First International Democracy Report 2011

The democratization of international organizations

edited by
Giovanni Finizio
Lucio Levi
Nicola Vallinoto

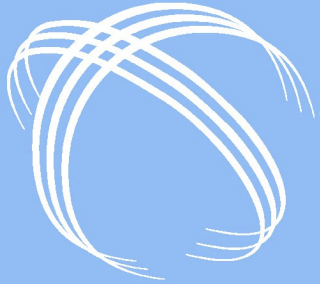
CENTRE FOR STUDIES ON FEDERALISM

First International Democracy Report 2011

Central American Integration System

by

Ioannis Papageorgiou



CENTRE FOR STUDIES ON FEDERALISM

1. Introduction

Central American integration presents a number of interesting elements for scholars and political analysts alike. In the first place, it is one of the few regional integration schemes which is not limited to economic objectives alone and claims, at least in theory, to have ambitious political goals. Indeed, the present integration organism, called Central American Integration System (henceforth SICA from its Spanish acronym), has set among its objectives the establishment, not only of a free-trade zone, but also of a common market and, in the long-run, of a political union. Secondly, it also presents a number of original characteristics which deserve particular consideration, not the least of which is the fact that the last wave of regional integration started with the establishment of a directly elected parliamentary body, the Central American Parliament (henceforth Parlacen from its Spanish acronym of Parlamento Centroamericano) and that the original purpose of this process – not unlikely the early efforts in European integration – was to strengthen internal and regional democratization. Furthermore, it is one of the rare cases of regional integration where its judicial organ, the Central American Court of Justice, is entrusted with supranational powers and, at least in theory, enforceability of its rulings. Still, the present-day integration process, despite some initial successes, is stagnating and, at times, regressing while democratic legitimacy elements remain weak and, on occasions, wither. The purpose of this paper is to analyse the current regional integration process from the point of view of its democratisation using as guidelines the qualitative macro-indicators set by the IDW, to examine the gradual reversal of the initial drive towards political integration and to draw the perspectives for the future.

2. The history of regional integration in Central America

The five countries that composed traditionally the Central American Isthmus (Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica)[1] share a long common

[1] Geographically, Central America also includes Panama, which became an independent state, carved out of Colombia in 1903 – with the active U.S. help, in order to facilitate the construction of the Panama Canal - and English-speaking Belize, formerly British Honduras. Historically, though, neither country was oriented towards Central America, while Belize had a long-standing feud with Guatemala which

past. They formed part of the Mayan cultural zone and, following the Spanish Conquest, they became a separate administrative unit (the General Captaincy of Guatemala) within the Vice-Royalty of New Spain (Mexico). During the Spanish American independence struggles of the 1820s, Central Americans, after a brief annexation to the Mexican Empire, declared their independence and formed a federal state, the United Provinces of Central America. However, internal fighting between rival political factions and among provinces led to the dissolution of the Federation in 1838. Notwithstanding this initial failure, the dream of Central American union, "*the patria grande*" guided a number of attempts to reconstruct the Federation throughout the 19th and the 20th centuries. Each of them failed for similar reasons that led to the demise of the Federation: local antagonism, lack of communication, absence of democratic traditions, insufficient economic and political development, foreign intervention (Torres Rivas 1993: Vol. III, 104-106).

Only after the second world war did a successful integration scheme appear: the Central American Common Market (CACM),[2] founded in 1960, aimed at creating a customs union and, later on, a common market, while at the same time co-ordinating the region's industrialisation and economic development. An integrated executive organ (the SIECA)[3] was entrusted with the implementation of the common rules adopted and the monitoring of the states' abiding to them and, gradually, it acquired an existence of its own. Indeed, at that time Central America became a prime example of the neo-functionalist theories of integration which saw in it a fertile ground for their theory (Schmitter 1970: 19). Still, though one of the most successful examples of economic integration in the 1960s, the CACM failed to transform economic performance into genuine prosperity (Loucel 1994: 54) and during the 1970s it lost its regional significance. Several reasons can explain this failure: member states were unwilling to deepen the process and to allow for more democracy in the region. At the time, all member states with the exception of Costa Rica were under authoritarian

considered it as part of its territory. Both countries have gradually come to a rapprochement with the other Central American States – Panama is now a full member of almost all regional integration institutions and even Belize became a member of the Central American Integration System (S.I.C.A.) in 2000.

[2] Mercado Común Centroamericano (MCCA) in Spanish.

[3] Secretería de Integración Económica Centroamericana (Secretariat for Central American Economic Integration).

regimes, little interested in surrendering economic sovereignty to regional organs. In addition, the CACM was not able to offset the disparities between those member states who were the "beneficiaries" and the "victims" of integration; the reluctance to proceed towards deeper integration led to the eventual break-up of the Common Market in the early 1970s, while the region foundered in an series of civil conflicts.

3. The contemporary system of regional integration

3.1. The first regional institution: the Central American Parliament

Throughout the 1970s and into the 1980s, Central America came to international attention, as civil wars in Salvador and Nicaragua and external intervention put the region in the centre of the East-West conflict. Amid concerns that the military escalation might lead to a generalised regional war, regional integration came again to the forefront as a way out to the crisis. After all external efforts to reduce tension (mainly those undertaken by the *Contadora Group*[4]) failed to produce results and with a military stalemate, newly-elected Presidents Oscar Arias Sanchez of Costa Rica and Vinicio Cerezo of Guatemala proposed a peace plan based on confidence-building, internal democratisation and the holding of free elections (Bernales and Vasquez 1990: 134-143); the Esquipulas-I plan, adopted in the Guatemalan city of Esquipulas in July 1986 during the first meeting of all Central American Presidents for a generation, included the call for the creation of a directly-elected regional parliament, the Central American Parliament (henceforth, the Parlacen from its Spanish acronym) as a focal point for the reconciliation and peace in the region.

A remarkable feature of this new wave of regional integration in Central America is that it did not start, as it had done in the past in the region (and as it happens in other parts of the world), by the establishment of a comprehensive regional organisation,

[4] Composed of four Latin-American countries - Mexico, Colombia, Venezuela and Panama – the group which took its name from the Panamanian island of Contadora where their Foreign Ministers met for the first time on 7 and 8 January 1983, coordinated initiatives to achieve direct negotiations among the states and the parties in the conflict in Central America. The group represented the first attempt to solve the Central American conflicts outside the East-West context – the US were not involved and even shunned, initially, the initiative – and aimed to promote negotiations and assist in the "conclusion and implementation of a regional multilateral and complete treaty which could satisfy the interests and overcome the fears of all interested parties" as stated in the relevant Contadora Declaration. See IRELA (1988: 11).

composed of separate institutional entities and entrusted with specific competences. In the case under examination, political integration started from the specific (.i.e. a regional parliamentary organ) and expanded, later on, to the general (a new integration system). This sequence of events makes it difficult to understand the structure of and the interaction between integration institutions, in particular given another characteristic of regional integration in Central America: the quasi perennial attempts to modify, to restructure or to rearrange the existing integration instruments.

The establishment, in this way, of such a parliamentary institution completely disconnected from any other regional organism[5] did not, obviously, obey to an regional integration imperative, but rather to that of regional and national democratisation. Still it is interesting to stress the explicit nexus thus established between regionalisation and democratisation. For the first time, Central American leaders recognised the link between, on the one side, pacification and, on the other, internal and regional democratic consolidation. Indeed, breaking with the tradition prevailing elsewhere in Latin America, they looked towards a regional tool in order to facilitate and measure democratic progress nationally and they admitted that national and international democracy could not be separate. Thus, the renewed Central American integration process immediately followed a political path and appealed to the popular legitimacy, to be achieved through the direct election of members of the Parlacen.

This step marked a turning point for the regional integration model in the Americas. Traditionally, the parliamentary dimension in regional integration was neglected, even ignored. Since the majority of regional integration schemes were, in any case, limited to economic goals, parliamentary institutions played hardly any role in them. Indeed, popular participation to integration processes was not only undesirable but even actively discouraged: authoritarian or semi-authoritarian regimes which constituted the norm in Latin America did not require direct popular involvement. Even the few regional parliamentary assemblies that existed were either isolated institutions (like the Latin American Parliament) or were mere consultative instruments created in order to emulate the European Community experiment (for

[5] Namely the CACM, which in any case was barely functioning at the time.

instance, the various transformations of what is called now the Andean Community of Nations).

The direct election of the members of the Central American Parliament did not only directly introduced citizens in the integration process, but it also expanded the integration objectives into the political sphere, by linking regional integration to democratisation and peace. Indeed, it is interesting to recall the similarities with the foundation and the subsequent enlargement of the European Communities: it was to avoid another war and to consolidate democracy in Germany that Europeans built their first supranational structures; and it was to avoid the return of dictatorial regimes that the Southern European states (Greece, Spain and Portugal) joined the EC later. The same objective – as well as economic and geopolitical considerations – was also evident in the 2004-7 enlargements of the E.U. to Central and Eastern European countries: economic arguments are accompanied by the conviction that joining a larger European family would strengthen democratic institutions.

Several reasons led to this change of paradigm. In 1986, for the first time since 1954, a civilian, Vinicio Cerezo, was elected President of Guatemala. Cerezo was a Christian-democrat; he belonged to the moderate and reformist tradition of Central Americans who wanted to promote democratic and social changes through peaceful means and for whom the regional framework was as natural as the national one. At the same time, the military deadlock had made clear that regional conflicts could not be solved only by military means. Also, for the first time the European Community became actively involved in Central America, which was, till then, considered as the US "backyard": the EC saw the region from a different angle that the US and tried to promote projects aiming more in confidence-building and less in confrontation. Finally, the fear that Costa Rica might be dragged into the regional wars convinced President Oscar Arias Sanchez – also newly elected – to give up the traditional neutrality and detachment of his country from events in its region and to propose a plan for democratisation that included also regional integration elements.

The responsibility to prepare the text for the treaty that would establish the Pariament was assigned to a committee composed by the Vice-Presidents of the five states, under the chair of the Guatemalan Vice-President, Roberto Carpio Nicolle. The

European example played, certainly, a large role in the discussions of the drafting committee. At a certain moment during the debates, the likelihood of a regional parliament with decision-making powers was seriously envisaged, promoted by Guatemala and, in particular by Carpio Nicolle in person. Costa Rican opposition and uncertainty or lack of enthusiasm from the other states led to the abandonment of this plan and to the diminishment of the Assembly's competencies (Sanchez and Rojas Delgado 1993: 451). After the question was debated again during the Esquipulas-II meeting of the Central American Presidents, on August 1987, the "Constitutive Treaty of the Central American Parliament and other political instances" was signed by the five states from the 8th to the 16th of October 1987.

As is often the case, the results did not live up to expectations. The analysis of the Treaty reveals that it finally created a symbol rather than an instrument of integration. Although the Treaty's preamble spells out the Central American integration destiny (it declares, among others, that the Parliament is part of "a pluralistic […] democratic process[…] allowing member states to debate and decide on economic, social and cultural issues of interest to them[…] in order to reach a higher degree of co-operation"),[6] it falls short of recognizing it effective powers. The Parliament is presented as an instrument "of examination, analysis and recommendation of issues of common interest[…]and is based on democratic representation and pluralism" (Article 1). It is composed by an equal number (20) of members per country, as well as the President and first Vice-President of each member state after the end of their term (Article 2). Its members should be elected through elections "respecting a wide political and ideological representativeness" and "in a democratic and pluralistic system that guarantees free[...]elections on terms of equality" for all parties (Article 6).

The elimination of the supranational option is evident when we examine in detail the Parliament's competencies (Article 5). They consist in a number of consultative tasks, such as, to act as a forum of discussion on issues of regional interest, to offer impetus to the integration process and allow for further co-operation among Central American countries, to propose draft treaties and agreements among member states

[6] Treaty preamble, para. 4 and 5.

and to contribute in strengthening the democratic system and the respect of international law (De Guttry 1992: 35-50).

Still, the Parlacen retained a couple of decision-making competencies: it "elects, nominates and removes the highest executive director of the integration organisms, existing or to be created" (Article 5 paragraph c). Also, it "examines a yearly report of activities" submitted by the regional integration institutions and reviews the "means and actions taken in view of the implementation the decisions adopted during the period under consideration" (Article 29).

In addition, the Treaty gave formal recognition to two types of meetings which existed informally since 1986 and had a certain periodicity: the "Meeting of Central American Vice-presidents" and the "Meeting of Central American Presidents." These two institutions were to be the interlocutors of the Parlacen and the recipients of its recommendations. The Meeting of Presidents was competent to examine any matter relating to peace, security and regional development, and to take note of the recommendations emanating from the Vice-presidents as well as the Parlacen. It takes its decisions by consensus.[7] The Meeting of the Vice-presidents, besides the task to examine the recommendations submitted by the Parlacen, had a "wide initiative in the process of regional integration [...] in particular to analyse, propose and examine attributions, to promote the said process, to monitor the implementation of decisions adopted and to give its support to regional integration organisms." The Vice-presidents were also able to submit to the Meeting of Presidents any matter needing a political decision at the highest level.[8]

It is worth going into a more profound analysis of the status of the Parliament as it came out of the Treaty, which embodies the contradictions of regional integration in Central America. The treaty established a directly elected regional parliament with hardly any effective power. It created a powerful symbol of regional integration but not a genuine regional legislative body: in this way, the Central American states retracted from their previous determination to build a regional institution based on popular legitimacy. The weakening of the Parliament was aggravated by the absence of any

[7] Ibid. Articles 23-25 of the Treaty.
[8] Ibid. Articles 20-22 of the Treaty.

coherent regional integration institutional framework: the Parliament thus set up had to coexist, in parallel, with various other regional integration schemes (not only the institutions of the CACM which formally still existed, but also several other sectoral and technical regional instruments). This overlapping further limited the institutional base and the involvement potential of the Parliament (Sanchez and Rojas Delgado 1993: 449).

To make matters worse, the ratification process was thwarted by national resistance, stemming essentially from Costa Rica: as the only democratic state in the region, a large part of the political elite and public opinion in Costa Rica rejected attempts to grant supranational powers to an institution whose majority belonged to less-than-democratic countries (Varela Quirós 1990: 45-56). As a result of the internal controversies on the country's participation in the Parliament, ratification was blocked for more than two years (IRELA Dossier 24: 40). As a way out of this impasse, member states adopted a Protocol to the Treaty that "froze" all remaining decision-making powers of the Parlacen in exchange for the possibility to allow it to operate without ratification by all countries. Subsequently and after elections were held in Guatemala, Salvador and Honduras, this rump Parliament was installed on October 28, 1991.

Table 1: The Central American Parliament

The Central American Parliament		
Composition	20 directly elected members and the President and Vice President after the end of their mandate	At the time, Honduras, Salvador, Nicaragua, Guatemala and Panama have elected members. Dominican Republic has sent national delegates. Belize has two observers.
Seat	Guatemala City	
Mandate	5 years. Members can be re-elected	Article 2 Constitutive Treaty: the members "shall be elected for a 5-year period by direct and secret universal ballot and can be re-elected".
Nature of the Parliament	An advisory institution	Article 1 Constitutive Treaty: "an organ for exposition, analysis and recommendation on political, economic, social and cultural issues of common interest, with the aim to achieve a peaceful co-existence in a context of security and social welfare, founded on

		representative and participative democracy, in pluralism and with respect of national legislation and international law. Article 12 Tegucigalpa Protocol: "An organ for exposition, analysis and recommendation".
	Binding - to elect the highest ranking executive officers of integration organisms - to examine the annual work program of integration organisms These competencies have been suspended by means of the Second Protocol to the Constitutive Treaty.	Article 12 Tegucigalpa Protocol: "its functions and attributes shall be those provided for under its Constituent Treaty and Protocols currently in force". Article 5 Constitutive Treaty "to elect, nominate or remove, as it arises, in conformity with the Rules of Procedure, the highest-ranking executive officer of existing or to be created organisms for Central American integration created by States, parties to this Treaty". Article 29 Constitutive Treaty: "to examine the annual work program...of the various organisms of Central American integration…".

3.2. The reorganisation of the integration system: the creation of the SICA

As pointed out above, the Esquipulas process did not mark a renewal of regional integration in the region: it only created the Parlacen but did not formally affect the existing integration schemes in the region, in particular the CACM. The gradual normalisation of the political situation, though, as well as external factors (international pressure, in particular the increasing role of the European Community, and the dominant trends of economic globalisation) contributed in taking conscience of the fact that the region's structural problems and its economic under-development should be better combated with regional coordination rather than national measures. In this context, Central American common identity as well as the historic, but also economic and political links left aside in the preceding period re-emerged as significant parameters for the region and brought a renewed interest not only for political rapprochement but also for economic integration. After 1986, the region witnessed a large number of projects aiming to (re-)establish and strengthen political cooperation

and economic integration. The pivotal role of this process, though, was not (or no longer) the Parlacen, as had been expected earlier, but the Meeting of Presidents.[9]

Between 1986 and 1990, many pre-existing integration institutions were re-established, while new ones were set up. The so-called "old" institutions had started operating at different stages of the integration process; the regional panorama was thus composed of a blend of neo-functionalist institutions and of traditional sectoral inter-state cooperation organisms.[10] It was obvious that there was a need for coordination between all these organs as well as for setting specific priorities. Gradually, the countries recognized the usefulness of an organism serving as an "umbrella" for the dispersed integration activities and able to provide the necessary impetus to a more coherent, political direction of regional integration.[11] Although some had defended the need for a totally new and comprehensive integration treaty, it was finally decided that the best framework was the institutional setup of the Organization of Central American States ODECA[12] which, even though dormant since the 1970s, was, from a

[9] The reasons were manifold but the most significant one was linked to the time factor. The Meeting of Presidents started functioning already from the signature of the Parlacen Treaty – and existed informally even earlier. On the contrary, the Parliament itself was only set up after Costa Rica's reservations were lifted. This five-year gap – and the departure of the Presidents who had imagined and promoted the Parliament – moved the focus of integration into the inter-governmental field.

[10]. The integration constellation in Central America included the institutions of the Central American Common Market which were revitalised after the political normalisation, a number of other sectoral institutions, which often dated back to the 1950s and 1960s (among them the Secretariat for touristic integration in Central America, the Council for Central American electrification, the Central American Commission for maritime transports and the regional technical Commission on telecommunications) as well as the institutions created by the Constitutive Treaty of the Parlacen.

[11] This aim was first expressed in the ministerial meeting of the ministers responsible for economic integration (an organ of the C.A.C.M. which started functioning again in the late 1980s) in San Pedro Sula (Honduras) on 7 October 1989 and became official in the Meeting of Presidents at Antigua (Guatemala), in July 1990. The final declaration of this meeting underlined the decision of Presidents to "restructure, reinforce and reactivate the process of integration (...) by adapting or redesigning its legal and institutional framework". (Point 26 of the final declaration).

[12] The ODECA (Organización de Estados Centro-Americanos – Organization of Central American States) was an regional cooperation organization, founded in 1951 by the five countries of the region with the Charter of San Salvador. Its objectives and institutional setting emulated those of the UN and the Organisation of American States (OAS) and it was not provided with any supranational institution. The ODECA became inactive almost from its inception and was re-shaped in 1962, on the wake of the establishment of the CACM by the Panama Charter. Despite the fact that the Charter spelled out ambitious objectives (among them, to create "an economic and political community [aspiring to] Central American integration" in order to "ensure economic progress [for States parties], to eliminate the barriers [dividing them], to improve (...) living conditions for its peoples, to guarantee stability and growth of the industry and to confirm solidarity among Central Americans" as stated in the Preamble of the Charter) and a complex institutional framework (not less than eight principal organs, among which a meeting of Presidents, a legislative Council and a Court of Justice) it never took off, its competences being vague and competing with those of the CACM and its powers being overwhelmed by the need for

legal point of view, still operative.

During the 11th Meeting of Central American Presidents held in Tegucigalpa, on 13 December 1991, the six presidents[13] signed the Tegucigalpa Protocol which reformed the Charter of the ODECA and established the Central American Integration System (henceforth Sistema de integración centroamericano, abbreviated as SICA). The SICA should constitute the "region's organic structure aiming to achieve integration in all its aspects (...) in the perspective of the transformation of Central America into a region of peace, freedom, democracy and development."[14] The meeting also decided to set up a preparatory commission for the implementation of the necessary institutional modifications. The Protocol entered into force on February 1, 1993.

The Protocol defines a number of new goals for member states: the first was the consolidation of democracy. It also includes such objectives as the reinforcement of elected and democratic institutions, respect of human rights, the establishment of a new model of regional security; the creation of a regional system for prosperity and economic and social justice, pursuing the construction of a regional economic bloc; reaffirming the self-determination of Central America in foreign affairs, promoting a sustainable development and protecting the environment by the establishment of a new regional ecological order.[15]

4. The institutional structure of the SICA

As shown in the above chart, the Protocol put under the same umbrella the various regional integration schemes and organisms.

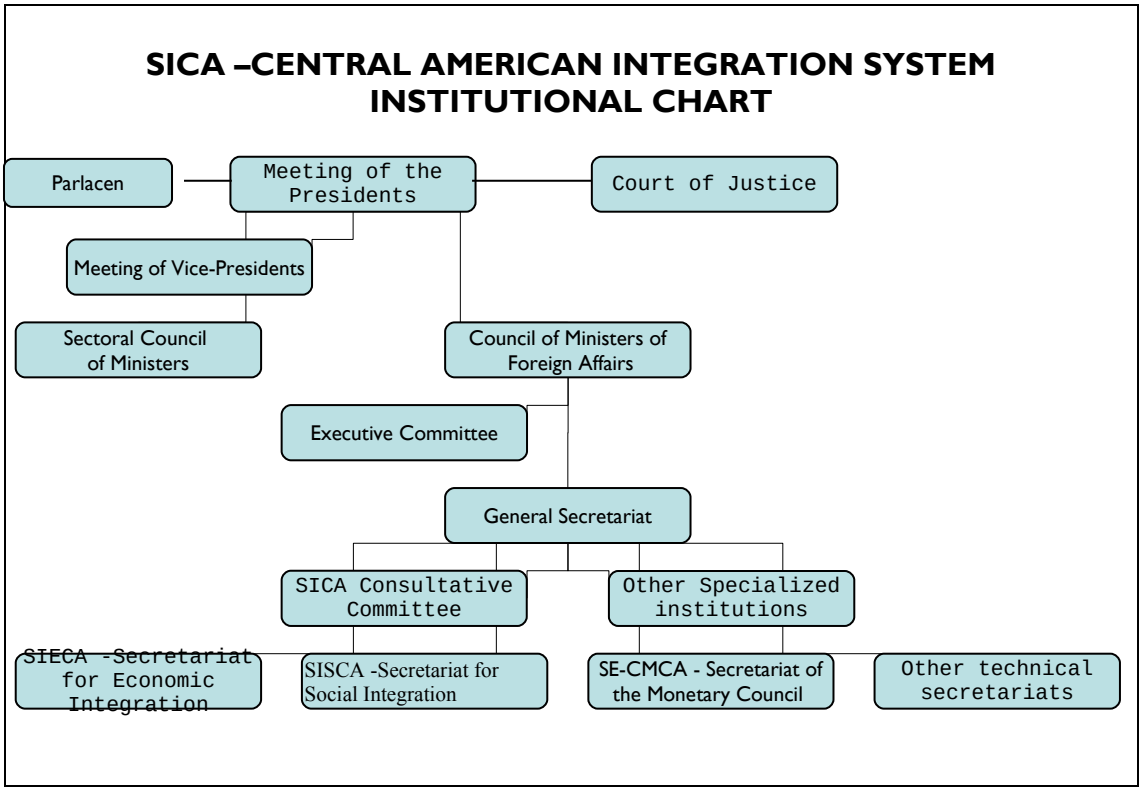
consensus in all decisions. It remained inactive during the entire 1970s and 1980s and its organs were never convoked during that period.

[13] The presidents of the five member states of the ODECA and the president of Panama.

[14] Point 4 of the "Tegucigalpa Declaration." Final Communiqué of the Meeting of Central American Presidents. 13 December 1991.

[15] Article 3 of the Tegucigalpa Protocol.

Figure 1: The governance of the SICA



The system created draws a lot from the European Union institutional mechanism (for instance, its institutions include the Meeting of Presidents, a Council of Ministers, an Executive Committee, a General Secretariat as well as a Court of Justice and the Parliament). It also sets a wider goal for integration. The SICA no longer has exclusive economic objectives; rather, it intends to represent the link between the traditional system of intergovernmental co-operation and a more advanced "Community" legal order, recognising the indivisible character of development, peace, democracy and integration and the use of regional means to achieve them. Among its founding principles are, in fact, the recognition of the Central American identity and the gradual completion of the regional economic integration. As such it offers more opportunities for a legislative intervention in the field of integration. Furthermore, the creation of other integrated instruments (in particular, the SICA General Secretariat and, later, the Central American Court of Justice) gave to the Parlacen some objective allies in the

fight for a democratic supranational integration system in the region while, at the same time, it reconnected the Parlacen with the Central American political developments.

The institutional structure of the organisation (see chart 2) is indicative of its dual – intergovernmental as well as community - nature. The single most important organ is the **Meeting of the Presidents**, the "supreme organ of the Central American Integration System" consisting of "the constitutional Presidents of the Member States" and "meeting in ordinary session every six months." "The country hosting the Meeting of Presidents shall speak on behalf of Central America during the six months following the holding of the Meeting". It "shall be seized of regional questions on which it is required to take decisions, with regard to democracy, development, freedom, peace and security" in particular to "define and direct Central American policy by establishing guidelines for the integration of the region, as well as the provisions necessary to ensure the coordination and harmonization of the activities of the bodies and institutions of the region, and the verification, monitoring and follow-up of its mandates and decisions; to harmonize the foreign policies of its states; to strengthen regional identity as part of the ongoing process of consolidating a united Central America; to approve[…] amendments to the Protocol….; to ensure fulfilment of the obligations contained in the […] Protocol and in the other agreements, conventions and protocols which constitute the legal order of the Central American Integration System and to decide on the admission of new members of the Central American Integration System". The Meeting of Presidents takes its decisions by consensus.

The **Meeting of Vice-Presidents** is, in fact, a residue of the Parlacen Treaty without specific tasks; according to the Protocol it acts as an advisory and consultative organ to the Meeting of Presidents and meets normally every six months.[16]

The Protocol integrated in the regional legal order the **Central American Parliament**, acting as an organ for exposition, analysis and recommendation – identical to the functions it holds according to the Constitutive Treaty – and, notably, the **Central American Court of Justice** aiming to "guarantee respect for the law in

[16] In practice, this organism gradually lost its original importance. Most of the important issues were dealt by the Presidents while others were taken over by the SICA Secretariat.

the interpretation and implementation of this Protocol and its supplementary instruments and acts pursuant to it."[17]

The **Council of Ministers**, composed of the relevant ministers holding the relevant portfolios provides the necessary follow-up to ensure the effective implementation of the decisions adopted by the Meeting of Presidents in the sector in which it is competent, and to prepare the topics for possible discussions by the Meeting. It is chaired by the competent minister of the member state speaking on behalf of Central America – again for a 6-month period. The coordinating body is to be the Council of Ministers for Foreign Affairs, competent for all political matters – democratisation, peacemaking and regional security, for the coordination and follow-up in respect of political decisions and measures in the economic, social and cultural sectors as well as for approving the budget of the central organization. The Protocol makes special reference to the "Council of Ministers responsible for economic integration and regional development" responsible for implementing the decisions of the Meeting of Presidents concerning economic integration, and fostering economic policies geared towards regional integration.

The Protocol establishes **two permanent organs** of the System: the **Executive Committee** and the **General Secretariat**. The former is a hybrid body, composed of representatives of member states – not unlike the Committee of Permanent

[17] The Protocol provided that "the composition, functioning and attributions of the Central American Court of Justice shall be regulated in the Statute of the Court …[to] be negotiated and signed by the member states within 90 days of the entry into force of the Protocol." The Statute of the Court was signed by the Presidents of the six states that had signed the Tegucigalpa Protocol, during their 13th Presidential Summit, in Panama City, on December 10, 1992. It entered into force on the 2nd of February 1994, after Salvador, Honduras and Nicaragua, the three states that were also the first to ratify the Tegucigalpa Protocol, ratified it. The Court was installed in Managua and became operative on 12 October 1994. Article 22 of the Statute (which includes 48 articles, in total) enumerates the competencies of the Court and entrusts it with a substantial number of powers, among which to examine, at the request of any member state, disputes which may arise among them, to examine the validity of legislative, regulatory, administrative or any other acts taken by a state, when these affect Conventions, Treaties or any other provision of the Central American Integration Law or the agreements and decisions of its organs and bodies, to act as a standing Advisory Tribunal for the Supreme Courts of Justice of the states, for explanatory purposes, to act as a consultative body for the organs and bodies of the Central American Integration System in matters concerning the interpretation and implementation of the Tegucigalpa Protocol and to examine and rule, at the request of the affected party, on conflicts that may arise between the fundamental Organs or Powers of the State, as well as when judicial rulings are not respected in fact. These powers far exceed those of all other organs of the System and make the Court a genuinely supranational institution with almost sovereign powers. For an analysis of the Court see Nyman–Metcalf and Papageorgiou (2005).

Representatives (COREPER) of the European Union. It meets once a week and has a wide range of tasks including the effective implementation of the decisions of the Meeting of Presidents, compliance with the provisions of the Protocol, prepare, evaluate and submit proposals to the Council of Ministers and so on.

The Secretary-General, who is in charge of the General Secretariat is appointed by the Meeting of Presidents for a period of four years, is the chief administrative officer and the legal representative of the System is entrusted with the tasks of representation, execution of policies, preparation of regulations and other legal texts, monitoring of the implementation of the provisions of the Protocol and of the work program, has budgetary powers etc.

This general description outlines some of the unique characteristics of the SICA. Even if we allow for the usual pomposity of Latin American integration schemes which all include the indispensable references to the Bolivarian heritage and to the community of nations they represent, the SICA remains a special case. It is not only that its objectives remind of the early European projects – to establish regional democracy and rule of law, to avoid the repetition of internal and external conflicts; it is, also, that it sets aims that need a thorough rearrangement of national policies and practices to implement. And, different to previous integration efforts which were fragmented and sectoral, the SICA aims to provide Central America with a single and global community legal order. It is true that this order is not yet a supranational one, but it represents the passage between the traditional intergovernmental cooperation and the construction of a new political entity. In a way, the creation of the SICA completed the political promises contained in the Esquipulas-II Declaration[18] and confirmed the intrinsic relation between the national and the regional contexts in Central America.

[18] See, for this purpose, the declaration of the first Secretary-General of the SICA Roberto Herrera Caceres, who claimed that the Tegucigalpa Protocol is "the culmination, from a legal point of view of the political process of Esquipulas-II," in Ordoñez and Gamboa (1997: 238).

5. Integration in Central America today: political stagnation and institutional conflict

The setting up of the SICA had significant consequences for the region. Firstly, it confirmed the incorporation of Panama in Central America. Panama became a full member of the SICA, in 1994 it signed the Parlacen Constitutive Treaty and, from 1997 onwards, elects members to the Central American Parliament.[19] It also normalized the presence of Belize in the Central American context – Belize became a full member of the SICA in 2001 and has either observer or even full status in most other integration organs.

Also, it set a number of economic integration goals – the creation of a customs union, a common market and freedom of movement for citizens and goods. On October 1993, the Guatemala Protocol was adopted: the Protocol reformed the 1960 General Treaty on Economic Integration establishing the CACM and set new targets for economic integration (including the creation of a Central American Economic Union) and formalized the so-called economic subsystem of the SICA. This remodelling of economic integration allowed, finally, Central Americans to be taken into consideration by the other economic blocs of the world, in particular by the EU which has since the beginning supported integration of the region – for political/ideological as well as economic reasons – and the NAFTA which was the Central America's primary economic objective.[20]

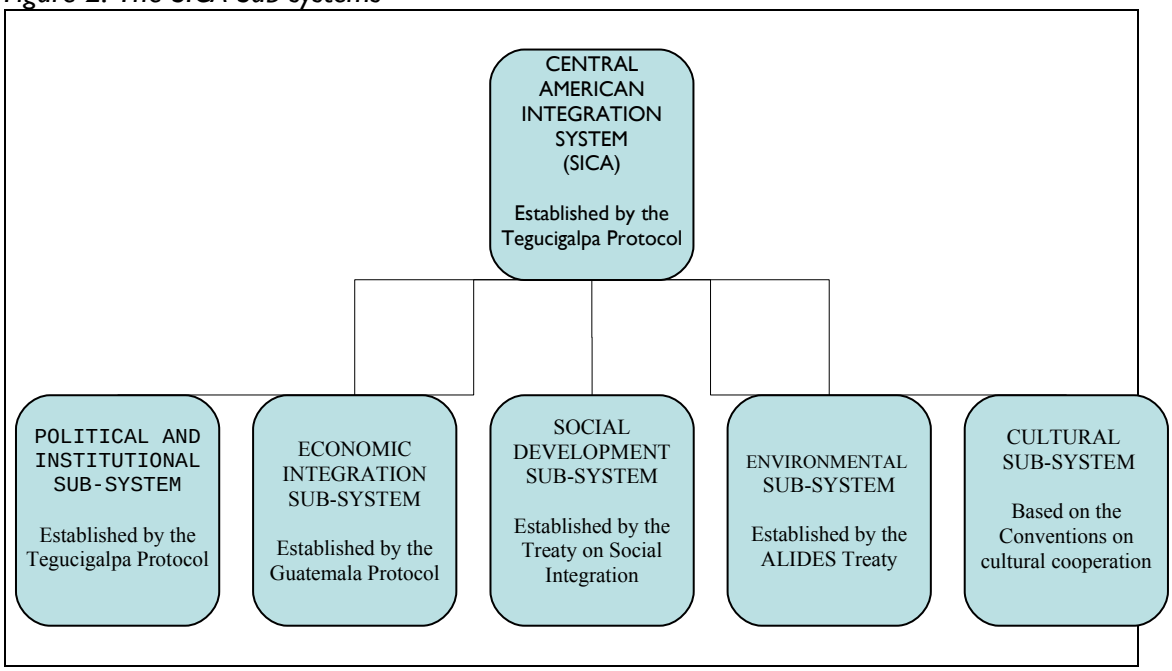
Gradually, the SICA expanded to other areas of integration, too. Member states adopted, on the 30th of March of 1995, the Treaty on Social integration, aiming to

[19] In summer 2009, the newly elected President of Panama, Ricardo Martinelli, announced that the country would withdraw from the Parlacen Treaty and, in September 2009, Panama formally submitted its decision to the other member States of the SICA. This development may have an interesting incidence in the relationship between member states and regional institutions, especially following the request by the Parlacen of a binding consultative opinion of the Central American Court of Justice on the matter.

[20] Trade with – and aid from – North America, in particular the United States is of paramount importance for Central America. In 2008 the US was largest trade partner of the CACM with 31,6% of the region's exports and 33,4% of its imports, ahead of intra-regional trade (29.4% of its imports and 12,8% of its exports) as well as trade with the EU (source: SIECA – Sistema de Estadísticas de Comercio). When NAFTA was first established in the 1990s, Costa Rica tried in vain to join it on its own, on the grounds that it had a, more or less, similar economic development to Mexico. The US though refused to contemplate an economic agreement with so small a country and suggested a coordinated sub-regional approach.

coordinate harmonize and allow the convergence of their social policies; this set up the Social Sub-system of the SICA. Earlier on, the ALIDES (Alianza para el Desarrollo Sostenible – Alliance for a Sustainable Development), signed on 12 October 1994, formed a comprehensive strategy for the environmental sustainable development of the region. Later on, it also expanded to the cultural area.

Figure 2: The SICA Sub-systems



This apparent prolific expansion of integration instruments and areas, though, conceals the harsher reality for regional integration. The process of "new regionalism" as is known this period for Central America run out of steam soon after. The SICA's ambitious objectives have been gradually reduced when in contact with reality. The organisation, despite its complex institutional framework and its wide competences, faces the same challenges that had led to failure past experiments. These challenges are of an institutional, a political and a legal nature.

- The first problem concerns coordination, in particular coordination of its economic sub-system. The cooperation between the SIECA, an institution that was accustomed to running economic integration since the 1960s (and was relatively successful in it), with the General Secretariat of the SICA has been difficult, striven

with institutional antagonism as well as uncertainty over the organ competent to promote integration as well as the speed and the direction of economic integration.

• In addition, the integration system is overburdened by the number of institutions and organs. Given the reduced budget of integration institutions, the administrative costs for some of them is proportionally elevated, especially compared to their added value. As a result, the perceived 'high administrative' costs of integration led to a widespread resentment against the most costly institutions. Such resentment – particularly addressed to the supranational organs of integration – was the founding stone for all efforts to 'rationalize' the institutional framework of integration.

- The centrifugal forces within the group have remained strong all through this period. Despite a notable increase of intra-zonal trade, all the countries of the SICA had a much larger trade dependence on the US – and some on the EU too. Their main efforts therefore were largely addressed to securing privileged access to these markets by negotiating bilateral agreements with the U.S./NAFTA and other American countries, putting intra-zonal integration efforts to secondary level.

  • In addition, since the early 1990s, the integration process was first and foremost a government-led one, despite all efforts to reduce this dependency; governments were unwilling to compromise their sovereignty. Thus, consensus was the rule for all decisions in substance, both at the Meeting of Presidents and in the Council of Ministers. The need to secure the agreement of all member states meant that any progress achieved was attained at the level of the lowest common denominator.

  • Furthermore, this intergovernmental dominance also implied that national agendas prevailed over integration. Thus, the election of new presidents, often from the former opposition parties (as in Guatemala and in Costa Rica) reduced the momentum towards integration.

  • At the same time, a number of external factors, in particular various border disputes between SICA members and natural disasters – notably hurricane Mitch in 1998 but also the San Salvador earthquake – further weakened the process.

As a result, after a promising start, integration efforts stagnated. The political dimension of integration which previously led the path, emanating notably from the

Central American Parliament and the Court of Justice, had all but vanished and these institutions were left at the sides of integration due to the Costa Rican refusal to accept them. The completion of a customs union is being continually deferred[21] and even the free trade zone faces exception clauses. Freedom of movement for persons has not been fully achieved either, much less the creation of a common market. The problems encountered by the CACM in the 1960s – absence of market complementarity and exports mostly oriented outside the region – prevent the creation of a genuine regional market. Globalisation also became a hindrance in deepening integration as it created strong pressure to lower tariffs – thus preventing the re-establishment of the 1960s "industrialisation through import substitution" policy. This partial failure led to the creation of subgroups within SICA. The C-4 (encompassing Guatemala, Salvador, Honduras and Nicaragua) and the Northern Triangle (the former three states) were created having more ambitious goals of regional integration, with successful results, in particular concerning the customs' union and the movement of persons (Sanchez 2009: 142).

In the political field, despite the advances in formal democracy, the Central American societies continue to present strong economic and social disparities. Furthermore, their political systems still are quite weak. Political intermediation is haphazard: political parties are largely discredited and civil society plays a marginal role. Even formal democratic institutions face major challenges. The constitutional dispute and the military coup that brought down president Zelaya of Honduras in June 2009 is but the last – and most serious – such institutional conflict. Between 2002-5 Nicaragua remained locked in an institutional power struggle between then president Bolaños and the Sandinista – dominated Legislative Assembly while Guatemala faces continuous institutional crises between the Presidents and the Congress. Only Costa Rica and Salvador have maintained strong formal democratic features (and this despite the fact that, even in politically sophisticated Costa Rica, three presidents have been prosecuted for graft and taking kickbacks).

[21] In March 2010, the Central American Common External Tariff was harmonized in 95.7% of the codes. The products, though, which were not yet harmonized included a number of important products for the region (such as sugar, coffee, bananas and industrial goods. See SIECA: "estado de situacion de la integracion economica centroamericana" in http://www.sieca.org.gt/site/VisorDocs.aspx?IDDOC=Cache/17990000002915/17990000002915.swf.

Confronted with the relative failure of the integration objectives, the SICA member states started examining ways to remedy it: for many the root cause was the complexity of regional integration structures, in particular of community institutions. Thus, they begun considering ways to re-model the institutional framework in such a way as to streamline and simplify the system.

It is true, as already pointed out, that integration in Central America suffered from an institutional incoherence and was very complicated and, at times, even puzzling.[22] Still, the delays in achieving regional integration goals were not – or not mainly – due to the existence of many organisms, but rather to member states' reluctance to conform to these goals or their non-compliance with the agreements reached.

Nevertheless, in the mid-1990s, the majority opinion among governments was that the delay in integration could be remedied by a simplification of its structures and, from 1995 onwards, a number of efforts aimed to make an evaluation of the processes and the organisms of integration, to streamline it and to reform it in depth, to reduce its costs and to align its goals – all in the framework of a new vision of integration. Although this evaluation could have been made by the SICA Secretariat itself, states preferred to entrust it to a team of international experts under the direction of the Inter-american Development Bank (IDB) and the UN Economic Commission for Latin America and the Caribbean (ECLAC).[23] Its conclusions[24] led to a number of political decisions – none of which though has been concluded.

The most important institutional moments of this stage were the following:

- The Panama Meeting of Presidents, on July 12, 1997, adopted a decision to reform the integration institutions, create a unified secretariat and an executive committee and reduce the size, competences and costs of the Parlacen and the Court of Justice.

[22] Some sectoral and technical integration organs dated back to the first phase of integration in the early 1950s and were pursuing an autonomous and sometimes useless life and their goals of their own, not necessarily linked to the SICA strategy.

[23] The mandate to the team, decided in the 16th Meeting of Presidents, at San Salvador, on March 30, 1995, consisted in an "evaluation of the operational management of the organs and institutions of integration so as to proceed to their modernisation and to achieve a better efficiency in their procedures and results". Point 14 of the Final Declaration.

[24] The conclusions were published in CEPAL and BID (1998).

- The extraordinary Meeting of Presidents in Managua, in September 2, 1997 proclaimed the establishment of the Central American Union.
- The proposal to adopt a "Single Treaty" for all integration instruments which appeared both in the Panama conclusions and in the Managua Declaration.

Despite their closeness in time, these approaches differed substantially, demonstrating the duality of Central American perspectives concerning regional integration. The conclusions of the Panama Summit, strongly influenced by the Costa Rican diplomacy, proposed the remodelling of integration following an inter-governmental cooperation model: a small number of sectoral institutions, directly dependent on the Executive Committee (a government-appointed committee) and the Council of Ministers, the sole source of legitimacy being the Meeting of Presidents. On the other hand, the Managua proposal, instigated by Honduran President, Carlos Reina, and his Salvadorian counterpart, Armando Calderón Sol, aimed directly to the establishment of a supranational community. This duality between the "liberal-morazanic"[25] and the "conservative" approaches (Sánchez 2003: 44), always present in Central American integration is also the cause of the reversals of all efforts to set up a permanent integration mechanism in the region.

None of the above attempts came to fruition. Reaction from the opposition (as well as from within the ruling party) in Costa Rica meant that the country went back to its commitment for the Central American Union, while the upheaval provoked by Hurricane Mitch put integration out of the countries' agenda. The proposal for a single treaty (the so called "tratado único") supposedly covering all integration institutions fell also victim to the contradictory expectations of member states. As a result, SICA remains to this day with the same institutional structure of the Tegucigalpa Protocol.

6. Regional integration in the 21st century

6.1. The new role for the Parlacen

From the start of its existence – but in a more pronounced way at the end of the 1990s – the Parlacen has tried to become a focal point of regional integration. By the

[25] Francisco Morazán was a Central American statesman and last president of the United Provinces of Central America. He was killed in an effort to restore the unity of Central America and is still remembered as the champion of regional integration.

end of this decade, it had partly succeeded in acquiring a new vitality. Several factors contributed to this development. As mentioned above, Panama ratified the Constitutive treaty and nominated its first parliamentarians in 1997. Nicaragua also proceeded to the election of its first parliamentarians on October 1996. The Dominican Republic joined it in 2004 as did Belize.[26] Also, it cultivated its relations with the European Parliament, all too content to cooperate with the only other directly-elected regional body.

This new impetus did not only increase substantially the number of its MPs (from the initial 60 to currently 120), but also their representativity. In the early days of the Parlacen, its MPs were essentially representing centre- and right-wing parties; they were often second-rate national politicians in search of a sinecure on the way to retirement. The normalisation of the political situation in Salvador and the Nicaraguan participation in Parlacen increased the number of left-wing MPs (and also of women due to the gender policy of the FSLN), and made the debates more lively, interesting and passionate. The press started reporting on debates in the Parlacen and the integration institutions hold regular meetings with its thematic committees, while governments meet their national MPs in Parlacen.

At the same time, the supranational way of running political activity within the Parlacen had important consequences for political parties. As it the European Parliament, its members are divided by political groups rather than by national delegations. Parties from the different member states which beforehand had no contact whatsoever between them were, hence, obliged to meet and cooperate on various issues of regional interest as never before. The forum of the Parlacen encouraged relations among political parties of the same country. The consensual way it tended to treat issues at stake and the fact that most parties, be it left- or right-wing, held broadly similar opinions on the process of regional integration eased off tensions between them and permitted them to reach out to each other more readily than at national level. Cross-border co-operation between parties on similar issues was thus promoted outside the Parlacen as well.

[26] Still, neither has proceeded to directly elect its representatives. Belize only appoints 2 observers while the President of the Dominican Republic designates 20 members.

The alliance with national parties has been fostered in other ways, as well. Since 1992, the Parlacen organises annual thematic conferences of all Central American parties, bringing them together on matters that include issues of regional interest, mainly dealing with the deepening of political union, but covering more practical issues, as well (for instance, the Central American citizenship or the role of indigenous populations).[27] These meetings, far from being simple social activities, constitute a privileged means of action of the Parlacen and a central moment for the international relations of political parties, often represented there by their leaders in person.

The civil society has been the other target of the Parlacen's campaign to expand its role and enlarge the spectrum of integration. Even more than political society, civil society was completely excluded from the regional integration process. Certainly, the general political situation of Central American countries did not make easy for civil society to exist, in the first place, much less to intervene in a process considered primarily of being competency of the executive. The creation of the Consultative Committee of the SICA that brought together a series of non-governmental organisations and platforms allowed, for the first time, to these non-state actors to have a saying, be it a consultative one, over the developments in regional integration. The Parlacen snatched this opportunity and multiplied its contacts with various local, national and regional organisations and movements with the objective both to recall the existence of the Parliament to them and to take into account their needs and demands. These contacts were useful: in the past civil society, especially those movements that challenged the governments in place, tended to reject all expressions of organised political life and considered that the Parlacen was nothing more than a group of highly-remunerated establishment politicians, completely detached from the real needs of the people. The permanent relations thus created broke, little by little, this diffidence and permitted to both sides to find common ground for discussions as well as to determine their adversaries and act together on various cases.

Finally, one should not underestimate the work done by Parlacen in order to reach out to the national parliaments. Aware of the potential danger that represents a

[27]. The last to date, the 18th Conference of Central American and Caribbean parties, has been organized on 26-27 August 2009 in Santo Domingo.

quarrel with the national legislative bodies over the roles and competencies of each level, the Parlacen tried to prevent it by embarking on a strong co-operation with national parliaments: the objective was, once again, to demonstrate that a struggle between the legislative organs on the legislative control of integration is useless as long as governments rule over the integration process and to co-ordinate activities so as to facilitate exchange of opinions and information between Parlacen and national parliaments on integration issues.[28] As such, the two levels hold regular meetings and the specialised committees on regional integration, that have been created in all national parliaments work in close co-ordination with the committees of the Parlacen.

These activities allowed the Parlacen to become actively and aggressively involved in the debate on integration when, after 1995, its specific features came under attack during the attempts to reform and remodel the wider institutional machinery of the SICA. It resisted the proposals put forward by the authors of the BID-CEPAL analysis to relegate it to an indirect assembly and counter-attacked by presenting its own vision of regional integration. In a draft Protocol adopted by Parlacen in 1998, it requested a substantial increase of its powers, in particular the right to vote the budget of the SICA, to control its implementation and to be consulted over all treaties and agreements, to be approved by member states, that concern regional integration. In addition, the Parlacen submitted to the Meeting of the Presidents, drafted on the wake of the BID-CEPAL reform proposals, a draft text on a Treaty of the Union that radically modified the regional integration framework, with a complete description of the structure and tasks of a future Central American Union. This text of a clearly constitutional character was, in fact, approved by the seventh conference of Central American political parties in San Salvador, in September 1998. Still, as with all other institutional reform proposals, this one too failed to materialize.

[28] Such privileged relationship has been useful to the Parlacen at various critical moments of its existence, such as the attempt to relegate it to an indirectly-elected body with the Panama proposals as well as the recent decision of Panama to withdraw from it. See the unanimous resolution of the Salvadorian Assembly urging Panama to reconsider its decision. Cf. "Pronunciamento de la Asamblea Legislative de la Republica de El Salvador ante el anuncio efectuado por el Gobierno de la Hermana Republica de Panama sobre su decision de retirarse del Parlamento Centroamericano". 20 August 2009. In the electronic site of the Salvadorian Assembly http://www.asamblea.gob.sv/primeralinea/2009/Agosto/210809_pronunciamiento_panama.dwt.

6.2. The role of the Court of Justice

Strangely, the only supranational SICA institution which holds significant – extraordinarily so – powers, is the one least studied. The Court was the last institution of the SICA to see the light – not surprisingly so, since the establishment of a regional court with binding powers represents a revolution for Central America.

Table 2: The Central American Court of Justice

Composition	According to the Statute, at least one full member per Member State and the same number of alternate members. Currently there are 2 judges as full members and 2 as alternate per Member State which has ratified the Statute.	At the time, the Court's Statute is ratified by Salvador, Honduras and Nicaragua who have already nominated the judges. Guatemala ratified it on February 2009, but has not yet nominated judges to it [29].
Characteristics of judges	They must be persons "*of a high moral consideration and fulfill the conditions required in their country for exercising the highest judicial offices*".	
Duration of the mandate	10 years, renewable.	
Competences	"*is the principal and permanent Judicial Organ of the S.I.C.A. whose jurisdiction and competencies are of a compulsory nature for the States*"[30]	
Competences on the basis of article 22 of the Statute	As a Community Court - applications to annul (by individuals and institutions) - applications for failure to act - examination of validity of national acts - preliminary rulings - administrative tribunal for SICA staff.	b. To examine cases for annulment or failure to act on the agreements of the Central American Integration System bodies. c. To examine, at the request of any interested party, the validity of legislative, regulatory, administrative or any other acts taken by a State, when these affect Conventions, Treaties or any other provision of the Central American Integration

[29] "Guatemala se integra a la Corte C.A. de Justicia". In the electronic site of 'El Nuevo diario' http://www.elnuevodiario.com.ni/nacionales/8857

[30] Article I subparagraph 1 of the Statute.

		Law or the agreements and decisions of its organs and bodies. g. To examine issues that are submitted directly and on an individual basis by any person affected by the decisions of any Organ or Organism of the Central American Integration System. j. To rule, in last resort, as a court of appeal on administrative decisions taken by the organs or bodies of the Central American Integration System that affect directly a staff member of such organ or whose transfer has been denied. k) To decide on any preliminary ruling, submitted by a Judge or a Court of Justice ruling on a case still pending, with the aim of achieving uniform application or interpretation of the provisions which make up the legal order of the Central American System of Integration, its additional organs or secondary legislation.
	As an international court - disputes between member states - disputes between a member state and another state	a. To examine, at the request of any Member State, disputes which may arise among them. Disputes relating to border issues, either land or maritime, are excluded: their examination needs the request of all parties concerned. The respective Foreign Ministries must previously have provided a written statement, which they may, nonetheless, submit at a later stage as well as at any moment of the court case. h. To examine disputes and problems which arise between a Central American

		State and some other non-Central American State if they are submitted by common agreement of both.
	As an arbitration court - general competence	Ch. To examine and rule, if it so decides, as an arbiter, on questions submitted to it whenever the parties requested it as a competent court. It can also decide, examine and rule should the interested parties agree so to do.
	As a consultative organ - to Supreme Courts - to SICA organs - to conduct studies	d. To act as a standing Advisory Tribunal for the Supreme Courts of Justice of the States, for explanatory purposes. e. To act as a consultative body for the organs and bodies of the Central American Integration System in matters concerning the interpretation and implementation of the Tegucigalpa Protocol reforming the Charter of the Organization of Central American States (ODECA) as well as of their additional instruments and supplementary acts. i) To conduct comparative studies on the legislation of Central America, so as to achieve its harmonization and to draft uniform legislative proposals in order to achieve legal integration in Central America. This task will be undertaken either directly or by means of specialised institutes or organs, such as the Central American Judicial Council or the Central American Institute for the Law of Integration.
	As a regional Supreme Constitutional Court - to rule on disputes between	f. To examine and rule, at the request of the affected party, on conflicts that may arise

	organs of a member state - to rule on cases of failure to respect judicial rulings.	between the fundamental Organs or Powers of the state, as well as when judicial rulings are not respected in fact.

The Court appeared in the Tegucigalpa Protocol although a predecessor of it had been established for a brief period in the early 20th century. It was considered a necessary element in the re-construction of the entire integration system of the region and an indispensable accessory in a new era of democratic institutions and the rule of law in Central America. It was instituted in article 12 of the Protocol which stipulated that the Court should: "[g]uarantee respect of the law in the implementation of this Protocol and supplementary instruments and acts pursuant to it. The integration, functioning and attributions of the Central American Court of Justice shall be regulated in the Statute of the Court which shall be negotiated and signed by the Member States within ninety days of the entry into force of this Protocol."

Besides this brief description of its role in the Tegucigalpa Protocol, the Court's competencies and functions are to be found in the Statute, which includes 48 articles[31] and was largely drafted by the Presidents of the Supreme Courts of the member states.

The Court has issued around a hundred rulings since it started operating. They are mainly actions for failure to act lodged against governments and opinions requested by other integration institutions. It has dealt with delicate issues too, such as the application of Arnoldo Alemán against the legal proceedings to prosecute him for graft when he became a member of the Parlacen, it mediated in the power struggle between President Bolaños and the Assembly of Nicaragua and even an application from a custom agents organisation against Costa Rica – which has not ratified the Statute and does not recognize the Court.[32] Strangely, it was not asked to mediate – always according to article 20 (f) of its Statute – on the recent institutional conflict in

[31] The text is reproduced here from the electronic site of the Central American Court of Justice http://www.ccj.org.ni.

[32] Initially, the Costa Rican parliament objected to the right of the Court to rule "on conflicts that may arise between the fundamental Organs or Powers of the State" (article 20 f of the Statute, above). Later on, it simply refused to allow supranational power to any SICA organism.

Honduras, although the terms of this latter article seemed made to purpose. The Court has not been spared the accusations of inefficiency and costliness and the BID-CEPAL proposals suggested transforming it into an ad hoc court, meeting when asked to. For the time being, though, no action against it has been undertaken.

7. Is SICA a democratic international institution? An analysis of the SICA on the basis of the IDW qualitative macro-indicators

7.1. Appointment of its officials

As pointed out above, since the time SICA was established, most integration key officials are appointed by the Meeting of the Presidents (or by the national governments as the case may be[33]). In no case is there a popular involvement in such appointments. The Constitutive Treaty of the Parlacen provided (in article 5 para. c) that the Parliament would have competence to "elect, nominate and remove the highest executive director of the integration organisms, existing or to be created." This competence, however, which has never been exercised due to the lack of ratification by Costa Rica, has been formally removed by the Tegucigalpa Protocol. This latter provides in article 25 that the General Secretary of the SICA "shall be appointed by the Meeting of Presidents for a period of four years." The Secretary-General of the SIECA is appointed by the Council of Ministers for Economic Integration also for a period of four years. [34] The members of the Court of Justice are appointed by the respective national Supreme Courts.[35]

The only popular participation in the regional integration process is to be found in the direct election of the members of the Parlacen. As already pointed out, the direct election of a regional parliament is a significant and rare step in regional integration. With the exception of the European Parliament the only other such body is the Parlacen.[36] However, despite its many attempts to acquire a role in regional

[33] Such is the case for the nomination of the national members of the Court of Justice.

[34] According to article 43 of the Guatemala Protocol.

[35] Article 10 of the Statute of the Central American Court of Justice provides that "each magistrate[…]shall be elected by the Supreme Court of Justice of the respective State, from among a triad of candidates submitted by the corresponding executive organ, which shall be based on a list of no more than five names[…]proposed by the Lawyers' Bars."

[36] It is no coincidence that the other regional integration systems which aim to establish direction elections, such as the Andean Community of Nations and the Mercosur, have continuously been

integration, the Parlacen remains a consultative body – if anything, its reputation is tarnished by the accusations against its members. Not unlike its European counterpart, it is considered a luxury, a nuisance and, for all purposes, a second-rate institution: the establishment, in the 1990s of FOPREL,[37] a forum for the cooperation of national parliaments – initially a Costa Rican attempt to bypass the Parlacen – is a further risk to the centrality of this organism.

The executive organs of regional integration – the General Secretariat of the SICA and that of the SIECA – have been unable to acquire a power of their own. They lack resources – the budget for the SICA is set by national contributions by member states and, in any case, it is used mainly for administrative purposes, they lack staff and, especially, they lack executing powers. Their legitimacy is also very low –since the 1960s, when for a brief period the SIECA had acquired a force of its own thanks to its professionalism and foreign support and had achieved some form of elite legitimacy especially in the central states (Salvador and Guatemala), regional institutions worked without any noteworthy public support.

7.2. Legitimacy of the institutions

Given the low popular involvement in regional integration, it is difficult to assess the level of legitimacy of the SICA. Theoretically, regional integration is a avowed aim of all Central American States – in some, such as Honduras and Salvador, it is a constitutional imperative – and school curricula as well as official discourse promote regional integration. In practice, such legitimacy as it exists is only limited to certain groups of the urban elite: the majority of the population remains indifferent or even unaware of regional integration. Recent developments in the region have, if anything, further reduced legitimacy of the national level, but the regional level does not benefit from such erosion of national legitimacy. There are many reasons for this. Regional institutions are considered by a large part of citizens and civil society as another expression of the political establishment. Regional integration cannot claim to have

postponing this step.

[37] FOPREL (in Spanish Foro de Presidentes de Poderes Legislativos de Centroamérica y la Cuenca del Caribe) was formally set up in Managua, on 26 August 1994. It brings together the presidents of national parliaments of the region and members of thematic committees.

significantly affected most people's lives. It is true that SICA finds itself in a vicious circle: its small budget and limited means do not influence the economy and the society in the region and cannot achieve a functional spill-over not render regional integration important in the eyes of Central Americans. Its relative insignificance, on the other hand, does not allow the setting in motion of a mechanism for the transfer in domestic allegiances and achieving the critical mass that would allow for an incremental regional integration process.

As far as the Parlacen is concerned, its legitimacy as a directly elected regional parliament, always lukewarm as pointed above, had further waned as a result of the electoral process used for the election of its members. In order to reduce costs, all countries hold elections for the members of the Central American Parliament simultaneously to national elections – which are held at different times according to the national electoral schedules. As a result, the members of the Parlacen change during its term of office. To make matters worse, most States bind the election of Parlacen members to the national lists – i.e. when a citizen votes for party A in the national elections he automatically votes for the same party in Parlacen elections – and thus voters are often even unaware of the Parliament's existence. In addition, the persistent Costa Rican opposition to the very existence of the Parlacen has prevented it from becoming a moral authority for democracy and integration in Central America, similar, in some ways, to the Council of Europe.

As pointed above, the only regional institution that, theoretically, is able to shape policies is the field of integration is the Court of Justice. Its competences are formidable for any court of justice and comparable to these of its European counterpart. Its effectiveness, though, as a tool for integration is hampered by its partial operation – in effect, it functions with three member states' judges – and by the long tradition of non-abeyance to the law, a tradition rampant in the region. The inability of the Court to enforce its rulings and the inherent passive character of courts – courts are unable to intervene on their own unless another person or institution applies before them – further weaken its role in the regional integration constellation.

7.3. Democracy at national level

It is commonplace to state that regional integration can only be achieved in a sustainable way by states that accept democratic principles, the rule of law and multiparty regimes. Indeed, previous attempts to integration foundered on this prerequisite: Central America has had a tumultuous democratic past. Throughout the 19th century and the 20th centuries, the region has been plagued with authoritarianism, military coups and violence. In the beginning of the current process of integration only Costa Rica was democratic, the remaining states of the region falling under various forms of authoritarian rule. Even today, one of the most compelling arguments inside Costa Rica against supranational integration was the fact that a democratic country would surrender its sovereignty to a bunch of "bloody" dictatorships. The internal fights have gradually been drawn to an end and military has, to a certain degree, been brought under the political leadership.[38] The countries of the region have known political change by civilian means and former rebels are now in government in Salvador – not to mention Nicaragua where Sandinistas were first ousted and then returned to power through elections. Indeed, since the 1990s all SICA member states are electoral democracies and the Tegucigalpa Protocol enshrines democracy and rule of law as a fundament of regional integration.[39] The situation, however, at national level, is far from perfect: although it is true that today's Central America has very little in common with the situation in the 1980s, electoral democracy is not always tantamount to genuine democracy. Freedom House[40] ratings define only Costa Rica and Salvador as fully free countries while Guatemala, Honduras and Nicaragua are defined as only partly free – and Nicaragua's rating has declined in 2009 following President Ortega's

[38] The case of the military coup that, in June 2009, deposed president Zelaya of Honduras, though, is there to prove that such development cannot be considered as definitive.

[39] Article 3 provides that a "fundamental objective" of the SICA is to "consolidate democracy and strengthen its institutions on the basis of the existence of Governments elected by universal and free suffrage with secret ballot, and of unrestricted respect for human rights" and article 4 proclaims that "peace, democracy, development and freedom constitute a harmonious and indivisible whole which shall guide the acts of the States Members of the Central American Integration System."

[40] www.freedomhouse.org. Freedom House is an independent NGO that supports the expansion of freedom around the world and provides a rating for freedom to countries worldwide.

more than authoritarian policies.[41] Violence[42] and corruption – two endemic features of the region – have indeed worsened in the 1990s and even Costa Rica has had three former presidents prosecuted for graft.

A side effect of this situation is political volatility, party fluidity as well as popular disaffection from politics. The party systems in Guatemala and Panama are today totally different that they used to be in the 1980s, new parties having replaced older ones without any obvious connection to each other. The same is true to a lesser extent for Salvador and Nicaragua while even once stable two-party Costa Rica has witnessed a reshaping of its party system. Leaders play a key role in political mobilisation while ideological differences matter less – as it became obvious both from the tactical alliance between Daniel Ortega's Sandinista party and Arnoldo Aleman's Liberal Constitutionalist Party.

From this point of view, therefore, it is difficult to assess democracy at regional level. The SICA can only be representative of its represented entities. Internal democracy is not in the forefront of its objectives and the main efforts concern economic integration. It is no coincidence that the SICA remained in the sidelines during and after the June 2009 coup in Honduras. Although the Meeting of the Presidents condemned the military takeover, the SICA played a minor role in the ensuing political and diplomatic initiatives. The same goes for the other integration institutions. The Court of Justice is in fact competent to rule on conflicts between the constitutional organs of the SICA's member states.[43] The escalation before the coup between President Zelaya and the Congress of the Republic could have thus been brought before the Court and resolved there. The fact that there has been no such proposal – not even a discussion – is another proof that Central American institutions are still far from national politics.

---

[41] According to Freedom House methodology "partly free countries are characterized by some restrictions on political rights and civil liberties, often in a context of corruption, weak rule of law, ethnic strife, or civil war."

[42] Central America has one of the highest average homicide rates in the world (45 per 100,000 inhabitants).

[43] Article 20 (f) of the Court's Statute points out that the Court is competent "to examine and rule, at the request of the affected party, on conflicts that may arise between the fundamental Organs or Powers of the State, as well as when judicial rulings are not respected in fact." The Statute has been ratified by Honduras.

Another problem for regional democracy lies on the specific character of Central American political systems. As most other Latin American States, they are all presidential systems. Presidentialism, in general, does not fit easily with regionalism since it implies a national president with strong popular legitimacy, unwilling to share executive powers with an (unelected) regional integration executive body. It is no surprise that all major decisions in the SICA are taken by the Meeting of Presidents – and on a consensual basis. What is more surprising is that quite often such decisions ignore not only the opinion of regional organs but, on occasions, the integration rules themselves. In institutional matters, in particular, the Meeting of the Presidents has conveniently ignored the rules it itself had adopted on earlier occasions for reasons of convenience.[44]

7.4. Supranationalism

The analysis of competences of and within the SICA shows that, in the end, the global balance of powers leans strongly towards the hands of the governments: the rule of unanimity that governs almost all decisions by the intergovernmental organs (both the Meeting of the Presidents and the Ministerial Meetings) taken in the context of the SICA the inadequate system of financing of the SICA (by means of annual national contributions) the limited powers of most integrated organisms and the mere consultative nature of the Central American Parliament, lead to the conclusion that the SICA as it is today does not – or at least did not, initially – aim to create a supranational, quasi-federal entity but rather an inter-state organism that, ultimately would develop into such a community system. Even the General Secretariats – the SIECA as well as the SICA General Secretariat – are not able to adopt and impose policy, much less strategy, without the consent of member states.

The only institution that can be qualified as supranational is the Court of Justice. The Court benefits from both the wide range of powers it is entrusted with and capacity for legal argumentation of its members and has tried to gradually impose a

[44] The most emblematic such contradiction has been the adoption of the Panama-II conclusions in August 1997 and, hardly a month later, of the Managua Declaration. The two texts were not only mutually conflicting; they were also adopted with total disregard of the rules contained in the Tegucigalpa Protocol.

community legal order in SICA. Twice in its lifetime, it clashed head-on with the member states, challenging the legitimacy of the Meeting of the Presidents, in the first case, and of a member state in the latter to modify integration texts at whim. In the former case, the Court questioned the authority of the 1997 Panama Summit to remodel the integration organisms on the grounds that it went against the implicit and explicit aims of the Tegucigalpa Protocol (Corte Centroamericana de Justicia 1997: 246). Indeed it was the first case where two sources of legitimacy in the regional integration process of Central America came into conflict. In fact, the Court's judges, by means of their position, defended that the source of legality and legitimacy in the process of regional integration of Central America does not lie – or does not lie any longer – in the will of the Presidents but on legal texts that regulate the process which they consider irreversible. In other words, Presidents also are obliged to respect and abide to the treaties of integration, once ratified; furthermore, they are not any more able to modify them at their whim.[45] Legitimacy founded on texts adopted legally by the member states, but which once adopted obtain their proper legitimacy is something new in Central America, where the presidential authority was henceforth omnipotent.

Although this first challenge remained theoretical since the decisions of the Panama Summit were not realized, it is important to follow this legal construction further in time. It has been, in fact, the first "federal" reading of the regional integration process. The Court denied the Presidents the right to alter the functioning and competences of their institution, on the grounds of a regional rather than national legitimacy.[46] This analysis of the situation should be compared to similar positions of the ECJ, when it underlined the existence of a Community Law.

This approach went even further in the latter, more recent case. The decision of the newly elected President of Panama to withdraw from the Parlacen Treaty – which was formalized by an official letter of denunciation to the other members of the SICA

[45] The President of the Court for the period 1996-97, Dr. Rafael Chamorro Mora, insisted that the Panama Summit had violated the institutional framework of the SICA and noted that the Tegucigalpa Protocol was the constituent treaty of regional integration and, as such, superior in hierarchy to any other decision of institutions deriving from it. See: "Integración política en peligro" in *Boletín Semanal de Inforpress centroamericana* 26 (20-27.9.97).

[46] See also the Court resolution, dated 24 May 1995, where the Court underlined the "constitutional" character of the Tegucigalpa Protocol and insisted that this latter was able to provide legitimacy by itself.

– led the Parlacen to lodge a request for a consultative opinion to the Court.[47] The Court's ruling[48] again underlined in an even more limpid way the coexistence of two legal orders in Central American and, indeed, the supremacy of the community one. It pointed out that

> the [Constitutive] Treaty[…]ceased to be a mere instrument of international law when it became part of the Central American integration System[…]then, the treaty acquires all these characteristics of a Community Law Treaty meaning, in principle, that it belongs to a community of States which has its own personality, an autonomy in its functions and competences and with specific principles and objectives which constitute not only an inalienable commitment for member states also create a genuine political, legal, economic, social and cultural acquis.

It is not at all certain that these pronouncements of the Court will have an effect on the decision of President Martinelli or on regional integration globally. In fact, the Court by its very nature cannot find support among the population. Also, there is in Central America a general perception that the judicial system is corrupt or at best corporatist and biased. As a result judges in general are not respected as independent judicial experts. The Court is not spared. But the ability of the Court to gradually form a community legal order – or at least a common understanding of what such an order implies- is today the single most promising expression of supranationality in Central America.

8. Conclusions

The situation of integration in Central America presents as Alfredo Trinidad points out "dark and bright spots" (Comisión Europea 2003: 82). In terms of competences as well as in terms of results, the SICA remains a half-way house. Although, the Tegucigalpa Protocol set a number of ambitious objectives for the organization which imply a profound degree of political and economic integration, the structure and the

[47] The application contained several questions, the most important of which was whether a member state had the right to withdraw from the Constitutive Treaty, whilst this latter did not include any relevant withdrawal provision.

[48] Ruling No 6-14-08-2009, dated 23 September 2009.

competencies of its institutions do not allow qualifying the System as a genuinely supranational one. Indeed, with the exception of the early period of integration in the 1980s, when pacification was the paramount aim, the region cannot claim a vision of its own on integration. All developments responded rather to specific national or regional circumstances rather than to a comprehensive vision of what member states want from integration. Thus, the various activities undertaken were incidental actions without a long-term perspective.

For the same reasons, it is difficult to assess the level of democracy in the organisation. Effective decisions on strategy are taken mostly by the inter-governmental sector with hardly any participation of citizens or of their elected representatives. Control is scarce and is mostly attained at national rather than regional level. Although the SICA and its various sectoral emanations appear to cover a wide range of areas, the specific impact of regional policies is meagre and implementation of measures remains in practice a national activity. The role of the integrated organs is limited and mostly bureaucratic; their capacity to influence decisions is restricted and these organs are also unelected and unaccountable to citizens.

At this moment, the process of integration in Central America is at a crossroads. The SICA can boast of a number of successes. They include a common external tariff, an almost complete customs union and substantial advances in the area of free movement of persons, capitals and services. Furthermore, its integrated institutions acquired considerable weight. The Court of Justice has shaped the embryo of a Community legal order and the General Secretariat has gradually become the System's administrative and political core, with the Secretary General obtaining an internationally recognised political status and role.

At the same time, inter-governmentalism still holds sway. Regional integration pertains still to the field of international law rather than to integration law. The six-monthly Meetings of the Presidents continue to be the motor of the SICA and unanimity remains the rule in the decision-making process. The main problem, though, is not simply the difficulty in reaching decisions because of the consensus; rather it is

the failure to comply with decisions taken.[49] Governments refuse to hand over power to integrated organs but at the same time they refuse to implement their own decisions. As a result, integration is fragile and dependent on national and even personal situations. Even the efforts undertaken by the Meetings Presidents to modify the institutional structure of the SICA fail to realize. It is no chance that the only area where integration has progressed – the economic subsystem – is the area where an integrated organism (namely the SIECA) is most respected and watches over compliance.

In addition, the region continues to face formidable obstacles, not least the continuation of democratisation. Despite significant progress achieved, democracy is still fragile, as the recent events in Honduras have shown, and only partly is it accompanied by social equality: the continued existence of mass poverty practically cancels any democratic achievement.

Nationalist resistance continues to be a barrier to full integration[50], as is the "presidential" character of these states. More significantly, the prevailing trend in favour of larger, regional or continental, free-trade areas in the Americas constitute a major stumbling block to a separate Central American political and economic integration process: the centrifugal forces advocate direct membership of Central American States in these larger units rather than creating a separate Central American union.

All the same, a "community" attitude is slowly developing as are the level of popular participation and the concept of Central American identity. The Court and the Parlacen, as well as the Consultative Committee gradually take a role in the regional integration debate. But none can take, under the present conditions, a leading role in promoting integration. The regional parliament is a victim to the all-powerful presidentialism of the American continent, while the regional court is weakened by the prevailing and generalized tradition to ignore judicial rulings and the widespread

[49] Alfredo Trinidad (Comisión Europea, 2003, 82) has calculated that the level of implementation of important decisions taken by the Meeting of Presidents does not exceed 4%.

[50] In the ongoing discussions between the E.U. and the SICA in view of concluding an Association Agreement, Costa Rica forced its partners to accept that the Central American parliamentary interlocutor in the political dialogue between the EU and the SICA will not be the Parlacen alone, but also a member of the Costa Rican Legislative Assembly. See:'Costa Rica evitó adhesión a Parlacen en Acuerdo con UE'. La Nación. San Jose CR. 28 January 2009.

lawlessness. The civil society, finally, is frail and divided: in societies long used to military interventions and social tensions, the role of NGOs remains at best a marginal one.

Any substantial development currently will have to emanate from the governments. This does not appear to be the case. States are unable to achieve a coherent and lasting vision of integration, vacillating between the image of a strong Central American community and that of an inter-governmental cooperation organism. Governments seem unable to understand that, after forty years, Central American integration has exhausted the stage of inter-governmental cooperation. Unless this attitude changes – or unless other, external or regional, factors impose it, integration in the region will continue being characterized by a predominance of ambitious goals and modest results.

References

Books and articles

Bethel, Leslie (ed.) 1989. *The Cambridge History of Latin America*. 9 volumes. New York: Cambridge University Press

Bethel, Leslie (ed.) 1991. *Central America since Independence*. Cambridge: Cambridge University Press

Comisión Económica Para América Latina y Caribe (CEPAL) - Banco Interamericano de Desarrollo (BID) 1998. *La integración Centroamericana y la Institucionalidad Regional*. San Salvador: SICA Publications. February

Comisión Europea. 2003. *La integración centroamericana: realidad y perspectivas. El proceso de integración centroamericana y el papel de la Union Europea*. Acts of a colloquy entitled "Integración Regional Centroamericana y la Reforma Institucional," organized in Brussels by the EU Commission. March 3

De Guttry, Andrea. 1992. El *proceso de integración regional de Centroamérica. Recopilación de Documentos Básicos con estudio introductorio*. 2 volumes. Guatemala City: Universidad Rafael Landivar

Kramer, Francisco Villagran *Encauzamiento y posible solución del conflicto centramericano. El papel de Europa y de las superpotencias*. Working document No. 22. Madrid: IRELA

Loucel, Rafael Rodrigues. 1994. "Integración centroamericana: evolución y perspectivas." *Integración latinoamerican* 19(201)

Nyman–Metcalf, Katrin and Ioannis F. Papageorgiou. 2005. *Regional Integration and Courts of Justice*. Brussels: Intersentia publications

Opazo, Bernales Andrés and Rodrigo Fernandez Vasquez. 1990. *Esquipulas II - una taréa pendiente*. San José (Costa Rica): Editorial Universitaria Centroamericana (EDUCA)

Ordoñez, Jaime and Nuria Gamboa (eds.) 1997. *Esquipulas, diez años después. Hacia dónde va Centroamérica?* San José (Costa Rica): EDUCA/CSUCA/Asociación Hombres de Maíz

Parlamento Europeo. 1997. *El Parlamento Europeo y el proceso de integración centroamericano*. Working document (General Directorate for Research). Political series No W-29. Luxembourg. June

Pinto Soria, Julio C. 1986. *Centroamérica, de la colonia al Estado nacional (1800-1840)*. Guatemala City: Editorial Universitaria de Guatemala

Rubio, Luis Arnoldo. 2004. "L' intégration centre-américaine : entre le modèle européen et le modèle nord-américain," in Sebastian Santander (ed.) *Globalisation, gouvernance et logiques régionales dans les Amériques*. Paris: L'Harmattan

Sanchez Sanchez, Rafael A. 2004. "Rebuilding the Central American Bloc in the 1990s: An Intergovernmentalist Approach to Integration," in Finn Laursen (ed.) *Comparative Regional Integration: Theoretical Perspectives.* London: Ashgate

Sanchez Sanchez, Rafael A. 2009. *The Politics of Central American Integration*. New York: Routledge

Sanchez, Olga Marta and Jaime Delgado Rojas, Jaime (eds.) 1993. *Una contribución al debate. Integración regional*. 1a edición. 1993. San José (Costa Rica): FLACSO - UNA Faculdad de ciencias sociales

Schmitter, Philippe C. 1970. "Central American Integration: Spill-Over, Spill-Around or Encapsulation?" *Journal of Common Market Studies*. 9(1): 1-48

Soto Acosta, Willy. 1991. "Costa Rica y la federación centroamericana: fundamentos históricos del aislacionismo." *Anuario de Estudios Centroamericanos* 17(2). San José (Costa Rica): Editorial de la Universidad de Costa Rica - Instituto de Investigaciones sociales

Torres-Rivas, Edelberto (ed.) 1993. *Historia General de Centroamérica*. 6 volumes. Madrid: Sociedad Estatal Quinto Centenario. FLACSO

Vacchino, Juan Mario (ed.) 1990. *La dimensión parlamentaria de los procesos de integración regional*. 2 volumes. Buenos Aires: BID-INTAL publishers

Vacchino, Juan Mario. 1989. *Los Parlamentos regionales en los procesos de integración: las experiencias europeas y latinoamericanas.* Documento de trabajo No. 21. Madrid: IRELA

Varela Quiros, Luis A. 1990. "El proyecto de Parlamento Centroamericano: un analisis desde la perspectiva histórica, constitucional y electoral costaricense." *Revista de Relaciones internacionales* 31. School of international relations, University of Heredia, Costa Rica

Documents of the Institute for the Relations between Europe and Latin America (IRELA)

IRELA Dossier No. 5. "A Central American Parliament? A study in political feasability." July 1986

IRELA Dossier No. 11. "El plan Arias: una salida para el proceso de paz centroamericano?" February 1988

IRELA Dossier No. 16: "A new stage in Central American integration? The institutional dimension." November 1988

IRELA Dossier No 24: "El Parlamento Centroamericano: Alternativas de constitución y elecciones". April 1990.

IRELA Dossier No 37: "Paz e Integración en Centroamérica: El umbral de una nueva etapa". April 1992.

IRELA Dossier No 44: " integración y cooperación en América Latina: Enfoques nuevos, esfuerzos multiples". Madrid. March 1993.

IRELA Dossier No 48: "Una triple renovación en América central: Elecciones, integración y desarollo económico". March 1994.

Documents from Central American integration bodies

Corte Centroamericana de Justicia. 1997. *La Corte de Managua. Defensa de su institucionalidad*. October

Extraordinary Meeting of the Central American Presidents. 1997. *Declaración de Nicaragua sobre la Unión Centroamericana*. Managua. September 2

Parlamento Centroamericano - Comisión de la Integración. 1998. *Instrumentos Jurídicos de la Integración Centroamericana en Proceso de Ratificación en los Congresos Nacionales de Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, Panamá y República Dominicana*. Document presented at the 4th Meeting of the Inter-parliamentary Committees on Regional Integration of the Isthmus and Dominican Republic (CICAPI), April 23-24

Parlamento Centroamericano - Comisión de Derechos Humanos. 1997. *Banco de datos sobre normas nacionales e internacionales sobre derechos humanos en Centroamérica*. Guatemala

Parlamento Centroamericano - Comisión de Desarrollo Económico y Social. 1998. *La sociedad centroamericana y su desarrollo socioeconómico*. Guatemala

Parlamento Centroamericano. 1998. *Estudio Comparativo entre el Tratado Unico del Sistema de Integración Centroamericana y el Tratado Constitutivo de la Unión Centroamericana (Parlacen)*. Guatemala. June

Parlamento Centroamericano. 1998. *Tratado Constitutivo de la Unión Centroamericana*. Draft text submitted by Parlacen. Guatemala

Parlamento Centroamericano. 1998. *Proyesto de Protocolo al Tratado Constitutivo del Parlamento Centroamericano y otras instáncias políticas*. Official text proposed by the Parlacen. Guatemala. April

Parlamento Centroamericano. 1998. *Normas legales centroamericanas para la elección de Diputados al Parlacen en los paises centroamericanos*. Guatemala. August

Parlamento Centroamericano. 1996. Derecho constitucional comparado centroamericano. Guatemala

Parlamento Centroamericano. 1998. *Reflexiones sobre las actividades del Parlamento Centroamericano*. Executive Secretariat. Internal document. Guatemala. October

Parlamento Centroamericano. 1997. *Esquema Comparativo de las atribuciones del Parlamento Europeo, propuesta del Parlamento Centroamericano y Declaración de Panamá*. Internal document. Guatemala. August

Parlamento Centroamericano. Undated. *Evolución y perspectivas del Parlamento Centroamericano*. Internal document.

Parlamento Centroamericano. 1997. *Un nuevo esquema institucional para la integracion centroamericana*. Internal document. Guatemala. October

Parlamento Centroamericano. 1995. *Primer quinquenio. 1991 - 1995. Edición comemorativa*. Guatemala

19th Meeting of the Central American Presidents. 1997. *Lineamientos Para El Fortalecimiento Y Racionalización De La Instiucionalidad Regional*. Final document. Panama, July 12

INTERNATIONAL DEMOCRACY WATCH
C/o Centre for Studies on Federalism
Via Real Collegio, 30
10024 Moncalieri (TO) - Italy
Tel. +39 011.6705024
Fax +39 011.6705081
E-mail: finizio@csfederalismo.it
Web site: www.internationaldemocracywatch.org