

115TH CONGRESS
2D SESSION

S. 3607

To strengthen the participation of elected national legislators in the activities of the Organization of American States and reaffirm United States support for Organization of American States human rights and anti-corruption initiatives, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 11, 2018

Mr. CARDIN (for himself, Mr. WICKER, and Mr. PERDUE) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To strengthen the participation of elected national legislators in the activities of the Organization of American States and reaffirm United States support for Organization of American States human rights and anti-corruption initiatives, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Organization of Amer-
5 ican States Legislative Engagement Act of 2018”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) The Charter of the Organization of Amer-
2 ican States establishes that “representative democ-
3 racy is an indispensable condition for the stability,
4 peace and development of the region”.

5 (2) Article 2 of the Inter-American Democratic
6 Charter of the Organization of American States af-
7 firms that “the effective exercise of representative
8 democracy is the basis for the rule of law and of the
9 constitutional regimes of the member states of the
10 Organization of American States”.

11 (3) Article 26 of the Inter-American Demo-
12 cratic Charter states that “the OAS will continue to
13 carry out programs and activities designed to pro-
14 mote democratic principles and practices and
15 strengthen a democratic culture in the Hemisphere”.

16 (4) In accordance with the OAS Charter and
17 the Inter-American Democratic Charter, the OAS
18 General Assembly, OAS Permanent Council, and
19 OAS Secretariat have established a wide range of co-
20 operative agreements with domestic and inter-
21 national organizations, including national legislative
22 institutions.

23 (5) In 2004, OAS General Assembly Resolution
24 2044 (XXXIV–O/04) appealed for the “strengthen-
25 ing of legislatures, as well as inter-parliamentary

1 cooperation on key items of the inter-American
2 agenda, with a view, in particular, to generating ini-
3 tiatives to fight corruption, poverty, inequality, and
4 social exclusion”.

5 (6) In 2005, OAS General Assembly Resolution
6 2095 (XXXV–O/05) called on the OAS Secretariat
7 to “invite [. . .] the presidents or speakers of the
8 national legislative institutions of the Americas, i.e.,
9 congresses, parliaments, or national assemblies,
10 [. . .] to attend a special meeting of the Permanent
11 Council [. . .] for the initiation of a dialogue on top-
12 ics on the hemispheric agenda”.

13 (7) In 2014 and 2015, the OAS Secretariat ex-
14 panded its engagement with elected national legisla-
15 tors from OAS member states by convening two
16 meetings of presidents of national legislatures, first
17 in Lima, Peru and subsequently in Santiago, Chile.

18 (8) However, no formal, permanent procedures
19 exist to facilitate the participation of elected national
20 legislators from OAS member states in OAS activi-
21 ties.

22 **SEC. 3. SENSE OF CONGRESS.**

23 It is that sense of Congress that—

1 (1) elected national legislators play an essential
2 role in the exercise of representative democracy in
3 the Americas, including—

4 (A) promoting the rule of law and com-
5 bating corruption;

6 (B) defending human rights and funda-
7 mental freedoms; and

8 (C) advancing the principles and practices
9 expressed in the Charter of the Organization of
10 American States, the American Declaration on
11 the Rights and Duties of Man, and the Inter-
12 American Democratic Charter;

13 (2) establishing procedures to facilitate and for-
14 malize the participation of elected national legisla-
15 tors from OAS member states in OAS activities
16 would contribute to the promotion of democratic
17 principles and practices and strengthen a democratic
18 culture in the Western Hemisphere;

19 (3) increasing and strengthening the participa-
20 tion of elected national legislators from OAS mem-
21 ber states in OAS activities would advance the prin-
22 ciples and proposals expressed in section 4 of the
23 Organization of American States Revitalization and
24 Reform Act of 2013 (Public Law 113–41; 127 Stat.
25 549);

1 (4) the OAS General Assembly, OAS Perma-
 2 nent Council, and OAS Secretariat should take all
 3 necessary steps to ensure greater participation of
 4 elected national legislators from OAS member states
 5 in OAS activities; and

6 (5) the OAS Permanent Council resolutions ti-
 7 tled “Guidelines for the Participation of Civil Society
 8 in OAS Activities” and “Strategies for Increasing
 9 and Strengthening Participation by Civil Society Or-
 10 ganizations in OAS Activities” should serve as im-
 11 portant references for efforts to bolster the partici-
 12 pation of elected national legislators from OAS
 13 member states in OAS activities.

14 **SEC. 4. STRENGTHENING PARTICIPATION OF LEGISLATORS**

15 **AT THE OAS.**

16 (a) **IN GENERAL.**—The Secretary of State, acting
 17 through the United States Mission to the Organization of
 18 American States, shall take all necessary steps to establish
 19 formal procedures for the Organization of American
 20 States that—

21 (1) increase the participation of elected national
 22 legislators from OAS member state countries in
 23 OAS activities, specifically including activities that
 24 advance the principles of the Inter-American Demo-
 25 cratic Charter;

1 (2) create an annual forum for the presidents
2 of national legislatures from OAS member states to
3 discuss issues of hemispheric importance, including
4 regional efforts to combat corruption and defend
5 human rights;

6 (3) permit elected national legislators from
7 OAS member states to make presentations, con-
8 tribute information, and provide expert advice, as
9 appropriate, to the OAS Secretariat, OAS Perma-
10 nent Council, and OAS General Assembly; and

11 (4) strengthen OAS Secretariat programs that
12 provide technical assistance for the modernization
13 and institutional consolidation of national legisla-
14 tures from OAS member states.

15 (b) DIPLOMATIC ENGAGEMENT AND COORDINA-
16 TION.—The Secretary of State, as appropriate, shall carry
17 out diplomatic engagement to secure political and financial
18 support for the establishment of the procedures set forth
19 in subsection (a).

20 (c) PROGRESS REPORT.—Not later than one year
21 after the date of the enactment of this Act, the Secretary
22 of State shall submit to the Committee on Foreign Rela-
23 tions of the Senate and the Committee on Foreign Affairs
24 of the House of Representatives a report on OAS proc-

1 esses, initiatives, and reforms undertaken to implement
2 this section.

3 **SEC. 5. SUPPORT FOR OAS HUMAN RIGHTS AND ANTI-COR-**
4 **RUPTION INITIATIVES.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) the Organization of American States' Inter-
8 American Commission on Human Rights is the pre-
9 eminent institution for defending human rights in
10 the Americas;

11 (2) the United States should take all necessary
12 steps to support and strengthen the role of the
13 Inter-American Commission on Human Rights and
14 its work in the Americas;

15 (3) the efforts of the OAS Secretary General
16 and Secretariat to combat corruption and impunity
17 in the Americas represent important contributions to
18 strengthening the rule of law and democratic govern-
19 ance in the Americas; and

20 (4) the United States should support efforts to
21 ensure the effectiveness and independence of OAS
22 initiatives to combat corruption and impunity in the
23 Americas.

24 (b) ANTI-CORRUPTION AND HUMAN RIGHTS PRO-
25 MOTION STRATEGY.—Not later than 180 days after the

1 date of the enactment of the Act, the Secretary of State
2 shall submit to the Committee on Foreign Relations of the
3 Senate and the Committee on Foreign Affairs of the
4 House of Representatives a strategy for supporting OAS
5 anti-corruption and human rights promotion efforts, in-
6 cluding—

7 (1) an assessment of United States programs,
8 activities, and initiatives with the OAS to support
9 anti-corruption and human rights promotion in the
10 Americas;

11 (2) a summary of steps taken by the United
12 States Mission to the OAS to strengthen the role of
13 the Inter-American Commission on Human Rights,
14 and to support anti-corruption and anti-impunity ef-
15 forts in the Americas;

16 (3) an assessment of necessary reforms and ini-
17 tiatives to prioritize and reinforce the OAS Secretary
18 General and Secretariat's efforts to advance human
19 rights and combat corruption and impunity in the
20 Americas;

21 (4) a detailed strategy to facilitate increased
22 OAS collaboration, as appropriate, with relevant
23 stakeholders, including legislators and civil society,
24 in support of a multi-sectoral approach to anti-cor-

1 ruption, anti-impunity, and human rights promotion
2 efforts in the Americas; and

3 (5) a detailed plan for implementing the strat-
4 egy set forth in this section of the Act.

5 (c) ANNUAL REPORT.—Not later than one year after
6 the date of the enactment of this Act, and annually there-
7 after, the Secretary of State shall submit to the Com-
8 mittee on Foreign Relations of the Senate and the Com-
9 mittee on Foreign Affairs of the House of Representatives
10 a report on actions taken to implement the strategy man-
11 dated under subsection (b). The report shall include—

12 (1) an analysis of the progress made by the
13 OAS to adopt and effectively implement reforms and
14 initiatives to advance human rights and combat cor-
15 ruption and impunity in the Americas; and

16 (2) a detailed assessment of OAS efforts to in-
17 crease multi-sectoral stakeholder engagement to ad-
18 vance human rights and combat corruption and im-
19 punity in the Americas.

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