came to realise that building cooperative ties with their Mexican counterparts was not only possible but the only way to increase their bargaining power in the face of the almost universal commitment of US politicians to a corporate-dominated model of economic governance. While the North-South labour relationship was too weak to make a difference in NAFTA, it has seen greater results since. Moreover, it has served as an important link to financial resources such as through the Solidarity Center (American Center for International Labor Solidarity) which plays a key financial role in the antisweatshop movement, as will be seen below.

When left unprotected by legislation, trade unions have continued to organise local strikes and campaigns employed as a tactic to call attention to the detrimental effects of foreign trade on workers. More recently, organised labour is scaling up efforts to engage in official negotiations. Scaling up mobilisation efforts has involved greater cooperation with unions in other countries. An earlier effort illustrative of such cooperation involves the car sector. Brazilian and Argentine workers of the Volkswagen (VW) plants met with VW workers from other parts at the international meetings sponsored through the International Metal Workers Federation. The International Metal Workers Federation subsequently reacted *vis-à-vis* the three most important schemes for regional integration in the Americas and has organised a series of regional conferences in an attempt to facilitate the emergence of regional networks of civic NGOs and civil society organisations (Drainville 1999). Metalworkers at DaimlerChrysler in Brazil later expressed a willingness to forego any advantages of the 'geography of jobs' in supporting their striking German counterparts at Daimler-Benz, displaying solidarity against global neoliberalism (Evans 2003).

Another more recent example involving the mining sector is the way in which workers at a Rio Tinto mine in Brazil were able to strengthen their union and make important gains in a new enterprise agreement through a global network of Rio Tinto unions that coordinates information exchange, provides training, and organises transnational campaigns (Anner and Evans 2004). Banana-sector unionists in Central America and in the Andean region joined forces with the International Union of Foodworkers to force the Chiquita brand to accept a framework agreement that guaranteed respect for labour rights, recognition of international labour standards, and a commitment to improve working conditions.

Similarly, cross border cooperation has also increased amongst union federations in different countries. In the last decade, after the renewal of American Federation of Labour-Congress of Industrial Organisations (AFL-CIO) there have been increasing occasions where the AFL-CIO supported the concerns of labour organisations in Latin American countries over trade agreements through joint declarations such as that with unions in Colombia. In addition to reaching out and seeking greater alignment with counterparts in other labour

organisations, federations are also seeking to adapt to changes in domestic labour markets. Informalisation and outsourcing has broken the social contract between employer and employee, eroded the entire system of industrial relations and impacted negatively upon union membership. In order to attend to the shifting the nature of work and employment, union federations have become more open to informal sector workers (Anner and Evans 2004).

Still, unions recognise that there is a need for greater negotiating capacity at supranational levels. Following its traditional strategy of constructive engagement, ORIT, whose international relations have always been influenced by the AFL-CIO, praised the InterAmerican Development Bank for their willingness to meet with labour leaders, expressing that most of the governments in the region have refused to consult organised labour prior to adopting economic reforms that are promoted by the IDB.

The second, more outward reaching strategy that organised labour has adopted in order to play a role in proliferating trade policy making is the formation of alliances with other social movements. Involvement with social movements is not a new concept. Faced with governments turning a blind eye towards labour issues in highly mobile export processing zones, the labour movement responded by organising with other social movements such as women's groups, students, agricultural interests, and religious orders.

In the Dominican Republic, Guatemala, Honduras and Nicaragua, unionists found that traditional organising strategies were not effective, often resulting in mass dismissals and subsequent blacklisting of all workers involved in trying to form unions. Particularly with the exponential growth of export processing zones in the 1990s, the violent abuse of human rights made these rights a concern for other social groups including religious and human rights groups. As women workers made up much of the labour force in these industries, the dreadful labour conditions and labour violations also became an issue for women's groups, an issue that will be addressed more fully in the third part of this paper. Unionists learned that forming alliances with other social movements became a key mobilisation strategy to protect workers from the increasing uncertainty and deteriorating working conditions that freer trade was seen to bring. As a result, Southern labour and non-labour groups had an interest in forming an alliance to address the sweatshop problem (Connor 2004).

Unionists learned that local organising was much easier when pressure could be put on the brand-name apparel companies, and to do so, workers needed allies in the countries where these products were sold. A number of solidarity groups led or participated in campaigns that were able to mobilise Northern media about the conditions of Southern workers and boycott internationally known name brands to improve working conditions. These included the US Labor Education in the Americas Project, the Campaign for Labor Rights, Global Exchange, Sweatshop Watch, and the Maquila Solidarity Network (Anner and Evans 2004). By the late 1990s, Northern students supplied yet another key link in the coalition. Students, through their universities as large institutional buyers, were able to influence companies. Successes were often short-lived as factories could be shut down, particularly after unions won recognition and negotiated contracts. Other instances of labour and NGO collaboration also involved campaigns focused on specific companies or sectors. Short-lived successes have highlighted the difficulty in sustaining achievements in terms of workers rights in such a highly mobile industry.

In this upsurge of collective action with citizen movements we can detect the formation of alliances transcending the shop floor; the emergence of a new form of unionism, *social movement unionism* characterised by coalition building that transcends the industrial relations system (Lambert 2002; Anners and Evans 2004). While this is not an entirely new phenomenon, the rise of labour's involvement with broader social movements is gaining ascendancy, as trade unions soften their mistrust of NGOs and other groups protecting different interests. Although unions might perceive their role as leaders and organisers to be at risk (Anner and Evans 2004) alliances are mainly forged to protect worker's interests. Though mobilising around monitoring and voluntary measures does

not ensure a role in trade policy, the efforts are seen as steps towards legislation and improved working conditions (Connor 2004) and a way therefore of limiting the negative effects of the globalisation of value chains on working conditions.

Similar experiences can also be seen in more recent and specific trade negotiations. In Mexico, the dominant pro-government workers congress, *Congreso de Trabajo Mexicano* (CTM) was seen to do precious little in order to protect workers' rights as NAFTA was shaped. But minority labour groups such as the *Frente Auténtico del Trabajo* (Authentic Labor Front – FAT) and the *Unión Nacional de Trabajadores* (National Workers Union – UNT) joined NGOs, primarily grouped in the *Red Mexicana contra el Libre Comercio* (RMALC) in campaigning against NAFTA. The RMALC in turn joined forces with other Northern-based groups.

Another innovative labour-NGO alliance is organised by the Social Observatory in Brazil, which was formed by the CUT in coordination with several Brazilian labour research institutes, and collaborating with foreign labour centers that provided financial support. The purpose of the Observatory is to research and analyse the conduct of multinational and national companies with respect to core ILO labour rights standards. It provides unions and companies with detailed studies on the conduct of multinationals. The unions and companies then discuss the findings and possible solutions. Should the company decline to cooperate, a union may use the findings to organise an international campaign to pressure it to rectify any problems that the research detects. This strategy has begun to show positive results in several cases. For example, documents produced by the Social Observatory on labour rights violations at the Danish Hartmann/Mapol factory in Brazil led to a visit by Danish unionists, and then to productive collective bargaining between the local union and the company (Anner and Evans 2004).

A critical aspect of linking with Northern groups is the 'boomerang effect' (Keck and Sikkink, 1998) whereby international exposure enhances the credibility of local movements and improves their leverage to open windows in the national policy process. Additionally, it enhances funding possibilities. For example, the American Center for International Labor Solidarity, known as the Solidarity Center has substantial government funding (from the National Endowment for Democracy) as well as a smaller amount from the AFL-CIO. With an annual core project budget of over US \$20 million, its funds maintain a network of offices and full-time staff in the South – resources which are invaluable to the anti-sweatshop movement (Anner and Evans 2004). While accepting US government money limits the ability of the Solidarity Center to work as credible independent international labour organisers, a whole new level of organisational resources are made available in securing basic rights.

The most obvious organisational embodiment of a broad-based coalition has been the creation of the *Alianza Social Continental* or Hemispheric Social Alliance (HSA). The initial impetus for the HSA came from key NGO networks together with the two most powerful labour federations in the region, the AFL-CIO and the CUT of Brazil (Botto and Tussie 2003). The founding document 'Alternatives for the Americas: Building a Peoples' Hemispheric Agreement' was released in the autumn of 1998 and was distributed widely in several countries – particularly in Brazil through the labour federations, but apparently less so in other countries (Cavanagh *et al.* 2001). Most HSA members are umbrella organisations, each representing a coalition of NGOs or labour organisations (see Appendix for a picture of its composition). For instance, the *Rede Brasileira pela Integração dos Povos* (Brazilian Network for People's Integration, REBRIP) is an alliance of labour and NGO groups. While the HSA has not been able to rely on labour-NGO alliances of the REBRIP sort to work with in every country, it always tries to involve the labour movement in its activities, even when local labour-NGO alliances are not well developed. Thus in Ecuador, where labour-NGO alliances remain weak, HSA actions around the November 2002 FTAA ministerial meeting in Quito were led by the *Confederación de las Nacionalidades Indígenas del Ecuador* (CONAIE, the indigenous people's organisation) with the involvement of labour (Anner and Evans 2004).

The HSA is a turning point: it marks the first time that ORIT has agreed to reach out and establish a structure to coordinate strategies and actions with NGOs. (Anner and Evans 2004) South of Mexico, it has been catalysed by the onslaught of the FTAA that prompted concerted efforts around trade policy. Still, coalition building is not simple nor is ideological consensus automatic. At first, while most Southern NGOs, especially those coming from the human rights movement, had taken the 'anti-globalisation' / 'No to the FTAA' stance, ORIT was inclined to go for 'free trade with a labour rights clause' approach (de la Cueva 2000). Mexico has a very active NGO movement that is part of HSA, but the predominant (corporatist) labour union, the CTM, has not been convinced and has not joined the HSA. The ones to join were the minority left-leaning unions the FAT and the UNT. Chile also has seen active NGO participation, but the Chilean central trade union has expressed some skepticism about HSA. In contrast Chilean consumer organisations are very active unlike other countries in the region. In Uruguay, the unions (composed mainly of white collar workers) have been active in HSA, while in Argentina, the non-ORIT labour union, the CTA is a member. To be sure, building the organisational alliances that provided the foundation of HSA was not an easy task and is an ongoing effort.

However, sorely needed opportunities for new forms of participation may be found in transnational solidarity. Yet, social forces mobilise differently and attempt to settle matters differently within national boundaries depending on the dynamics and social configurations they wish to protect or secure through the process of integration. Thus, it is not surprising that regional and hemispheric integrationist schemes in the Americas have given birth in the first instance to national campaigns, coalitions, and networks of social movements. Beyond those, however, a regional internationalism of sorts has begun taking shape that has already transcended the level of the nation-state (Drainville 1999).

2.1.2 Outsider strategies: protest, resistance and confrontation

While the previous sections address how labour mobilised in terms of alliance-building and modernising its corporatist roots, this part addresses the form that protests take, on national, regional, and hemispheric levels. Having been a leg of the corporatist tripod that then collapsed, labour, more than other broad social movements, has seen significant polarisation over the utility of engaging with consultative processes around trade agreements. Initially some have chosen to engage with 'inside' processes, whilst other groups have preferred to remain 'outside'. In an evaluation conducted for the International Confederation of Free Trade Unions (ICFTU) Anner (2001) notes that in contrast to other interest groups, particularly those with links to the North, Southern unionists feel that traditional lobbying efforts are less effective in their countries and that in certain contexts, forms of political protest and political mobilisation constitute a more appropriate strategy. A second aspect that was revealed in Anner's evaluative summary of labour relations in the South is that Southern unionists feel a need to more explicitly link the campaign for labour rights to specific development-related issues such as debt relief and other related issues that directly affect the well being of workers.

Thus organised labour in Latin America employs somewhat different tactics than in the North. Particularly in response to the FTAA, Northern groups have been relatively more active in organising marches and protests at the hemispheric level. In many countries in Latin America, the perceived threat to jobs or resources has been confronted with strikes to a much greater degree than in North America.

While striking is still a popular mechanism of protest and continues to be employed as a tactic, given the high rates of unemployment and the growing informal employment, blockade of routes has become a favoured and increasingly widespread form of resistance and confrontation. Blockades have divided Bolivia into East and West but also have been frequent in many other countries. Striking tactics are sometimes linked to a broader campaign to increase effectiveness. Public workers in Costa Rica organised a vigorous campaign against CAFTA, signed with the United States, that includes the de-regulation of

state monopolies in power and telecommunications. The very powerful Industrial Union of Electrical and Telecommunication Workers and the Workers Internal Front of the Costa Rican Institute of Electricity called a 24 hour nationwide strike throughout the country on July 29, 2004 and marches through 2005. Such is the strength of these unions that the implementation of CAFTA in Costa Rica has become the central issue in the run up to elections in late 2005. The divisiveness of the reforms required to implement CAFTA will not die easily given the strength of public employee unions and the fact that many of the contentious issues rejected both at Cancun and in the overall ALCA were incorporated into the CAFTA agreement.

In 2002 Uruguay's principal union federation, the left leaning *Plenario Intersindical de Trabajadores-Convención Nacional de Trabajadores* (PIT-CNT) in which the public workers organised in the *Confederación de Organizaciones de Funcionarios del Estado* (Confederation of Civil Service Organisations – COFE) play a leading role, called for a referendum on the country's economic policy and excessive alignment with the US. The labour movement, together with other social movements and small business, proposed an alternative to defend democracy and sovereignty. Noting that deepening the current economic model would lead to deeper and broader social and economic crisis than ever seen before, the proposed alternative focused on national patrimony, industrial reactivation, internal markets, social emergencies, and regional integration as formulated through Mercosur rather than through corporate-dominated economic governance structures suggested in the FTAA. A National Day of Civic Action was organised with open discussions in neighbourhoods and throughout the interior through roundtables and '*cabildos abiertos*' or open local council meetings mobilising neighbourhoods and promoting alternatives. Massive citizen education through flyers, stickers and murals was used to convince citizens to express their opinions and to vote in a referendum on whether or not they agreed with the current social and economic policy or opt for change. The Uruguayan protests were both extensive and profound, an indication of the deep rooted dissatisfaction with the pro-American inclination of the ruling elite. Such mobilisation laid the ground for the victory of a labour based government in the November 2004 elections, a victory that wiped out the 150 years of domination by two of the world's oldest political parties.

Mobilisation and protest are on the rise in most parts of Latin America. Labour federations in Argentina organised a series of protests against the FTAA in 2001 including marches and rallies in front of Congress. Similarly, labour activists in Central America currently perceiving a great threat in the CAFTA, organised a string of continued protests. Trade unions in Nicaragua joined a variety of other social sectors in a national march with about 8000 people to present their petition calling for a halt to the CAFTA negotiations. To add a regional element, delegations from Guatemala, El Salvador and Honduras were also present. The rally brought together speakers with various positions opposing CAFTA and broad media coverage was obtained through newspapers, radio and television. A Central American wide coalition of trade unions, peasant and indigenous organisations, and other non-governmental organisations have joined together to fight CAFTA. They have articulated their claims in terms of self-determination and defense of alternative models of social and economic development that benefit the majority of people in their countries and not merely multinational corporations. In El Salvador at least 40,000 people organised coordinated protests, blocking key points of the Pan American highway and border crossings. Since October 2004 there have been several massive marches gathering at least 100,000 people each.

Similarly, Bolivia held National Days of Dialogue on the Social Summit parallel to the Ministerial presenting the Andean Social Charter, and in 2003 held a National Congress on the subject of the FTAA, co-sponsored by labour groups. Peasant coca-growers have built peasant-worker alliances and with the support of landless movements and the miner-dominated *Central Obrera Boliviana* (Bolivian Workers' Central – COB) have staged massive uprisings, ousting former President Gonzalo Sanchez de Losada in 2003 and taking Bolivia to the brink of institutional collapse in 2004 and 2005. Not only were they against the excessively generous terms granted to foreign oil and gas companies; they are also furiously opposed to the terms of Andean Trade Promotion Drug Eradication Act (ATPDEA) of the

United States. APTDEA offers tariff free access for Bolivian exports such as jewellery, furniture and garments in return for the eradication of the coca crops that brought hard currency to indigenous groups. There is an increasingly important connection therefore between labour and rural based indigenous and *campesino* groups. While Korovkin (2001: 37) noted an 'urban bias' in much of the literature on social movements in Latin America, such that most studies 'barely touch on organisational processes in rural areas, especially those populated by indigenous peoples', attention must increasingly turn to *campesino* and indigenous peoples' groups that have become increasingly involved in debates about the effects of trade policies. Their strong ties to agriculture, proximity to resource rich areas and dependence on resource economies, as well as their sensitivity to issues of property rights and access to affordable services, mean that these issues necessarily impact upon their livelihoods.

The rural movements that were so actively opposed to the NAFTA accord in Mexico perhaps provide an indication of the types of mobilisation we can expect around ALCA. Global connections in their campaigning become apparent in so far as opposition to ALCA is re-framed as a broader struggle against the global industrialisation and intensification of agriculture, or the privatisation of public services. In this sense the scope of trade accords shapes the form of resistance to them that is likely to be forthcoming. They bring into play existing powerful movements who sense their core concerns are affected by the scope of the trade accord. In Brazil this is true of the *Movimiento de los Trabajadores Sin Tierra* (movement of the landless – MST) which has joined the HSA and is known for its land occupations; similar demands for access to land have driven movements in Mexico, Argentina, Bolivia, Brazil, Colombia, Peru, Ecuador and Paraguay. Again, such movements are most active in areas with high concentrations of indigenous populations. The umbrella group *Via Campesina* would perhaps provide the clearest articulation of the critical position adopted by these groups and demonstrates its global connectivity through involvement in the World Social Forum. According to Teubal and Rodriguez, various *campesino* movements have successfully articulated an 'authentic global movement' (2002: 197). This is grounded in opposition to the control of agriculture by multinational corporations (including patenting and bio-piracy), free trade in agricultural produce (especially with massive subsidies), the use of hormones and genetically modified crops and in favour, amongst other things, of food security and food sovereignty.

In sum, evolving forms of labour protest have increasingly focused on broader public education and consumer awareness campaigns as well as more traditional factory or sector specific campaigns. Actions against trade policy include mass protest in the form of rallies, marches, road blockades and public education initiatives such as town meetings, open discussions, and referendums. In specific but not isolated circumstances in Bolivia, Ecuador and Mexico (Chiapas), protest has led to confrontation and targeted broad ideological and political campaigns around issues such as the right of the ruling elite to govern. In Bolivia and Ecuador the succession of governments by indigenous based movements has called into question the very existence of state institutions and overall governance arrangements.

2.2 Political opportunity structures

The participation of labour unions is expressed at two levels: regionally as well as within each country. Effective institutional channels for trade union participation as trade liberalisation progressed were first restricted to the national level on the tripartite ILO basis, which, as employment levels dropped, became increasingly unable to cover the multiple and divergent interests of labour. Particularly with the globalisation of value chains and the competition for jobs, governments have favoured corporate interests. The enforcement of labour legislation became increasingly lax. Gradually the tripartite shape and the low level intensity of this institutional configuration were extended regionally.

The *Comunidad Andina de Naciones* (Andean Community of Nations – CAN) was a pioneer in terms of incorporating participation in regional integration as it established the *Comité Asesor Económico y Social* (Andean Social and Economic Advisory Committee – CAES, now

the *Consejos Consultivos Empresarial y Laboral Andinos*, or Business and Labour Advisory Committees) made up of various social actors including labour representatives. The 'Simon Rodriguez agreement' promised to coordinate and harmonise policy on labour and social security legislation. When the Andean System of Integration was transformed into the Andean Pact, this participatory mechanism was restructured and the Andean Labor Advisory Board was incorporated. The Andean Parliament adopted the Andean Social Charter in 1994. Similarly, the *Sistema de la Integración de Centroamérica* (Central America Integration System – SICA) established the SICA Advisory Committee on Social Integration to establish permanent consultation with civil society. Perhaps one promising aspect of this mechanism is that Central American Presidents incorporated aspects presented through the advisory committee before signing the Central American Alliance for Sustainable Development (ALIDES) – a comprehensive Central American initiative that addresses political, moral, economic, social and environmental issues, signed in 1994 (Durán 1999). In contrast, the Association of Caribbean States (AEC) has been limited to meetings of heads of state and the creation of a General Secretary. Labour representatives have participated extra-officially when included through invitation by delegations, but not through institutional mechanisms (Durán 1999). Still, in those instances where formal channels were established, the result was more declarations of good intentions as the mechanisms were advisory in nature, rather than binding on parties.

Unfortunately, these mechanisms have provided limited opportunity for effective participation. While essentially economic in nature, they were complemented by socio-laboral aspects through various mechanisms. However most of these were non-binding. In terms of labour, agreements within Latin America were largely based on ILO with a voluntary structure and 'good intentions' for upgrading standards. Durán (1999) notes that the trend has been to address social aspects of integration through four principle mechanisms: (1) harmonising social and labour policies; (2) Social Charters; (3) Social Clauses (either as part of the part of the principle document or as a parallel document); and (4) establishing advisory mechanisms or bodies. While these mechanisms provided theoretic spaces for engagement, their non-binding nature has resulted in merely a consultative and indirect role for labour representatives.

Therefore, labour's limited room to maneuver nationally became reflected in regional agreements as well, largely because of Southern governments' hesitancy to provide for greater participatory mechanisms combined with the weakening of trade unions. While the strong tradition of labour in Latin America would have led us to expect ample space for labour representatives to engage in decision making around trade policy, in fact the opportunities were restricted. As noted above, many of these reasons are rooted in the reconfiguration of the state and business-union relations. In particular, it is generally observed that Latin American governments were deficient in providing information on the ALCA process. Interviewees from the Andean region noted that 'governments do much talking in this respect, but they do not provide actual room for the participation of civil society' (Millet and Sanhueza 2002: 45).

The next section reviews opportunities and mechanisms for labour organisations' engagement within the formal channels created by the various integration processes. As noted by Silva (2004: 40–1) 'ultimately then, the participation of organized labour in trade negotiations takes place mainly through the formal channels of civil society coordination such as those created by the process of integration itself'. Following past models of institutional mechanisms for trade union participation, more recent instances of regional integration have evolved along similar lines. The follow sections briefly review the experiences of NAFTA, Mercosur and the FTAA.

2.2.1 NAFTA

NAFTA was the first regional attempt to bridge countries with strikingly different economic situations, in this case the US and Mexico. Negotiations began in 1991 and the agreement

was signed at the end of 1992. The agreement was controversial because of fear that the labour conditions would suffer a downward spiral as investment would seek out a policy environment that offered the lowest production costs – lower salaries and less labour protection. No explicit socioeconomic development objectives were included, nor were institutional mechanisms incorporated to compensate or lessen the disparities, as were adopted in the European Union.

Trade unions had few opportunities for intervening in the negotiations. The exception was the CTM; however, its subordination to the state and the governing party negated any possibility of its participation providing an independent voice for workers' interests (Bensusán 2002). Business organisations and legislators from Mexico's single party of the time, the PRI, along with the Executive branch and trade union allies, opposed the inclusion of any kind of labour protection clauses (Bensusán 2002).

Though the CTM and other pro-government labour unions were included in Mexico's Free Trade Agreement Advisory Council (Ortiz Mena 2004), it was mostly a legitimacy tool as labour unions at that point seriously lacked political independence and supported the government's stance in favour of NAFTA. Labour's actual impact on Mexico's trade policy has been minimal, partly due to the all powerful lead of the *Secretaría de Comercio y Finanzas* (Secretariat of Commerce and Finance – SECOFI) which made a conscientious and sustained effort to incorporate corporate views in trade policy deliberations. Internal documents note a 'contamination' of the trade agenda with environmental and labour issues that could actually reverse the gains expected from trade liberalisation (SECOFI 1999 as cited in Ortiz Mena 2004: 68). This point serves to illustrate two factors that have been drawn out above: first, the role of state-controlled labour in Latin America; and second, the tendency of Latin American governments to favour business and their reluctance to involve civil society in the negotiations.

According to congressional testimony by AFL-CIO official Thea Lee, a Mexican government official once told a group of Mexican business people not to worry about NAFTA's side agreement on labour, reassuring them that it was too full of loopholes to pose any threat (Espinosa *et al.* 2002). Pressure to protect labour standards was largely through the lobbying of Northern labour and NGOs, with little support from Mexican organised labour.

Despite their low-profile, these advocacy groups attained a labour side agreement thanks to their association with North American labour groups, incorporated as a document parallel to NAFTA. However, the North American Agreement on Labor Cooperation (NAALC), adopted in 1993, offered few guarantees with the vague promise of higher labour standards. Mexico, the United States, and Canada have ignored critically important labour rights obligations (HRW 2001). In fact, it was limited to strengthening national labour regulations wherein member countries reserve the right to establish and modify their own labour standards. No monitoring agency or organisation was created to control national authorities, and though an arbitrary panel was foreseen for dispute settlement, civil society participation within it is not a requirement (Bensusán 2002). Dean Spade (u.d.) indicates three main problems with NAALC rendering it useless for helping workers who have had their rights violated. First, it does not create any worker safety or wage standards that are binding on each member country. Second, there is no private right of action for workers meaning workers cannot bring a complaint directly to the Commission. Thirdly, no redress is provided for workers whose rights have been violated. As an overview of how that commission is used, a total of 23 cases had been presented by 2003 – after which no further annual reports are available. Of the studies and reports on the website, only one of the nine studies is not directed at specifically northern labour issues, suggesting the greater influence of Northern labour groups.

Trade union organisations have lodged various complaints particularly in terms of freedom for unions and right to form independent collective organisations. Espinosa *et al.* (2002) highlight that while more than 20 complaints had been filed regarding alleged labour violations in all three NAFTA countries, not a single case resulted in anything more than some public exposure to the problem. Unfortunately the agency has proved incapable of

holding governments or corporations accountable for worker rights violations. Results of the labour side agreement have been meagre, but Bensusán (2002) indicates its value in a few areas. First, a new space was opened for tri-national governmental cooperation on issues around workers' rights. Second, it unintentionally created an opportunity for creating transnational networks among trade unions and NGOs of the three countries in addressing labour issues together, with better knowledge of labour relations and respective systems. The agreement became more dynamic because of transnational trade union cooperation, resulting in the larger number of complaints, largely for Mexico. Third, the agreement offered greater dissemination of information in each country for public opinion permitting exposure to a wider international audience.

Though minimal, the experience of organised labour in Mexico has raised awareness and set a precedent for concern in subsequent trade negotiations. While the agreement created a booming export industry enriching the country's billionaires, wages for industrial workers fell to their lowest level since 1938 (adjusted for inflation) and living standards were cut in half overnight (*International Socialist Review* 2001). The minority unions and social organisations have developed proposals for strengthening the NAALC by reorganising collective rights, adopting faster procedures, and including civil society participation in the body's receiving complaints (Bensusán 2002).

2.2.2 Mercosur

With support from the International Confederation of Free Trade Unions and its regional chapter the ORIT, the *Coordinadora de Centrales Sindicales del Cono Sur* (Coordination of Trade Unions of the Southern Cone – CCSCS) was created in 1986. Originally designed to assist in the region's transition to democracy, its focus quickly changed with the inception of Mercosur in 1991. While the original Mercosur structure did not contemplate a space to address social and labour issues, or to include effective popular participation in the details of the integration process, the unions rapidly came to a consensus on the importance of being involved and attempted to influence the process from its creation. When the Treaty of Asunción was signed in 1991, pressure from the CCSCS resulted in the creation of a Technical Sub-Group on Labour, with the purpose of analysing the asymmetries between the four countries' labour markets as well as negotiating conditions for labour relations, employment conditions and social security provisions. Created in 1992, the Sub-Group on Labour relations, Employment and Social Security (subsequently to become known as Sub-Group 10) studied labour relations, employment and social security in the four member countries following the historical tripartite arrangement. Its coverage was later expanded to include the discussion of public policies also indirectly related to labour. The CCSCS formed a special commission in order to participate in the Subgroup. The CCSCS has attached itself formally to the Mercosur apparatus and has become a regional anchoring point for labour related issues. Numerous documents can attest to labour's stance in favour of regional integration; 'The commitment to integration exists, on the condition that it be real, in the sense that it guarantees social political and cultural protection, and that the transformation of production structures do not develop in detriment to workers and popular sectors' (ILO 2001, author's translation).

The CCSCS has presented joint proposals from the four central labour unions to Mercosur's decision-making agencies, and developed strategies to become involved in other Sub-Groups. The CCSCS, especially the Brazilian and Argentinean sections, looked upon the formation of Mercosur as an instance to recover ground lost in national arenas. In 1993 the CCSCS developed a Charter of Fundamental Social Rights (CCSCS 1993, cited in Riethof 1999), which includes equal opportunities for women and men (Article 25). The expectation was that the Charter would be central to social and labour topics; however discussion on the Charter has stagnated since 1993. Various letters were sent to the Heads of States, and the Presidents received the union delegation for the first time in Punta del Este in 1995. Labour claimed that more mechanisms for democratic participation were needed, that they could not be marginal or only linked to technical mechanisms such as the SubGroups.

Rather, a concrete institutional approach was needed, not just addressing the need for private sector participation, but for a broader Common Parliamentary Commission. In response to pressure from CCSCS, the *Foro Consultivo Económico y Social* (Economic and Social Consultative Forum - FCES) to the *Grupo de Mercado Común* (Common Market Group – GMC) was established through the Ouro Preto Protocol in December 1994 (da Motta Veiga and Ventura-Diaz 2004). However, the formal mechanism designed to include labour's input was lacking in many respects. Business and government manoeuvred to keep labour at the margins in order to avoid fanning discontent with the employment implications of streamlining regional production structures. Alvaro Padrón, the Union Coordinator for the Uruguay Chapter of the Mercosur Socio-economic Forum, notes in an unpublished document that though Sub-Group 10 was created to address labour's concerns, the Sub-Group was marginal in the integration discussions and scarcely ever participated in the resolutions that were adopted (Padrón u.d.). While consensus could be reached within the group, the issues were later withdrawn when they had to be treated in higher arenas. Therefore, there was little impact in terms of what the Sub Group aspired to achieve, and as Padrón notes, their participation in other sub-groups was marginal, usually as observers.

The effectiveness of channels for labour's participation reflects not only the increasingly unbalanced power configuration between business and labour, but also the low intensity institutionalisation of Mercosur. It is natural then to conclude that given the generalised enfeeblement of the labour movement, the voice of labour centrals within Mercosur's institutional structure has not translated into effective participation in the definition of social and labour policies. Yet at the same time, and despite the low intensity institutionalisation of Mercosur, one can find growing traces of increased cross border coordination and consultation among labour centrals; infant as the process remains, regional opportunity structures in labour may be said to be 'leading to the emergence of an incipient Mercosur civil society' (Carranza 2003: 90). The CCSCS is poised to exert greater influence amid the renewed responsiveness to it of governments across the region. Indication of this trend is the instrumental role played by the CCSCS in the adoption in April 2004 of the Mercosur Strategy for Employment Creation as well as in the shaping of the agenda for the IV Summit of the Americas to be held in Argentina at the end of 2005. The creation of employment will be the main item on the Summit's agenda.

2.2.3 ALCA

The FTAA process is a part of the new generation of trade agreements which can no longer be insulated from public concerns. Perceived as 'the onslaught of empire' and a threat to employment structures, it is at the centre of labour's concerns. The threat has become the *raison d'être* of the Hemispheric Social Alliance and its critical engagement in the production of the alternative proposal 'Alternatives for the Americas', first put together in 1998 but considered a 'living document'. Hence, in many ways it has engendered more cross border activism than either the NAFTA or Mercosur, increasingly open to incorporate a much broader set of concerns than just employment alone.

One of HSA's greatest contributions is ensuring that an alternative voice is heard through the People's Summit of the Americas. (Riethof 1999) Activities bring together trade unions and social movements. Campaigns and protests are organised at presidential summits and ministerial meetings. In these instances, North-South alliances between activists outside the formal process have been especially prominent. Ruben notes of the Quito meetings that, 'Northern groups recognized ...that a strong mobilization in Quito would undermine oft-heard claims that people in developing countries are clamouring for free trade while only misguided students, angry anarchists and selfish trade unionists stand in the way' (ud: 2). This led to the raising of tens of thousands of dollars by activists in Europe and North America to enable *campesino* and indigenous peoples' movements to attend the protest, just as Ecuadorian union members came with the help the US-based trade union AFL-CIO. In return, movement activists conducted interviews with Northern media about the issues they were protesting, organised by their allies in Europe and North America.

Despite the attention received, this event-focused strategy has its limitations (Anner and Evans 2004) as gathering activists from throughout the Americas is costly and does not guarantee that members will sustain active efforts to influence their governments in between the big summit events. Trade unions and other social actors must develop a common vision across large numbers with various and often conflicting interests. Manuel Chiriboga (2000), an NGO leader whose constituency in rural Ecuador led him to become agricultural negotiator under ousted President Lucio Gutierrez, noted there is still little tradition of working together or in coalition, which is a serious stumbling block for the emergence of substantive dialogue and a shared agenda.

There is a growing sense in which unions, even if on the defensive, want to see a fuller debate about the economic gains and social costs associated with different models of trade liberalisation. Luis Anderson, president of ORIT argues 'We've never debated whether or not we agree with economic globalization and integration, because we know it's a reality ... we know that great wealth is being created [thanks to integration], but at the same time we see that poverty is increasing, the number of jobs is decreasing, and the informal sector is growing. So we believe there is a problem in the distribution of the benefits of these reforms' (Constance 1998).

Perhaps the most important factor motivating the formation of HSA was labour's realisation that it did not have the power to defeat the FTAA alone. Broader social alliances became a political necessity, forcing a revision of labour's position *vis-a-vis* other actors. Shifting strategies for greater legitimacy has meant developing what Anner and Evans (2004) refer to as double divide of North-South and Labour-NGO linkages. Despite traditional mistrust across these cleavages, broader coalitions were developed both between labour and other NGO actors and between North and South all seeking greater participation in trade policy processes.

Manuel Chiriboga (2000: 360), both an outsider and insider to the negotiation, noted that the consultation process reflects two circles where the ability to influence depends on each group's distance from the policy core, as well as their own capacity. There is the official circle around the economic nucleus and the outer circle where labour organisations sit with other social movement organisations. The influence of the first circle is determined by the presence of national governmental leadership, the technical bureaucracy in the Executive (particularly finance, trade and external relations ministries) and business groups. Once again, in this constellation, organised labour has not been particularly well positioned: it is often absent in the first circle and holds relatively marginal roles within the second circle that characterises the FTAA.

Formal spaces were offered to corporate interests who were able to revise agendas of the working groups both at national and hemispheric levels; but efforts to draw in other social actors have depended on what particular aspects of the agreement were being discussed. Compartmentalisation meant in practice, for example, that while active participation regarding trade issues involved business organisations, broader social organisations were invited to participate in the social policy agenda (Botto and Tussie 2003), or in specific technical working groups.

The accession of the PT to the government of Brazil in 2002 has created a new scenario in which the Brazilian Trade Union CUT was able to occupy a lead role both at the national and hemispheric level. The CUT, together with the government, have made efforts to seek improved mechanisms of participation for labour. In association with the business represented in the National Manufacturing Association, the CUT proposed the creation of the Economic and Social Consultative Forum in the FTAA, similar to the Forum that had been established in the Mercosur. (da Motta Veiga and Ventura-Diaz 2004). In the Miami Summit held in 2003, where the comprehensive FTAA first mooted in 1994 was formally replaced by an agreement to proceed at multiple speeds along multiple tracks (the so called FTAA-lite) the CUT was present both as an informal inside advisor and a formal outsider actor. In turn, the special access of the CUT to the decision-making process had spillover effects over other Latin American labour centrals, which for the first time had direct knowledge of

what was being discussed among governments. In contrast to the trade unions in the US and Canada – which are more concerned with the inclusion of labour conditions on the agenda of the FTAA – the Brazilian trade unions advocate a broader defence of labour interests in all topics on the negotiating agenda. In spite of this divergence, the CUT maintains a fluid and creative dialogue with its North American counterparts (da Motta Veiga and Ventura-Diaz 2004).

In sum, the emergence of the CUT as a prominent regional actor has changed the scene not only for input by labour, but it has also affected the pace of the FTAA overall. While the grand scheme was supposed to have seen the light at the beginning of 2005, it is now being replaced by a patchwork of bilateral agreements. One can expect resistance to flare up back at the national level as Congresses, the traditional focus of influence for social organisations, must ratify the agreements. The emerging regional dynamics is discussed in the next section.

2.3 Regional dynamics

The interaction between the public and private sector and between labour and the state has changed fundamentally in Latin America. Successive trade agreements have created conditions extremely favourable to the interests of investors and weakened both the leverage and the procedural capacity of labour federations to obtain advantages. But unrest has simmered in multiple sites and is linked across borders.

Labour's regional connectivity and the burgeoning alliance with the AFL-CIO have been favoured by the post Cold War recasting of characters. Many left-leaning or social democratic unions had had little interest in cooperation with the AFL-CIO during the Cold War. Historically linked to US intelligence agencies, corporate interests and right wing movements and repressive regimes, vehicles of cooperation floated by AFL-CIO were seen to be tainted and became highly divisive issues. When the AFL-CIO was renewed in 1995 and moved beyond its anti-Communist rhetoric and programmatic confines a new space was opened up. Mechanisms of cooperation, such as the anti-sweat shop movement, emerged which in turn catalysed new alliances with NGOs and rebalanced the scales with other labour unions in the region. The issues that are now being contested both regionally and globally involve a combination of political and trade union struggles that exceed the narrow boundaries of the Cold War. A symbol of the times is the proposal for the merging by May 2007 of the International Confederation of Free Trade Unions (which represented workers in the so-called western world) with the communist dominated World Trade Union Federation. Although after the collapse of the Soviet Union, the latter wilted, it still retains splinters in Bolivia, Peru and India (Gallin 2002).

Box 2 in Section 1 reviews national modes of participation. Some additional features can be noted. A review of Colombia's experience notes that trade-related institutional reforms sought to centralise trade policy. The key issues are now tackled at the highest political level (ministerial or even presidential) with other sectors excluded from negotiations when deemed necessary by the government. (Echavarría and Gamboa 2004) Peru's political transition since the early months of 2000 has not changed significantly the state's relation to labour. It is neither engaged nor informed. As Peru engaged in bilateral negotiations with the US, an opinion poll revealed that only 46 per cent of the population knew that there was an ongoing negotiation. (*El Comercio*, 16 November 2004)

In Uruguay, the Executive branch has handled trade policy since 1958 through a wide assortment of presidential decrees based on a single legal text, and only a fraction of domestic legislation passed with parliamentary participation. Thus trade policy design and implementation had not been influenced, directly or indirectly, by democratic mechanisms of parliamentary representation (Vaillant and Ventura-Diaz 2004). With the swearing in of the *Frente Amplio* (Broad Front) into office on 1 March 2005, it is possible to expect the PIT-CNT gaining more access to decision making and more reliance of the Executive on a Congress whose composition is largely favourable.

Botto and Tussie (2003) note that the governments in Chile and Brazil are the two governments that developed most active mechanisms of civil society participation, whereas Mexico and Argentina (until 2003 elections) were most reluctant to institutionalise such dialogue. The Chilean democratic governments that took office after military rule retained established economic policy but tried to legitimise the continuity, opening important spaces for participation. Similarly in Brazil, consultation with labour allowed the government to legitimise its resistance to the FTAA. However, the Chilean government has not been able to provide adequate training to trade unions in order to have staff capable of following joint meetings and of expressing organised labour interest in international negotiations (Silva 2004). In contrast, the powerful Brazilian federation CUT was immersed from the very beginning and hence has been able to acquire the necessary expertise.

Neoliberal reforms led to a massive overhaul of the context in which social actors had traditionally defined and articulated their interests. The corporatist institutions that for over half a century had stood on a tripod held together by unions, business and the state gave way. As former structures crumbled and new issues such as proliferating and all-encompassing trade negotiations rose to prominence, unionism struggled to reform, modernise and confront the emerging challenges. While many were keen to retain procedural inclusion in trade negotiations; others favoured increasing their leverage through opposition. The split expressed the new tensions as well as divergent strategic preferences, political and ideological differences.

The decade has also seen resurgence in peasant-worker alliances, *campesino* movements, and movements of rural workers, more autonomous than before and independent of the state and old political parties. The resurgence of these groups and their global connectivity to broader social movements is a direct product of the impact of neoliberal reforms. In Mexico the withdrawal of their land rights turned the rural poor against the *Partido Revolucionario Institucional* whom they had traditionally supported and towards the platform articulated by EZLN. In Ecuador and Bolivia these movements veer between resistance and opposition politics. The CONAIE in Ecuador (and its political wing Pachakutik) led protests and strikes against structural adjustment in Ecuador in the mid-1990s and contributed to the ousting of President Bucharan in 1997 and Mahuad in 2000. In Cochabamba, Bolivia *campesino* and indigenous groups were active in a battle over increased prices which put access to water beyond the reach of these groups. The indigenous worker-peasant alliance led in Bolivia by coca-grower Evo Morales has shaken the foundations of the state. Violent uprisings contesting the terms of contracts with gas companies toppled President Sanchez de Losada. The movement has entered into electoral politics in an unprecedented manner. Morales ran for President in 2003, lost by a small margin and has now become the second party in Congress. Moreover, the party forced the first referendum in Bolivian history on energy and natural resources policies in July 2004 and the assembly of a National Summit in March 2005. These are more than mere sites of resistance; it is not an exaggeration to say that the scenario in the Andean region is now one of turbulence with recurrent uprisings that cut across geographical, ethnic and class cleavages (Petras 2003).

Two other political-institutional factors have overturned regional dynamics. At one level, President Chavez of Venezuela, a staunch anti-American has been considerably strengthened, first by the collapse of a coup led by business leaders with the support of the US; and subsequently by the outcome of the 2004 referendum that supported his continuation in office. He is adamantly opposed by the *Central de Trabajadores de Venezuela* (Venezuelan Workers' Central – CTV) tied to the opposition Alianza Democratica party (Ellner 2002). Yet Chavez has extended his influence beyond his national borders. Besides selling oil to Central America and the Caribbean at below market prices he has internationalised his anti-ALCA stance; he has extended his helping hand with financial and moral support to trade unions opposing ALCA as well as CAFTA and has assembled a succession of Bolivian Solidarity Acts under the banner '*Venezuela no está sola*' (Venezuela is not alone).

At another level, the electoral triumph of the PT in Brazil in 2002 has brought a new dimension to regional politics in so far as a powerful labour party now has a voice both in Congress and the Executive. Following the trend to call referendums on these issues, the

government held a national referendum in 2003 which was co-sponsored by the Catholic Church – an occasion when 12 million people voted against the FTAA. The government asked for more input from its people and asked the US to slow down the process or soften the agenda. The hitherto limited opportunities for labour to engage through official channels and existing mechanisms were soon reversed, as was seen in the Miami Ministerial in late 2003 where the privileged access of the CUT to the negotiations provided all its allies an inner ear.

All these factors show the extent up to which trade has acquired an unprecedented saliency and the regional politics of participation have been shaken. In Argentina, Ecuador and Bolivia the right of the ruling elite to govern was challenged by society in general and led to the downfall of governments. In Peru and in Central America the signing of trade agreements with the US has split public opinion, produced cabinet crises and promises to remain a divisive issue. In this vein, there has been a definite shift from a purely economic battle to an ideological one that revisits state responsibility and sovereignty issues in relation to neoliberalism.

The ways in which labour and popular rural movements have been able to register their concerns on the high political agendas of state politics are in contrast with the systematic neglect of gender concerns in trade debates in the region despite the concerted efforts of the women's movements to promote action on these issues, discussed in the next section.

3 Gender movements

The emergence of trade policy as a theme for gender advocacy is relatively recent; it dates back to the inception of the WTO, and the fourth UN World Conference on Women in Beijing. Despite great advancements in getting gender on the trade agenda, there is still a general context of limited engagement on the part of the broad women's movement with trade policy. A glance over the NGO participant's list with official status at the third and fourth WTO Ministerials in Seattle and Cancun respectively, shows that amongst the many environmental groups, trade unions and international NGOs, few organisations specifically working on gender were present, with just one dedicated gender organisation attending each conference from the Latin American region. It is also key to note, that these official spaces for NGOs were heavily populated by Northern organisations, with a minority of Southern groups in attendance. Whilst the negative effects of trade policies upon women are increasingly recognised, the inclusion of a gender perspective in trade negotiations is negligible (Catagay 2001). The double bind of needing to gender sensitise first civil society and then institutional interfaces and policy presents a huge challenge for advocates and activists.

High profile international women's conferences culminating in Beijing in 1995 became nodal points whereby regional organisations first began to think in supra national terms, creating alliances and formulating strategies for action at proliferating preparatory meetings and regional caucuses. For example at the 1994 preparatory Beijing forum of NGOs of Latin America and the Caribbean in Mar del Plata, the focus was upon models of development and adjustment policies. Trade unionists and feminists were interested in understanding the impact of the processes of integration such as Mercosur upon women yet it was not proposed that women take a role in trade advocacy. Soon after, however, in the NGO forum at Beijing in 1995, the regional coordination of Latin American NGOs and the Caribbean, organised a panel on the processes of integration and their impact on women (Valdes 2003: 257). Presentations were made on Mercosur, and a new emphasis was developed on labour markets and trade integration's economic, commercial and social consequences. It concluded by emphasising that women must be accounted for and be present in decision making processes on trade adjustment (Valdes 2003: 258). In a bibliographical overview of the literature around gender and globalisation on the Latin

American region, the lack of empirical studies on the effects of trade adjustment is lamented (Thorin 2001). The general lack of empirical concern is, in turn, reflected in the difficulties advocates confront.

This section of the paper reviews the experience of gender movements in Latin America *vis à vis* trade policy making in the region. It analyses regional dynamics that impact on the gender movements and the incipient but rapidly growing concern of the women's movement with trade restructuring. The section assesses the political opportunity structures provided by snowballing trade negotiations, and shows the numerous institutional constraints to the inclusion of a gender perspective. As many of the examples here will demonstrate, formal spaces for participation in decision-making in trade policy-making are frequently gendered. 'Invited' spaces such as consultative forums created from the 'top-down', are contrasted to the 'popular' spaces demanded and created from the 'bottom-up' by citizens (Cornwall 2004). The exploration here helps to understand why certain groups mobilise on the basis of certain strategies through particular channels.

3.1 The politics of mobilisation: between the 'inside' and 'outside'

Key to an exploration of understanding the nascent participation of gender advocates in trade policy within the region is the history of state repression, the subsequent return to democracy and the evolution of neoliberal restructuring across Latin America. As Molyneux (2000) suggests, many Latin American women's movements have fought for the expansion of women's rights predicated on a notion of women's superior morality and maternal value. In some contexts this has been a successful strategy such as the Argentinean *Madres de la Plaza de Mayo* or the women who set up communal kitchens to address issues of poverty under Pinochet's Chilean dictatorship. However, 'maternal humanitarianism' does not translate its moral power into political power (Lister 1997: 150), at best relegating women's political representation to 'soft areas' such as health and welfare rather than trade policy. These historical currents, rooted in state oppression, are important to understand, nevertheless, since they relate to the difficulties advocates experience in raising the visibility of women's work and worth in trade policy arenas. These currents lie at the heart of the split between women advocating according to what Alvarez *et al.* (2003) categorise as a 'policy-advocacy' logic and those women mobilising within an 'identity-solidarity' logic.

The issue of women's status as citizens being limited to their role within the unremunerated and reproductive sphere has been institutionalised historically through the private/public division of labour. For example in the case of Argentina it is argued that the tri lateral model of state, capital and labour based political participation on the unionised wage earner. Since this wage earner tended to be male, the interests of women were subordinated to the ideology of the male breadwinner, thus institutionalising women's relegation to the domestic sphere (Chrabolowsky 2003). As import substitution gave way, women began to enter the labour market and so too gained greater societal visibility. However, this ideological divide was reshaped in new ways that continued to entrench the socially constructed gender role of women as wives and mothers. Thus, although women could enter the workplace, the identity of the female factory worker retained a temporary status (Jones-de Oliveira 2003).

Many have since taken up the challenge of placing women's rights within post dictatorship democracies and social programmes that others view as an instrumentalist offshoot of neoliberal restructuring. Debates over the efficacy and ethics of institutional engagement have shaken Latin American feminism (Barrig 2001). Schild notes how over the past decade, governments in Latin America have instituted formal commitments to women's equality through the creation of specialised state machineries dedicated to women's issues. There is Brazil's *Conselho Nacional dos Direitos da Mulher* (National Council of Women's Rights – CNDM), Chile's *Servicio Nacional de la Mujer* (National Women's Service – SERNAM), and Argentina's *Consejo Nacional de la Mujer* (National Women's Council – CNM). Whilst women's bureaus have made important progress in advancing public debate and some legal

reforms, many within the women's movement feel these institutionalized attempts to insert a gender perspective are reformist measures, which 'reduce the agenda of the feminist movement to a narrow set of policy options' (Schild: 2000: 1).

In addition, as gender mainstreaming has been discursively adopted by international donors and policy makers, so an 'NGO-isation' of many women's groups has occurred, meaning professional incentive structures and Northern funding priorities are creating new cleavages between what some see as the divide between these new feminist NGOs and the women's movement. With international funding, a corpus of highly professionalised women has come to populate these NGOs (Alvarez 1998, 1999). The dependence on northern NGOs for funds can create new forms of hierarchy with a division of labour between Northern and Southern activists (Dominguez 2002: 6). Alvarez (1999) describes the new 'gendered' policy agenda in Latin America, and asks if donor emphasis on technical competence and developmental projects is eroding the critical advocacy potential of feminist NGOs (Alvarez *et al.* 2003). Operating as essentially social service programmes, this shift towards welfarism can mean their potential for critical advocacy may be seriously undermined (Alvarez 1999).

Although trade activism is a nascent arena for women's activism, as mentioned above, historical currents are present. These appear most strongly in the interfaces with formal institutions leading to heated debates around the legitimacy of gender equity commissions and consultative bodies within government structures. Also, analysing the differences between women at the Beijing 1995 Women's conference, Friedman *et al.* (2001) note a general division between 'those who came to Beijing to lobby governments and those who preferred to network with fellow activists ... those identified as movement activists aired objections to lobbying' (Alvarez 1998: 312–13, cited in Friedman *et al.* 2001). Such a preference for networking and alliance building is generally evident in strategies adopted by women working on gender and trade in the Southern Cone. Alvarez *et al.* (2003) note the importance of regionally as well as internationally oriented spaces for feminist dialogue. The succession of feminist *encuentros* –increasingly large meetings of women from across the region- beginning in the early 1980s, have been an important way in which Latin American feminism has defined and evolved its multiple identities based on the sheer breadth and diversity of women's experience and organisations across the region.

For many advocates the goal must not be limited to the idea of women's rights in the face of trade adjustment, but must extend to a broader concern with an alternative to the dominant neoliberal paradigm. This aim relates to the dichotomy between the policy-advocacy and identity-solidarity logics. While the pursuit of alternatives by the identity-solidarity oriented groups may be seen to run the risk of becoming mere declaratory politics rather than offer any real possibility of such alternatives being taken up by decision makers, the short term demands of those working on policy-advocacy may make such goals less feasible. The either/or compromise is a consistent theme relevant to strategies taken through civil society groups grappling with the inside/ outside dynamic. For instance some groups such as the International Gender and Trade Network (IGTN) are against the idea of a gender mechanism at the World Trade Organisation (WTO), an idea suggested by some gender advocates at the 5th WTO Ministerial in Cancun. The IGTN sees little utility in gender mainstreaming a 'flawed institution'. In the context of regional trade agreements women's participation in inside spaces reflects the politics of inclusion through 'top-down' processes, and thus excludes advocates unwilling to lend credibility to what they see as essentially 'flawed' institutional processes such as the Special Meeting of Women (REM) within Mercosur or the Civil Society Committee of the FTAA.

The tendency for formal institutions to consider NGOs as default representatives for civil society as a whole creates issues of accountability when NGOs are invited to participate 'inside' official spaces. Although there may be instrumentalist arguments to be made for such a relationship between civil society and formal decision making process, feminists are only too aware of the dangers of policies that serve to integrate women within neoliberal economic structures with little alteration of the power relations that assign women to particular productive and reproductive spheres.

3.2 Political opportunity structures

3.2.1 NAFTA, Central America and the Maquila Model: going regional

The *maquila* export model, a byword for Mexico's economic restructuring, has meant a particular context for women's employment. As the *maquila* expanded it created a new mass proletariat of female workers who suffer from some of the worst effects of a deregulated and flexibilised industrial manufacturing and assembly sector. Any analysis of women's activism and advocacy in relation to NAFTA must necessarily take into account these conditions that have heavily influenced both the strength and visibility of the gender agenda.

Analysts have criticised the labour and environmental side agreements to NAFTA as generally being 'gender-blind', yet activists have been hopeful that they might form a channel for preventing rights violations against women (Weston 1994). Though there is a strong corpus of women's activism focused on the NAFTA side agreements, it must be noted that women have not gained the kind of spaces achieved by environmental groups. Of all the concerns facing the organisers of NAFTA, gender equity probably had the lowest priority (Nauman and Hutchinson 1997). Whereas the inclusion of an environmental and a labour clause for NAFTA reached the level of a congressional battle; the issue of women's rights has never gained such ascendancy in this or indeed any other trade agreement. Women are simply not seen as a sufficiently powerful political constituency to justify such measures. On the other hand, part of the difficulty in defining an arena of women's activism lies in battles over the worth and nature of women's work. Labour issues have been an area traditionally 'reserved for-and jealously guarded by-trade unions' (Prieto and Quinteros 2004: 151) In addition, gender blindness, coupled with the extreme weakness of unions in the Export Processing Zones (EPZs), has left a gap in the adequate representation of women EPZ workers labour rights (Prieto and Quinteros 2004: 151)

The cross border nature of the NAFTA agreement has engendered a parallel sphere of transnational activism between women in the North and South. Macdonald (2002) has analysed the political opportunity structure for gender and trade advocates in both the US and Canada; attributing the success of inside tactics to the articulation of a liberal feminism and traditional lobbying techniques, though these encountered insurmountable obstacles in the presidencies of Reagan and Bush senior. Further, at the height of the NAFTA debates and under the presidency of Clinton, mainstream organisations were not prepared to challenge Clinton on the foreign policy issue of NAFTA since he was seen as a potential ally (Liebowitz 2000 in Macdonald 2002).

For Mexican women seeking spaces to participate in influencing the NAFTA trade policy agenda, there are three key barriers. Firstly, the general disinterest of policy makers towards issues of gender, and the difficulty of using the Side agreements effectively to address gender-based discrimination. This is in contrast to parts of the environmental movement, which have been able to command greater resources and greater attention from policy makers. Secondly, trade unions have not risen to the challenge of representing the new mass proletariat of female Maquila labour. Therefore women have worked through tri-national alliances to raise visibility of the specifically gendered issues relating to labour rights. However, company hostility to workplace organising, coupled with cultural subordination, may make it difficult for many women to access these channels of participation. Thirdly, issues of representation and accountability are present in some cross-border alliances. The potential for Mexican women to participate in arenas for influencing trade policy, may be undermined by a North-South 'division of labour'. This keeps the decision-making and agenda setting within these alliances in the hands of Northern 'experts'. Mexican women have also experienced marginalisation within Mexican social movement alliances around NAFTA. Even within the RMALC Mexican women have had relatively little influence perhaps reflecting the weakness of feminism in the Mexican left (Macdonald 2002).

When it came to forming alliances around NAFTA, Mexican women had already battled against two decades of such liberalisation (Domniguez 2002). It was the frame of NAFTA, however, that created the political opportunity structure through which Mexican women

could build coalitions with Northern advocacy groups in order to articulate grievances within the formal spaces created by institutional mechanisms such as the NAFTA labour side agreement, officially known as North American Agreement on Labour Cooperation (NAALC). Cross-border connections have been a vital tactic for Mexican women engaged in advocating for a gender perspective in NAFTA (Dominguez 2002).

Transnational alliances are an important way of developing a more accountable regional trade implementation process. Marchand speaks of the feminist internationality that surrounded the resistance strategies being discussed in the run up to NAFTA (Marchand 2002: 116). There is now a proliferation of *maquila* support groups within the US and Canada, but they appear to have different kinds of connections with organisations in Mexico. Some like *Comité Fronterizo de Obreras* (CFO) (Border Committee of Women Workers) or 'The Coalition for Justice for Maquiladoras' present themselves as partnerships, with bilingual websites and contact details for both the Northern and Southern based groups. Other organisations are more traditional support and aid groups that centre their activities on awareness raising and offer support and solidarity. Northern activists can pay or fund raise to join these delegations, and tour the *maquilas* to see first hand the conditions there. The purpose is to communicate these experiences to their local constituencies and activist communities for the purpose of further awareness raising and campaigning. Corporate embarrassment campaigns such as those run by the Maquila Solidarity Network have also been key ways in which South- North links have been forged. They have been populist and high profile ways in which to raise political and financial support for women experiencing labour abuses in *maquilas*.

Some of the first instances of women's tri national organising around NAFTA were initiatives such as the 1992 'Tri-national Working Women's Conference on Free Trade and Continental Organization', which joined the experiences and perspectives of women from Canada, the US and Mexico (Dominguez 2002: 10). Another example of nascent tri-national organisation at this time was the small women's NGO *Mujer a Mujer*. Mexican based, it had links to the US and Canada and provided education and lobbying, as well as developing a training programme that promoted a gendered and racialised analysis of the effects of macro-economic restructuring (Macdonald 2002; Dominguez 2002: 10). Given the context of male dominated and often politically driven unions in Central America, alternative and independent organisations have been created to address women worker's needs outside of traditional union structures (Prieto and Quinteros 2004: 150; Dominguez 2002: 10). In Mexico, the representation gap experienced by female workers has been filled by independent organisations such as *Comité Fronterizo de Obreras* (CFO) (Border Committee of Women Workers) who started their activities in the 1980s as part of the American Friends Service Committee (Dominguez 2002: 10). CFO works at a local and global level, integrating its strategy of local organising on women's labour issues, with transnational alliances essential for successful leverage at the formal institutional level.

The *Coalición Pro Justicia en las Maquiladoras* (Coalition for Justice for Maquiladoras – CJM) is another example of tri-national organising, with a bilingual website and a support base of 150 organisations incorporating large trade unions, faith based groups and small border NGOs. It places special emphasis on defending the rights of women, who suffer discrimination, humiliation and sexual harassment. Its main strategy consists of educating and supporting workers as well as galvanising embarrassment campaigns against corporations involved in labour abuses. It has a policy of monitoring and educating its members about the effects of NAFTA, and in November 2004 its annual meeting in Tampaulinas, Mexico, brought together representatives and activists to discuss the effects of ten years of NAFTA and to develop new strategies. CJM is expanding the reach of its activities as companies move further south of Mexico in anticipation of the expansion of the Puebla-Panama Highway, in areas with high concentrations of indigenous communities. CJM representatives from all three countries attend the alternative forums at large transnational meetings such as Cancun, but the CJM is typical of many other such tri national support groups in that its strategies tend to be through locally oriented political channels. More recently there has been a general shift away from identity discussions towards the legislative process around

NAFTA. Now the focus for these groups, many of whom are part of the CJM, is to see how the NAFTA side agreements can allow local groups to challenge labour and environmental abuses (Marchand 2002: 116).

3.2.2 The organisation of institutional access: gender advocates and the NAFTA side agreements

It would seem that key to the successes in raising the profile of women's rights in relation to NAFTA has been the support of North American and Canadian NGOs and solidarity groups. The following section highlights cases where such alliances have been formed and suggests some of the implications of this for the politics of participation in transnational fora.

The labour side agreement has gained some attention from advocates for its potential as a leverage tool to pressure for women's rights within the workplace. In what has been described as the 'coalition of the excluded' US and Canadian based Trade Unions have formed links with Mexican workers in strategic alliances around NAFTA (Hathaway 2000). Representatives of the Canadian Labour Congress (CLC), and the Canadian Auto Workers (CAW) Union, linked up with Mexican women unionists to form the *Red de Mujeres Sindicalistas Mexicanas* (Mexican Network of Union Women, RMSM) in 1997. With links to several unions, RMSM is developing a new transnational advocacy campaign. This will focus on 'sexual harassment and discrimination in the workplace, framed as an issue in relation to regional integration' (Dominguez 2002: 15). However, previous experience with using the side agreements to advance women's rights has not been good. This 'structural weakness' of accountability mechanisms in NAFTA was reflected in the campaign that CFO ran together with the US based Human Rights Watch. Aimed at stopping pregnancy testing in the *maquilas*, a widely practiced form of monitoring women's 'utility' as workers, CFO worked to gather evidence and testimonies from the women in order to provide evidence for the 1996 HRW report 'No Guarantees: Sex Discrimination in the Mexican Maquiladora Sector' (Human Rights Watch 1996). Interviews with *maquila* workers revealed that the unions were frequently unhelpful, even in some cases obstructing workers from claiming their labour rights. Unions were seen as aligned with not only management interests as opposed to workers, but also as being closely aligned with Mexico's single party structure of the time (HRW 1996). HRW pressured the Mexican government to conduct inspections of workplaces and hold meetings between union representatives and the *maquila* trade association (Dominguez 2002: 11). However, no further action was taken on this, as the Mexican Government did not see that forced pregnancy testing violated its federal labour code. In response, HRW, together with *Asociación Nacional de Abogados Democráticos* (National Association of Democratic Lawyers – ANAD) and the International Labour Rights Fund, demanded an 'examination of Mexico's failure to enforce anti-discrimination components of its labour law and its failure to establish accessible tribunals for the adjudication of these sex discrimination cases under the labour rights side agreement to the NAFTA' (HRW 1998: 2 cited in Dominguez 2002: 11).

The institutional framework of NAFTA was being invoked, and in this sense was being utilised as a transnational political opportunity structure for women to articulate rights claims situated in national federal law. The US Department of Labour was indeed forced to conduct its own investigation of these claims as a result of the filed complaint. It confirmed that the claims made about forced pregnancy testing were not illegal, indicating a gap between Mexican law and actual labour practices. However despite further tri lateral negotiations between Mexico, Canada and the US, both HRW and CFO were dissatisfied by the eventual outcome of the campaign and subsequent complaints process. CFO felt disappointed that the process led only to 'recommendations' to the Mexican government rather than enforceable sanctioning leading to change (Dominguez 2002: 12). This points to how participation – if it is to be more effective – needs to happen at the *ex-ante* rather than *ex-post* stage of trade policy. If advocates had been able to strengthen provisions within NAFTA to protect women from discriminatory practices at the outset, it perhaps

would not be so difficult to use the side agreements mechanisms now. In a report on the efficacy of NAFTA's labour side agreement, Human Rights Watch notes its structural weaknesses. For instance, no compulsory enforcement mechanism exists to ensure that countries respect the labour standards included in ILO conventions (HRW 2001). One of the labour rights listed under the NAACL is 'Equal wages for women and men by applying the principle of equal pay for equal work in the same establishment' (HRW 2001). However, the 2001 HRW report shows that no claims had been made on the basis of this provision.

Other Mexican civil society groups have focused on the very worst effects of the *maquilas* aside from the spectrum of labour abuses. These are the notorious 'Maquila murders' and the increasing incidence of occupational health hazards experienced by *maquila* workers, resulting most notably in a high birth rate of anencephalous babies¹ (Dwyer 1994). Perhaps because it is so difficult to prove unequivocal links between ancephaly and certain toxic pollutants, none of the *maquila* solidarity groups so far, have used the environmental side agreement to address this occupational reproductive health hazard for women.

Turning from the urban industrial border cities to rural Mexico, the context of NAFTA has affected rural Mexicans lives, creating disruptive changes to traditional rural economies, as the Mexican market has been flooded with cheap US imports of food. Furthermore, although Mexico's non-traditional agricultural exports sector has grown under NAFTA with women making up 83 per cent of the workforce, these new jobs are highly sex-segregated: with women receiving wages between 25–30 per cent lower than men's (White *et al.* 2003: 17). The case of the Zapatista National Liberation Army (EZLN) rebellion, which symbolically started on the day that NAFTA came into effect in 1994, has become a byword for new forms of indigenous civil society resistance to trade liberalisation. Indigenous and *campesino* cultural political struggles over land and ethnic rights date back to the 1970s, but women remained invisible in these movements. A new 'indigenous feminism', linking rural women's specific struggles to rights for their indigenous communities as a whole has emerged from the experiences of women engaged in the symbolic struggle against the NAFTA (Hernandez Castillo 2002). So just as NAFTA created a political opportunity structure for Mexican women previously engaged in critiquing state macro economic policies, it has also created a framework for indigenous rural women to link gender issues with indigenous autonomy, food security, land rights and the effects of trade liberalisation upon these.

3.2.3 Women's organising around Mercosur

Attempts to instil a gender perspective within the Mercosur structure reflect the retention of what are essentially nation state structures for participation. The struggle for a gender perspective here was formed parallel to the growth of feminist activism at the regional women's conference in Mar del Plata, Argentina (1994) in preparation for Beijing (Valdes 2003). Key to understanding the efforts to place gender within the Mercosur is just how new this topic is for advocates working in the region. The formal spaces for women's inclusion in the Mercosur are mediated by access to governmental channels of decision making power, and although attempts have been made to create inter regional fora for gender issues, these have remained weak due to the double bind of gender blindness in both government and civil society. The experience of women's organising for Mercosur highlights the movement dynamics of invited and demanded spaces within a political opportunity structure.

1 Between the 18 and 28 day of gestation the fetus develops a tube like mass of nerves along its back. When the top of this tube fails to close the brain cannot develop and the anencephalous fetus will either die in the womb or a very short while after birth. The strongest evidence supports non-genetic factors as the causes of anencephaly are attributed to pesticides and solvents. Border town residents are therefore at a high risk of conceiving anencephalous babies, especially on the Mexican side where suspected carcinogens such as 2,4,5-T (a pesticide sprayed on fields using crop dusters) though banned in the US- are still widely used in Mexico Available at: www.fluoridealert.org/pollution/1299.html.

The Reunion Especializada Mujeres – an open and closed space?

In 1997, the second international seminar on Mercosur and women was held in San Pablo. Representatives of NGOs, trade unions and the national women's commissions attended. The central concern was the impact of processes of integration on the female labour market, as part of a general reflection on the social dimensions of regional integration. The result of this seminar was the decision to create *la Reunion Especializada de la Mujer* (the special meeting of women, hereafter referred to as REM) within the structure of Mercosur. It was created in 1998 and is formed of government representatives of member countries.

The REM defined three priorities for overcoming gender inequality: gathering reliable statistical data on the situation of women in the six Southern Cone Countries; formulating national equity plans and promoting small companies (the belief with the latter being that women benefit from small enterprise opportunities) (Osava 1998). The initial REM declaration stated equality of opportunity between men and women alongside the need to facilitate active citizen participation in the Economic and Consultative Forum of Mercosur as goals. The majority of recommendations developed by the subsequent meetings of the REM have focused on national strategies for gender equality, with the exception of the mainstreaming of a gender perspective in the labour subgroups, including the Labour Program of 2001, or the 2003 commitment to combat trafficking in women across the region.

Significantly, it was not feminist organisations that first struggled for the inclusion of themes particular to their agenda within the consultative processes of Mercosur. This impetus came from the *Foro de Mujeres del Mercosur*, an NGO made up of government and business representatives and women from the political parties of member governments. The *Foro* does not promote a 'critical mass' strategy to gain a space for women in Mercosur, but instead relies upon a small group of select women who hold exceptionally high positions of power and influence within the governments of their respective countries. They justify this exclusivity by pointing to their potential to represent the broader women's movement through their unique positions in high levels of government and as NGO leaders or as holding other key positions within society. In this sense the women of the *Foro* embody a variation on the logic of policy-advocacy, and as will be shown, lay themselves bare to accusations of being '*institucionalizadas*' (co-opted) since they privilege the mechanisms of existing power as the way to advocate for women's rights. The *Foro* is supported through the ministries responsible for external relations, and as one *Foro* member stated, her position within the Argentinean ministry allowed her a unique space and power to influence the government position on gender issues (Durand 1999). Thus the REM is constituted not within the fabric of civil society, but very much as a product of government. Through the REM, the *Foro* have worked to gain greater visibility for women within the regional integration process, using REM's advisory status to the Common Market Group, though questions remain as to how representative the forum is for women, and why the women's movement was not present in the processes of forming this institutional space.

Firstly, evidence for why the REM tends to be a 'closed' formal space can be found in the circumstances surrounding its creation. The *Foro de Mujeres del Mercosur* is an NGO, and it is made up of individuals with links to business, government and NGOs that are situated more to the political right; how much either of these initiatives represent a commitment to a broad based women's movement, or aim to represent women at all levels of political participation remains in doubt. For instance Argentina was a key advocate in support of creating the REM due to a strong corpus of women who lobbied the then President Menem to support their aims. This was a populist move by Menem who also supported the *Ley de Cupo*, which stipulates a minimum 30 per cent representation of women in the Chamber of Deputies. Certainly some women's leaders from *Piquetera* movements think the *Ley de Cupo* is 'instrumentalist', and the REM is irrelevant and unaccountable to the daily concerns of poor women (Silvia Ferreyra 2004, pers com). The fact that many of the *Foro* representatives are from official parties is felt to compromise their ability to balance gender advocacy with the dominant aims of their political affiliation.

Secondly, some civil society groups feel that the REM is too implicated in the commercial aims of Mercosur, and do not see it has a place within their organisational aims. Thirdly, the

fact that the selection process for *Foro* members is neither transparent nor open to other women's groups is another reason for the REM's lack of credibility as an opening into the political opportunity structure of the Mercosur's Economic and Consultative Forum (Durand 1999: 10). In the Resolution that created the REM the only NGO that is mentioned as having legal participatory status is the *Foro de Mujeres del Mercosur*. The Resolution does recommend the inclusion of other groups, but the *Foro* has rarely extended such an invitation. Brazil has tried to push for the inclusion of other civil society organisations, so far without much success. Hence the REM does not allow for horizontal channels of accountability, a problem that rests in the way in which Mercosur acts ultimately through its governments, such that channels of accountability for citizens of all four countries are mediated vertically through national ministries. It is felt by many women's advocates that the REM has had little impact on the mainstreaming of gender within the Mercosur, and the exclusion of a broad based women's movement within consultation processes is probably a strong factor in its weakness as a channel for women's advocacy (Sanchis, Sept 2004, pers com).

Unionised women workers: going regional

Contemporary conditions for female labour force participation across the Southern Cone vary, but can be characterised by a general increase in women entering paid employment, but with continuing deficits in pay equity and a concentration in sectors that have experienced a demise in the potential for collective bargaining over the past few decades (Cerutti 2000; Retamoso 2000). The inclusion of women in these informal and flexibilised sectors is a barrier to women's participation in trade unions. However that is only part of the story. Another aspect is the continuing marginalisation of women within union structures themselves. Despite committees and commitments to gender equality made by unions, problems of male left vanguardism persist even in a changing economic and cultural context for union activities.

As described in Chapter 2, part of the trade union movement is attempting to respond to the radical changes in labour markets engendered by Latin American neoliberalism. In Argentina the CTA has responded by allowing membership of individuals regardless of their employment status, while women have created the Gender Equity and Equal opportunities Secretariat within the CTA. In Brazil too, a broader view of political constituency was engendered by the changing composition of the labour market. In 1986, the *Comisión Nacional de Mujeres Trabajadoras* (National Women Workers' Commission – CNMT) was created within the CUT, and seeks goals such as changing traditional union attitudes which 'reward standard male behaviour, such as speaking loudly at meetings, and which fail to recognize how women's domestic obligations limit the extent of their union participation' (Garcia Castro 1999).

A similar strategy to the CTAs incorporation of a gender agenda has been adopted by the Unified Worker's Federation (CUT) in Brazil, though there is a stronger sense than with the CTA that this move towards gender equity has come from class-based feminists seeking to transform leftist trade unions from the inside. The CCSCS, the regional trade union coordinating mechanism (see Section 2) has, in turn created a Women's Commission for each of its member countries, and a process exists whereby the country coordinators meet before the main CCSCS meeting to agree upon strategies. The Commission maintains that the presence of women within the trade union movement is still lacking, especially when weighted against the continuing growth of women's labour force participation (Espino and Salvador 2003).

While some female trade unionists have been invited to REM meetings, others were either not invited or decided to decline the offer on the grounds that they did not want to participate in a space dominated by business. This presence of business is seen as a fundamental compromise to the interests of women advocating for equal pay and anti discrimination laws within the CCSCS Women's Commission. As was seen In Chapter 2, although unions as a whole have gained some space within Mercosur institutions, they lack real weight. Although the CCSCS can participate in the Economic and Social Consultative

Forum (FCES), they do not participate in the creation of social and labour policies, as the FCES does not have decision making powers (see Chapter 2.) Catagay (2001) suggests nevertheless a positive role for gender mainstreaming provisions in Mercosur. Trade ministries must work more closely with ministries of women's affairs, which must themselves be upgraded in their political importance. She acknowledges that such institutional reform will not necessarily bring about equity, though it's posited that it will at least highlight the links between trade policy and gender to policy makers (Cagatay 2001: 9).

3.2.4 FTAA

Latin American civic groups have engaged critically in the Hemispheric Social Alliance producing the alternative proposal 'Alternatives for the Americas'. At the first Peoples Summit held in 1998, a women's committee was formed to co-sponsor a women's forum. At the 2001 Summit a follow-up forum again provided a space for delegates to hear the personal testimonies of women from across the hemisphere. The double bind of negative effects caused by trade agreements is the guiding rationale for women's advocates challenging the FTAA from the perspective of concerns about both poverty and gender. It echoes the concerns of gender-focused campaigns around previous trade negotiations, though it has taken on a new dimension given the panorama of societies and cultures encompassed by the FTAA. Women's mobilisation on this agreement is informed, in part, by the experiences of previous liberalisation under NAFTA, the Andean Pact and a host of bi-lateral FTAs. In this sense, the concept of a women's commission within the CCSCS, did meet some initial opposition, with some fearing it would create division, and others raising problems of how a women's commission would be financed. Key to the women involved in the commission is that a gender perspective for the CCSCS should not take the form of an 'add on' with women's participation limited to traditional 'women's concerns' such as health; but instead that a gender perspective should be integrated into all aspects of the CCSCS's activities.

Whilst the Alternatives for the Americas recommends a gender impact assessment of trade policy upon women, thus far neither trade negotiators nor social ministries have taken up the challenge of understanding how trade rules rule over women's lives and livelihoods (White and Speildoch 2003: 2). Although the 2001 Summit of Americas Plan that emerged from the meeting of heads of state included government commitments to mainstream gender as an integral part of design, implementation and evaluation of policies; critics allege that trade negotiators have ignored women's specific needs.

The Network of Women Parliamentarians of the Americas (here referred to as the Network) is a group of female parliamentary representatives who have created this network for women within the Parliamentary Confederation of the Americas (*Confederacion De Parlamentarias de las Americas*, COPA). The Network has taken a strong position on how the FTAA should be sensitised to gender concerns, outlining ten areas of concern to women within the agreement – including services, education, healthcare, intellectual property and government procurement. The Network believes that it is 'incumbent on parliamentarians to influence national governments' in order to 'foster hemispheric integration beneficial to women and men' (Network of Women Parliamentarians of the Americas 2003: 5–7). Sovereignty is a key area of concern for the Network as are transparent and participatory processes of decision-making. It recommends that COPA should monitor the FTAA and in this respect develop stronger ties with the G-20 (*ibid.* 2003: 9). It also focuses attention on the Inter-American Commission of women- a specialised agency of the Organization of the American States, which has a major role in promoting women's rights in the Americas. The commission currently has no position on the FTAA. The Network believes that public consultations are a key need as well as awareness-raising on trade and gender. These are promising intentions, though it is too early to assess whether the Network is successful in reconciling the two logics of identity-solidarity and policy-advocacy as outlined by Alvarez *et al.* (*ibid.* 2003).

The women's committee within the HSA is strong. This is despite the fact that the committee has experienced similar hurdles to women organising around other trade agreements, in that inclusion of a women's perspectives in the 'Alternatives for the Americas' was not automatic, and went through a process of women having to actively demand the inclusion of a gender perspective within this broad coalition of civil society groups. As the only network working exclusively on trade advocacy from a gender perspective and incorporating country focal points from across the hemispheric reach of the FTAA, the IGTN has been a key actor within the HSA coalition. Its own 2002 advocacy position paper on the FTAA is a non-compromising statement calling for a halt to FTAA negotiations and a reassertion of the sovereign principles of self-determination with respect to development and macro-economic restructuring (IGTN 2002). In 2001, during the 5th FTAA Trade Ministers meeting held in Buenos Aires, the IGTN and the HSA co-ordinated a seminar entitled 'The Impacts of the FTAA/ALCA on Women'. Over two hundred women from academia, NGOs, government and unions attended. Afterwards legislators from the City of Buenos Aires took the unprecedented step of signing a petition calling the National Congress to undertake social impact assessments, including a gender analysis of the implications of the FTAA for Argentina (IGTN 2001: 4).

Red Latinoamericana Mujeres Transformando La Economia (Latin American Network of Women Transforming the Economy – REMTE) is a network, with members across South and Central America who represent hundreds of small women's NGOs and grassroots groups within their countries. They have sustained a strong position against the FTAA concentrating their energies – in tandem with the IGTN Latin America – in gaining visibility within the World Social Forum, and other meetings that bring together a broad coalition of civil society groups. It could be surmised from the great energy that women's groups working on trade have given to workshops, networking and gaining space at the WSF amongst others, that this represents the first stage of a 'tiered strategy', with the end goal of gaining a foothold inside trade negotiation processes, by first planting the women's agenda firmly within civil society. It is difficult to say if this is an aim of any of the networks working on gender, especially as they form part of the HSA, which explicitly rejects participation in the FTAA Civil Society Committee. The importance of the FTAA to activists working in regional alliances has been called into question by the stalemate over the FTAA and the network of bi-lateral FTAs with the US that has emerged in its place. In Central America activists working on gender currently perceive a greater threat in the CAFTA, as the latest pretender to regional integration under US influenced trade rules.

With the collapse of trade talks at Cancun, both the FTAA and CAFTA became key targets of intense activities on the part of US trade negotiators. The US trade representative let it be known if Latin American countries who had supported the G21 (Group of 21) continued in this vein, it would mean 'negative consequences' for their trade relations and bilateral aid. Subsequently, many of the contentious issues rejected by developing countries at Cancun were incorporated into the CAFTA agreement. 'Thus CAFTA has set a precedent for the rest of the region, and has effectively shown the WTO process to be of little relevance for the Americas'. (Campanile 2004: 12). Broad social movements have been split over the utility of engaging with consultative processes around CAFTA. Whilst some have chosen to engage with 'inside' processes, other groups have preferred to remain 'outside'. Campanile claims that this has meant that the demands of certain 'outside' groups have not been addressed within the CAFTA process (2004: 7). The IGTN-US, finding the political contact for gender advocacy on trade far less sympathetic under the current presidency of G.W. Bush, has opted for a strategy of transnational alliances, grounded in the goal of using the strength of the alliance to bring pressure to bear on national governments within the Central American region (Sampson 2005, pers comm). In 2004 members of congress of all participating countries were lobbied with a joint statement between IGTN-US and *Asociacion de Mujeres por la Dignidad y la Vida* (Women for Dignity and Life-*Las Dignas*) as part of the 'Women Say No to CAFTA' alliance. The El Salvadorian *Las Dignas* has led Central American women's organisations and networks from El Salvador, Honduras, Guatemala, Nicaragua, Costa Rica and Mexico in nationally focused advocacy.

Gender advocacy on CAFTA so far encompasses a broad spectrum of women's groups within Central America as well as gender specific and broader civil society groups within the US and the EU. There is also an intergovernmental presence where UNDP Nicaragua and UNIFEM Central America in coordination with National Women's Machineryes, Gender Studies programmes and Women's organisations are conducting a new programme of research that will culminate in advocacy on economic policy in 2006 (Campanile 2004: 17). A comprehensive scoping study published by the UK based Central American Women's Network (CAWN) of these organisations, their positions on trade and their activities so far, indicates a new rigour in strategic thinking by gender advocates.

3.3 Regional dynamics: new spaces for dialogue

Struggling against fragmentation, there is a growing diversity of women's organisations for whom advocacy around trade agreements is an increasingly important organisational activity. The links between these organisations are characterised by a web of personal connections and organisational alliances, which extend inwards to local small grassroots NGOs and outwards to alliances with feminist organisations and international donors.

The main organisational network working on gender and trade is the International Gender and Trade Network (IGTN). In the Southern Cone it has focal points in Argentina, Brazil, Chile and Uruguay and further focal points in Colombia and Mexico. The network acts as a dynamic interface bringing together policy advocates, NGOs and grassroots groups in coalitions relating to the gender dimensions of trade policy. The Southern Cone chapters are led by women economists and sociologists who have a long experience within the Latin American women's movement and who have worked with a diversity of women's groups in both the public sector and at the grassroots.

Key to reflecting on the continuum between the policy-advocacy and identity-solidarity logic is how advocates within the IGTN embody both logics. As Macdonald (2002) notes, groups, such as the IGTN, aim to find a balance between identity-based grouping and coalition-building across differences. IGTN as a whole describes itself as a 'technical resource and political catalyst' and IGTN advocates within the Latin American region tend to have strong links and to indeed be part of women's movements; but they are prepared to engage in formal policy making arenas, although this opportunity rarely presents itself in the context of trade advocacy. Thus they maintain a definite logic of identity-solidarity with the broader women's movement whilst continuing to edge towards the periphery of formal policy-advocacy arenas through sustained intellectual critique, analysis and coalition building with other civil society groups (such as Public Citizen and Focus on the Global South) some of whom are more closely engaged at the formal policy level. Most importantly, the Latin American network is engaged in creating capacity for gender advocacy on trade within women's organisations and social movements so traditional gender issues can be integrated with a trade perspective. A key strategy has been the 'training of trainers' in gender and macro economics, with replication and expansion through these 'trainers'.

Part of the problem for IGTN in seeking to advance a gender equity position on trade, is that gender policy advocates within the region are generally more concerned with international human rights instruments for women such as Beijing and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), with a focus on the more traditional areas of concern for women such as reproductive health and domestic violence. Trade exists as only one – if vital – issue in the broader problem of how to mainstream gender within national and inter-governmental policy processes. Key to note here is the importance of individual government representatives who when sympathetic to the demands of gender advocates can open up previously closed spaces for dialogue. The presence of a new director of the *Dirección de la Mujer* (Women's Directorate) within the Argentine *Cancillería* (Ministry of Foreign Affairs) is one such instance, and is engendering a new sense of impetus for institutional engagement amongst NGO and feminist representatives.

Unlike NAFTA, which produced a glaringly exploitative women's labour sector via the *Maquilas*, the Mercosur agreement has meant a more diffused battalion of negative effects upon the female labour market. Therefore it is harder to define how the agreement affects labour markets and service provision for women. However, events such as the 2001 crises in Argentina, brought the realm of macro-economics much more sharply into the focus of 'daily life'. This is particularly evident in groups who are concerned with strategies to improve the '*vida cotidiana*' or 'daily life' of women, and who focus on the macro aspects of this up to the national, rather than regional or international level. For instance, women's leaders of *Barrios de Pie* ('Neighbours Taking a Stand') one of the many *Piquetera* (picketers') unemployed movements that have emerged since the 2001 economic meltdown, are now working with the Argentinean focal point of the IGTN to hold workshops on the gender impacts of macro economic restructuring for their members.

Other organisations such as the Uruguayan based *Cotidiano Mujer* see a focus on gender and economics as part of their broader mission to expand the areas for women's participation in democratic forms of decision-making. How women are constituted as citizens within Mercosur is an important concern for these groups. Whilst they do not carry out the level of sustained work on gender and trade that IGTN does, they do come together in periodic workshops and campaigns with the IGTN. These organisations include; *Mujeres en Igualdad* (Equality for Women), *Articulación Feminista Mercosur* and *Red de Educación Popular Entre Mujeres de America Latina y el Caribe* (Women's Popular Education Network – REPEM).

Across the region, funding and support from large international donors and NGOs has played an important part in the formation of some of the gender-focused projects on Mercosur. As in women's opportunities for participation around NAFTA, funding for Mercosur oriented women's projects can mean enhanced opportunities for developing analysis and galvanising support for gender sensitised trade policy. One possible downside of this, expressed by several gender advocates in Argentina, is that in a general context of a small and under funded NGO sector, funding opportunities and relationships with international donors are fiercely coveted. Once secured, they are tightly held onto, to the exclusion of working with other women's organisations, which may be seen as a threat.

As noted, the emergence of a transnational civil society is presenting grassroots activists with new opportunities for networking and alliances, aiding the process of thinking in new ways about how to exercise citizenship rights. But as Dominguez (2001) notes, assumptions about the unqualified benefits of transnational alliance dynamics must be problematised.

A contrast between the activism in NAFTA and Mercosur can be drawn in this regard. Spaces for participation seem to have increased and continue to be opened in the former. However, the political opportunity structure provided by Mercosur has proved fairly closed to a broad representation of the women's movement in the Southern Cone. In general, there has been a shift among the advocacy groups away from focusing on Mercosur, which seems to provide more of a discrete cultural frame of regional identity within which to form alliances. The significance of the Mercosur here is not so much in its technicalities but in its potential for a regional civil society to have greater flows of information and a felt sense of shared responsibility for the commons within this regional bloc. The social movements working across the borders of the Mercosur countries '... should not be interpreted in terms of politics (if by that term the struggle for power is to be understood), but as the construction of collective identities and spheres of social relations (Jelin 1989: 14). For the gender movement to a certain extent the Mercosur has facilitated an 'imagined community' of women's groups within a regional context. Jelin's work on how the regional integration process of Mercosur has provided a political opportunity structure through which social movements have reframed and re-identified themselves within a broader field of action provides useful ways in which to understand the effects of Mercosur upon women's movement identities in terms of increased scale and extended space (Jelin 1999). This 'imagined community' may well be in a period of gestation, in preparation for other struggles to come.

What shape these 'other struggles' might take not only within the Mercosur but the region as a whole will depend on how the women's movement continues to build alliances and formulate strategies in relation to the gender and trade agenda. The story so far of the women's movement and trade is mainly one of disengagement from formal policy arenas either through exclusion or non-engagement. Decisions about whether to enter formal arenas, such as the REM, reflect the nature of the particular political opportunity structure and the identity politics of the movement. So far the broader women's movement has not been prepared to mobilise for greater democratic processes of inclusion within the REM. Mercosur, as it currently stands, is not perceived as a high level priority amongst gender and trade advocates. With NAFTA and the FTAA on the other hand, the sense of threat to women has been more obvious. The all-encompassing policy designs of these trade agreements demand a parallel broad-based response from the women's movement. In the case of NAFTA transnational alliances have been key to accessing formal processes of ex-post accountability such as the side agreements. Unlike the environmental movement, however, the Latin American women's movement as yet lacks the kind of technical expertise to sustain intensive legal strategies or the degree of concerted mass co-ordination amongst advocates or mass of popular support enjoyed by the labour movement. Trade advocacy will always be a specialised arena, but key to future movement success must surely be creating ways to reconcile the seemingly disparate demands of technical expertise and broad civil society participation. This demands a two way movement, one from the top down in creating more open and accessible decision making processes both in terms of space and discourse. The other movement must come from the bottom up, where a critical mass of civil society needs to demand that trade be gender sensitised. Part of this challenge needs to be resolved within the broad women's movement itself. There must be greater recognition by those working on issues such as health, welfare or social policy for example, that trade is a relevant issue that they need to connect with.

4 Conclusions and reflections

There are a number of general and cross-cutting reflections that emerge from this study of the ways in which three key movements have engaged with trade policy in Latin America. We conclude the paper by highlighting some of them.

Creating participatory structures at regional level that only better resourced and well-networked groups will be able to take advantage of, serves to reproduce the over-representation of North-American concerns and the under-representation of the agendas of Latin American groups. In other words, opening up channels at the international level allows 'two bites at the apple' for those groups that are vocal and well-mobilised at the national and international level (Wilkinson 2002: 208). Beneath these debates about the appropriateness of participation in trade policy within the region, often lie more fundamental concerns that new mechanisms will allow the US, in the case of ALCA, or Brazil, in the case of Mercosur, to amplify and reinforce their positions within the negotiations via civil society groups from their countries lending their weight to national positions. The counter-claim is that it is the very lack of representation at the national level that makes entry points at the international level democratically important. If things are left for states to work out with their own civil societies, similar patterns of inequity and access will no doubt get reproduced, where those groups that are already powerful and have both good relations and institutionalised channels of access to government will be able to make their voices heard and those that do not will remain on the margins. State discretion to include also implies discretion to exclude.

So the use of these mechanisms should not be understood merely along North-South lines. The ability of groups to engage with those institutional channels that are available to them is a product of their resources and expertise and whether these are of value to trade policy

decision-makers. For example, attempts to construct virtual mechanisms of engagement where groups can deposit suggestions were essentially only taken up by these same actors; academics, business foundations and a sprinkling of NGOs principally from North and Central America. Many were sceptical of the value of engaging with initiatives such as this when there was no way of monitoring the impact of the proposals. The mistrust was compounded by the lack of effort on the part of many Latin American governments to make people aware at national level of those spaces and opportunities that do exist for engagement. The narrowly defined nature of the spaces has served economic actors such as business well that have a privileged input into each of the negotiating processes we have explored here. Formal spaces were offered to corporate interests who were able to revise agendas of the working groups both at national and hemispheric levels; but efforts to draw in other social actors was restricted to discussion of particular aspects of an agreement. Compartmentalisation meant in practice, for example, that while active participation regarding trade issues involved business organisations, broader social organisations were invited to participate in the social policy agenda (Botto and Tussie 2003), or in specific technical working groups.

Because of this, groups appear to make strategic decisions about the worth of engaging with processes they consider being limited or even fundamentally flawed. Related to this, we also observed strategies of forum-shopping or 'negotiation-hopping' on the part of activists, aligning their campaigning energies with processes they perceive most likely to deliver change. For example, the lack of spaces for engagement with Mercosur and the deliberate undermining of its environmental provisions has led some groups to abandon it and focus their attentions on ALCA, which is in any case potentially much more far-reaching in economic and environmental impact. In contrast, when CAFTA negotiations gained ground and augured far-reaching restructuring, social movements in Central America re-focused their action away from ALCA to the regional agreement. In the case of the women's movement, the IGTN-US finding the political contact for gender advocacy on trade far less sympathetic following the transition from Clinton to the current Presidency of G.W. Bush has opted for a strategy of transnational alliances, using the strength of alliance to bring pressure to bear on national governments within the Central American region.

A key lesson from this experience then has been that merely having the mechanisms in place does not mean they are used effectively. As of the end of August 2001, the NACEC of NAFTA had received just 31 citizen submissions, 12 of which were under review and 19 had been closed. Ten of the 19 closed submissions were terminated because they did not meet the established criteria. Resources, perceptions of return on effort and shifts in strategic priorities mean that the extent to which groups make use of or engage these mechanisms will change over time. For example, since the heyday of NAFTA, leading environmental groups such as the Sierra Club have shifted their focus away from daily participation in the activities of trade bodies and sought to focus their attention instead on raising the level of interest in trade policy among their members. Costly engagement is more difficult to justify in a context of pervading frustration with lack of leverage in the process. The concern about lack of progress is compounded by a number of factors. First, is the proliferation in the number of forum where dialogue takes place, each requiring time, personnel and money. Few organisations have the resources to sustain such a high level of commitment. Second, the large number of forums also serves to dissipate focused interest. And despite efforts by NGOs themselves to continue the dialogue informally, there remains a strong sense in which the political opportunity to continue pressing for trade policy reform in relation to the environment has passed. While environmental groups may have reached a plateau, the women's movement remains mainly disengaged from formal trade policy arenas.

In sharp contrast, labour groups, especially in Central and South America, have become more engaged. As the national level framework for industrial relations crumbled, regional integration catalysed action across borders on economic and labour issues. In contrast to the hope that accompanied the transition to democracy, the mood now is one of dissatisfaction

with economic policy, disaffection with the party system and increasing mobilisation. While many groups are responding to the challenge of participation, many chose not to lend their perceived legitimacy to processes dominated by business and towards ends with which they do not concur. As much as being the result of institutionalised exclusions, remaining outside a process may also be a strategy of choice that diverse groups employ, in order to avoid 'legitimising' invited spaces that do not seem credible.

The reticence amongst the women's movement to the specialised meeting for women within Mercosur highlights such a possibility. Strategies of non-engagement reflect scepticism about the extent to which institutional innovations allow prevailing power relations to be contested. Constructing new spaces for participation in trade policy often does not equate with changes in power relations which continue to provide their own mechanisms of exclusion and inclusion. We saw in relation to the women's movement how while the Mercosur has created a space for an articulation of women's interests via the REM, an old political story of power and access has been replicated through the exclusionary nature of this space. As Cornwall notes, 'the arenas [for participation] may appear as innovations, but are often fashioned out of existing forms...and re-inscribing existing relationships, hierarchies and rules of the game' (2004: 2).

Many groups also continue to recognise the enduring importance of the state, despite bypassing it on occasion to mobilise directly at higher levels of decision-making. In this regard, we have found a remarkable degree of commonality in the challenges groups face in seeking to promote reform through engagement with state decision-making. In the environment case it was noted how the frequent turnover of staff within the Mexican government has slowed the change process, amid changing bureaucratic roles, new battles over funding and having to build staff capacity each time. An issue for many groups has been attempting to engage those parts of the state with principal decision-making authority; where power resides. We saw for example how NGOs often have fewer established ties and points of access to those ministries leading the Mercosur negotiations. The design and implementation of Mercosur over time, have allowed the foreign and economic ministries primacy over the process.

The enduring importance of the state aside, throughout the paper and across each of the movements examined here, we have noted the growth in transactional forms of activism. Yet transnational ties can have positive 'voice-dampening' as well as 'voice-amplifying' effects. Transnational ties served to amplify the influence of weaker groups in Mexico that, through connections with allies in North America, got to participate in key policy arenas where decisions on NAFTA were being taken. This participation took the form of hearings in the US Congress which, through exposure in the US, helped to secure access to Mexican officials, evidence of what Keck and Sikkink (1998) call the 'boomerang effect'. On the other hand, we found evidence that through being part of coalitions in which resource inequities are acute and access to arenas uneven, the concerns of poorer groups are often less well represented in 'international' and regional coalitions of interest.

With attempts to construct regionally relevant and effective campaigns on ALCA, given the economic disparities between the countries of the region the agreement covers, the diverse traditions of campaigning that exist, and the uneven degrees of institutionalisation of the issues it addresses, we have found evidence of many of the tensions and relations that characterise global NGO campaigns. In particular perhaps, the issues of representation, power and accountability that they raise. There are important lessons to be learned here for South American activists. Chiriboga, an activist with strong ties to indigenous social movements who subsequently became agriculture negotiator of Ecuador, suggests that; 'The experience of Southern NGOs in global campaigning up until the 1990s had been limited to providing project information and political legitimacy to campaigns designed, structured and developed in the North and directed toward an audience of Northern government decision-makers' (2000: 74). There is some sense in which campaigns around NAFTA reproduced this dynamic. Tussie and Tuozzo (2001: 115) also posit a warning and a challenge at the same time, when they suggest 'NGO coalitions tend to reproduce the hegemony of the global North. Northern NGOs often steer the direction of the coalition,

partly because they control the management of resources, but also because they have more influence over the definition of the campaign's goals and agenda'. Such a dynamic has been an issue within the ASC with some southern groups claiming that their northern counterparts have used advantages in experience and access to governments to advance national and sectoral interests under the guise of a common, alliance-wide position.

Speaking of their experiences of transnational networking, one RMALC member stated that 'Solidarity is positive, but at the right moment'. It was commonly felt that American NGO advisors from NGOs could hold 'paternalistic and even authoritarian attitudes' based on their financial capacity (Dominguez 2001). However, according to women leaders, in a context of scarce funds, these transnational contacts were vital. The ongoing problems with paternalism had prompted FAT to hold a meeting open only to Mexican workers, 'to define its identity and fight patterns of paternalism, especially to women's groups who have had no possibility of reflecting on their own interests and specificity' (Dominguez 2001). For labour, trans-border, coalition building has not been simple nor consensus automatic. As noted above, ORIT at first preferred a 'free trade with a labour rights clause' approach, while most NGOs were quick to take the 'anti-globalization' / 'No to the FTAA' stance (de la Cueva 2000).

Whereas other social actors have gained significant recognition and louder voice by joining with their Northern counterparts, labour has had a different experience as its interests have been grounded in the nation-state. While environmental issues have a history of gaining greater visibility and pressure by aligning with similar organisations in other countries or through transnational networks, labour interests may not be the same from country to country. They may have similar concerns, but they also compete for jobs. A tendency for the labour movement to mobilise within borders is often explained in the mantra 'geography of jobs'.

Despite this starting point and the difficulties it poses, labour's effort to transcend geography, increasing regional interconnectivity and activism is on the rise. In Central America resistance to CAFTA is a case in point. Labour Day in May 2005 was marked by marches opposing the trade agreements with the US in all of Central America and the Andean region. In the Southern Cone, for the first time there was a demonstration congregating unions on the border shared by Argentina, Brazil and Paraguay. They carried a fourfold banner listing 'real' integration of the Southern Cone, employment, equal gender opportunities and free labour mobility.

As mobilisation of labour increases, so do labour NGO alliances that operate across the North-South divide. These linkages are at the heart of the new movements. The birth of the Alianza Social Continental was largely due to labour's realisation that it did not have the power to defeat the FTAA alone. Contemporary trade unions are rarely in a position to obtain gains by striking. Broader social alliances were sought and new strategies to cross what Anner and Evans (2004) refer to as double divide crossing North-South and Labour-NGOs. Traditional mistrust across these cleavages is waning and *social movement unionism*, is a central key phenomenon resulting from this neoliberal era.

Creating spaces within coalitions which bring together groups with often competing agendas, and with huge disparities in access to resources and networks of influence, will nevertheless continue to be an enormous challenge for future campaigns around ALCA. The issue of who mobilises, when and around what sorts of claims also reveals the materiality of mobilisation. For example, the globalisation of value chains means that workers compete internationally on wages and labour conditions. Sweeping privatisations and national restructuring of sectors where trade unionism was traditionally strong significantly reduced union membership and led to a general deterioration of the labour movement. Coupled with the neoliberal strategies characterised by reduced state intervention and attempts to strengthen market forces, private economic actors have established key roles in the national political arena on social and economic development issues. Restructuring has not only affected workers and their organisations at the production level, therefore, but also at the political level where business gained the upper hand.

What we find in practice, therefore, is the employment of a diverse and imaginative set of strategies by groups interested in or affected by trade policy in Latin America. Though distinctions between insiders and outsiders were found to be useful to a degree, in reality movements and NGOs move. They move in and out of policy spaces and shift between strategies which might themselves be considered 'inside' or 'outside'. This includes moving across scales and between arenas. Just as states practice two-level games, so too civil society has proven capable of engaging in double-edged diplomacy, playing national and international arenas off against one another depending on the political opportunity structures available in each and the political dynamics underpinning them. When national openings are few, there is a move to regional or international fora. Likewise, limited access to the latter or their lack of effectiveness strengthens the need to (re)engage at the national level. The issue here is not just prevailing cultures and attitudes towards participation, but the receptiveness of the political climate to particular types of claim-making by civil society. There is also a pragmatism at work here where, depending on the issue in question, civil society groups appear to nationalise or transnationalise their claim-making or lobbying efforts according to the political competence of the institution, the appropriateness of the level of decision-making as well as the level at which they are able to use the resources they have available to them to best effect.

4.1 A changing context

What we provide here, however, is a snapshot of a dramatically changing political landscape which fundamentally and continually alters the politics of trade in ways which impact upon the mobilising strategies of civil society. Things are changing in Latin America in ways which have important repercussions for the conduct and content of trade policy in the Americas. Key developments within the region and outside it are configuring to produce interesting and strategically significant alliances. The (re)emergence of aggressive unilateralism in US foreign policy manifested in the willingness to employ coercive devices to back up controversial foreign policy positions has become evident in trade as in other policy arenas. The resort to bilateralism and unilateralism has been justified as a result of the breakdown of the Cancun talks in which multilateralism at any cost was resoundingly rejected by large parts of the developing world.

At the same time, the pursuit of aggressive unilateralism has tapped into deeper fears about the consolidation of US hegemony globally and its implications for regions such as Latin America, long seen as America's back yard. The backing the US had lent to the FTAA, perhaps controversial in any case, has succeeded in arousing heightened suspicion because of its advocacy by a government that is pursuing such a conservative domestic and foreign policy agenda. This has made it easier for activists and critics of further regional trade integration to characterise such plans as part of a broader political strategy for consolidating US hegemony in the region.

Such claims are lent greater credibility, force and reach in a context in which many countries within the region have, in recent years, elected left-leaning governments, creating the potential both for a more organised inter-state opposition to free trade on terms established by North America and a greater receptivity to the concerns and claims being articulated by civil society groups and social movements. The emerging alliances forged between Lula in Brazil, Chavez in Venezuela, Kirchner in Argentina and the *Frente Amplio* in Uruguay, and to a lesser extent perhaps Lagos in Chile, suggest an interesting configuration on the left in which agendas advanced by groups outside the formal processes of bargaining over trade outcomes that we have identified and examined in this paper are accepted and to some extent articulated by governments, particularly those which identify themselves as movements in power such as Lula's PT.

Hence while new mechanisms of participation may not have proliferated in this new setting, there is evidence of an alignment of perspectives, an ideological affinity which creates new strategic opportunities to those hostile to American-led patterns of regional

trade integration. We should acknowledge then that while this opens up fresh opportunities for groups that have traditionally been kept away from the centres of decision-making, it may create challenges for those groups that have thus far enjoyed privileged levels of access and influence such as research-oriented groups whose input is framed around the practicalities of implementing trade liberalisation measures and attempting to reduce their spillover effects. We have noted forms of resistance taking hold in Central America with the signing of CAFTA, but governments in that region together with Mexico perhaps stands out most clearly as an outlier in the changes taking place across the rest of the region. Stronger neoliberal reform agenda and close relationship to the US government set the region somewhat apart in this respect.

In the new ideological climate marked by Presidents Lula, Chavez, Lagos, Kirchner and Tabare Vazquez in South America, there is a marriage of convenience between movements and governments seeking allies to consolidate and legitimate their positions particularly with regard securing ties with traditional allies on the left in the form of labour or the rural poor, through ties to *campesino* movements, or through developing strategic alliances with newer movements such as gender and to a lesser extent environment. Platforms such as the World Social Forum provide them with an opportunity to develop these ties in ways which take on regional and transnational dimensions. In turn, the movements gain access to channels of representation and state power that were previously inconceivable. What we are suggesting, however, is that it is the harmony of agendas rather than the proliferation of concrete mechanisms of participation that is as important here. It is the change of agenda rather than the learning process itself that has created these opportunities.

Some of these openings and opportunities that have been created should also be seen as part of a broader shift in the relationship between state, market and civil society in Latin America. During the 1980s and 1990s organised and more professionalised elements of civil society were often placed in conflict with the state by virtue of their role as providers of services for which the state was seen as too inefficient or ineffective to provide. Regional and international development banks, most notably the World Bank, played a key role in this regard. The result, however, was to place the state and some elements of civil society in conflict with one another, and in so far as they were played off against one another, distrust and suspicion was generated. This of course came on top of a breakdown in trust and more overt forms of hostility that characterised the relationship between state and civil society in those countries of Latin America that were governed by military dictatorships in the 1980s and 1990s in which organised civil society was seen as a threat to state power and legitimacy that had to be co-opted or eliminated.

The current climate, therefore, bears some of these hallmarks. It reflects and is shaped by these historical experiences and can be considered part of the uneven process of democratisation in the region. What we are describing, however, is not just the process of mutual learning and accommodation in which trust between the state and civil society grows as interactions intensify and democracy takes root. It is a unique moment in which there is an accommodating space where left-leaning governments and movements in power are able to take forward elements of the agendas articulated by popular movements. Trade policy provides an interesting, important and pertinent case study in which to explore ideas about the scope for autonomous developmental state style interventions and programmes that contest and subvert the unquestioning logic of neoliberal integration. Each of the government leaders we have mentioned here are currently facing the *realpolitik* dilemmas of attempting to pacify powerful international economic institutions and the governments whose interests they represent while at the same time seeking to maintain and consolidate important domestic constituencies of support to shore up their domestic popularity. Chavez, Lula and Kirchner are perhaps feeling the full effect of these competing pressures most acutely.

What emerges from these trends is an interesting relationship between mobilisation and institutionalisation in which it is not always clear whether groups mobilise in order to make use of existing channels of participation or representation, or whether those mechanisms are created and evolve in response to claim-making and mobilising by civil society. The

relationship appears to be a dynamic one where there is an element of claiming from below and conferring from above. Many of the mobilisations we have described do not result from mobilisation and it would be a mistake to mis-attribute new forms of organising to the existence of new institutional spaces. In many cases, as we have noted, it is a relatively small section of organised civil society that is aware of, or considers it worthwhile, engaging with invited spaces of participation. We have also suggested that the very evolution of mechanisms of participation in trade policy often results from crises of legitimacy experienced by institutions, a crisis often precipitated or magnified by critical voices within each of the social movements we have described here.

There is a delicate balance to strike between attempting to construct ambitious mechanisms of consultation on a hemispheric, or even regional basis, and focusing attention on improving national mechanisms of consultation that, in the final instance, is where responsibility resides for considering the public interest in the formulation of trade policy. We noted in the introduction a wide range of reasons, strategic and principled, why opening up trade policy to a plurality of voices and interests makes sense, even from the point of view of trade negotiators not traditionally accustomed to sharing decision-making authority with others. Hence, whilst trade policy makers may lack the ability (or willingness) to address issues of capacity within civil society, they can at least work to ensure that mechanisms are in place for diverse groups to be represented in policy arenas that, despite the rhetoric, remain relatively closed and inaccessible to non-economic interest groups and elites.

Reflection on these mechanisms, and for whom they work best, may, perhaps should, prompt broader reflection about the way in which regional and international policy is made. Some writers have called for the development of mechanisms which invoke the principle of subsidiarity, in order to enable decision-making at lower levels of authority where participation from a broader, and importantly less well-resourced, spectrum of actors, is more realistic. Leis and Viola (ud) for example propose the *Sub Grupo de Trabajo* (Sub Working Group – SGT) of Mercosur as an appropriate venue to consider changes to decision-making based on the principle of subsidiarity. This would imply a multi-level governance system of jurisdiction, where decisions get taken at the level most appropriate to the nature and scale of the problem, given also considerations of cost and efficiency, but with a presumption in favour of taking decisions at the lowest level possible. Given the patterns of elite domination described above, where even parliaments are often denied real decision-making authority, it is certainly worth exploring further the advantages and disadvantages of such institutional innovations aimed at democratising the decision-making process.

While keeping in mind important features of trade policy and civil society mobilisation in Latin America that make them unique, there are important learning opportunities for civil society in other areas of the world that flow from this analysis. Brock and McGee (2004) suggest that, in the past, learning from Latin American experiences has been limited by two factors. One has been language differences. We hope by drawing extensively on literatures in Spanish and Portuguese and highlighting the important work of groups across the region, as well as making this paper available in Spanish, we have helped, in a small way, to overcome this barrier. A second has been the fact that activists in Latin America on these issues tend to relate more closely to US-based rather than European networks, which tend to stronger partnerships with African and Asian CSOs where many of these lessons may be most relevant. Recent campaigns around ALCA have naturally reproduced this dynamic, but it would be a wasted opportunity if more South-South as well as South-North learning were not enabled by the rich experience we have begun to document in this paper around challenges which most parts of the world increasingly face.

Appendix 1 Elements of reform proposals

The right of the public to review and comment on the written record of future trade disputes.

Access to working documents ... providing citizens with information they need to make sound and informed choices about policies that affect their future. Defining information disclosure policies and the de-restriction of relevant documents (country position papers, draft text, preliminary and official agendas, schedules of meetings, contact information for national representatives).

Establish a verifiable avenue for public comments on the activities of each FTAA negotiating group. Clear and measurable procedures that indicate how civil society concerns will be addressed within the context of the negotiations.

Meetings with different sectors of civil society where negotiators explain in detail proposals on key issues that affect different sectors. Such consultations should be open before, during and after the negotiations.

A permanent role for NGOs in future FTAA activities.

The creation of a Civil Society Forum parallel to the ministerial meetings with the power to present its conclusions to the ministers.

Or Social Forum on Integration (Foro Social de Interacción) with a permanent, independent institutional status within the negotiations.

Designate public participation as a specific overall trade negotiation objective.

The creation of committees for civil society participation at the national level to evaluate and monitor trade agreements.

The creation of a work plan to overcome the obstacles that currently restrict citizen participation including an information clearing house, national advisory committees, the promotion of research, training and capacity building and funding for direct participation in negotiations.

The performance of the civil society committee within FTAA should be given as high priority as the FTAA's other committees such as the Trade Negotiations Committee (TNC) or the sectoral working groups. (Caldwell 2002; CEDA 2002; ONGs Chilenos 2003; CIECA 2002).

Appendix 2 Examples of regional alliances on trade issues

Hemispheric Social Alliance

Country	Organisations
Canada	Réseau Québécois sur l'Intégration Continentale Common Frontiers
USA	Alliance for Responsible Trade
Mexico	REMALC – Mexican Network Action against Free Trade
Brazil	REBRIP – Brazilian Network for Peoples Integration
Chile	Alliance for Fair and Responsible Trade
Colombia	Women and Economy
Argentina	CGT – General Confederation of Argentine Workers
Costa Rica	RERUM Novarum Workers Confederation Centre for Justice and International Law
Ecuador	CONAIE – Confederation of Native and Indigenous Associations
Guatemala/USA	Labor Education Project
Nicaragua	Central American Peasant Association for Cooperation and Development International Studies Centre
Peru	Centre for the Promotion of Northern Women International Federation of Associations for the Education of Workers

Common frontiers (Canada)

Sector	Organisation
Trade Unions	Canadian Auto Workers Canadian Labour Congress Communications, Energy and Paperworkers Union of Canada Canadian Teachers Federation United Steelworkers of America
Environment	Canadian Environmental Law Association Sierra Club Canada Environmental Mining Council of British Columbia Mining Watch Canada
Gender Development (general)	The Centre of Concern Women's Project Canadian Council for International Cooperation Canadian Consortium for International Social Development Ecumenical Coalition for Economic Justice Inter Church Committee on Human Rights in Latin America Oxfam Canada InterPares United Church of Canada Low Income Families Together Maquilas Solidarity Network Rights and Democracy Jubilee Campaign – Canada
Others	Institute for Agriculture and Trade Policy Centre for Research on Latin America and the Caribbean Canadian Centre for Policy Alternatives

Réseau Québécois sur l'Intégration Continentale (Canada)

Sector	Organisation
Trade Unions	Association Canadienne des Avocats du Mouvement Syndical Centrale des Syndicats Démocratiques Centrale des Syndicats du Québec Confédération des Syndicats Nationaux Fédération des Travailleurs et Travailleuses de Québec, Centre International de Solidarité Ouvrière Conseil Central de Montréal
Environment	Centre Québécois du Droit de l'Environnement Réseau Québécois des Groupes Écologistes
Gender Development	Alternatives Amnistie International
Others	Groupe de Recherche sur l'Intégration Continentale Solidarité Populaire Québec Ligue de Droit et Libertés Association Québécoise des Organisations de Coopération Internationale Développement et Paix Centre d'Études sur les Régions en Développement

Alliance for Responsible Trade (USA)

Sector	Organisation
Trade Unions	AFL – CIO
Environment	Friends of the Earth Global Development and Environment Institute
Gender	United Methodist Women's Office for Economic Justice Women's Edge Women of Color Resource Centre
Development	Alliance for Democracy American Friends Service Committee Global Exchange Mexico Solidarity Network Development gap Maryknoll Office for Global Justice
Others	Campaign for Labour Rights Centre for Concern Institute for Agriculture and Trade Policy Institute for Policy Studies Preamble Centre Resource Centre of the Americas International Labour Rights Fund Committee for New Priorities

REMALC Mexican Network Action against Free Trade

Sector	Organisations
Trade Unions	FAT – Authentic Labour Front Mexican Union of Electricians Union of Telephone Workers Independent Union of Field Workers and Peasants National Association of Industrial Transformation National Association of Country Produce Traders
Environment	Environmental Studies Group
Gender	Network of Women Trade-unionists

Development	Trade Union Action Women Women Popular Education Group Front for the Right to Food, Development, Environment and Society Tabasco Human Rights Committee Mexican Commission for Promotion and Defence of Human Rights Citizen Movement for Democracy Mutual Support Forum
Others	National Congress of Natives Social Movements Secretariat of the PRD Party Permanent Seminar of Chicano and Frontier Studies Common Frontiers

REBRIP – Brazilian Network for the Integration of Peoples

Sector	Organisation
Trade Unions	CUT – Workers Unified Central
Environment	?
Gender	
Development	IBASE
Others	Landless Movement : MST

Chilean Alliance for Fair and Responsible Trade

Sector	Organisation
Trade Unions	–
Environment	Political Ecology Institute
Gender	
Development	Centre of National Development Studies
Others	Consumer’s International Rural Studies Group National Coordination of Consumers and Users League of Conscious Consumers Human Rights Continental Platform – Chile Program for Economy and Work

References

- Acción Ecológica (2004) www.accioneologica.org/alca.htm
- Agüero, R. (2002) 'Environmental Legislation in Mercosur' in 1st Conference on Environmental Compliance and Enforcement in Latin America: Proceedings 28–29 May, Buenos Aires, FARN: 113–21
- Alanis-Ortega, G. and González-Lutzenkirchen, A.K. (2002) 'No Room for the Environment: The NAFTA Negotiations and the Mexican Perspective on Trade and Environment' in C.L. Deere and D. Esty (eds), *Greening the Americas: NAFTA's Lessons for Hemispheric Trade*, Cambridge: MIT Press: 41–61
- Albán, M.A. (2003) 'Sociedad Civil: Tras un Derecho a Participar en la ALCA', *La Ley: Suplemento de Derecho Ambiental*, 14 Julio, Buenos Aires: 7
- ALCA (2004) [www.alca-ftaa.org/English Version/view.htm](http://www.alca-ftaa.org/English%20Version/view.htm)
- Almeyra, G. (2004) *La Protesta Social en la Argentina (1990–2004)*, Buenos Aires: Ediciones Continente
- Alvarez, S. (1999) 'Advocating Feminism: The Latin American Feminist NGO Boom', *International Feminist Journal of Politics* 1.2: 181–204
- (1998) 'Latin American Feminisms go Global: Trends of the 1990s and Challenges for the New Millennium' in S. Alvarez, E. Dagnino and A. Escobar, A. (eds.), *Cultures of Politics, Politics of Cultures re-visioning Latin American Social Movements*, Boulder Co: Westview
- Alvarez, S.E., Dagnino, E. and Escobar, A. (eds.) (1998), *Cultures of Politics, Politics of Cultures: Re-envisioning Latin American Social Movements*, Boulder Co: Westview
- Alvarez, S., Friedman, E.J., Beckman, E., Blackwell, M., Chinchilla, N., Lebon, N., Navarro, M. and R'os-Tobar, M. (2003) 'Encountering Latin American Feminisms', *Signs: A Journal of Women in Culture and Society* 28.2 (Winter)
- Anner, M. (2001) *Evaluation Report: ICFTU Campaign for Core Labor Standards in the WTO*, prepared for The Norwegian Confederation of Trade Unions (LO-Norway), January
- Anner, M. and Evans, P. (2004) 'Building Bridges Across a Double Divide: Alliances Between the US and Latin American Labour and NGOs', *Development in Practice* 14.1 & 2, February: 34–47
- Aravena, F.R. and Pey, C. (2003) 'La Sociedad Civil en el Proceso de Integración Comercial: El Caso Chileno' in D. Tussie and M. Botto (eds), *El ALCA y las Cumbres de las Americas: Una Nueva Relacion Publico-privada?*, Buenos Aires: Editorial Biblio: 215–37
- Araya, M. (2001) 'El Rechazo del Tema Ambiental en el ALCA: Una Taxonomía', *Foreign Affairs en Espanol*, May (www.tradeobservatory.org/library.cfm?refID=24967) (Downloaded: 2 August 2004)
- Audley, John (1997), 'Institutionalising Environmental Interests in NAFTA', in *Green Politics and Global Trade: NAFTA and the Future of Environmental Politics*, Washington, DC: Georgetown University Press
- Auyero, J. (2003) 'Entre la Ruta y el Barrio. La Experiencia de la Organizaciones Piqueteras', *Política y Gestión* 5, Sante Fe, Argentina: 165–9
- Bachrach, P. and Baratz, M. (1971) 'Two Faces of Power' in F.G. Castles, D.J. Murray and P.C. Potter, *Decisions, Organisations and Society*, reproduced from *American Political Science Review* (1962) 56: 947–52
- Barrig, M. (2001) 'Latin American Feminism: Gains, Losses and Hard Times', *NACLA Report on the Americas*: New York, March/April, 34.5

- Bensusán, G. (2002) 'Los Sindicatos y la Gobernanza Global: La Experiencia en los Países del Tratado de Libre Comercio de América del Norte' in Claudio Maggi and Dirk Messner (eds), *Gobernanza Global: una Mirada Desde América Latina*, Caracas Venezuela: Nueva Sociedad: 323–47
- Blum, J. (2000) 'The FTAA and the Fast Track to Forgetting the Environment: A Comparison of the NAFTA and Mercosur Environmental Models as Examples for the Hemisphere', *Texas International Law Journal (Austin)*, Summer, 35.3: 435–58 (available online <http://gateway.proquest.com/openurl:1-33>)
- Bombal, Inés González (2003) (ed.) *Nuevos Movimientos Sociales y ONGs en la Argentina de la Crisis*, Buenos Aires: CEDES
- Botelho, A.J.J. (2003) 'La Sociedad Civil en el Proceso de Integración Comercial: El Caso Brasileño' in D. Tussie and M. Botto (eds), *El ALCA y las Cumbres de las Américas: Una Nueva Relación Público-privada?*, Buenos Aires: Editorial Biblos: 171–93
- Botto, M. (2003) 'Mitos y Realidades de la Participación no Gubernamental' in D. Tussie and M. Botto (eds), *El ALCA y las Cumbres de las Américas: Una Nueva Relación Público-privada?*, Buenos Aires: Biblos: 237–61
- Botto, M. and Tussie D. (2003) 'Introducción. La Internacionalización de la Agenda de Participación: El Debate Regional' in D. Tussie and M. Botto (eds), *El ALCA y las Cumbres de las Américas: Una Nueva Relación Público-privada?*, Buenos Aires: Biblos: 27–47
- (2003), 'Las Negociaciones Comerciales y la Participación de la Sociedad Civil: El Caso Paradigmático del ALCA' in Andrés Serbin (ed.), *Entre la Confrontación y el Diálogo: Integración Regional y Diplomacia Ciudadana*, Buenos Aires: Siglo XXI Editores Argentina: 177–205
- Brock, Karen and McGee, Rosemary (2004) *Mapping Trade Policy: Understanding the Challenges of Civil Society Participation*, IDS Working Paper 225, Brighton: IDS
- Brown, D.L. and Fox, J. (2001) 'Transnational Civil Society Coalitions and the World Bank: Lessons From Project and Policy Influence Campaigns' in M. Edwards and J. Gaventa (eds), *Global Citizen Action*, Boulder: Lynne Rienner Press: 43–59
- Caldwell, D.J. (2002) 'Civil Society and the Environment: An Environmentalist's Agenda for Sustainable Trade and Investment in the Americas' in Carolyn L. Deere and Daniel Esty (eds), *Greening the Americas: NAFTA's Lessons for Hemispheric Trade*, Cambridge: MIT Press: 291–307
- Campanille, V. (2004) *The Central American Free Trade Agreement: Gender Perspectives and Women's Action*, Central American Women's Network (CAWN): London. Available at: www.cawn.org/pdf/CAFTA-Report.pdf
- Carranza, M. (2003) 'Can Mercosur survive? Domestic and International Constraints on Mercosur?', *Latin American Politics and Society* 45.2
- Casaburi, G. and Zalazar, L. (2001) 'Las Negociaciones del Acuerdo de Libre Comercio de las Américas (ALCA). Las Modalidades de Participación e Inclusión de la Sociedad Civil', *SerieBrief Cumbres de las Américas*, Brief #4 Abril
- Catagay, N. (2001) *Gender, Trade and Poverty*, UNDP: New York. Available at: www.undp.org/mainundp/propoor/docs/pov_tradegenderpoverty_doc.pdf
- Cavanagh, J., Anderson, S. and Hansen-Kuhn, K. (2001) 'Crossborder Organizing Around Alternatives to Free Trade: Lessons from the NAFTA/FTAA Experience' in M. Edwards and J. Gaventa (eds), *Global Citizen Action*, Boulder, CO: Lynne Rienner Publications: 149–62
- CEDA (Centro Ecuatorio de Derecho Ambiental) (2002) 'Hacia la Participación de la Sociedad Civil en las Américas. Memorias de los Talleres Sobre Comercio y Ambiente en la Reunión Ministerial del ALCA', Quito, 29 and 30 Octubre: 62–75

- Cerruti, M. (2000) 'Economic Reform. Structural Adjustment and Female Force Participation in Buenos Aires, Argentina', *World Development* 28.5
- Chiriboga, M. (2000) 'El ALCA en la Mira de los Actores Sociales Regionales: Opciones Para una Política Social Regional' in J.M. Villasuso and R.T. Solórzano (eds), *Comercio e Integración de las Américas*, San José Costa Rica: Editorial AgroamerICA: 357–63
- Chrabolowsky, L. (2003) *Engendering Trade Unions and Social Movements: New Proposals of Social Inclusion in Argentina, Women and Unions: Still the Most Difficult Revolution*, School of Industrial and Labor Relations, Cornell University, 21–23 November
- CIECA (Centro de Investigación Económica para el Caribe) (2002) 'ALCA y la Participación de la Sociedad Civil', in H. Blanco, M. Araya and C. Murillo, C. (eds), *ALCA y Medio Ambiente: Ideas Desde Latinoamérica*, Santiago, Chile: CIPMA-GETS-CINPE: 333–53
- Clarín* (2004) *Lula Dice que el Foro Social Ahora es una 'Feria Ideológica'*, 28 October: 27
- Connor, T. (2004) 'Time to Scale up Cooperation? Trade Unions, NGOs, and the International Anti-sweatshop Movement', *Development in Practice* 14. 1 & 2, February: 61–70
- Constance, P. (1998) *A Seat at the Table*, IDBAmerica Newsbeat. www.iadb.org/iadbamerica/Archive/stories/1998/eng/e498f.htm. (Downloaded 16 September 2004)
- Cornwall, A. (2004) 'New Democratic Spaces? The Politics and Dynamics of Institutionalised Participation' in A. Cornwall and V. Schattan P. Coelho (eds), 'New Democratic Spaces?', *IDS Bulletin* 35.2, Brighton: IDStudies, April: 1–10
- Cox, R.W. (1973) 'ILO: Limited Monarchy', in R.W. Cox and H.K. Jacobson (eds), *The Anatomy of Influence: Decision Making in International Organization*, London: Yale University Press Ltd
- Crabtree, John (2005) *Patterns of Protest: Politics and Social Movements in Bolivia*, London: Latin America Bureau
- Crenson, M. (1971) *The UnPolitics of Air Pollution*, London, Baltimore: Johns Hopkins Press
- Curtis, M. (2001) *Trade for Life: Making Trade Work for Poor People*, London: Christian Aid
- da Motta Veiga, P. and Ventura-Dias, V. (2004) 'Brazil: The Fine-Tuning of Trade Liberalization', in M. Lengyel and V. Ventura (eds), *Trade Policy Reforms in Latin America: Multilateral Rules and Domestic Institutions*, Houndsmill: Palgrave
- de la Cueva, H. (2000) 'Crisis y Recomposición Sindical Internacional', *Nueva Sociedad* 116:111–22
- de la Garza Toledo, E. (2001) *Los Sindicatos Frente a los Procesos de Transición Política*, Buenos Aires: CLACSO
- u.d., *El Sindicalismo Mexicano Frente a Transición Política*, Buenos Aires: CLACSO
- Deere, C.L. and Esty, D. (eds) (2002) *Greening the Americas: NAFTA's Lessons for Hemispheric Trade*, Cambridge: MIT Press
- Devia, L. (2002) 'La Sostenibilidad y los Procesos de Integración: Mercosur, NAFTA y ALCA', *LexisNexis: Jurisprudencia Argentina JA 2002-111* Fascículo No.2 Julio 10, Número especial: Derecho Ambiental Buenos Aires: 29–35
- DFID (2000) White Paper on Globalisation and Development, *Eliminating World Poverty: Making Globalisation Work for the Poor*, London: HMSO. Available at www.globalisation.gov.uk
- Dominguez, E. (2002) 'Continental Transnational Activism and Women Workers' Networks Within NAFTA', *International Feminist Journal of Politics*, 4.2, August: 216–39. Also available online at: www.hum.gu.se/ibero/forskning/edmeforskning/nafta.pdf

- (2001) 'Citizenship and Women in Mexico: Searching for a New Political Culture? Views and Experiences of Participants and non- Participants in Political Action', in *Discussing Women's Empowerment, Theory and Practice*, SIDA Studies 3
- Drainville, A.C. (1999) 'Social Movements in the Americas: Regionalism from Below?', in G. Mace and L. Bélanger (eds), *The Americas in Transition: The Contours of Regionalism*, Boulder: Lynne Rienner Publishers
- Durán, V.M. (1999) *Lo Socio Laboral en los Procesos de Integración de América Latina y el Caribe*, <http://utal.org/integracion/1.htm>
- Durand, T. (1999) 'Los procesos de institucionalización del tema mujer en el Mercosur', unpublished manuscript
- Dwyer, A. (1994) *Life on the Line*, London: Latin America Bureau
- Echavarría, J.J. and Gamboa, C. (2004) 'Colombia and Venezuela: Trade Policy Reforms and Institutional Adjustments', in M. Lengyel and V. Ventura (eds), *Trade Policy Reforms in Latin America: Multilateral Rules and Domestic Institutions*, Houndsmill: Palgrave
- Edwards, M. and Gaventa, J. (eds) (2001), *Global Citizen Action*, Boulder: Lynne Rienner Press
- Ellner, S. (2002) 'Organized Labour and the Challenged of Chavismo', in S. Ellner and D. Helliger (eds), *Venezuelan Politics in the Chavez Era: Class Polarization and Conflict*, Boulder Co: Lynne Rienner
- Espino, A. and Salvador, S. (2003) *Una Mirada al ALCA y al Mercosur. Guía Para la Capacitación Sindical*, FESUR. Available in Spanish and Portuguese at: http://64.233.187.104/search?q=cache:zA1QU5zS_9oJ:www.fesur.org.uy/publicaciones.php+espino+and+salvador+2003&hl=es
- Espinosa, Enrique J. et al. (2002) 'Happily Ever Nafta?', *Foreign Policy*, September/October
- Evans, P. (2003) 'Labor as a Global Social Movement: Notes Toward Bringing Labor into the Theorizing of Transnational Social Movements', paper presented at Center for Comparative Research at Yale University, 10 April 2003
- Finger, M. (2005) 'The New Water Paradigm: The Privatization of Governance and the Instrumentalisation of the State', in David Levy and Peter Newell (eds), *The Business of Global Environmental Governance*, Cambridge MA: MIT Press: 275–305
- Fisher, R. (2002) 'Trade and Environment in the FTAA: Learning From the NAFTA', in C.L. Deere and D. Esty (eds), *Greening the Americas: NAFTA's Lessons for Hemispheric Trade*, Cambridge: MIT Press: 183–201
- Friedman, E.J., Hochstetler, K. and Clark, A.M. (2001) 'Sovereign Limits and Regional Opportunities for Global Civil Society in Latin America', *Latin American Research Review* 36.3: 7–37
- Gallin, D. (2002) 'Labour as a Global Social Force: Past Division and New Tasks', in J. Harrod and R. O'Brien (eds), *Global Unions: Theory and Strategies of Organized Labour in the Global Political Economy*, London: Routledge
- García Castro, M. (1999) 'The Growth of Working Class Feminism in Brazil', *NACLA Report on the Americas*, 32.4, New York, January/February
- Gitli, E. and Murillo, C. (2002) 'A Latin American Agenda for a Trade and Environment Link in the FTAA', in C.L. Deere and D. Esty (eds), *Greening the Americas: NAFTA's Lessons for Hemispheric Trade*, Cambridge: MIT Press: 273–91
- (2000) 'Factores que Desalientan la Introducción del Tema Ambiental en las Negociaciones Comerciales: ALCA y una Agenda Positiva', in M. Araya (ed.), *Comercio y Ambiente: Temas para Avanzar el Diálogo*, Organización de los Estados Americanos: 149–81

- Global Exchange (ud) *Top Ten Reasons to Oppose the Free Trade of the Americas*, California: San Francisco (www.globalexchange.org/campaigns/ftaa/topten.html) (Downloaded: 2 August 2004)
- Gudynas, E. (2001) 'The Re-launching of South American Integration and Sustainable Development', *Pensamiento Propio* 13, June. Managua: 91–102
- Guiñazú, M.C. (2003) 'La Sociedad Civil en el Proceso de Integración Comercial: El Caso Argentino', in D. Tussie and M. Botto (eds), *El ALCA y las Cumbres de las Américas: Una Nueva Relación Público-privada?*, Buenos Aires: Biblos: 145–71
- Haber, L.P. (1997) 'Social Movements and Socio-political Change in Latin America', *Current Sociology*, 45.1, January: 121–40
- Hathaway, D. (2000) *Allies Across the Border Mexico's 'Authentic Labor Front' and Global Solidarity*, Cambridge, Massachusetts: South End Press
- Hernández Castillo, R.A. (2002) 'Zapatismo and the Emergence of Indigenous Feminism', *NACLA Report on the Americas*, 35.6, May/June, New York
- Hochstetler, K. (2003) 'Fading Green? Environmental Politics in the Mercosur Free Trade Agreement', *Latin American Politics and Society* 45.4, Winter: 1–33
- Hochstetler, K. (2003a) 'Mercosur, Ciudadanía y Ambientalismo', in E. Jelin (ed.), *Más Allá de la Nación: Las Escalas Múltiples de los Movimientos Sociales*, Buenos Aires: Libros de Zorzal: 203–45
- Hogenboom, Barbara (1998) *Mexico and the NAFTA Environment Debate*, Utrecht: International Books
- Human Rights Watch (HRW) (2001) *Trading Away Rights: The Unfulfilled Promises of NAFTA's Labor Side Agreement*, April, 13.2(B). Available at: www.hrw.org/reports/2001/nafta/
- (1997) *Corporations and Human Rights: Freedom of Association in a Maquila in Guatemala*, New York: Human Rights Watch
- (1996) *No Guarantees: Sex Discrimination in Mexico's Maquiladora Sector*. Available at www.hrw.org/reports/1996/Mexi0896.htm
- Icaza, R. (2004) *Civil Society in Mexico and Regionalization: A Framework for Analysis on Transborder Civic Activism*, CSGR Working Paper 150/04, October, Warwick University, UK
- IGTN (2002) *IGTN in the Americas / IGTN en las Américas*, International Gender and Trade Network / Red Internacional de Género y Comercio, Monthly Bulletin (IGTN), 2.3. Available at: www.igtn.org/pdfs/178_April02bulletin.pdf
- (2001) 'The Free Trade Area of the Americas (FTAA/ALCA)', *International Gender and Trade Network, Monthly Bulletin (IGTN)*, 1.1. Available at: www.igtn.org
- International Socialist Review* (2001) 'The FTAA: A Primer', Issue 16, February–March
- ILO (2001) *Reflexiones Políticas Acerca del Proceso de Integración*, 1er Documento del Foro por la Integración, October, www.ilo.org/public/spanish/region/ampro/cinterfor/temas/worker/doc/sind/foro_int.htm
- Jacobs, J.E. (2002) 'Community Participation, The Environment and Democracy: Brazil in Comparative Perspective', *Latin American Politics and Society*, 44.4, Winter: 59–89
- Jelin, E. (1999) 'Los Movimientos Sociales y los Actores Culturales en el Escenario Regional. El Caso del Mercosur' in G. de Sierra (ed.), *Los Rostros del Mercosur*, Buenos Aires: CLACSO. Also available online at: <http://168.96.200.17/ar/libros/sierra/jelin.pdf>
- (1989) 'Los Nuevos Movimientos Sociales en la Argentina Contemporánea: Una Introducción a su Estudio', in E. Jelin (ed.), *Los Nuevos Movimientos Sociales: Mujeres, Rock Nacional, Derechos Humanos, Obreros, Barrios*, Buenos Aires: Centro Editor de América Latina: 13–40

- Jones-de-Oliveira K. (2003) 'The Gendered Worlds of Latin American Women Workers: From Household and Factory to the Union Hall and Ballot Box', *Journal of Third World Studies*, 20.1, Americas, Spring: 272
- Keck, M.E. and Sikkink, K. (1998) *Activists Beyond Borders: Advocacy Networks in International Politics*, Ithaca and London: Cornell University Press
- Korovkin, T. (2001) 'Reinventing the Communal Tradition: Indigenous Peoples, Civil Society and Democratization in Andean Ecuador', *Latin American Research Review* 36.3: 37–69
- Korzeniewicz, R.P. and Smith, W. (2003) 'Redes Transnacionales de la Sociedad Civil: Entre la Protesta y la Colaboración', in D. Tussie and M. Botto (eds), *El ALCA y las Cumbres de las Americas: Una Nueva Relacion Publico-privada?*, Buenos Aires: Biblos: 47–77
- Lambert, R. (2002) 'Labour Movement Renewal in the Era of Globalization: Union Responses From the South', in J. Harrod and R. O'Brien (eds), *Global Unions: Theory and Strategies of Organized Labour in the Global Political Economy*, London: Routledge
- Lengyel, M.F. and Ventura-Diaz, V. (eds) (2004) *Trade Policy Reforms in Latin America: Multilateral Rules and Domestic Institutions*, Houndsmill UK: Palgrave
- Leis, Héctor Ricardo and Viola, Eduardo (ud) *Subsidiariedade e Mercosul*, pamphlet
- Lister, R. (1997) *Citizenship, Feminist Perspectives*, New York: Palgrave Macmillan
- Macdonald, L. (2002) 'Globalization and Social Movements: Comparing Women's Movements Responses to NAFTA in Mexico, the United States, and Canada', *International Feminist Journal of Politics* 4.2
- Matus, M. and Rossi, E. (2002) 'Trade and Environment in the FTAA: A Chilean Perspective', in C.L. Deere and D. Esty (eds), *Greening the Americas: NAFTA's Lessons for Hemispheric Trade*, Cambridge: MIT Press: 259–73
- Mayer, F.W. (2002) 'Negotiating the NAFTA: Political Lessons for the FTAA', in C.L. Deere and D. Esty (eds), *Greening the Americas: NAFTA's Lessons for Hemispheric Trade*, Cambridge: MIT Press: 97–119
- McAdam, D., McCarthy, J.D. and Zald, M. (1996) (eds), *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures and Cultural Framings*, New York: Cambridge University Press
- Millet, P.V. and Sanhueza, A. (2002) *El Proceso de Consultas a la Sociedad Civil en la III Cumbre de las Américas*, Santiago: FLACSO/Chile
- Molyneux, M. (2000) *Women's Movement's in International Perspective: Latin America and Beyond*, New York: Palgrave
- Natal, A. and González, T. (2003) 'La Sociedad Civil en el Proceso de Integración Comercial: El Caso Mexicano', in D. Tussie and M. Botto (eds), *El ALCA y las Cumbres de las Americas: Una Nueva Relacion Publico-privada?*, Buenos Aires: Biblos: 193–215
- Nauman, A.K. and Hutchinson, M. (1997) 'The Integration of Women into the Mexican Labour Force Since NAFTA', *The American Behavioral Scientist* 40.7, Thousand Oaks: 950–7
- Nauman, T. (2004) *The Environmental Right to Know Movement: Organised Civil Society in the Americas*, IRC (Silver City: Interhemispheric Resource Centre) Americas Program Discussion Paper, 24 March (www.americaspolicy.org/articles/2004/0403rtk_body.html)
- Nelson, P. (2001) 'Information, Location and Legitimacy: The Changing Bases of Civil Society Involvement in International Economic Policy', in M. Edwards and J. Gaventa (eds), *Global Citizen Action*, Boulder: Lynne Rienner Press: 59–72

- Newell, P. (2005) 'The Political Economy of International Trade and the Environment', in W. Grant and D. Kelly (eds), *The Politics of International Trade in the 21st Century: Actors, Issues and Regional Dynamics*, Palgrave
- (2001) 'Environmental NGOs, TNCs and the Question of Governance', in D. Stevis and V. Assetto (eds), *The International Political Economy of the Environment: Critical Perspectives*, Boulder: Lynne Rienner Press: 85–107
- Newell, P., Rai, S. and Scott, A. (eds) (2002) *Development and the Challenge of Globalisation*, London: ITDG Publications
- Newell, Peter, Rai, Shirin and Scott, Andrew (2000) *Climate for Change: Non-State Actors and the Global Politics of the Greenhouse*, Cambridge: Cambridge University Press
- Obach, B. (2004) *Labor and the Environmental Movement: The Quest for Common Ground*, Cambridge: MIT Press
- Onestini, M. (1999) 'The Latin American Southern Common Market (Mercosur): Environment and Regionalisation', paper for CSGR conference on 'After the global crisis: what next for regionalism?', Warwick University, 16–18 September
- ONGs Chilenos (2003) *Nuestra Propuesta de Participación de la Sociedad Civil en el Marco del Área de Libre Comercio de Las Américas*, Noviembre, Santiago, Chile
- Ortiz Mena, A. (2004) 'Mexico: A Regional Player in Multilateral Trade Negotiations', in M. Lengyel and V. Ventura (eds), *Trade Policy Reforms in Latin America: Multilateral Rules and Domestic Institutions*, Houndsmill: Palgrave
- Osava, M. (1998) 'Women Gain Their Own Forum in Mercosur', *Interpress Third World News Agency* (IPS). Available at: www.hartford-hwp.com/archives/40/099.html
- Padrón, A. (ud), 'Modernización de las Relaciones Laborales', Las Organizaciones sindicales del cono sur: Antecedentes y Estrategias frente al Mercosur', unpublished document downloaded from <http://icd.org.uy/mercotur/informes/padron.html>
- Palomino, Hector (2003) 'Los Efectos de la Apertura Comercial Sobre las Relaciones Laborales en Argentina', in Enrique de la Garza Toledo and Carlos Salas (eds), *NAFTA y MERCOSUR: Procesos de Apertura Económica y Trabajo*, Buenos Aires: CLACSO
- Petras, J. (2003) *The New Development Politics: The Age of Empire-building and New Social Movements*, Aldershot: Ashgate
- Petras, J. and Morley, M. (1990) *US Hegemony Under Siege: Class, Politics and Development in Latin America*, London and New York: Verso
- Prieto, M. and Quinteros, C. (2004) 'Never the Twain Shall Meet? Women's Organisations and Trade Unions in the Maquila Industry in Central America', *Development in Practice* 1–2/February, 14.1–2: 149–57
- Retamoso, G. (2000) 'Economic Change and its Effects on Men and Women Workers', *Report About the International Conference: Gender Mainstreaming in Collective Bargaining*, Potsdam, 24/25 October, Friedrich-Ebert-Stiftung: Bonn, Germany: 47–50. Available at: <http://library.fes.de/pdf-files/netzquelle/01781.pdf>
- Ricco, V.H. (2004) 'El Ambiente y la Participación Pública en el Proceso del ALCA', *La Ley: Suplemento de Derecho Ambiental*, 25 Junio, Buenos Aires: 6–7
- Richards, D.G. (1995) 'Regional Integration and Class Conflict: Mercosur and the Argentine Labour Movement', *Capital & Class*, Autumn: 55–82
- Riethof, M. (2004) 'Changing Strategies of the Brazilian Labor Movement From Opposition to Participation', *Latin American Perspectives*, Issue 139, 31.6, November: 31–47

- (2002) *Responses and Strategies of the Brazilian Labor Movement Towards Economic Restructuring*, www.isanet.org (www.isanet.org/noarchive/riethof.html) (Downloaded 29 October 2004)
- (1999) 'Labour Involvement in National and Regional Transformation Processes: The Case of Chile', *Third World Quarterly* 20.5: 1049–59
- Roberts, K. (1997) 'Beyond Romanticism: Social Movements and the Study of Political Change in Latin America', *Latin American Research Review* 32.2: 137–51
- Ruben, J. (ud), *Demonstrators in Quito say 'No' to the Free Trade Area of the Americas (FTAA)*, GoEcuador.com (www.goecuador.com/ezine/enghtml/features/alca_quito.htm) (Downloaded 2 August 2004)
- Scagliola, A. (2002) 'Ecología Política para una Integración Democrática en el Cono Sur', in J. Becker, J. da Cruz, G. Evia, E. Gudynas (compilador), G. Gutiérrez and A. Scagliola, *Sustentabilidad y Regionalismo en el Cono Sur*, Coscoroba Ediciones, Montevideo: CLAES (Centro Latino Americano de Ecología Social): 153–76
- Schatan, C. (2000) 'Lessons From the Mexican Environmental Experience: First Results from NAFTA', in D. Tussie (ed.), *The Environment and International Trade Negotiations: Developing Country Stakes*, Basingstoke: Macmillan Press: 167–87
- Schild, V. (2000) 'Gender Equity Without Social Justice: Women's Rights in the Neoliberal Age', *NACLA Report on the Americas* 34.1, New York, July/August: 25–8
- Sierra Club (2001) *Spread the Spirit of Quebec! Stop the FTAA: Make Trade Clean, Green and Fair*, Action Alert 24 April 2001, www.sierraclub.org/trade/ftaa/stopftaa.asp
- Silva, V. (2004) 'Chile: A Multi-track Market Access Strategy', in M. Lengyel and V. Ventura-Diaz (eds), *Trade Policy Reforms in Latin America: Multilateral Rules and Domestic Institutions*, Houndsmill: Palgrave
- Teubal, M. and Rodríguez J. (2002) *Agro y Alimentos en la Globalización: Una Perspectiva Crítica*, Buenos Aires: La Colmena
- Thorin, M. (2001) *The Gender Dimension of Globalisation: A Survey of the Literature With a Focus on Latin America and the Caribbean*, Chile: Cepal
- Tussie, D. and Botto, M. (2003) *El ALCA y las Cumbres de las Americas: Una Nueva Relacion Publico-privada?*, Buenos Aires: Editorial Biblio
- Tussie, Diana and Tuozzo, Maria Fernanda (2001) 'Opportunities and Constraints for Civil Society Participation in Multilateral Lending Operations: Lessons from Latin America', in Michael Edwards and John Gaventa (eds), *Global Citizen Action*, Boulder Colorado: Lynne Rienner Publishers
- Tussie, D. and Vasquez, P. (2000) 'Regional Integration and Building Blocks: The Case of Mercosur' in D. Tussie (ed.), *The Environment and International Trade Negotiations: Developing Country Stakes*, Basingstoke: Macmillan Press: 187–205
- (2000) 'Comercio y Problemas Ambientales en el Comercio en el Contexto del Mercosur' in Mónica Araya (ed.), *Comercio y Ambiente: Temas Para Avanzar el Diálogo*, Organización de los Estados Americanos: 113–33
- Vaillant, M. and Ventura-Dias, V. (2004) 'Uruguay: Trade Policy in a Small Economy', in M. Lengyel and V. Ventura-Dias (eds), *Trade Policy Reforms in Latin America: Multilateral Rules and Domestic Institutions*, Houndsmill: Palgrave
- Valdes, T. (2003) 'El Mercosur, y el Movimiento de Mujeres. Un Espacio Para la Amplicacion de Ciudadanía?' in E. Jelin, *Mas Alla de la Nación: Las Escalas Multiples de los Movimientos Sociales*, Buenos Aires: Libros del Zorzal: 245–77

- Von Bülow, M. (2003) 'El Medio Ambiente y la Participación de la Sociedad Civil' in D. Tussie and M. Botto (eds), *El ALCA y las Cumbres de las Americas: Una Nueva Relacion Publico-privada?*, Buenos Aires: Editorial Biblio: 77–105
- Walsh, J.R., Ortíz, E. and Galperín, C. (2003) *Sostenibilidad Ambiental en el Comercio: Evaluación de los Impactos Potenciales del ALCA: El Caso de Argentina*, North-South Centre, University of Miami and Organization of American States
- Weston, A. (1994) 'The NAFTA Labour Side-Agreement: Soft Bark and Not Much Bite?', Review: *A Newsletter of the North-South Institute*, Winter: 7–8
- White, M. and Speildoch, A. (2003) *Analysis of the Free Trade Area of the Americas Text from a Gender Perspective*, Washington, DC: Hemispheric Social Alliance. Available at: www.igtn.org/pdfs/50_FTAAAnalysis03.pdf
- White, M., Salas, C. and Gammage, S. (2003) *Trade Impact Review: Mexico Case Study NAFTA and the FTAA: A Gender Analysis of Employment and Poverty Impacts in Agriculture*, Women's Edge Coalition. Available at: www.womensedge.org/documents/mexicocasestudy.pdf
- Wilkinson, R. (2002) 'The Contours of Courtship: The WTO and Civil Society' in R. Wilkinson and S. Hughes, *Global Governance: Critical Perspectives*, London: Routledge: 193–212
- Williams, M. (2001) 'Trade and the Environment in the World Trading System: A Decade of Stalemate?', *Global Environmental Politics* 1.4, November: 1–10
- WTO (1996) *Guidelines for Arrangements on Relations with NGOs*, document WT/L/162, 18 July

