

CRS Report for Congress

Received through the CRS Web

Latin America and the Caribbean: Issues for the 109th Congress

Updated March 29, 2006

Mark P. Sullivan, Coordinator,
Colleen W. Cook, J.F. Hornbeck,
Clare Ribando, Maureen Taft-Morales,
Connie Veillette, and M. Angeles Villarreal
Foreign Affairs, Defense, and Trade Division

Latin America and the Caribbean: Issues for the 109th Congress

Summary

The Latin America and Caribbean region has made enormous strides over the past two decades in terms of political and economic development. While the region overall experienced an economic setback in 2002-2003, it rebounded in 2004, with a growth rate of 5.9%. Estimates for 2005 show a growth rate of 4.3%. Nevertheless, several nations face considerable challenges that could threaten political stability, including persistent poverty, violent guerrilla conflicts, autocratic leaders, drug trafficking, increasing crime, and the rise of radical populism in several countries.

Legislative and oversight attention to Latin America and the Caribbean in the second session of the 109th Congress are focusing on continued counter-narcotics efforts in the region; trade issues, including the possible consideration of implementing legislation for one or more free trade agreements; potential challenges to democracy in Venezuela and Bolivia; ongoing efforts to bring political stability and ameliorate poverty in Haiti; efforts to foster change in Cuba; and cooperation on border security, migration, and anti-terrorism measures, especially with Mexico.

Since 2000, the Andean Counterdrug Initiative (ACI) has been the primary U.S. program supporting the Colombian government's efforts to combat drug trafficking and terrorist activity perpetrated by guerrilla and paramilitary groups. In the first session, the 109th Congress approved the Administration's request to continue ACI funding in FY2006 at approximately the same levels as in previous years, and the second session will be considering the FY2007 request for ACI funding.

In the trade arena, Congress approved legislation in 2005 (P.L. 109-53) implementing the Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA) that had been completed in 2004. The second session of the 109th Congress may also consider additional free trade agreements, including ones completed recently with Peru and Colombia, and others currently being negotiated with Ecuador and Panama.

With regard to democracy, Congress will likely focus on continued support to Haiti, the hemisphere's poorest nation that elected a new government in February 2006. Venezuela will remain a congressional concern because of fears that President Hugo Chávez may be using his political power to push toward authoritarian rule. In Bolivia, the new government of President Evo Morales could complicate U.S. relations in part because of his criticism of U.S. counternarcotics policy. In Peru, a retired army officer who espouses a populist platform is leading polls for the April 2006 presidential election. With regard to U.S. policy toward Cuba, Congress will likely continue to debate whether loosening or tightening the U.S. embargo will encourage political change.

This report, updated bimonthly, provides an overview of U.S. relations with Latin America and the Caribbean, focusing especially on the role of Congress and congressional concerns. For further information, see the CRS products listed after each topic.

Contents

Conditions in the Region	1
U.S. Policy Overview	2
Regional Issues	5
U.S. Foreign Assistance	5
Colombia and the Andean Counterdrug Initiative	6
Free Trade Agreements	8
Dominican Republic-Central America-United States	
Free Trade Agreement (DR-CAFTA)	8
U.S.-Panama Free Trade Agreement (FTA)	9
U.S. FTAs in the Andean Region	10
Free Trade Area of the Americas	10
Terrorism Issues	13
Gangs in Central America	14
AIDS in the Caribbean and Central America	15
Afro-Latinos	16
Trafficking in Persons in Latin America and the Caribbean	17
Country Issues	19
Argentina	19
Bolivia	19
Brazil	20
Cuba	22
Dominican Republic	23
Ecuador	24
El Salvador	25
Guatemala	25
Haiti	27
Honduras	28
Mexico	29
Nicaragua	31
Panama	33
Peru	34
Venezuela	35

Latin America and the Caribbean: Issues for the 109th Congress

Conditions in the Region

The Latin America and Caribbean region has made enormous strides over the past two decades in political development, with all countries but Cuba having regular free and fair elections for head of state. Despite this democratic progress, several nations face considerable challenges that could threaten political stability, including persistent poverty, violent guerrilla conflicts, autocratic leaders, drug trafficking, increasing crime, and the rise of radical populism in several Latin American countries. Already in 2006, presidential elections have been held in Chile, Costa Rica, and Haiti, and additional elections are scheduled for Peru in April, Colombia in May, Mexico in July, Guyana in August, Brazil and Ecuador in October, Nicaragua in November, and Venezuela in December. St. Lucia is also due to hold parliamentary elections by the end of the year, and the new Jamaican government of Portia Simpson Miller, the country's first woman prime minister, might call elections this year.

While the region overall experienced a gross domestic product (GDP) decline of 0.6% in 2002 and only a modest growth rate of 1.5% in 2003, by the end of 2004, the region had rebounded with an estimated growth rate of nearly 6% for the year, surpassing even the most optimistic predictions. Every country in the region, with the exception of Haiti, experienced positive economic growth, and even per capita income for the region as a whole increased by more than 4% for the year. Countries that had suffered the deepest recessions in recent years — Argentina, Uruguay, and Venezuela — all experienced significant economic growth in 2004. Estimates for 2005 show the region having a growth rate of 4.3%, with Argentina and Venezuela registering the strongest growth rates.¹

The Andean region still faces considerable challenges, including the rise of a radical form of populism in several countries. Colombia continues to be threatened by drug trafficking organizations and by two left-wing guerrilla groups and a rightist paramilitary group, all of which, combined, have been responsible for thousands of deaths each year. Bolivia has experienced political unrest over the last few years, including the resignation of its president in 2003, and its interim president in June 2005. The election of indigenous leader Evo Morales as president in December 2005 could complicate U.S. relations given his vow to decriminalize coca growing. Ecuadorian President Lucio Gutierrez was removed from office in April 2005 following weeks of popular protests related to his replacement of judges. Current

¹ U.N. Economic Commission for Latin America and the Caribbean (ECLAC), "Preliminary Overview of the Economies of Latin America and the Caribbean 2005," December 2005.

President Alfredo Palacio, a political independent, will also face significant challenges in governing within Ecuador's politically fragmented and unstable political environment. In Peru, President Alejandro Toledo remains extremely unpopular, but the economy has continued to grow at high levels. Presidential elections are scheduled for April 2006 with a retired army officer who espouses a populist platform leading the polls. Venezuela under President Hugo Chávez has been plagued by several years of political polarization, although Chávez's rule was strengthened after he survived a recall referendum in August 2004 and after his supporters swept legislative elections in December 2005 after the opposition withdrew from the race. Windfall oil profits have bolstered his government's revenue and economic growth.

In Central America, countries such as El Salvador, Honduras, and Nicaragua emerged from the turbulent 1980s and 1990s with democratic institutions more firmly entrenched, yet violent crime is a major problem in all countries. Honduras and Nicaragua are among the poorest countries in the hemisphere. While Guatemala has made significant progress in improving the government's human rights policy, significant problems remain. In Nicaragua, tensions among current President Enrique Bolaños, the Sandinista party, and allies of former President Arnoldo Aleman were threatening the country's political stability in 2005, but were eased by October. It is expected that Bolaños will fill out the remainder of his term until January 2007.

In the Caribbean, Haiti — the hemisphere's poorest nation — continues to be plagued by political challenges. In the aftermath of President Aristide's departure in February 2004, Haiti's interim government was being supported by a U.N. Stabilization Mission with the goal of ensuring a secure and stable environment and to restore the rule of law. After being postponed several times because of political instability and technical problems, new elections were ultimately held February 7, 2006. Former president Rene Preval was declared the winner after several days of protests by his supporters when it appeared that a run-off election would be necessary. Preval is not scheduled to take office until May 12, 2006. Cuba remains a hardline communist state under Fidel Castro with a human rights situation that has deteriorated significantly since 2003. Several Caribbean nations, especially Grenada, Haiti, and Jamaica, were hard hit by several devastating storms in 2004, and in 2005 hurricanes again caused significant damage in several island nations, especially Cuba and Haiti. The AIDS epidemic in the Caribbean, where infection rates are among the highest outside of sub-Saharan Africa, has also been a major challenge for the region.

U.S. Policy Overview

Legislative and oversight attention to Latin America and the Caribbean in the second session of the 109th Congress are continuing to focus on continued counter-narcotics efforts in the region; trade issues, including the possible consideration of implementing legislation for one or more free trade agreements (FTAs) in the region; potential challenges to democracy in Venezuela and Bolivia; ongoing efforts to bring political stability and ameliorate poverty in Haiti; efforts to foster political change in Cuba; and cooperation on border security, migration and anti-terrorism measures, especially with Mexico.

Since 2000, the United States has provided more than \$4 billion for the Andean Counterdrug Initiative (ACI), the primary U.S. program supporting the Colombian government's efforts to combat drug trafficking and terrorist activity perpetrated by guerrilla and paramilitary groups. The ACI has also provided interdiction and development support to six of Colombia's neighbors: Bolivia, Peru, Ecuador, Venezuela, Brazil, and Panama. The 109th Congress approved the Administration's request to continue ACI funding in FY2006 at approximately the same levels as in previous years, and in the second session will consider FY2007 ACI funding. Human rights and the environmental consequences of aerial fumigation remain issues in the congressional debate. The future of continued assistance to Bolivia could become an issue with the election of a president who has strongly criticized U.S. counternarcotics policy toward the region.

In the trade arena, Congress approved legislation in July 2005 (P.L. 109-53, signed into law August 2, 2005) implementing the Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA) that had been completed in 2004. The Bush Administration views the agreement as a way for the region to help create jobs, attract foreign investment, and advance good governance. As reflected in the narrow passage in the House, congressional consideration of the DR-CAFTA was controversial, with opposition from labor advocates and some industry groups. The second session of the 109th Congress may also consider implementing legislation for additional free trade agreements (FTAs) in the region. In January 2006, President Bush notified Congress of his intention to enter into an FTA with Peru (negotiations were completed in December 2005), and in late February 2006, Colombia and the United States completed FTA negotiations. U.S. negotiations with Ecuador are continuing as are negotiations for a U.S.-Panama FTA.

With regard to democracy and political stability, Congress will likely focus on continued support to Haiti, the hemisphere's poorest nation that has hopes of electing a new government in early 2006. Venezuela — a major supplier of oil to the United States — will also remain a congressional concern because of fears that President Hugo Chávez may be using his political power to push toward authoritarian rule and to support leftist groups in other Latin American countries. In Bolivia, the future government of newly elected president Evo Morales, a former leader of the coca growers union, could complicate U.S. relations not only because of his criticism of U.S. counternarcotics policy but also because of his leftist orientation and close relations with Venezuela's Hugo Chávez and Cuba's Fidel Castro. With regard to U.S. policy toward Communist Cuba, Congress will likely continue to focus on the poor human rights situation and to debate whether loosening or tightening the U.S. embargo will encourage political change.

Congress has maintained an active interest in neighboring Mexico, focusing especially on border security and migration issues. In May 2005, Congress approved legislation (as part of P.L. 109-13, the FY2005 Emergency Supplemental Appropriations Act) that established identity card standards for the issuance of drivers' licenses, waived laws to facilitate the construction of a border fence, and required a pilot test of ground surveillance technologies at the border. Congress is currently considering a number of immigration reform initiatives, ranging from measures to tighten immigration controls to broad reform including border security, earned residency for undocumented aliens, and a guest worker program. Congress

also will likely maintain an active interest in Mexico as it approaches presidential and legislative elections in 2006.

Congressional consideration of the annual foreign operations appropriations legislation that funds foreign aid is an important way for Congress to influence U.S. policy toward the region. U.S. foreign aid is largely administered by the U.S. Agency for International Development (USAID). The agency supports such activities as education, poverty reduction, health care, conservation, natural disaster mitigation and reconstruction, counter-narcotics and alternative development, and HIV/AIDS prevention and education. In addition, the United States provides food assistance, anti-terrorism assistance, and security assistance. In the aftermath of several devastating storms in 2004, the United States provided disaster and reconstruction assistance to several Caribbean nations. Overall U.S. foreign aid to the Latin America and Caribbean region amounted to about \$1.82 billion in FY2005, and an estimated \$1.68 billion in FY2006. The FY2007 request for the region is for \$1.63 billion. The Millennium Challenge Account (MCA), could also significantly increase U.S. aid to several Latin American nations. In May 2005, the Millennium Challenge Corporation approved a five-year \$215 million compact for Honduras, and in July 2005 it approved a \$175 million five-year compact with Nicaragua.

CRS Products:

CRS Report RL32160, *Caribbean Region: Issues in U.S. Relations*, by Mark P. Sullivan.

CRS Report RS22119, *China's Growing Interest in Latin America*, by Kerry Dumbaugh and Mark P. Sullivan.

CRS Report 98-684, *Latin America and the Caribbean: Fact Sheet on Leaders and Elections*, by Mark P. Sullivan and Barbara Salazar Torreon.

CRS Report RL32427, *Millennium Challenge Account: Implementation of a New U.S. Foreign Aid Initiative*, by Larry Nowels.

CRS Report RS22095, *Organization of American States: A Primer*, by Clare Ribando.

CRS Report RS21700, *Special Summit of the Americas — Monterrey, Mexico, January 2004: Background, Objectives, and Results*, by Clare Ribando.

CRS Report RL32487, *U.S. Foreign Assistance to Latin America and the Caribbean*, coordinated by Connie Veillette.

Regional Issues

U.S. Foreign Assistance

The United States maintains a variety of foreign assistance programs in Latin America and the Caribbean, including security assistance, counternarcotics, economic development, and trade capacity building programs. Aid to the region increased during the 1960s with the Alliance for Progress and during the 1980s with aid to Central America. Since 2000, U.S. assistance has focused on counternarcotics especially in the Andean region. Current aid levels to Latin America and the Caribbean comprise about 11.8% of the worldwide FY2006 bilateral aid budget. Amounts requested for FY2007 would reduce this ratio to 10.6%. Current aid levels to the region could increase further as more countries are deemed eligible for Millennium Challenge Account grants.

The annual Foreign Operations Appropriations bills have been the vehicles by which Congress provides funding for, and sets conditions on foreign assistance programs. On November 14, 2005, the President signed into law the FY2006 Foreign Operations Appropriations Act (H.R. 3057, P.L. 109-102), fully funding several accounts from which Latin American and Caribbean countries benefit. For FY2006, U.S. assistance to Latin America and the Caribbean amounted to an estimated \$1.68 billion, the largest portion of which, \$919 million, was allocated to the Andean region. Mexico and Central America received \$292 million, while the Caribbean received \$307 million. Brazil and the Southern Cone of South America received an estimated \$36 million. The United States also maintains programs of a regional nature that totaled an estimated \$133 million in FY2006.

The FY2007 request of \$1.6 billion represents the lowest levels of U.S. foreign assistance to the region in more than four decades, measured in constant dollars. The FY2007 request is 3% lower than FY2006. The largest decrease occurs in the Development Assistance Account, which sustains a 28% reduction. The largest increase is for Economic Support Funds (up 26%) and the Global HIV/AIDS Initiative (up 35%). The increase in Economic Support Funds includes trade assistance for DR-CAFTA countries. The Child Survival and Health Account would be cut by 9%. These figures do not include Millennium Challenge Compacts signed with Honduras (\$215 million over five years) and Nicaragua (\$175 million over five years).

Aid programs are designed to achieve a variety of goals, from poverty reduction to economic growth. Child Survival and Health (CSH) funds focus on combating infectious diseases and promoting child and maternal health. Development Assistance (DA) funds improvements in key areas — such as trade, agriculture, education, the environment, and democracy — in order to foster sustainable economic growth. Economic Support Funds (ESF) assist countries of strategic importance to the United States and fund programs relating to justice sector reforms, local governance, anti-corruption, and respect for human rights. P.L. 480 food assistance is provided to countries facing emergency situations, such as natural disasters. Counternarcotics programs seek to assist countries to reduce drug production, to interdict trafficking, and to promote alternative crop development.

Foreign Military Financing (FMF) provides grants to nations for the purchase of U.S. defense equipment, services, and training.

Some Latin American countries will be affected by a cutoff of U.S. assistance as a result of not signing Article 98 agreements that exempt U.S. citizens from the jurisdiction of the International Criminal Court. The American Service Members Protection Act (Title II of P.L. 107-206) applies the aid cutoff to FMF and International Military Education and Training (IMET) funds. The FY2005 and FY2006 Foreign Operations Appropriations acts extends the prohibition to ESF. Colombia, the major recipient of U.S. assistance in Latin America, has signed an agreement. Others that have not, such as Bolivia, Brazil, Ecuador, Mexico, Paraguay, Peru, and Venezuela, could see their assistance withheld.

The Millennium Challenge Account (MCA) is a new initiative that provides sizable aid grants to a few low-income nations that have been determined, through a competitive process, to have the strongest policy reform records and where new investments are most likely to achieve their intended development results. In Latin America, Bolivia, Honduras, and Nicaragua were deemed eligible to participate in the first round; El Salvador became eligible for FY2006. In 2005, the Millennium Challenge Corporation (MCC) approved five-year compacts with Honduras and Nicaragua. In 2006, the MCC announced threshold assistance of \$37 million for Paraguay to assist the country to become eligible for an MCC compact. Other Latin American or Caribbean nations could be eligible to receive assistance in future years. U.S. support to counter the HIV/AIDS epidemic in the region is provided through programs administered by several U.S. agencies, although the U.S. Agency for International Development (USAID) is the lead agency in the international fight against AIDS. The United States also provides contributions to multilateral efforts, such as the Global Fund to Fight AIDS, Tuberculosis, and Malaria.

CRS Products:

CRS Report RL32487, *U.S. Foreign Assistance to Latin America and the Caribbean*, coordinated by Connie Veillette.

Colombia and the Andean Counterdrug Initiative

The Andean Counterdrug Initiative (ACI) is the primary U.S. program that supports Plan Colombia, a six-year plan developed by the Colombian government in 1999 to combat drug trafficking and related guerrilla activity. Because Plan Colombia was developed as a six-year plan, the 109th Congress has been reviewing its progress in response to an Administration request to continue U.S. assistance in FY2006. U.S. support for Plan Colombia began in 2000, when Congress passed legislation providing \$1.3 billion in interdiction and development assistance (P.L. 106-246) for Colombia and six regional neighbors: Bolivia, Peru, Ecuador, Venezuela, Brazil, and Panama. Funding for ACI from FY2000 through FY2005 totals approximately \$4.2 billion. For FY2006, the Administration requested \$734.5 million, of which \$40 million was proposed for a new Critical Flight Safety Program,

to upgrade aging aircraft. Another \$21 million was proposed for the Air Bridge Denial program, an air interdiction program in operation over Colombia. In the FY2006 Foreign Operations Appropriations Act (H.R. 3057, P.L. 109-102) Congress provided the Administration's request for \$734.5 million, but reduced the amounts for some of its components. The Critical Flight Safety Program would receive \$30 million instead of \$40 million, and the Air Bridge denial program would receive \$14 million rather than \$21 million. FY2006 funding for ACI is estimated at \$727.2 million (reflecting a 1% across-the-board rescission), and the Administration requested \$721.5 million for FY2007.

It is estimated that Colombia produces between 56% and 80% of the world's supply of cocaine and increasing amounts of high-quality heroin. Illegally armed groups of both the left and right are believed to participate in the drug trade. In March 2006, the United States indicted fifty commanders of the Revolutionary Armed Forces of Colombia (FARC) for drug trafficking.² In addition to the basic debate over what role the United States should play in Colombia's struggle against drug trafficking and illegally armed groups, Congress has repeatedly expressed concern with a number of related issues. These include continuing allegations of human rights abuses; the expansion of U.S. assistance for counterterrorism and infrastructure protection; the health and environmental consequences of aerial fumigation of drug crops; the progress of alternative development to replace drug crops; the level of risk to U.S. personnel in Colombia, including the continued captivity of three American hostages by the Revolutionary Armed Forces of Colombia (FARC); and the current demobilization talks between the Colombian government and paramilitaries. In 2004, Congress raised the cap on military personnel allowed to be deployed in Colombia in support of Plan Colombia from 400 to 800 for military personnel, and from 400 to 600 for civilian contractors (FY2005 Ronald W. Reagan National Defense Authorization Act, P.L. 108-375). Since FY2002, the Congress has authorized support for a unified campaign against narcotics trafficking and activities of organizations designated as terrorist organizations by the Department of State.

According to U.S. and Colombian officials, coca cultivation dropped 15% in Colombia during 2002 and 21% in 2003. This marked the first reduction in acreage devoted to coca cultivation in Colombia. Poppy cultivation was reduced by 24% in 2002 and 10% in 2003. It is believed that the Plan Colombia spraying goals are ahead of schedule. The spraying does not prevent, although it may discourage, the replanting of illicit crops. The Office of National Drug Control Policy (ONDCP) reported that there was no net reduction in coca cultivation in Colombia in 2004, while the U.N. Office on Drugs and Crime reported a small decrease in Colombia but modest increases in both Bolivia and Peru. In November 2005, ONDCP announced that prices for cocaine and heroin had increased during 2005, indicating a decline in supplies.

Critics of U.S. policy contend that winning the war against drugs is a losing proposition as long as demand continues. They argue that despite the successes in

² Juan Forero, "U.S. Indicts 50 Leaders of Colombian Rebels in Cocaine Trafficking," *The New York Times*, March 23, 2006.

eradicating illicit crops, the amount of drugs entering the United States has not declined, and prices have largely remained stable. Critics contend that U.S. policy should focus on the “demand side” in the United States. The Bush Administration has, however, recast the debate, arguing that the United States faces not only a threat from drug trafficking, but also from the increasing instability brought on by insurgent guerrilla organizations that are fueled by the drug trade. Supporters of U.S. policy argue that assistance to Colombia is necessary to help a democratic government besieged by drug-supported leftist and rightist armed groups. Assistance to Colombia’s neighbors, according to supporters, is merited because of an increasing threat from the spillover of violence and drug production from Colombia.

While some critics agree with this assessment, they argue that U.S. assistance overemphasizes military and counter-drug assistance and provides inadequate support for protecting human rights and encouraging a peace process in Colombia. In particular, they express concern that current military assistance is strengthening the Colombian military which, they charge, has substantial ties to rightist paramilitary groups who have committed gross violations of human rights. Critics also assert that U.S. assistance is disproportionately targeted to eradication of crops and military training rather than to alternative development projects that could provide alternative livelihoods for growers who voluntarily give up illicit crops.

CRS Products:

CRS Report RL32774, *Plan Colombia: A Progress Report*, by Connie Veillette.

CRS Report RL32337, *Andean Counterdrug Initiative (ACI) and Related Funding Programs: FY2005 Assistance*, by Connie Veillette.

CRS Report RL32250, *Colombia: Issues for Congress*, by Connie Veillette.

CRS Report RL33162, *Drug Crop Eradication and Alternative Development in the Andes*, by Connie Veillette and Caroline Navarette-Frias.

Free Trade Agreements

Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA). On August 5, 2004, the United States, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic signed the DR-CAFTA. Nearly one year later, it faced a contentious debate and close vote in both houses of the U.S. Congress. The Senate passed implementing legislation by a vote of 54 to 45 on June 30, 2005. The House did the same on July 28, 2005, by a vote of 217 to 215. President Bush signed the legislation into law on August 2, 2005 (P.L. 109-53, 119 STAT. 462). In addition to the United States, all countries except Costa Rica have ratified the agreement. The DR-CAFTA was expected to take effect on January 1, 2006, but none of the countries were able to make the necessary legal and regulatory changes in time. All of the five ratifying countries are expected to do so by summer of 2006, and the agreement will take effect on a rolling

basis when each country fulfills its obligations. Costa Rica still faces a two-vote ratification process and vocal opposition to the agreement from certain segments of the country. The National Assembly vote may take place by this summer, but the outcome is far from clear.

The DR-CAFTA is a regional agreement to reduce barriers to trade in which all parties are subject to “the same set of obligations and commitments,” although each country negotiated a separate market access schedule. It is a comprehensive and reciprocal trade agreement, which distinguishes it from, and will eventually replace, U.S. commitments made under unilateral preferential trade arrangements — the Caribbean Basin Initiative (CBI), the Caribbean Basin Trade Partnership Act (CBTPA), and the Generalized System of Preferences (GSP). The DR-CAFTA covers market access of goods, services trade, government procurement, intellectual property, investment, labor, and environment, among other issues.

The DR-CAFTA was controversial. Supporters saw it as part of a policy foundation that can enhance intraregional trade, as well as, long-term social, political, and economic development in an area of strategic importance to the United States. Opponents were especially concerned over some of the countries’ poor labor standards, the perception of inadequate labor laws, and lax enforcement, arguing that DR-CAFTA’s labor provisions should have included suspension of trade benefits language similar to that found in the CBI and GSP. The investor-state and pharmaceutical data protection sections were also repeatedly criticized as inadequate. With added concerns from select import-sensitive industry groups (e.g. sugar and textiles), the politics of DR-CAFTA led to the very narrow margin of approval.

U.S.-Panama Free Trade Agreement (FTA). On November 16, 2003, President Bush formally notified Congress of his intention to negotiate a bilateral FTA with Panama. Negotiations commenced in April 2004, with the ninth and most recent round occurring in Washington, D.C. January 17-20, 2006. The agreement has still not been completed, pending resolution of a few remaining contentious agricultural issues.

Panama is largely a services-based economy, which distinguishes it, and the trade negotiations with the United States, from those of its Central American neighbors. After nine rounds, nearly all issues have been resolved, including difficult ones such as defining government procurement rules for the Panama Canal Authority and market access for U.S. retailers. Unlike the DR-CAFTA, there is little textile and apparel trade, and labor issues so far have been less controversial. The treatment of sensitive agricultural products are the last issues to be concluded. In particular, the United States and Panama have yet to finalize an agreement on a sanitary and phytosanitary (SPS) issue. The United States has requested that Panama accept USDA meat inspection standards as sufficient for immediate entry of U.S. exports. This became, politically, a very sensitive issue (the Panamanian Agriculture Minister resigned) because the SPS chapter had already been closed, Panama was concerned about compromising its high inspection standards, and Panama did not want to look as if it had suddenly capitulated to U.S. demands. Following a week-long review of the U.S. meat inspection process in February 2006, a Panamanian delegation found that it did not pose a threat to Panama’s national standards. Details remain to be worked out over how this might translate into an immediate certification for entry

into Panama of U.S. meat products. Reportedly, all other agricultural market access issues have been finalized with the exception of determining any change to Panama's portion of the U.S. sugar quota.

U.S. FTAs in the Andean Region. The U.S.-Andean free trade agreement (FTA) negotiations began in May 2004, when the United States, Colombia, Peru, and Ecuador (with Bolivia as an observer) participated in the first round of talks. After thirteen rounds of talks, however, negotiators failed to reach agreement because of issues in agriculture and intellectual property rights. Peru decided to continue negotiating alone with the United States and concluded a bilateral agreement on December 7, 2005. On January 6, 2006, President Bush notified the Congress of his intention to enter into a free trade agreement with Peru. Colombia later continued negotiations with the United States and this agreement was concluded on February 27, 2006. Negotiations with Ecuador are ongoing. A senior U.S. trade official recently said that the U.S. trade agreements with Colombia and Peru are likely to be treated as separate agreements by the Congress, thereby diminishing the prospects of a single U.S.-Andean FTA.³

Under current deadlines in the Trade Promotion Authority Act (TPA), expedited legislative procedures apply to implementing bills for trade agreements, if, among other requirements, the agreements are entered into by June 30, 2007. Given the TPA notification procedures, the FTA with Peru could be voted on by the Congress sometime this summer, while the FTA with Colombia could be voted on a few months later. It is not known if or when a U.S.-Ecuador FTA might be reached. The United States currently extends duty-free treatment to imports from the four Andean countries under a regional preference program, the Andean Trade Promotion and Drug Eradication Act (ATPDEA), but that access is scheduled to expire at the end of December 2006. Over half of all U.S. imports in 2005 from the Andean countries entered under these preferences. An FTA with the Andean countries would lock-in those preferences and additional duty-free treatment. There has been some speculation that the United States will not renew the ATPDEA in the absence of a free trade agreement with the Andean countries.⁴

Free Trade Area of the Americas. The proposed Free Trade Area of the Americas (FTAA) was originally conceived 10 years ago as a regional (presumably WTO-plus) trade agreement that would include 34 nations of the Western Hemisphere. Since then, three drafts of an incomplete agreement have been released, but the original January 2005 date for signing it has passed. At the center of the delay are deep differences dividing the United States and Brazil, the co-chairs of the Trade Negotiating Committee, which is charged with defining the framework under which the FTAA negotiations can continue. In particular, Brazilian insistence on a reduction of U.S. agricultural subsidies has been central to the debate. The United States and Brazil agreed at the November 2003 Miami Ministerial to a two-tier approach that would include a set of "common rights and obligations" to which all

³ Trade Reports International Group, *Washington Trade Daily*, "U.S. Colombia Reach FTA," February 28, 2006.

⁴ Committee on Ways and Means, U.S. House of Representatives, *Report on Trade Mission to Colombia, Ecuador, and Peru*, WMCP: 109-6, September 2005.

countries would agree, augmented by optional plurilateral arrangements for countries wishing to make deeper reciprocal commitments. To date, the United States and Brazil have been unable to define how this two-tier concept would work, and the United States has rebuffed Brazil's offer to move ahead with the "4+1" market access talks with the Mercosur (Southern Common Market) countries (Brazil, Argentina, Uruguay, and Paraguay).

The breadth of an emerging resistance to the FTAA became clearer at the fourth Summit of the Americas held on November 4-5, 2005, in Mar del Plata, Argentina. Amidst dramatic and sometimes violent protests against President George W. Bush and the FTAA, which was not scheduled as the major topic of this summit, it was evident that Latin America was divided over how to proceed. A total of 29 countries supported restarting negotiations, and the United States pushed to set a specific date in 2006. The Mercosur countries rejected this idea, arguing that the conditions for a balanced and equitable FTAA did not yet exist. Venezuela lobbied independently to end any further effort on the FTAA and called for a unified resistance against U.S. policies and presence in Latin America.

The Summit declaration called for a time to reflect on the problems of the FTAA process while awaiting the outcome of the upcoming WTO Doha Round ministerial. At this juncture, there is no unified vision on how to proceed with the proposed FTAA, but at a minimum, it appears that it will depend on how much progress, if any, is made on agricultural issues in the WTO, and whether the United States and Brazil can come to a mutual understanding on how to proceed. In the meantime, both Brazil and the United States are courting other Latin American countries to join them in subregional trade pacts, a model of economic integration that most economists argue is far inferior to a region-wide FTAA.

CRS Products:

CRS Report RL31870, *The Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA)*, by J. F. Hornbeck.

CRS Report RL32110, *Agriculture in the U.S.-Dominican Republic-Central American Free Trade Agreement*, by Remy Jurenas.

CRS Report RL32322, *Central America and the Dominican Republic in the Context of the Free Trade Agreement (DR-CAFTA) with the United States*, coordinated by K. Larry Storrs.

CRS Report RL32540, *The Proposed U.S.-Panama Free Trade Agreement*, by J. F. Hornbeck.

CRS Report RL32770, *Andean-U.S. Free-Trade Agreement Negotiations*, by Angeles Villarreal.

CRS Report RS22391, *U.S.-Peru Trade Promotion Agreement*, by Angeles Villarreal

CRS Report RS20864, *A Free Trade Area of the Americas: Status of Negotiations and Major Policy Issues*, by J. F. Hornbeck.

CRS Report RL33258, *Brazilian Trade Policy and the United States*, by J. F. Hornbeck.

Terrorism Issues

In the aftermath of the September 2001 terrorist attacks on New York and Washington, D.C., U.S. attention to terrorism in Latin America intensified, with an increase in bilateral and regional cooperation. Latin American nations strongly condemned the attacks, and took action through the Organization of American States to strengthen hemispheric cooperation. In June 2002, OAS members signed an Inter-American Convention Against Terrorism in order to improve regional cooperation, including a commitment by parties to deny safe haven to suspected terrorists. President Bush submitted the convention to the Senate in mid-November 2002 for its advice and consent, and it was referred to the Senate Foreign Relations Committee (Treaty Doc. 107-18). The committee held a hearing on the treaty on June 17, 2004, and on July 28, 2005, the committee favorably reported the treaty (Senate Exec. Rept. 109-3). On October 7, 2005, the Senate agreed to the resolution of advice and consent on the convention, and the United States deposited its instruments of ratification for the convention on November 15, 2005.

In the aftermath of 9/11, the OAS also reinvigorated the Inter-American Committee on Terrorism (CICTE), which was first established in 1999 to cooperate in preventing, combating, and eliminating terrorist acts and activities. The CICTE has programs on cyber security, port security, airport security, legislation against terrorism, customs and border protection, terrorist financing, and terrorism policy engagement exercises.

The State Department, in its annual report on worldwide terrorism (*Country Reports on Terrorism 2004*, April 2005), highlights terrorist threats in Colombia, Peru, and the tri-border area (TBA) of Argentina, Brazil, and Paraguay, which has been a regional hub for Hizballah and Hamas fundraising activities. The 2004 report noted that persons suspected of ties to terrorist groups have been spotted in the TBA, but that no operational activities of terrorism have been detected. Cuba also has been listed as a state sponsor of terrorism since 1982.

In the aftermath of 9/11, U.S. attention focused on potential links in the region to the Al Qaeda terrorist network, but the State Department's 2002 report on terrorism maintained that "there was no confirmed credible information" of an Al Qaeda presence in Latin America. The 2003 State Department report on terrorism maintained that reports of an Al Qaeda presence in the TBA region remained "uncorroborated by intelligence and law-enforcement officials." There were increased concerns in 2004 by some Central American officials about potential Al Qaeda threats in the region, although U.S. officials maintained that there was no evidence supporting such concerns.⁵ The State Department's 2004 report on terrorism maintains that there were "widespread, unfounded media reports alleging formal links between transnational criminal gangs and Islamic extremists" in Central America.

⁵ "U.S. Officials Dispute Al Qaeda Role in Hemisphere," *Homeland Security Monitor* (Intellibridge), September 30, 2004; Jerry Seper, "Al Qaeda Seeks Tie to Local Gangs," *Washington Times*, September 28, 2004.

Through the State Department, the United States has provided Anti-Terrorism Assistance (ATA) training and equipment to Latin American countries to help improve their capabilities in such areas as airport security management, hostage negotiations, bomb detection and deactivation, and countering terrorism financing. ATA financing is provided through the annual foreign operations appropriations measure under the Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) account. For FY2005, \$7.9 million in ATA was provided for the Western Hemisphere, with \$5.1 million for training anti-kidnapping units in Colombia and \$0.5 million for the tri-border area of Brazil, Paraguay, and Argentina. For FY2006, an estimated \$12.3 million in ATA will be provided for the Western Hemisphere, with \$5.3 million for Colombia and \$1.5 million for the Bahamas. The FY2007 Western Hemisphere request is \$11.9 million, with \$3.1 million for Colombia, \$2.8 million for Trinidad and Tobago, and \$1.4 million for Jamaica.

CRS Products:

CRS Report RS21049, *Latin America: Terrorism Issues*, by Mark P. Sullivan.

Gangs in Central America

In the past two years, there has been increasing attention by the press and policymakers on the effects of crime and gang violence in Central America, and its spillover effects on the United States. The February 2005 arrest of some 103 members of the violent Mara Salvatrucha (MS-13) gang in several cities across the United States — including a man charged in connection with a December 2004 bus massacre in Honduras that killed 28 people — raised concerns about the transnational activities of Central American gangs. Citizens in several Central American countries have consistently identified crime and gang violence among the top issues of popular concern. Governments throughout the region are struggling to find the right combination of suppressive and preventive policies to effectively deal with the gang problem as well as more effective ways to solve related issues such as police corruption, overcrowded prisons, and weak judicial systems. Gang violence may threaten political stability, inhibit social development, and discourage foreign investment in Central America.

Many analysts predict that illicit gang activities may accelerate illegal immigration, drug smuggling, and trafficking in persons and weapons to the United States. Some analysts maintain that contact between gang members in both regions is increasing, and that this tendency may serve to increase gang-related violent crime in the United States. Others assert that unless the root causes of gang violence, which include poverty, joblessness, and the social exclusion of at-risk youth, are addressed in a holistic manner, the problem will continue to escalate.

In the 109th Congress, legislation has been introduced — S. 853 (Lugar) and H.R. 2672 (Harris) the North American Cooperative Security Act — that includes provisions to increase cooperation among U.S., Mexican, and Central American

officials in the tracking of gang activity and in the handling of deported gang members. Similar provisions have been included in broader immigration legislation that has passed the House and is now under consideration in the Senate, H.R. 4437 (Sensennbrenner) and S. 2454 (Frist). On June 7, 2005, the OAS passed a resolution to hold conferences and workshops on the gang issue and to urge member states to support the creation of holistic solutions to the gang problem. Within the U.S. government, the Department of Justice has created an inter-agency task force to focus on dealing with international gang activity through diplomacy, law enforcement, transnational legal mechanisms, justice sector reform, increased information-sharing, and improved repatriation procedures. Efforts to deal with criminal gang activity on the international front must also be coordinated with domestic policies aimed at stiffening penalties for gang-related crime. In the second session of the 109th Congress, debate is likely to ensue as to what mix of preventive and suppressive policies can deal with the gangs on both fronts.

CRS Products:

CRS Report RS22141, *Gangs in Central America*, by Clare Ribando.

AIDS in the Caribbean and Central America

The AIDS epidemic in the Caribbean and Central America has begun to have negative consequences for economic and social development, and continued increases in infection rates threaten future development prospects. In contrast to other parts of Latin America, the mode of transmission in several Caribbean and Central American countries has been primarily through heterosexual contact, making the disease difficult to contain because it affects the general population. The Caribbean countries with the highest prevalence or infection rates are Haiti, with a rate over 3%; the Bahamas, Guyana, and Trinidad and Tobago, with rates over 2%; and Barbados, Belize, the Dominican Republic, Jamaica, and Suriname, with rates over 1%. In Central America, Honduras has the highest prevalence rate of 1.8%, while Guatemala has a rate over 1%.

The response to the AIDS epidemic in the Caribbean and Central America has involved a mix of support by governments in the region, bilateral donors (such as the United States, Canada, and European nations), regional and multilateral organizations, and nongovernmental organizations (NGOs). Many countries in the region have national AIDS programs that are supported through these efforts.

USAID has been the lead U.S. agency fighting the epidemic abroad since 1986. USAID's funding for HIV/AIDS in Central America and the Caribbean region rose from \$11.2 million in FY2000 to \$33.8 million in FY2003. Because of the inclusion of Guyana and Haiti as focus countries in the President's Emergency Plan for AIDS Relief (PEPFAR), funded largely through the Global HIV/AIDS Initiative (GHAI) account, U.S. assistance to the Caribbean and Central America for HIV/AIDS increased to \$47 million in FY2004, \$82 million in FY2005, and an estimated \$87.8

million in FY2006. For FY2007, the Administration requested \$88 million in GHAI funding for Guyana (\$25 million) and Haiti (\$63 million). Further assistance is provided for non-focus countries and programs in Central America and the Caribbean through the Child Survival and Health account. In FY2006, assistance to these non-focus countries in the Caribbean and Central America amounted to almost \$23 million. It is possible that at least this much will be allocated in FY2007, which could bring the total funding level for these countries to \$111 million.

Some Members of Congress want to expand the list of focus countries to include 14 additional Caribbean countries. In the 109th Congress, S. 600, the Foreign Affairs Authorization Act, FY2006 and FY2007, contains a provision (Section 2516) that would add 14 Caribbean countries to the list of focus countries targeted for increased HIV/AIDS assistance. In other action, the 109th Congress approved H.R. 1409 (P.L. 109-95), which authorizes assistance for orphans and other vulnerable children in developing countries, including in the Caribbean. Pending legislative initiatives in the second session include H.R. 164, which would provide for the establishment of pediatric centers in developing countries, including Guyana, to provide treatment and care for children with HIV/AIDS; and S. 350 and H.R. 945, which would provide assistance to combat infectious diseases in Haiti, including HIV/AIDS.

CRS Products:

CRS Report RL32001, *AIDS in the Caribbean and Central America*, by Mark P. Sullivan.

CRS Report RS21181, *HIV/AIDS International Programs: Appropriations, FY2003-FY2006*, by Tiaji Salaam-Blyther.

Afro-Latinos

In recent years, people of African descent in the Spanish- and Portuguese-speaking nations of Latin America — also known as “Afro-Latinos” — have been pushing for increased rights and representation. Afro-Latinos comprise some 150 million of the region’s 540 million total population, and, along with women and indigenous populations, are among the poorest, most marginalized groups in the region. Afro-Latinos have begun forming groups that, with the help of international organizations, are seeking political representation, human rights protection, land rights, and greater social and economic rights and benefits.

Improvement in the status of Afro-Latinos could be difficult and contentious, however, depending on the size and circumstances of the Afro-descendant populations in each country. Afro-Latinos are, generally, descendants of the millions of West African slaves brought to the Americas by European traders during the colonial period. Afro-Latinos tend to reside in coastal areas, although in many countries they have migrated to large cities in search of employment. Afro-Latinos comprise a majority of the population in Cuba and the Dominican Republic, while in Brazil, Colombia, Panama, Venezuela, Ecuador, and Nicaragua, they form a significant minority.

Assisting Afro-Latinos has never been a primary U.S. foreign policy objective, although a number of foreign aid programs exist that benefit Afro-Latino populations. Those programs are funded through the U.S. Agency for International Development (USAID), the Inter-American Foundation (IAF), the Peace Corps, and the National Endowment for Democracy (NED). They include agricultural, micro-credit, health, grassroots organizing, and bilingual education programs.

Some assert that the United States has an interest in improving the condition of Afro-Latinos in Latin America. Assisting vulnerable peoples fits into larger U.S. policy goals for the region: promoting democracy, encouraging economic growth and poverty reduction, and protecting human rights. Others disagree, however, as to whether U.S. foreign aid should be specifically targeted toward Afro-Latinos, or be distributed broadly through efforts to support marginalized populations. Skeptics question whether increasing assistance to Afro-Latinos is feasible in a time when limited development assistance is being allocated to Latin America. Still others caution that the United States should be careful when intervening in the sensitive racial politics of other countries.

In the first session of the 109th Congress, the House passed H.Con.Res. 175, on July 18, 2005, recognizing the injustices suffered by African descendants of the transatlantic slave trade in all of the Americas and recommending that the United States and the international community work to improve the situation of Afro-descendant communities in Latin America and the Caribbean. In the second session of the 109th Congress, legislation has been introduced — H.R. 4886 (McGovern) the Colombian Temporary Protected Status Act of 2006 — that would make Colombian nationals, including Afro-Colombians affected by the country's ongoing conflict, eligible for Temporary Protected Status (TPS) under Section 244 of the Immigration and Nationality Act.

CRS Products:

CRS Report RL32713, *Afro-Latinos in Latin America and Considerations for U.S. Policy*, by Clare Ribando.

Trafficking in Persons in Latin America and the Caribbean

Trafficking in persons for sexual exploitation or forced labor, both within a country and across international borders, is a lucrative criminal activity that is of major concern to the United States and the international community. Trafficking in persons affects nearly every country and region in the world. While most trafficking victims still appear to originate from South and Southeast Asia or the former Soviet Union, human trafficking is a growing problem in Latin America and the Caribbean. Countries in Latin America serve as source, transit, and destination countries for trafficking victims. Latin America is also a primary source for the estimated 14,500 to 17,500 people that are trafficked to the United States each year.

In Latin America, trafficking in persons occurs both within countries and across borders as children and adults are trafficked for prostitution, forced labor, and

domestic servitude. Traffickers take advantage of poor young people with minimal education in countries with political instability, high unemployment, and corruption. Trafficking is increasingly tied to organized criminal groups who exploit undocumented migrants, especially in the U.S.- Mexico border region.

Congress has taken a leading role in fighting human trafficking by passing the Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386) and the Trafficking Victims Protection Reauthorization Act of 2003 (P.L. 108-193). As a result of that legislation, the State Department and other U.S. agencies provided more than \$82 million in anti-trafficking assistance to foreign governments in FY2004.

On June 3, 2005, the State Department released its fifth annual report on human trafficking, *Trafficking in Persons Report* (TIP), dividing countries into four groups according to the efforts they were making to combat trafficking. Tier 3 countries are those that have not made an adequate effort to combat trafficking and are subject to sanctions. Latin America had a higher percentage of Tier 3 countries in both the 2004 and 2005 TIP reports than any other region. In 2005, Bolivia, Ecuador, Jamaica, Venezuela, and Cuba were placed on Tier 3, but only Venezuela and Cuba were subject to sanctions by the presidential determination announced in September 2005.

In the first session of the 109th Congress, the Senate approved the ratification of the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons. The United States became a party to the Protocol on December 3, 2005. Congress also passed the Trafficking Victims Reauthorization Act of 2005 (P.L. 109-164). This law will provide some \$361 million over the next two years to combat trafficking in persons. During the second session of the 109th Congress, issues of concern related to trafficking in persons are likely to include monitoring both U.S. and international efforts to fight human trafficking, especially in regions such as Latin America, where it is an emerging problem.

CRS Products:

CRS Report RL33200, *Trafficking in Persons in Latin America and the Caribbean*, by Clare Ribando.

CRS Report RL30545, *Trafficking in Persons: The U.S. and the International Response*, by Francis Miko.

Country Issues

Argentina

Argentina's restructuring of over \$100 billion in defaulted bond debt in June 2005 demonstrated the country's emergence from its economic crisis. Although the country was under considerable economic stress in 2001 and 2002, the democratic political system weathered the crisis. President Néstor Kirchner, elected in 2003, has made bold policy moves in the areas of human rights, institutional reform, and economic policy that have helped restore Argentines' faith in democracy. The October 2005 legislative elections demonstrated strong support for President Kirchner. Economic growth has rebounded, from a decline of almost 11% in 2002 to 8.8% in 2003, 9% in 2004, and 9/1% in 2005. In January 2006, Argentina paid off its \$9.5 billion debt to the International Monetary Fund (IMF), a popular move, but one that critics have questioned for its economic wisdom.

Looking ahead, the government faces such challenges as controlling inflation, reducing poverty, and building the political consensus needed to ensure sustainable economic growth and financial stability. Issues of concern to Congress will likely include continued cooperation with Argentina on counter-terrorism issues and progress in Argentina's investigation of the 1994 Argentine-Israeli Mutual Association bombing.

CRS Products:

CRS Report RS21113, *Argentina: Political Conditions and U.S. Relations*, by Mark P. Sullivan.

CRS Report RL32637, *Argentina's Sovereign Debt Restructuring*, by J. F. Hornbeck.

CRS Report RS21072, *The Financial Crisis in Argentina*, by J. F. Hornbeck.

CRS Report RL31582, *The Argentine Financial Crisis: A Chronology of Events*, by J. F. Hornbeck.

Bolivia

In the past few years, Bolivia has experienced extreme political unrest resulting in the country having six presidents since 2001. Evo Morales, an indigenous leader of the leftist Movement Toward Socialism (MAS) party, won a convincing victory in the December 18, 2005, presidential election with 54% of the votes. He was inaugurated to a five-year term on January 22, 2006. The MAS won control of the lower chamber of the Bolivian Congress, 12 of 27 seats in the Senate, and two of the country's nine governorships, showing stronger electoral support than any of the country's traditional political parties. President Morales is now charged with finding solutions to a number of pressing issues that other recent Bolivian presidents have been unable to resolve. Those issues relate to the exploitation of Bolivia's natural

resources, coca eradication programs, indigenous rights, and the extent of power sharing between the central government and the country's nine departments.

Bolivia is one of the poorest countries in Latin America, with a sizeable and active indigenous population, a long history of coca cultivation, and weak political institutions. Despite these challenges, the country has made some social and economic progress over the past several decades. Coca cultivation has decreased from its peak production years in the 1990s, but is still a source of conflict between the government and coca growers.

Since his inauguration, President Morales has secured passage of legislation establishing elections for a constituent assembly and a simultaneous referendum on departmental autonomy that will be held in July 2006. The Morales government is defining a new counternarcotics policy for Bolivia that will seek to decriminalize coca growing while continuing to work with the United States to combat illicit drug production and distribution. President Morales is also fulfilling his pledge to nationalize Bolivia's oil and gas sector, but has assured investors that his government will not confiscate foreign assets.

U.S. interest in Bolivia centers on its role as a coca producer and its relationship to Colombia and Peru, the two other major coca- and cocaine-producing countries in the Andes. Some observers have criticized this focus for neglecting economic and social development issues, but the State Department defends it as necessary to promote licit economic development and democracy. The other potential U.S. interest in Bolivia involves its natural gas reserves, which are the second-largest in Latin America, after Venezuela.

CRS Products:

CRS Report RL32580, *Bolivia: Political and Economic Developments and Implications for U.S. Policy*, by Clare Ribando and Connie Veillette.

CRS Report RL33162, *Drug Crop Eradication and Alternative Development in the Andes*, by Connie Veillette and Caroline Navarette-Frias.

CRS Report RL32770, *Andean-U.S. Free Trade Agreement Negotiations*, by M. Angeles Villarreal.

Brazil

In January 2003, President Luis Inácio "Lula" da Silva of the leftist Workers' Party (PT) was inaugurated for a four-year term as President of Brazil. During three years in office, President Lula has maintained the restrained economic policies associated with his predecessor, even surpassing the IMF's fiscal and monetary targets. In December 2005, the Lula government repaid its \$15.5 billion debt to the IMF ahead of schedule. Brazil has experienced lower inflation, a lower credit risk rating, and, buoyed by strong commodity exports, steady rates of economic growth (4.9% in 2004 and 2.3% in 2005). In 2003, President Lula gained approval of social security and tax reforms, and in 2004, a new law to allow more private investment

in public infrastructure projects. Despite these achievements, legislative progress stalled in 2005, and President Lula has been increasingly criticized for failing to develop effective social programs to address the persistent problems of land redistribution, social inequity, and crime.

The next presidential and legislative elections in Brazil are scheduled to occur in October 2006. A year ago, most observers were predicting that President Lula would be reelected by a decisive margin. Those reelection chances are more uncertain now as both President Lula and the PT have lost popular support and credibility in the wake of a major corruption scandal that erupted in May 2005. The scandal involved the President's party paying monthly bribes to congressmen of the allied parties in the governing coalition to guarantee their support. It has resulted in the resignation of several senior PT officials, the impeachment of two legislators, including President Lula's former Chief of Staff, and, most recently, the resignation of Brazil's Finance Minister amidst allegations of corruption. Rather than seeking President Lula's impeachment for possible involvement in the scandal, opposition parties appear to be focusing on which candidates to field in the October elections. The presidential race is likely to focus on two main candidates, President Lula and Geraldo Alckmin, governor of the state of São Paulo, of the Brazilian Social Democratic Party (PSDB).

Relations with the United States and Brazil have been generally positive, although President Lula has made relations with neighboring countries in the Southern Common Market (Mercosur) his first priority, and has sought to strengthen ties with non-traditional partners, including India and China. Trade issues are central to the bilateral relationship, with both countries being heavily involved in sub-regional, regional and global trade talks in the Doha Round of the World Trade Organization (WTO) negotiations. The United States and Brazil have different approaches to trade liberalization that have put them at odds over how to proceed with the Free Trade Area of the Americas (FTAA) negotiations.

In addition to trade policy, U.S. interest in Brazil centers on its role as a stabilizing political and economic force in Latin America, especially with respect to populist governments in Venezuela and Bolivia. Brazil is also a key U.S. ally whose cooperation is sought on a number of issues that include counter-narcotics efforts, human rights concerns, environmental issues, HIV/AIDS prevention, race relations, and trafficking in persons.

CRS Products:

CRS Report RL32571, *U.S.-Brazil WTO Cotton Subsidy Dispute*, by Randy Schnepf.

CRS Report RS21905, *The Agriculture Framework in the WTO Doha Round*, by Charles Hanrahan.

CRS Report RL33258, *Brazilian Trade Policy and the United States*, by J.F. Hornbeck.

Cuba

Cuba under Fidel Castro remains a hard-line communist state with a poor record on human rights — a record that has worsened since 2003. Since the early 1960s, U.S. policy toward Cuba has consisted largely of isolating the island nation through comprehensive economic sanctions. Another component of U.S. policy consists of support measures for the Cuban people, including private humanitarian donations and U.S.-sponsored radio and television broadcasting to Cuba. The Bush Administration has further tightened restrictions on travel, on sending private humanitarian assistance to Cuba, and on the payment process for U.S. agricultural exports to Cuba. While there appears to be broad agreement on the overall objective of U.S. policy toward Cuba — to help bring democracy and respect for human rights to the island — there are several schools of thought on how to achieve that objective. Some advocate maximum pressure on the Cuban government until reforms are enacted; others argue for lifting some U.S. sanctions that they believe are hurting the Cuban people. Still others call for a swift normalization of U.S.-Cuban relations.

In the second session of the 109th Congress, attention likely will continue to focus on Cuba's human rights situation and on Cuba sanctions. To date in the 109th Congress, legislative initiatives have included four human rights resolutions: House-passed H.Con.Res. 81, H.Res. 193, and H.Res. 388; Senate-passed S.Res. 140; and H.Con.Res. 165, which also expresses support for the embargo. In addition, P.L. 109-102 (H.R. 3057) funds democracy projects for Cuba in FY2006; House-passed H.R. 2601 would authorize \$5 million for U.S. government scholarship and exchange programs; a pending amendment (S.Amdt. 319) to S. 600 would authorize \$15 million in democracy and human rights projects.

With regard to Cuba sanctions, the House- and Senate-passed versions of H.R. 3058, the FY2006 Transportation appropriations bill, had identical provisions that would have prohibited funds from being used to implement tightened restrictions on financing for U.S. agricultural exports to Cuba, but the provisions were not included in the conference report (H.Rept. 109-307). Other initiatives include H.Con.Res. 206 (temporary suspension of some sanctions after Hurricane Dennis); H.R. 208 and H.R. 579 (overall Cuba sanctions); S. 894 and H.R. 1814, (travel) H.R. 2617 (family visits); H.R. 3064 (educational travel); H.R. 1339 and S. 634 (cash in advance for U.S. agricultural sales); and H.R. 719 and S. 328 (facilitation of agricultural sales). In addition, H.R. 719 and S. 328, as well as H.R. 3372 and S. 1604, would repeal a provision of law preventing payments from Cuban or foreign nationals for trademark registration related to confiscated assets in Cuba. In contrast, H.R. 1689 and S. 691 would amend the law regarding Cuban trademarks so that it applies to all parties regardless of nationality. Other legislative initiatives have provisions related to Cuba broadcasting (P.L. 109-108, S. 600, and H.R. 2601); anti-drug cooperation (H.R. 3057); and U.S. fugitives in Cuba (H.R. 2601, H.R. 332).

CRS Products:

- CRS Report RL32730, *Cuba: Issues for the 109th Congress*, by Mark P. Sullivan.
- CRS Report RL31139, *Cuba: U.S. Restrictions on Travel and Legislative Initiatives*, by Mark P. Sullivan.
- CRS Report RS22228, *Cuba after Fidel Castro: Issues for U.S. Policy*, by Mark P. Sullivan.
- CRS Report RL32251, *Cuba and the State Sponsors of Terrorism List*, by Mark P. Sullivan.
- CRS Report RS20468, *Cuban Migration Policy and Issues*, by Ruth Ellen Wasem.
- CRS Issue Brief IB10061, *Exempting Food and Agriculture Products from U.S. Economic Sanctions: Status and Implementation*, by Remy Jurenas.
- CRS Report RS21764, *Restricting Trademark Rights of Cubans: WTO Decision and Congressional Response*, by Margaret Mikyung Lee.

Dominican Republic

President Leonel Fernández of the Dominican Liberation Party (PLD), who served as president previously (1996-2000), took office on August 16, 2004. President Fernández continues to enjoy relatively strong popular support and has restored confidence in the Dominican economy. On February 1, 2005, President Fernández signed a new \$665 million loan agreement with the IMF. In 2005, buoyed by growth in the tourism and construction sectors, consumer spending, and steady remittance flows, GDP growth in the Dominican Republic reached 9.3%. Inflation has declined, interest rates have fallen, and the currency has regained most of its pre-2003 crisis value. The Fernández administration has struggled, however, to deal with high crime rates, ongoing public corruption and persistent electricity shortages. Human rights organizations have criticized the Dominican government for several massive repatriations of undocumented Haitian migrants in 2005 and for the reported illegal trafficking of Haitian children into the Dominican Republic. President Fernández may be able to shore up more support for his legislative proposals in the second part of his four-year term if his party (the PLD) picks up seats in the Dominican Congress as expected in the country's May 2006 legislative elections.

On September 6, 2005, the Dominican Republic approved the U.S.-Dominican Republic-Central American Free Trade Agreement (DR-CAFTA). The Dominican government is now striving to build up its export competitiveness, expand its tourism industry, and develop new tax measures needed to compensate for the loss of tariff revenue that is expected to result from DR-CAFTA. Dominican officials are preparing to implement DR-CAFTA in July 2006.

CRS Products:

CRS Report RS21718, *Dominican Republic: Political and Economic Conditions and U.S. Relations*, by Clare Ribando.

CRS Report RL31870, *The Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA)*, by J. F. Hornbeck.

CRS Report RL32322, *Central America and the Dominican Republic in the Context of the U.S.-Central America Free Trade Agreement (DR-CAFTA)*, coordinated by K. Larry Storrs.

Ecuador

Alfredo Palacio, a physician, political independent, and former vice president, became president of Ecuador in April 2005 following the removal of elected President Lucio Gutierrez from office by Ecuador's Congress after weeks of popular protests. Ecuadorians rejected Gutierrez's December 2004 replacement of the majority of the judges on the country's three highest courts with his political allies, a move that had been sharply criticized by the international community. Palacio is the country's seventh president in nine years and will attempt to govern the country until the next presidential elections are held in October 2006. Ecuador's economy is currently expanding because of high oil prices, but its political institutions are extremely fragile. The Palacio Administration has already been weakened by cabinet resignations, popular protests, allegations of corruption, and a failure to gain congressional support for a constituent assembly. Protests against Ecuador's free-trade negotiations with the United States have paralyzed the country for much of March 2006.

Ecuador continues to work with the United States on counter-narcotics matters, and the two countries are in the final stages of negotiating a free trade agreement. Despite this cooperation, international investors are concerned by Palacio's lack of fiscal discipline, including his support of a congressional measure to channel oil revenue into social spending rather than debt repayment. In June 2005, the U.S. State Department placed Ecuador on the Tier 3 list of countries not taking adequate measures to combat trafficking in persons, but the country will not face sanctions this year as it has been given a U.S. national interest waiver.

CRS Products:

CRS Report RS21687, *Ecuador: Political and Economic Situation and U.S. Relations*, by Clare Ribando.

CRS Report RL32770, *Andean-U.S. Free Trade Agreement Negotiations*, by M. Angeles Villarreal.

El Salvador

Tony Saca, a businessman from the conservative National Republican Alliance (ARENA) party, was inaugurated as president for a five-year term in June 2004. President Saca is seeking to restart the country's stagnating economy, pass legislation in a polarized political environment, and combat gang violence. His legislative agenda should face continuing opposition from the Farabundo Marti National Liberation Front (FMLN), which in the March 12, 2006, legislative elections recovered the seats it had lost due to defections in 2005. Although ARENA also increased its representation in the legislature and is still the largest party in El Salvador's National Assembly, it lacks a majority and will continue to have to rely on support from small parties to enact President Saca's agenda. In 2005, despite its tough anti-gang legislation, El Salvador posted a murder rate of 15 people per day, the highest in the hemisphere. Although a majority of Salvadorans approve of President Saca's job performance, especially his handling of Tropical Storm Stan and a volcanic eruption in October 2005, a majority also disapprove of his decision to maintain Salvadoran soldiers in Iraq.

The United States is working with President Saca to combat narco-trafficking, to resolve immigration issues, and to promote free trade, especially through the Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA). In February 2006, the Bush Administration extended the Temporary Protected Status (TPS) of eligible Salvadoran migrants living in the United States until September 9, 2007. On March 1, 2006, El Salvador became the first country in the region to implement the DR-CAFTA with the United States.

CRS Products:

CRS Report RS21655, *El Salvador: Political, Economic, and Social Conditions and Relations with the United States*, by Clare Ribando.

CRS Report RL32322, *Central America and the Dominican Republic in the Context of the Free Trade Agreement (DR-CAFTA) with the United States*, coordinated by K. Larry Storrs.

CRS Report RL31870, *The Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA)*, by J. F. Hornbeck.

Guatemala

Congressional concerns regarding Guatemala in the 109th Congress include how to support its democratic process, reduction of poverty, respect for human rights, further military reform, and the debate over prohibitions of U.S. military aid to Guatemala. Guatemala has been consolidating its transition from mostly autocratic rule toward democratic government since the 1980s, but its institutions remain fragile. President Oscar Berger, whose four-year term began in 2004, has made fulfilling the 1996 Peace Accords a central theme of his administration. The Accords ended a 36-year civil war and outline a profound restructuring of state institutions.

President Berger has attacked corruption and enacted long-delayed military reforms. His economic reforms include a temporary tax to fund programs related to the peace process. In 2005, the Guatemalan legislature passed DR-CAFTA, the Dominican Republic-Central America-United States Free Trade Agreement. President Berger has proposed developing compensation programs for sectors that prove to be hurt by the implementation of DR-CAFTA. The Bush Administration's proposal for FY2007 funding includes rural development projects it says will help in the adjustment to DR-CAFTA.

Extreme poverty and inequality persist in Guatemala. About 56% of the total population, and 76% of the indigenous population, live in poverty. According to the World Bank, Guatemala has one of the largest income distribution gaps in the world. Guatemala's social indicators continue to be among the worst in the hemisphere. Its malnutrition rates are among the worst in the world; 44% of children under five years of age have stunted growth. Guatemala's illiteracy rate is extremely high: at 31%, only Nicaragua and Haiti have worse levels in the hemisphere. The average level of schooling is 4.3 years, and among the poor, it is less than two years.

Regarding respect for human rights, Guatemala has made enormous strides, but significant problems remain. The U.N., the OAS, and the United States have all expressed concern that human rights violations have increased over the past several years and that the Guatemalan government has taken insufficient steps to curb them. The U.N. Office of the High Commissioner for Human Rights is succeeding the U.N. Verification Mission in Guatemala, which withdrew in late 2004 after verifying compliance with the Peace Accords for ten years. According to the State Department's human rights report for 2005, the Guatemalan government "generally respected the human rights of its citizens," but "serious problems" remained, including reported extrajudicial killings and kidnapping for ransom by security forces, and social cleansing.

The Bush Administration proposed in its 2006 budget to provide military aid to Guatemala that had been prohibited since 1990 because of human rights concerns. While applauding the reduction in forces and other reforms, some human rights groups express concern about continued human rights abuses and impunity among the military. Congress maintained the existing restrictions in 2006 (P.L. 109-102), allowing only expanded-International Military Education and Training in military justice reform, respect for human rights, and for civilians in defense matters, and prohibiting Foreign Military Financing for Guatemala. The Administration says it will provide Guatemala with non-lethal Excess Defense Articles on a limited case-by-case basis in 2007.

Immigration will be an area of contention in U.S.-Guatemalan relations in 2006. In December 2005, the House passed a bill (H.R. 4437) that would make unlawful presence in the United States a criminal, rather than a civil offense and would increase border barriers. In January 2006, Guatemala joined the Mexican and other Central American governments in criticizing U.S. efforts to toughen border enforcement and demanded guest-worker programs. The countries said they were seeking integrated solutions, by which they would try to decrease illegal emigration, and the United States would help create conditions that would lessen the need to migrate.

CRS Products:

CRS Report RL32124, *Guatemala: Political Conditions, Elections, and Human Rights*, by Maureen Taft-Morales.

CRS Report RL32322, *Central America and the Dominican Republic in the Context of the Free Trade Agreement (DR-CAFTA) with the United States*, coordinated by K. Larry Storrs.

CRS Report RL31870, *The Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA)*, by J. F. Hornbeck.

Haiti

The main issue for U.S. policy during the second session of the 109th Congress will be how to promote greater stability and strengthen democratic processes in Haiti most effectively. The lack of a fully functioning infrastructure and ongoing violence make it difficult to pursue other U.S. goals in Haiti, such as promoting democracy — especially elections — encouraging respect for human rights, alleviating poverty, and decreasing narcotics trafficking. A further Administration goal, of limiting illegal immigration, has been challenged by some Members as not affording adequate protection for Haitian asylum-seekers.

Presidential and legislative elections were held on February 7, 2006, after being postponed several times since fall 2005 amidst technical and security concerns. Former President Rene Preval (1996-2000) was declared the winner after a week of controversy over the tabulation of votes. Preval outlined the two main missions of his government to be building institutions as provided for in the constitution, and creating conditions for private investment in order to create jobs. He emphasized that these must be done through dialogue among all sectors and creating a secure environment. To that end, he has asked the United Nations Stabilization Mission in Haiti (MINUSTAH) to stay and has also said he will promote a constitutional change to formalize the dissolution of the Haitian army. Preval has placed the needs of Haitian children at the top of his political agenda, and UNICEF has pledged to mobilize international assistance to support those needs.

Preval is trying to keep expectations low and encouraging Haitians to vote for legislators so that Haiti can have a fully functioning government. Runoff legislative elections have been postponed until April 21. Results are expected to be announced April 28. If the next round of elections are deemed free and fair, the U.S. focus will shift to assisting the new government, which the United States and other international donors have already pledged to do. President-elect Preval will be inaugurated after a legislature is elected.

The Bush Administration has expressed its support for Preval. In discussions with top officials, Preval said he would cooperate fully with counternarcotics efforts; he asked for U.S. support for public works projects and passage of legislation to give Haiti trade preferences. Supporters of special trade preferences for Haiti reintroduced

the Haiti Economic Recovery Opportunity Act (H.R. 4211/S. 1937) for consideration by both houses towards the end of the last session. The bill would expand U.S. preferential trade for Haiti by amending the Caribbean Basin Economic Recovery Act. The Bush Administration is providing an estimated \$194 million for Haiti for FY2006 and requested \$198 million for FY2007. Child survival and health, development assistance, and counter narcotics assistance funds would be decreased. HIV/AIDS Funding would be increased.

Former President Jean-Bertrand Aristide, who had maintained he was still Haiti's president since his departure in February 2004, acknowledged Preval as "my President" and said he wants to return to Haiti from exile. Preval has been estranged in recent years from Aristide, his former mentor. Publicly, Preval has said that Aristide has the constitutional right to return but has also suggested that Aristide might want to consider that he will probably face corruption or other charges if he were to return. Privately, he is said to agree with foreign diplomats that Aristide's return would be destabilizing.⁶ But Preval must tread carefully, as much of his support came from Haiti's poor, Aristide's strongest supporters, many of whom now expect Aristide to return.

CRS Products:

CRS Report RL32294, *Haiti: Developments and U.S. Policy Since 1991 and Current Congressional Concerns*, by Maureen Taft-Morales.

CRS Report RL33156, *Haiti: International Assistance Strategy for the Interim Government and Congressional Concerns*, by Maureen Taft-Morales.

CRS Report RS21349, *U.S. Immigration Policy on Haitian Migrants*, by Ruth Ellen Wasem.

CRS Report RS21839, *Haitian Textile Industry: Impact of Proposed Trade Assistance*, by Bernard A. Gelb.

CRS Web Page CA9005, *Haiti: Legislation in the 108th Congress*, by Andy Mendelson, available online at [<http://www.crs.gov/products/browse/officialsources/haitileg.shtml>].

Honduras

Honduras faces significant challenges in the areas of crime and human rights and improving overall economic and living conditions in one of the hemisphere's poorest countries. In November 2005, Hondurans elected Manuel Zelaya of the Liberal Party as president in an election that was marred by technical difficulties that delayed the official count. Zelaya was inaugurated on January 27, 2006 to a four-year term, succeeding President Ricardo Maduro of the National Party. Zelaya's Liberal

⁶ Joe Mozingo, "Haiti's new Leader Fears Mentor's Return; Wrong Move Could Plunge Nation into Anarchy," *Knight Ridder, San Jose Mercury News*, March 5, 2006.

Party failed to gain a majority in the National Congress, which could make it more difficult in passing his legislative agenda. The United States has a close relationship with Honduras, characterized by significant foreign assistance, an important trade partnership, a military presence in the country, and cooperation on a range of transnational issues. Honduras is a party to the Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA), which was approved by the Honduran Congress in March 2005 and by the U.S. Congress in July 2005 (P.L. 109-53). On February 23, 2006, the Department of Homeland Security announced the extension of Temporary Protected Status (TPS) for some 75,000 eligible Hondurans in the United States until July 5, 2007. TPS had been scheduled to expire on July 5, 2006.

CRS Products:

CRS Report RS21103, *Honduras: Political and Economic Situation and U.S. Relations*, by Mark P. Sullivan.

CRS Report RL32322, *Central America and the Dominican Republic in the Context of the Free Trade Agreement (DR-CAFTA) with the United States*, coordinated by K. Larry Storrs.

CRS Report RL31870, *The Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA)*, by J. F. Hornbeck.

Mexico

President Vicente Fox is approaching the last year of his six year term (2000-2006) with many unfulfilled goals, and he is constitutionally prohibited from running for re-election. In this context, the major parties have selected candidates for the approaching July 2006 presidential elections: Andres Manuel Lopez Obrador is the candidate for the Party of the Democratic Revolution (PRD), Felipe Calderon is the candidate for the National Action Party (PAN), and Roberto Madrazo is the candidate for the Institutional Revolutionary Party (PRI).

Congressional interest in Mexico generally focuses on migration, border affairs, trade issues, and drug trafficking concerns. Congress is currently considering a number of immigration reform initiatives. The scope of these initiatives ranges from measures to tighten immigration controls to broad reform including border security, earned residency for undocumented aliens, and a guest worker program similar to that suggested by President Bush in 2004 and 2005. In December 2005, the House passed H.R. 4437 (Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005) that would strengthen border and immigration controls, including deployment of a fence and surveillance equipment along the Mexico-U.S. border. The Senate is soon expected to begin consideration of immigration reform on such bills as S. 2454 or S. 1033. In May 2005, Congress passed the FY2005 Emergency Supplemental Appropriations (H.R. 1268/P.L. 109-13), which included the REAL ID Act of 2005, with provisions that strengthened border control and established identity card standards for drivers' licenses.

On March 3, 2006, Homeland Security Secretary Michael Chertoff and Mexico's Secretary of Governance Carlos Abascal signed an action plan to combat border violence that calls for increased cooperation of law enforcement agencies and the establishment of communication protocols to facilitate such cooperation. A June 2005 report by Security and Prosperity Partnership (SPP) of North America working groups outlined completed initiatives and proposed new initiatives to ensure common security and prosperity. Completed initiatives include measures to facilitate trade, such as the signing of a Framework of Common Principles for Electronic Commerce, and border security through, among other measures, an agreement between the United States and Mexico to create an Alien Smuggler Prosecution Program along the common border. On November 2, 2005, Homeland Security Secretary Chertoff launched the "Secure Border Initiative" to gain operational control of U.S. borders and reduce illegal immigration, drawing upon increased funding approved by Congress in early October 2005.

Mexico is the United States' second most important trading partner, with two-way trade tripling since 1994 under the North American Free Trade Agreement (NAFTA), but there are various disputes between the countries. Mexico has complained, for example, that the United States is still failing to grant Mexican trucks access to U.S. highways, in part because of congressionally-imposed safety requirements. The United States, for example, initiated WTO dispute settlement proceedings in 2004 to dispute Mexico's 20% tax on soft drinks made with high fructose corn syrup (HFCS). The tax has had a devastating impact on HFCS sales. In November 2005, the Mexican Senate extended the tax on HFCS products. In March 2006, the WTO Appellate Body upheld the October 2005 decision in favor of the United States. For FY2006, the United States set a new tariff-rate quota of 250,000 metric tons of raw or refined sugar from Mexico, in keeping with Mexican claims under NAFTA, and Mexico followed suit by allowing up to 250,000 metric tons of HFCS from the United States in the same period.

On drug trafficking issues, Bush Administration officials have regularly praised Mexico's counter-narcotics efforts under Fox, especially action against major traffickers and efforts to improve the judicial system. The State Department reported in March 2006, however, that Mexico remained the leading transit country for cocaine and the leading foreign supplier of methamphetamine and marijuana. Several bills (H.R. 3889, H.R. 2601) have been reported by committees to encourage a reduction of smuggling of methamphetamine from Mexico. In November 2005, the Mexican Supreme Court ruled that criminals facing life imprisonment may be extradited to the United States. A January 2006 ruling that U.S. extradition requests only need to meet the requirements of the 1978 bilateral treaty, not the general law on international extradition, is likely to speed up the extradition of criminals wanted by the United States. In 2005, Mexico extradited an all-time high of 41 fugitives to the United States. The Foreign Operations Appropriations Act (H.R. 3057/P.L. 109-102) was enacted in November 2005, barring assistance to a country that refuses to extradite individuals accused of killing U.S. law enforcement officers, unless the Secretary of State certifies that application of the sanction is contrary to U.S. national interests.

CRS Products:

CRS Report RL32038, *Drug Certification/Designation Procedures for Illicit Narcotics Producing and Transit Countries*, by K. Larry Storrs.

CRS Report RL33125, *Immigration Legislation and Issues in the 109th Congress*, coordinated by Andorra Bruno.

CRS Report RL32044, *Immigration: Policy Considerations Related to Guest Worker Programs*, by Andorra Bruno.

CRS Report RL32724, *Mexico-U.S. Relations: Issues for the 109th Congress*, by Colleen Cook.

CRS Report RS21561, *Mexico's Congress and July 2003 Elections*, by K. Larry Storrs.

CRS Report RL32669, *Mexico's Counter-Narcotics Efforts Under Fox, December 2000 to October 2004*, by K. Larry Storrs.

CRS Report RS21737, *NAFTA at Ten: Lessons from Recent Studies*, by J.F. Hornbeck.

CRS Report RL32934, *U.S.-Mexico Economic Relations: Trends, Issues, and Implications*, by M. Angeles Villarreal.

Nicaragua

Tensions among current President Enrique Bolaños, the leftist Sandinista party (Sandinista National Liberation Front, FSLN), and allies of rightist former President Arnoldo Alemán (1997-2002) were threatening Nicaragua's political stability throughout much of 2005. Events in October considerably reduced tensions and provided for President Bolaños to fill out the remainder of his term, which expires in January 2007. Politics will remain volatile, but for a different reason. Attention is now shifting to national elections scheduled for November 5, 2006. The top three presidential candidates include dissidents from both sides — Herty Lewites of the left and Eduardo Montealegre of the right — whose candidacies may be blocked by their former parties, and Sandinista leader and former President Daniel Ortega (1985-1991), who lost the last three elections.

During the height of tensions, Bolaños, isolated by his pursuit of corruption, invoked the OAS Inter-American Democratic Charter. In response, the OAS sent several high-level delegations to help negotiate a solution. Former President Alemán, sentenced to 20 years in prison in 2003 for fraud and money-laundering, remains under house arrest, and still controls the PLC. Ortega announced he was breaking the power-sharing pact between his party and the PLC that had defined national politics since it was negotiated in 1998 and hampered Bolaños' ability to govern. Reforms such as the passage of the 2006 budget, the first-ever tax code, local government transfers, and financial administration reforms then passed. Ortega and Bolaños then

agreed to postpone the implementation of constitutional amendments that have been at the root of tensions. These amendments will transfer significant executive powers, including controlling Cabinet appointments, to the legislature in February 2007. The National Assembly approved DR-CAFTA in October 2005 and passed intellectual property and other reforms on March 21, 2006, so that it can be implemented in April.

Nicaragua is the second poorest nation in the hemisphere, rating only above Haiti. Nicaragua's poverty is widespread and acute. According to a recent World Bank report, overall poverty declined in Nicaragua between 1993 and 2001, but more than two-thirds of the rural population continue to live in poverty. Some social indicators have shown little or no improvement since 1993. The official unemployment rate is about 22%, with another 36% underemployed (U.S. Dept. of State, *Background Note: Nicaragua*, February 2005).

In 2005, the Administration signed a five-year, \$175 million agreement with Nicaragua under the Millennium Challenge Account program. The Bush Administration suspended military assistance to Nicaragua in March 2005, until an agreement was worked out to destroy an arsenal of anti-aircraft missiles the Administration says constitutes a possible terrorist threat. In October 2005, the Pentagon announced that military assistance would resume, and the National Assembly promised to schedule debate on a law authorizing the missiles' destruction.

Resolution of property claims by U.S. citizens and immigration will be contentious areas in U.S.-Nicaraguan relations in 2006. Nicaragua passed a law creating a new Property Institute that could lead to the dismissal of property claim lawsuits arising from expropriations carried out by the Sandinista government in the 1980s. In December 2005, the House passed a bill (H.R. 4437) that would make unlawful presence in the United States a criminal, rather than a civil offense. In January 2006, Nicaragua joined the Mexican and other Central American governments in criticizing U.S. efforts to increase border enforcement and demanded guest-worker programs. In late February 2006, the Department of Homeland Security extended Temporary Protected Status (TPS) for about 4,000 eligible Nicaraguans living in the United States until July 5, 2007. Other issues of concern to Congress include improving respect for human rights, improving civilian control over defense policy, increasing Nicaragua's capacity to combat transnational crimes such as trafficking in people and narcotics, reforming the judicial system and implementing good governance.

CRS Products:

CRS Report RL32322, *Central America and the Dominican Republic in the Context of the Free Trade Agreement (DR-CAFTA) with the United States*, coordinated by K. Larry Storr.

Panama

With four successive elected civilian governments, the Central American nation of Panama has made notable political and economic progress since the 1989 U.S. military intervention that ousted the regime of General Manuel Antonio Noriega from power. The current President, Martín Torrijos of the Democratic Revolutionary Party (PRD), was elected in May 2004 and inaugurated on September 1, 2004. Torrijos, the son of former populist leader General Omar Torrijos, won a decisive electoral victory with almost 48% of the vote in a four-man race. He succeeded President Mireya Moscoso of the Arnulfist Party (PA), elected in 1999, whose administration was tainted by several high-profile corruption scandals. Torrijos' electoral alliance also won a majority of seats in the unicameral Legislative Assembly.

The most significant challenges facing the Torrijos government have included dealing with the funding deficits of the country's social security fund; developing plans for the expansion of the Panama Canal; and combating unemployment and poverty. After protests and a protracted strike by construction workers, doctors, and teachers in 2005, the Torrijos government was forced to modify its plans for reforming the social security fund. A planned referendum on the Canal's expansion has been delayed until late 2006 or early 2007.

The United States has close relations with Panama, stemming in large part from the extensive linkages developed when the Panama Canal was under U.S. control and Panama hosted major U.S. military installations. The current bilateral relationship is characterized by extensive cooperation on counternarcotics efforts, assistance to help Panama assure the security of the Canal and its border with Colombia, and negotiations for a bilateral free trade agreement. The United States provided Panama with \$19 million in total foreign aid in FY2005 and an estimated \$14.4 million in FY2006. The FY2007 request is for \$11.7 million, with \$4 million under the Andean Counterdrug Initiative and \$3.2 million in Development Assistance.

U.S.-Panamanian negotiations for a bilateral free trade agreement began in late April 2004. A ninth round held in Washington ended in mid- January 2006, with disagreement on sanitary control systems for U.S. products and animals to enter the Panamanian market, but there has been progress in resolving this issue. (Also see "U.S.-Panama Free Trade Agreement (FTA) above.) Panama is seeking an FTA as a means of increasing U.S. investment in the country, while the Bush Administration has stressed that an FTA, in addition to enhancing trade, would further U.S. efforts to strengthen support for democracy and the rule of law. Since Panama has a service-based economy, it traditionally has imported much more than it exports to the United States.

In the second session of the 109th Congress, congressional interest will likely focus on the status of bilateral free trade negotiations. If negotiations are completed and an agreement is signed this year, Congress could consider implementing legislation.

CRS Products:

CRS Report RL30981, *Panama: Political and Economic Conditions and U.S. Relations*, by Mark P. Sullivan.

CRS Report RL32540, *The Proposed U.S.-Panama Free Trade Agreement*, by J.F. Hornbeck.

Peru⁷

Peru is preparing for national elections on April 9, 2006. Current President Alejandro Toledo's term expires in July 2006. Peru under Toledo has been characterized by two seemingly contradictory trends: high economic growth and extremely low popularity of the President. Some analysts believe that Toledo's perceived weakness may have contributed to Peruvians' disillusionment with traditional political parties and the rise of a populist leftist candidate.

Ollanta Humala, a retired army officer who led an uprising against then-President Fujimori and who espouses nationalist, anti-globalization policies, has recently risen to the top of opinion polls. He appeared to be trying to soften his image as an extremist by naming two moderates as his vice-presidential candidates. Various polls show him vying with or surpassing Lourdes Flores Nano, a popular former member of Congress of the center-right coalition Unidad Nacional, for first place. Alan Garcia's presidency (1985-1990) was marked by hyper-inflation and a violent guerrilla insurgency, but his party, Apra, is the most organized; he has remained in third place. Valentin Paniagua, who as interim President (2000-2001) steered the country out of a political crisis, stabilizing the economy and organizing fair elections, represents the well-established Accion Popular party that has moved toward the political center and has been in fourth place out of 23 candidates. Analysts say the outcome is far from certain. If no candidate receives 50% or more of the vote, there will be a run-off vote between the top two candidates on May 7. Despite being barred from holding office until 2010 and being charged with ordering murder and torture, former President Alberto Fujimori (1990-2000) tried to return to Peru to run for president. The Chilean government arrested him in November 2005 and is processing Peru's request for his extradition. Peru's courts and elections board have barred him from running for office.

Toledo has presided over one of the highest economic growth rates in Latin America throughout his term, with 5% growth expected for 2006, in contrast to four years of stagnation under his predecessors. Despite his low level of support, Toledo has pushed through important economic reforms. His administration started a welfare program that provides monthly subsidies to about 25% of the 6 million Peruvians living in extreme poverty and said that the benefits of economic growth were filtering

⁷ Sources include: "Country Report: Peru," *Economist Intelligence Unit*, Jan. 2006; and "Drug Seizures up but Coca Production Excels Too," Latin American Regional Report, Andean Group, March 8, 2005.

down to poorer sectors of society. In the first three quarters of 2005, employment grew 3.5% in Lima and 6.4% in the rest of the country. Toledo cannot run again because of term limits.

Issues in U.S.-Peruvian relations include drugs, security, democracy, and trade. Peru is a major illicit drug-producing and transit country. Its anti-narcotics agency reported that coca planting outstripped eradication in 2004 and that the local drug industry appears to be producing pure cocaine now rather than sending it to Colombia to be processed. A cell of the Shining Path, the extreme left guerrilla group active in the 1980s and early 1990s, rejected the 1992 cease-fire and carried out fatal attacks in coca growing areas. The Administration requested \$499 million in FY2007 Andean Counterdrug funds for Peru, less than one-fourth of the funding Colombia receives. Democracy and human rights initiatives include the provision of \$50 million over five years to support consolidating democratic reform. Peru signed a free trade agreement with the United States in December 2005; both governments are expected to push for legislative approval in 2006. Some Members of Congress have expressed concern over unresolved trade disputes with Peru. It is uncertain whether the agreement will remain bilateral or will become part of a regional one; Colombia has concluded talks for a trade agreement, but Ecuador's are ongoing.

CRS Products:

CRS Report RS22391, *U.S.-Peru Trade Promotion Agreement*, by M. Angeles Villarreal

CRS Report RL32770, *Andean-U.S. Free-Trade Agreement Negotiations*, by M. Angeles Villarreal

CRS Report RS20536, *Peruvian Elections in 2000: Congressional Concerns and Policy Approaches*, by Maureen Taft-Morales.

CRS Report RL32337, *Andean Counterdrug Initiative (ACI) and Related Funding Programs: FY2005 Assistance*, by Connie Veillette.

Venezuela

Under the populist rule of President Hugo Chávez, first elected in 1998, Venezuela has undergone enormous political changes, with a new constitution, a new unicameral legislature, and even a new name for the country, the Bolivarian Republic of Venezuela. Although Chávez remained widely popular until mid-2001, his popularity eroded considerably after that, amid concerns that he was imposing a leftist agenda. In April 2002, massive opposition protests led to the ouster of Chávez from power for a brief period, but the military restored him to power after an interim government resorted to such hardline measures as dismantling the National Assembly and suspending the Constitution. After months of negotiations, the Chávez government and the political opposition signed an agreement in May 2003 that ultimately led to an August 2004 presidential recall referendum. Chávez survived the vote by a margin of 59% to 41%. In December 2005 legislative elections, pro-

Chávez parties won all 167 seats in the National Assembly after opposition parties pulled out of the race just days before the vote. The country's next presidential elections are set for December 2006, and there is a strong chance that Chávez could win another six-year term. The government has benefitted from the rise in world oil prices, which has sparked an economic boom. As a result, Chávez has been able to increase government expenditures on anti-poverty and other social programs associated with the populist agenda of his Bolivarian revolution.

The United States traditionally has had close relations with Venezuela, but there has been friction in relations with the Chávez government. In 2005, relations deteriorated markedly, with Venezuela's cancellation of a bilateral military exchange program in April and its suspension of cooperation with the Drug Enforcement Administration in August. On September 15, 2005, President Bush designated Venezuela as a country that has failed demonstrably to adhere to its obligations under international narcotics agreements, although he waived economic sanctions that would have curtailed U.S. assistance for democracy programs in Venezuela. In 2006, U.S.-Venezuelan relations have continued to be tense, with several incidents and rhetoric exacerbating the poor state of relations, including a threat by Venezuela to curtail reduce flights by several U.S. airlines serving Venezuela until Venezuelan carriers are allowed to expand service to the United States. At the same time, however, State Department officials have maintained that despite differences with Venezuela, the United States stands ready to work with the Venezuelan government on a number of issues, including counter-narcotics cooperation. A dilemma for U.S. policymakers has been how to press the Chávez government to adhere to democratic principles without taking sides in Venezuela's polarized political conflict. Since Venezuela is the fourth major supplier of foreign oil to the United States, a key U.S. interest has been ensuring the continued flow of oil exports.

In the first session of the 109th Congress, the FY2006 Foreign Operations appropriations measure (P.L. 109-102, H.Rept. 109-265) provided \$2 million in FY2006 for democracy programs in Venezuela and \$2.252 million in assistance under the Andean Counterdrug Initiative. Pending legislation includes the House-passed version of H.R. 2601, which would authorize \$9 million for each of FY2006 and FY2007 for democracy programs in Venezuela and authorize funds for U.S.-government broadcasting to Venezuela; H.Con.Res. 224 (Fortuño), which calls on the Venezuelan government to uphold the human rights and civil liberties of the people of Venezuela; and H.Con.Res. 328 (Mack), which condemns President Chávez's "anti-democratic actions" and expresses strong U.S. support for democratic forces in Venezuela.

CRS Products:

CRS Report RL32488, *Venezuela: Political Conditions and U.S. Policy*, by Mark P. Sullivan.