

116TH CONGRESS
1ST SESSION

S. 1310

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

MAY 2, 2019

Mr. CARDIN (for himself, Mr. WICKER, and Mr. KAINE) 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 2019”.

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 (9) The Organization for Security and Co-oper-
23 ation in Europe (OSCE) Parliamentary Assembly
24 has proven successful at strengthening inter-par-
25 liamentary cooperation among its member states.

1 **SEC. 3. SENSE OF CONGRESS.**

2 It is that sense of Congress that—

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

6 (A) promoting the rule of law and com-
7 bating corruption;

8 (B) defending human rights and funda-
9 mental freedoms; and

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

15 (2) establishing procedures and formal mecha-
16 nisms to facilitate and formalize the participation of
17 elected national legislators from OAS member states
18 in OAS activities would contribute to the promotion
19 of democratic principles and practices and strength-
20 en a democratic culture in the Western Hemisphere;

21 (3) increasing and strengthening the participa-
22 tion of elected national legislators from OAS mem-
23 ber states in OAS activities would advance the prin-
24 ciples and proposals expressed in section 4 of the
25 Organization of American States Revitalization and

1 Reform Act of 2013 (Public Law 113–41; 127 Stat.
2 549);

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

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

16 (6) the successful experience of the Organiza-
17 tion for Security and Co-operation in Europe Par-
18 liamentary Assembly should serve as a model to the
19 OAS in creating a similar mechanism.

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

21 **AT THE OAS.**

22 (a) IN GENERAL.—The Secretary of State, acting
23 through the United States Mission to the Organization of
24 American States, shall take all necessary steps to establish

1 formal procedures for the Organization of American
2 States that—

3 (1) increase the participation of elected national
4 legislators from OAS member state countries in
5 OAS activities, specifically including activities that
6 advance the principles of the Inter-American Demo-
7 cratic Charter;

8 (2) create an annual forum for the presidents
9 of national legislatures from OAS member states to
10 discuss issues of hemispheric importance, including
11 regional efforts to combat corruption and defend
12 human rights;

13 (3) permit elected national legislators from
14 OAS member states to make presentations, con-
15 tribute information, and provide expert advice, as
16 appropriate, to the OAS Secretariat, OAS Perma-
17 nent Council, and OAS General Assembly;

18 (4) leads to the creation of a formalized body
19 or mechanism to permanently facilitate the partici-
20 pation of national legislators in OAS activities; and

21 (5) strengthen OAS Secretariat programs that
22 provide technical assistance for the modernization
23 and institutional consolidation of national legisla-
24 tures from OAS member states.

1 (b) DIPLOMATIC ENGAGEMENT AND COORDINA-
2 TION.—The Secretary of State, as appropriate, shall carry
3 out diplomatic engagement to secure political and financial
4 support for the establishment of the procedures set forth
5 in subsection (a).

6 (c) PROGRESS REPORT.—Not later than one year
7 after the date of the enactment of this Act, the Secretary
8 of State shall submit to the Committee on Foreign Rela-
9 tions of the Senate and the Committee on Foreign Affairs
10 of the House of Representatives a report on OAS proc-
11 esses, initiatives, and reforms undertaken to implement
12 this section.

13 **SEC. 5. SUPPORT FOR OAS HUMAN RIGHTS AND ANTI-COR-**
14 **RUPTION INITIATIVES.**

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

17 (1) the Organization of American States' Inter-
18 American Commission on Human Rights is the pre-
19 eminent institution for defending human rights in
20 the Americas;

21 (2) the United States should take all necessary
22 steps to support and strengthen the role of the
23 Inter-American Commission on Human Rights and
24 its work in the Americas;

1 (3) the efforts of the OAS Secretary General
2 and Secretariat to combat corruption and impunity
3 in the Americas represent important contributions to
4 strengthening the rule of law and democratic govern-
5 ance in the Americas; and

6 (4) the United States should support efforts to
7 ensure the effectiveness and independence of OAS
8 initiatives to combat corruption and impunity in the
9 Americas.

10 (b) ANTI-CORRUPTION AND HUMAN RIGHTS PRO-
11 MOTION STRATEGY.—Not later than 180 days after the
12 date of the enactment of the Act, the Secretary of State
13 shall submit to the Committee on Foreign Relations of the
14 Senate and the Committee on Foreign Affairs of the
15 House of Representatives a strategy for supporting OAS
16 anti-corruption and human rights promotion efforts, in-
17 cluding—

18 (1) an assessment of United States programs,
19 activities, and initiatives with the OAS to support
20 anti-corruption and human rights promotion in the
21 Americas;

22 (2) a summary of steps taken by the United
23 States Mission to the OAS to strengthen the role of
24 the Inter-American Commission on Human Rights,

1 and to support anti-corruption and anti-impunity ef-
2 forts in the Americas;

3 (3) an assessment of necessary reforms and ini-
4 tiatives to prioritize and reinforce the OAS Secretary
5 General and Secretariat's efforts to advance human
6 rights and combat corruption and impunity in the
7 Americas;

8 (4) a detailed strategy to facilitate increased
9 OAS collaboration, as appropriate, with relevant
10 stakeholders, including legislators and civil society,
11 in support of a multi-sectoral approach to anti-cor-
12 ruption, anti-impunity, and human rights promotion
13 efforts in the Americas; and

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

16 (c) ANNUAL REPORT.—General.—Not later than one
17 year after the date of the enactment of this Act, and annu-
18 ally thereafter, the Secretary of State shall submit to the
19 Committee on Foreign Relations of the Senate and the
20 Committee on Foreign Affairs of the House of Representa-
21 tives a report on actions taken to implement the strategy
22 mandated under subsection (b). The report shall include—

23 (1) an analysis of the progress made by the
24 OAS to adopt and effectively implement reforms and

1 initiatives to advance human rights and combat cor-
2 ruption and impunity in the Americas; and

3 (2) a detailed assessment of OAS efforts to in-
4 crease multi-sectoral stakeholder engagement to ad-
5 vance human rights and combat corruption and im-
6 punity in the Americas.

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