

The Republic of Costa Rica

Positions for the Organization of the American States

I. Assessing the Status of the Free Trade Area of the Americas Agreement (FTAA)

Costa Rica has long been a supporter of diversified, equitable trading agreements that lead to increased economic integration and competitiveness between the invested parties. Trade agreements have enabled our industries to diversify exports to trading partners by increasing the number of products and services available, while reducing overspecialization. This has allowed foreign investment to increase dramatically with an emphasis on expanding production facilities. Our country is a participant in various agreements ranging from bilateral (with Germany, Mexico, etc.) to increasingly multilateral (DR-CAFTA, CARICOM) terms. Although Costa Rica acknowledges that trade liberalization has not been without its consequences, nearly all recognized states in the world have at least one regional trade agreement in effect. The FTAA, although highly dormant since the end of the Miami Summit in 2003, has the ability to strengthen economic ties between American states. However, this would require substantial modification to the current draft proposal of the FTAA. Our trading ministry COMEX (*Ministerio de Comercio Exterior de Costa Rica*) has identified that key provisions, such as strong anti-dumping, emergency flexibility and other contingency measures, must be made which allow individual sectors of the economy to temporarily relieve an unexpected misbalance in trade conditions. There should also be an increased focus on implementing development as part of a capacity building initiative for the Americas, which would allow participants to gain greater, more efficient logistics both intra- and internationally. Improving market access between member states will further growth and better utilize resources to compete as an economic bloc on the world market. If there are lessons to be learned from the dormancy of the FTAA it's that a single divisive, controversial clause can halt negotiations severely. Thus, cooperation, not collusion, must be the driving mechanism behind an FTAA revival if we want to prevent another stonewall. Costa Rica recommends that individual segments of the FTAA that have been thoroughly accepted should be adopted, or perhaps incorporated into other agreements, to prevent further stalling of progress. Suitably, Costa Rica is open to talks about the possibility of strengthening other developing trade agreements, such as ALBA. However, without a set rules of transparency and democratic structure, ALBA's progress will be considerably limited in expanding beyond its current membership. On a more generalized note, there must also be an impetus in eliminating or reducing agricultural subsidies between states, as they continue to undermine the principle of true trade liberalization and marginalize efforts to expand negotiations.

II. Human Trafficking in the Americas

Human trafficking is the fastest growing criminal industry in the world. It is considered as one of the most horrendous offenses, with an estimated 2.5 million people entrapped in forced labor (including sexual exploitation) and over 161 countries involved as a source, transfer, or destination center for detainees. Unfortunately, Costa Rica has become one of the world's leading destinations for sex tourism, second only to the Philippines and Thailand. Around 62% of sexually exploited women, and increasingly, underage girls are victims of foreigners. These women are trafficked from other Latin American countries, such as Colombia, Nicaragua, Dominican Republic and Honduras, where they were subjected to high levels of poverty and interfamily violence. In search of a better life, these women are promised work in Costa Rica, where corrupt immigration officials or traffickers help them cross the border, only to be sexually exploited once they arrive. Costa Rica has initiated several campaigns to combat this problem internally. In 1998, our government began participating with the International Programme on the Elimination of Child Labour (IPEC) in a project to combat child prostitution in San José. Costa Rica is currently par-

ticipating in ILO-IPEC projects to collect data on child labor and combat child labor in the coffee sector, in the fishing sector, and in agricultural markets. In an effort to prevent and eliminate the worst forms of child labor and retain 100 percent of children in basic education by the year 2010, the government established the "National Agenda for Children and Adolescents, 2000-2010." Sponsored by the Ministries of Labor and Education, the government is promoting children's access to primary school through ongoing publicity campaigns, and it has increased its education budget 22 percent in the last five years for the purpose of helping children complete a secondary school and, through this means, assuring that they do not become victims of human trafficking. During the last year, the government of Costa Rica approved national legislation to prohibit and punish all forms of human trafficking. Costa Rica invites the international community to help secure the borders to prevent people from being smuggled into and out of the country. Costa Rica further recommends that other states adopt the three P's strategy, which stands for Prosecution, Protection and Prevention. Prosecution through the establishment and enforcement of strict penalties for the movement of persons for the purposes of forced work or services, servile marriage, begging, or other prohibited purposes. Protection by providing access to basic needs such as health care services, food, and safehouses. Prevention by raising awareness and warning foreign "clients" that participating in child prostitution will lead to full and extensive prosecution under the law.

III. Accelerating the Completion of the American Declaration on the Rights of Indigenous Peoples

Most indigenous communities in Latin America have been relegated as poor peasants, whose depressing living standards is the result of a long historical process that began during the colonial period and later integrated into the economic structure of the then newly-formed independent republics. Both the exploitation and ethnic discrimination of these peoples has, too often, presented occasions where human rights have been violated in massive numbers. Some of these violations include: killing and slaughter that have even been described as genocide, dispossession of land, deprivation of freedom, lack of enforcement of constitutional individual rights, discrimination in law enforcement and judicial procedures, forced displacement of the population, and so on. Although not as severe as those listed, regrettably, Costa Rica has been the site of some violations by proxy -- primarily through the inability to prevent social stigma and prejudice at the local level. Our indigenous groups such as the Bribri, Cabecar and Boruca have, in the past, been subjected to discrimination in the job market and have been disproportionately affected by negative economic cycles. Thus, for the past two decades, the government of Costa Rica has been a fervent supporter of expanding indigenous rights for the peoples of the Americas. Our government has welcomed with gratitude the adoption of the Declaration on the Rights of Indigenous Peoples by the General Assembly of the United Nations. The administration has noted that the adoption of this international instrument is not legally binding, but concludes a long process of recognition of fundamental rights of indigenous peoples. Costa Rica has incorporated segments of the declaration into its legislation the Convention 169 of the International Labor Organization (ILO) concerning Indigenous and Tribal Groups, and now as part of our commitment and our desire for recognition of indigenous rights. Recent substantive activity includes discussions that are being held in the Legislative Assembly to pass the Autonomous Development of Indigenous Peoples and expanding their influence in determining future trade activity and economic development in their respective regions. Progressively, Costa Rica hopes to see fellow members of the OAS continue their work and ratification of similar legislation and thus, we seek to strengthen the Declaration in the coming session.
