

Organization of American States: In Brief

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The Organization of American States (OAS) is a regional multilateral organization that comprises all 35 independent countries of the Western Hemisphere, including the United States. It was established in 1948 as a forum in which the nations of the hemisphere could engage one another and address issues of mutual concern. Today, the OAS concentrates on four broad objectives: democracy promotion, human rights protection, economic and social development, and regional security cooperation. With an estimated budget of \$141.4 million in 2022, the organization carries out various activities to advance these goals, often providing policy guidance and technical assistance to member states.

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The OAS has occasionally struggled to fulfill its mandate due to political and financial challenges. Over the past two decades, increased ideological polarization among member states has made it more difficult to establish a common hemispheric agenda. In addition, member states have repeatedly assigned new responsibilities to the OAS without providing commensurate increases in funding. Consequently, the organization is sometimes unable to establish consensus on regional challenges or dedicate sufficient resources to address them effectively.

The United States hosts the OAS headquarters in Washington, DC, and is the largest financial contributor to the organization, providing at least \$55.7 million in FY2022. Historically, the U.S. government has sought to use the OAS to advance economic, political, and security objectives in the Western Hemisphere. OAS actions frequently reflected U.S. policy during the 20th century, particularly during the early Cold War period and the 1990s. This trend has changed to a certain extent over the past 20 years, as member states' policy preferences on certain issues have diverged from those of the United States. Nevertheless, even as the United States' ability to influence decisions at the OAS has declined, the organization's goals and day-to-day activities have remained generally consistent with U.S. objectives in the hemisphere.

The 117th Congress has continued to shape U.S. policy toward the OAS through its legislative and oversight activities. The Consolidated Appropriations Act, 2022 (P.L. 117-103), appropriated funding for U.S. assessed contributions to international organizations, including an estimated \$46.2 million that the State Department allocated to the OAS, and designated at least \$9.5 million in voluntary contributions to support OAS human rights and democracy promotion activities. The legislation also directed the State Department to use the voice and vote of the United States to advance a series of budgetary and administrative reforms at the organization, building on the OAS Revitalization and Reform Act of 2013 (P.L. 113-41).

Congress is now considering the Biden Administration's FY2023 budget request, which includes \$43.2 million for the U.S. assessed contribution to the OAS and \$8.0 million in voluntary contributions for OAS-managed democracy promotion and economic development programs in the hemisphere. The Department of State, Foreign Operations, and Related Programs appropriations bill reported in the House, H.R. 8282, would provide the requested funding. S. 4662, introduced in the Senate, would fully fund the Administration's request for assessed contributions to international organizations, including the OAS, but would not designate funds for the Administration's requested voluntary contributions to the OAS; instead, the bill would provide \$5.0 million for a voluntary contribution to the OAS's autonomous Inter-American Commission on Human Rights.

Moving forward, Congress may examine how the Administration is implementing the OAS Legislative Engagement Act of 2020 (P.L. 116-343), which called for a formal mechanism to allow Members of Congress and national legislators from other OAS member states to participate in OAS activities. Congress also may consider legislative initiatives, such as the Upholding the Inter-American Democratic Charter Act of 2022 (S. 4285), which calls for a multiyear strategy to strengthen democracy in the hemisphere, including through diplomatic engagement at the OAS. Additionally, the Senate could consider President Biden's nomination of Francisco Mora to be the U.S. Permanent Representative to the OAS (PN953), which the Senate Committee on Foreign Relations reported favorably in June 2022.

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Introduction

The United States helped create the Organization of American States (OAS) in 1948 as a multilateral forum in which the nations of the Western Hemisphere could engage one another and address issues of mutual concern. The U.S. Senate gave its advice and consent to ratification of the OAS charter, allowing for U.S. membership in the organization.¹ Congress authorizes and appropriates funding for the OAS, and the executive branch represents and shapes U.S. policy through the State Department and the U.S. Mission to the OAS in Washington, DC.

Historically, OAS decisions often have reflected U.S. policy, as other member states have sought to maintain close relations with the dominant economic and political power in the hemisphere. This was especially true during the early Cold War period, when the United States was able to secure OAS support for many of its anti-communist policies.² OAS decisions again aligned closely with U.S. policy in the 1990s following the end of the Cold War due to a broad political consensus among member states in support of initiatives intended to strengthen democratic governance and liberalize markets.³ Over the past two decades, however, the United States' ability to shape outcomes in the Western Hemisphere has declined as countries throughout the region have elected ideologically diverse leaders whose domestic and foreign policies have diverged from U.S. policy preferences.⁴ Nevertheless, the core priorities of the OAS remain broadly consistent with U.S. objectives in the hemisphere (see "Activities").

Congressional debate regarding the OAS has focused on how to ensure the organization fulfills its mandate to promote democracy, protect human rights, advance economic and social development, and foster security cooperation in the Western Hemisphere. Congress has designated funding to support such OAS activities in annual appropriations measures (see "U.S. Contributions") and has enacted two legislative measures over the past decade intended to strengthen the organization. The OAS Revitalization and Reform Act of 2013 (P.L. 113-41) sought to foster various financial and administrative reforms at the OAS to enable the organization to concentrate on its core competencies and carry out its mission more effectively (see "Budget Constraints"). The OAS Legislative Engagement Act of 2020 (P.L. 116-343) called for a formal mechanism to allow Members of Congress and national legislators from other OAS member states to participate in OAS activities. It also directed the Secretary of State to develop a strategy for supporting OAS anti-corruption and human rights promotion efforts.

At times, some Members of Congress have expressed concerns that the OAS is falling short, particularly in its efforts to promote democracy and human rights. These Members have called on the organization to respond more forcefully to authoritarian actions in countries such as Venezuela and Nicaragua and occasionally have sought to compel stronger action by threatening to suspend funding for the organization.⁵ Some Members also have criticized certain OAS actions

¹ The Senate gave its advice and consent to ratification of the Charter of the Organization of American States (OAS) in August 1950. The text of the charter is available at <http://www.oas.org/juridico/english/charter.html>.

² George Meek, "U.S. Influence in the Organization of American States," *Journal of Interamerican Studies and World Affairs*, vol. 17, no. 3 (August 1975), pp. 311-325.

³ Carolyn M. Shaw, "Limits to Hegemonic Influence in the Organization of American States," *Latin American Politics and Society*, vol. 45, no. 3 (Autumn 2003), pp. 59-92.

⁴ Russell Crandall, "The Post-American Hemisphere: Power and Politics in an Autonomous Latin America," *Foreign Affairs*, vol. 90, no. 3 (May/June 2011), pp. 83-95; and Inter-American Dialogue, *The Case for Renewed Cooperation in a Troubled Hemisphere*, April 2022, pp. 26-27.

⁵ See, for example, U.S. Congress, House Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, *Advancing U.S. Interests Through the Organization of American States*, 115th Cong., 2nd sess., February 14, 2018; and

that they argue are outside the organization's mandate. In 2018, for example, a group of Senators asserted that two OAS-affiliated bodies' statements in favor of legalized abortion contravened a long-standing legislative provision that prohibits funds from being used to "lobby for or against abortion" and called for the State Department to withhold some funding.⁶ The Trump Administration subsequently reduced the FY2019 U.S. contribution to the OAS by \$210,000, which it determined to be the U.S. "proportional share of possible OAS costs in question."⁷

This report briefly discusses the history and governance of the OAS, examines the organization's funding and activities, and raises potential legislative and oversight activities related to the OAS that Congress could consider in the remainder of the 117th Congress or in future years.

History and Purpose⁸

Multilateral relations among the countries of the Western Hemisphere date back to the International Conference of American States, held in Washington, DC, from October 1889 to April 1890. This conference was the first in a series of periodic meetings to establish norms and institutions to govern hemispheric relations and promote cooperation. The participating countries agreed to establish the International Union of American Republics, headquartered in Washington, DC, which was renamed the Pan American Union in 1910. In 1933, President Franklin Roosevelt announced a "Good Neighbor" policy, which sought to emphasize hemispheric cooperation and trade and to distance the United States from its earlier military interventions in the region. The policy shift paved the way for the adoption of the Convention on the Rights and Duties of States, which formally recognized the equality of states and the principle of nonintervention in one another's affairs.⁹ Close cooperation during World War II further strengthened hemispheric ties, which were reinforced with the adoption of the Inter-American Treaty of Reciprocal Assistance (Rio Treaty)—a collective security pact—in 1947.¹⁰

In 1948, the United States and 20 other countries signed the OAS charter, which reconstituted the Pan American Union as the OAS and placed many of the hemisphere's institutions and agreements (collectively known as the *inter-American system*) under the organization's umbrella. According to the OAS charter, as amended, the purposes of the organization are

To strengthen the peace and security of the continent;

To promote and consolidate representative democracy, with due respect for the principle of nonintervention;

Josh Rogin, "House Panel Votes to Defund the OAS," *Foreign Policy*, July 20, 2011.

⁶ Letter from James Lankford, U.S. Senator, et al. to Honorable Mike Pompeo, Secretary of State, December 21, 2018. For more on the legislative provision, the Siljander amendment to the FY1982 Foreign Assistance and Related Programs Appropriations Act (P.L. 97-121; 95 Stat. 1657), see CRS Report R41360, *Abortion and Family Planning-Related Provisions in U.S. Foreign Assistance Law and Policy*, by Luisa Blanchfield.

⁷ U.S. Department of State, Office of the Spokesperson, "Department Press Briefing," March 26, 2019.

⁸ Information in this section is drawn from U.S. Congress, Senate Committee on Foreign Relations and House Committee on Foreign Affairs, *Inter-American Relations: A Collection of Documents, Legislation, Descriptions of Inter-American Organizations, and Other Material Pertaining to Inter-American Affairs*, Joint Committee Print, Prepared by the Congressional Research Service, 100th Cong., 2nd sess., December 1988, S.Prt. 100-168 (Washington: GPO, 1989); and OAS, "Our History," at http://www.oas.org/en/about/our_history.asp.

⁹ The Senate gave its advice and consent to ratification of the Convention on the Rights and Duties of States in June 1934. The text of the treaty is available at <https://www.oas.org/juridico/english/treaties/a-40.html>.

¹⁰ The Senate gave its advice and consent to ratification of the Rio Treaty in December 1947. The text of the treaty is available at <http://www.oas.org/juridico/english/treaties/b-29.html>.

To prevent possible causes of difficulties and ensure the pacific settlement of disputes that may arise among member states;

To provide for common action on the part of those states in the event of aggression;

To seek the solution of political, juridical, and economic problems that may arise among them;

To promote, by cooperative action, their economic, social, and cultural development;

To eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the hemisphere; and

To achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of member states.¹¹

Over the decades, OAS membership gradually expanded to incorporate newly independent Caribbean nations and Canada. It now includes all 35 independent countries of the Western Hemisphere. Government participation and representation in the OAS have varied over time. For example, Cuba has not participated in the OAS since 1962 (see text box) and Nicaragua stopped participating in April 2022.¹² Venezuelan President Nicolás Maduro initiated a two-year process to leave the OAS in April 2017, but the opposition-controlled National Assembly, which OAS member states recognized as the legitimate government of Venezuela, halted the withdrawal in February 2019 and appointed a representative to the OAS in April 2019.¹³

Cuba and the Inter-American System

Cuba was one of the founding members of the Organization of American States (OAS), and—as a signatory to the OAS charter—it remains a member. It has not participated in the organization since 1962, however, due to a decision at the Eighth Meeting of Consultation of the Ministers of Foreign Affairs to suspend Cuba for its adherence to Marxism-Leninism and alignment with the communist bloc. The resolution to exclude Cuba was controversial when it was adopted, and the reintegration of Cuba into the inter-American system has remained a frequent source of contention among the countries of the hemisphere ever since.

Latin American and Caribbean governments repeatedly have pushed to include Cuba in hemispheric forums. At the 2009 OAS General Assembly, member states adopted a measure to repeal the 1962 resolution that suspended Cuba from participation in the OAS. The measure stated that Cuba's eventual participation in the OAS "will be the result of a process of dialogue initiated at the request of the Government of Cuba, and in accordance with the practices, purposes, and principles of the OAS," which include representative democracy and respect for human rights. Although the Cuban government declared the repeal a "major victory," it also stated that it had no interest in participating in the OAS.

In 2015, then-Cuban President Raúl Castro attended the Seventh Summit of the Americas—a meeting of the Western Hemisphere's heads of government—in Panama. Although the Summits of the Americas are not officially part of the OAS, the OAS serves as the technical secretariat for the summit process. Panama invited Cuba to attend the summit after every country in the hemisphere—with the exceptions of the United States and Canada—voiced support for Cuba's inclusion during the Sixth Summit of the Americas in 2012. Cuba's foreign minister also attended the Eighth Summit of the Americas in Peru in 2018. The Biden Administration chose to exclude Cuba (along with Venezuela and Nicaragua) from the Ninth Summit of the Americas in Los Angeles in June 2022. Several leaders in the region opposed that decision, and some of them chose not to attend the summit in response.

Sources: OAS, *Eighth Meeting of Consultation of Ministers of Foreign Affairs*, Ser. C/II.8, January 22-31, 1962; OAS, *Resolution on Cuba*, AG/RES. 2438 (XXXIX-O/09), June 3, 2009; and Voice of America, "Cuba Says No to OAS Membership," June 4, 2009.

¹¹ Charter of the OAS, Chapter 1, Article 2.

¹² The Nicaraguan government denounced the OAS charter in November 2021—initiating a two-year withdrawal process—after the OAS General Assembly adopted a resolution declaring that Nicaragua's 2021 elections had no democratic legitimacy.

¹³ Some member states do not recognize the legitimacy of the current Venezuelan representative.

Institutional Governance

Three primary bodies are responsible for setting and carrying out the agenda of the OAS: the General Assembly, the Permanent Council, and the General Secretariat. The OAS also includes other councils, committees, and institutional organs that implement portions of its mandate with varying levels of autonomy. For example, the Inter-American Commission on Human Rights (IACHR), composed of seven independent commissioners, and the Inter-American Court of Human Rights, composed of seven independent judges, are the OAS bodies charged with promoting and protecting human rights (see “Human Rights Protection”).

General Assembly

The General Assembly is the principal policymaking organ of the OAS. It meets annually to debate issues, approve the organization’s budget, and set policies to govern the other OAS bodies.¹⁴ The General Assembly comprises the delegations of each participating member state, and each state has a single vote. The body is empowered to adopt most decisions with the affirmative votes of an absolute majority of member states; however, some decisions—including adoption of the agenda and approval of budgetary matters—require the affirmative votes of two-thirds of member states. The 51st regular session of the General Assembly was held virtually in November 2021.¹⁵ The next regular session of the General Assembly is scheduled to be held in Lima, Peru, on October 5-7, 2022.

Permanent Council

The Permanent Council conducts the day-to-day governance of the OAS and meets regularly throughout the year at the organization’s headquarters in Washington, DC.¹⁶ Among other activities, the Permanent Council works to maintain friendly relations among member states, assists in the peaceful settlement of disputes, carries out decisions assigned to it by the General Assembly, regulates the General Secretariat when the General Assembly is not in session, receives reports from the various bodies of the inter-American system, and submits recommendations to the General Assembly. Additionally, the Permanent Council is empowered to undertake diplomatic initiatives in the event of an unconstitutional alteration of government in a member state. Each member state appoints one representative to the Permanent Council, and each member state has a single vote. Most decisions require the affirmative votes of two-thirds of member states.

General Secretariat

The General Secretariat, directed by the Secretary General and the Assistant Secretary General, is the permanent bureaucracy charged with implementing policies set by the General Assembly and the Permanent Council. The General Assembly elects the Secretary General and the Assistant Secretary General to serve five-year terms with the possibility of one reelection. According to the OAS charter, the Secretary General serves as the organization’s legal representative and is

¹⁴ A special session of the General Assembly can be convoked by a two-thirds vote of the Permanent Council.

¹⁵ The resolutions and declarations adopted at the 51st regular session of the General Assembly are available at <https://www.oas.org/en/council/AG/ResDec/>.

¹⁶ The Headquarters Agreement Between the Organization of American States and the Government of the United States of America is available at <http://www.oas.org/legal/english/docs/bilateralagree/us/sedeusa.htm>.

allowed to participate in all OAS meetings but does not have a vote. The Secretary General also is empowered to establish offices and hire personnel to implement OAS mandates.

The current Secretary General is Luis Almagro, a career diplomat and former foreign minister from Uruguay. He first took office in 2015 and won reelection to a second five-year term in 2020. Secretary General Almagro has focused primarily on democracy and human rights concerns during his tenure, frequently condemning the authoritarian actions of the Venezuelan, Nicaraguan, and Cuban governments. His outspoken leadership style has won praise from consecutive U.S. administrations, but some member states argue Almagro has focused too narrowly on contentious issues, leaving the OAS weaker and more divided.¹⁷

Funding

The OAS budget is expected to total \$141.4 million in 2022 (see **Table 1**). The largest portion of the budget is the Regular Fund, which covers the organization's day-to-day operating expenses. The Regular Fund is financed through the assessed contributions, or membership dues, of OAS member states. Quota assessments are calculated based on each member state's gross national income, with adjustments for debt burden and low per capita income. The United States is responsible for the largest quota, equivalent to 53.15% of the Regular Fund in 2022. The OAS also collects Specific Funds, or voluntary contributions from member states and other international donors that are directed to specific projects or programs.

Table 1. Organization of American States Budget: Calendar Years 2020-2022

(millions of current U.S. dollars)

| | 2020 (executed) | 2021 (approved) | 2022 (approved) |
|-------------------------------|-----------------|-----------------|-----------------|
| Regular Fund | 82.3 | 79.0 | 81.0 |
| Specific Funds | 50.4 | 47.4 | 53.3 |
| Indirect Cost Recovery | 6.0 | 7.2 | 7.2 |
| Total | 138.7 | 133.7 | 141.4 |

Source: OAS, *Approved Program Budget of the Organization of American States, 2022*, Approved by the General Assembly, 51 Regular Session, November 2021, AG/Res.2971 (LI-O/21), p. 44.

Notes: Dollar figures may not sum to total due to rounding. A percentage (13%) of all contributions to Specific Funds is directed to the Indirect Cost Recovery account to defray indirect costs incurred by the General Secretariat in administering Specific Fund projects.

U.S. Contributions

The United States is the top financial contributor to the OAS, providing at least \$55.7 million in assessed and voluntary funding in FY2022 (see **Table 2**).¹⁸ U.S. assessed contributions generally are provided through the Contributions to International Organizations (CIO) account in annual Department of State, Foreign Operations, and Related Programs (SFOPS) appropriations

¹⁷ See, for example, Ronald Sanders, Ambassador of Antigua and Barbuda to the United States, "What Will Almagro Prioritize in His Second OAS Term?," *Latin America Advisor*, April 3, 2020.

¹⁸ After the United States, the largest member state contributors to the OAS in 2021 were Brazil (\$17.9 million), Canada (\$17.7 million), Mexico (\$7.1 million), Argentina (\$2.2 million), and Colombia (\$2.1 million). The largest nonmember donors were Germany (\$5.0 million), the European Union (\$2.8 million), Sweden (\$1.8 million), and Switzerland (\$1.4 million). OAS, "Contributions to OAS Funds by Donor," January 1, 2021-December 31, 2021.

legislation.¹⁹ Congress usually appropriates a lump sum to the CIO account each fiscal year, and the executive branch allocates funding to specific organizations, including the OAS, based on assessment levels and U.S. policy priorities. The estimated FY2022 U.S. assessment to the OAS is \$46.2 million. For FY2023, the Biden Administration has requested \$43.2 million for the OAS through the CIO account, as the U.S. quota is scheduled to decline from 53.15% to 49.99% of the Regular Fund.²⁰ The FY2023 SFOPS bills reported in the House (H.R. 8282) and introduced in the Senate (S. 4662) would fully fund the CIO account.

The United States also provides voluntary contributions to the OAS through various accounts in annual SFOPS bills. For FY2022, voluntary contributions appropriated by Congress include \$5.0 million through the Economic Support Fund account for “the autonomous promotion and protection of human rights” and \$4.5 million through the International Organizations and Programs (IO&P) account for the OAS Fund for Strengthening Democracy, which funds electoral observation missions and other democracy promotion efforts.²¹ For FY2023, the Biden Administration requested \$8.0 million in IO&P funds for the OAS Fund for Strengthening Democracy (\$5.0 million) and OAS-managed economic development programs (\$3.0 million).²² H.R. 8282 would fully fund the Administration’s IO&P request for the OAS; S. 4662 would provide \$5.0 million in IO&P funding for the IACHR.²³

U.S. agencies may obligate additional voluntary funding to the OAS for specific programs or activities. In FY2020, for example, total U.S. voluntary contributions to the OAS exceeded \$47.4 million, as U.S. agencies obligated funds to the OAS to implement various foreign assistance projects, including land-mine clearance in Colombia, community-driven development efforts in Haiti, and regional drug control and demand reduction programming.²⁴

Table 2. U.S. Funding for the OAS: FY2021-FY2023

(allocations in millions of current U.S. dollars)

| | FY2021 (actual) | FY2022 (estimate) | FY2023 (request) |
|--------------------------------|-----------------|-------------------|------------------|
| Assessed Contribution | 48.7 | 46.2 | 43.2 |
| Voluntary Contributions | 5.0 | 9.5 | 8.0 |
| Total | 53.7 | 55.7 | 51.2 |

Sources: U.S. Department of State, *Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2023*, March 28, 2022; and FY2022 estimate data, August 16, 2022.

Note: The U.S. fiscal year is from October 1 to September 30, whereas the OAS fiscal year is from January 1 to December 31; as a result, U.S. and OAS annual funding data may not align or be comparable.

¹⁹ The Contributions to International Organizations account, funded through the Department of State, provides U.S. assessed contributions to over 40 regional and international organizations, including the OAS, the United Nations system, and NATO, among others.

²⁰ U.S. Department of State, *Congressional Budget Justification, Appendix I: Department of State Diplomatic Engagement, Fiscal Year 2023*, May 2022, p. 384.

²¹ “Explanatory Statement Submitted by Ms. DeLauro, Chair of the House Committee on Appropriations, Regarding the House Amendment to the Senate Amendment to H.R. 2471, Consolidated Appropriations Act, 2022,” *Congressional Record*, vol. 168, no. 42—book IV (March 9, 2022), pp. H2998, H3000.

²² U.S. Department of State, *Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2023*, pp. 50 and 180.

²³ H.Rept. 117-401; and the Senate Appropriations Committee Chairman’s explanatory statement, available at <https://www.appropriations.senate.gov/imo/media/doc/SFOPSFY23RPT.pdf>.

²⁴ U.S. Department of State, *Report to Congress on U.S. Contributions to International Organizations, Fiscal Year 2020, Section 4(b) of the United Nations Participation Act, 22 USC 287b(b)*, January 18, 2022.

Budget Constraints

The OAS has faced persistent budget shortfalls as member states have increased the organization's responsibilities without providing commensurate increases in funding. Although the OAS carried out a comprehensive mandate review in 2015, identifying 82 priorities, member states have since assigned the organization more than 970 additional mandates, including 150 in 2021 alone.²⁵ The OAS budget for 2022 is essentially the same as it was in 2015 (not adjusted for inflation), leaving basic programmatic and administrative requirements unfunded.²⁶ This structural imbalance has been exacerbated by the economic impact of the Coronavirus Disease 2019 (COVID-19) pandemic, which has resulted in some member states not paying their assessed contributions in a timely manner. To continue covering daily expenses, the organization has cut personnel, delayed maintenance expenditures, and borrowed from its Treasury Fund repeatedly.²⁷ Some analysts contend that the organization's recurring budgetary challenges have created a vicious cycle in which the OAS is "unable to invest in the human and institutional capital necessary to meet its mandate, and therefore unable to demonstrate its true importance and potential" to member states, leading to further hollowing out of the organization.²⁸

Concerns about the OAS's management and budget led Congress to enact the OAS Revitalization and Reform Act of 2013 (P.L. 113-41). The legislation directed the U.S. Secretary of State to formulate a multiyear strategy toward the adoption of reforms at the OAS to prioritize the organization's core functions, implement a results-based budgeting process and transparent human resources practices, and alter the organization's quota structure to ensure no member state is responsible for more than 50% of the organization's assessed contributions. Since then, the OAS has adopted a strategic plan, which includes lines of action to advance each of the organization's four core objectives. The OAS also has reached an agreement to require member states to identify how newly proposed mandates would align with the organization's strategic plan and how much funding would be required for implementation. In addition, the OAS adopted a new quota methodology, which incrementally reduced the percentage of assessed contributions paid by the United States from 59.47% in 2020 to 49.99% in 2023.²⁹

The Consolidated Appropriations Act, 2022 (P.L. 117-103), directed the Secretary of State to instruct the U.S. Permanent Representative to the OAS to use the voice and vote of the United States to advance several additional budgetary and administrative reforms at the organization. These reforms include changes intended to increase contributions from other member states and donors, prevent programmatic and organizational redundancies, and ensure the OAS Office of the Inspector General is able to carry out its responsibilities in accordance with U.S. best practices.³⁰

²⁵ OAS Audit Committee, *Annual Audit of Accounts and Financial Statements for the Years Ended December 31, 2021 and 2020*, Report to the Permanent Council, JAE/Doc.5222, June 15, 2022, p. 3.

²⁶ Ibid; OAS, *Proposed Program-Budget of the Organization of American States*, 2017, April 11, 2016, p. 9; and OAS, *Approved Program Budget of the Organization of American States*, 2022, Approved by the General Assembly, 51 Regular Session, November 2021, AG/Res.2971 (LI-O/21), p. 44.

²⁷ OAS Audit Committee, *Annual Audit of Accounts and Financial Statements for the Years Ended December 31, 2021 and 2020*, Report to the Permanent Council, JAE/Doc.5222, June 15, 2022.

²⁸ Ben Raderstorf and Michael Shifter, *Rebuilding Hemispheric Consensus: A Reform Agenda for the Organization of American States*, Inter-American Dialogue, February 2018, p. 16.

²⁹ OAS, *Amendments to the Methodology for Calculating the Scale of Quota Assessments to Finance the Regular Fund of the OAS 2019-2023*, CP/RES. 1103 (2168/18) rev.1, July 17, 2018.

³⁰ P.L. 117-103, §7070.

Activities

The Strategic Vision of the OAS, adopted by the General Assembly in 2014, states that the four core pillars of the organization's mission are strengthening democracy, promoting and protecting human rights, advancing integral development, and fostering multidimensional security.³¹ These pillars are broadly consistent with the Biden Administration's approach to the hemisphere. The Administration has prioritized efforts to promote inclusive democracy; foster public health and economic recovery from the COVID-19 pandemic; and address the underlying political, economic, and security conditions that drive migration.³²

Democracy Promotion

Democracy promotion has been a top priority of the OAS, especially since the 1980s, when many countries in the region began to transition from authoritarian rule to civilian governance. Member states approved a series of instruments designed to support democratic governance, culminating in the 2001 adoption of the Inter-American Democratic Charter, which asserts that the peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it.³³ The OAS has sought to uphold these commitments through numerous activities, including support for, and observation of, elections; technical assistance and other programs to foster institutional development and good governance; and the coordination of collective action when democratic institutions are threatened.

Many experts agree that OAS electoral observation missions have played an important role in the legitimization of electoral processes and long-term institution building throughout Latin America and the Caribbean.³⁴ Nine member states invited the OAS to observe their elections in 2021, and the organization has deployed electoral observation missions to Colombia, Costa Rica, Grenada, Mexico, and St. Kitts and Nevis to date in 2022.³⁵ Brazil has invited the OAS to observe its elections scheduled for October 2022. Some OAS electoral observation missions have generated controversy, however, undermining the organization's reputation for impartiality and technical competence. For example, several academics called into question the statistical analysis that partially underpinned an OAS report alleging fraud in Bolivia's 2019 presidential election.³⁶ Despite other election irregularities,³⁷ some analysts argue the OAS lacked sufficient support for

³¹ OAS, *Strategic Vision of the Organization of American States*, AG/RES. 2814 (XLIV-O/14), June 4, 2014.

³² For more information on U.S. policy in the hemisphere, see CRS Report R46781, *Latin America and the Caribbean: U.S. Policy and Key Issues in the 117th Congress*, coordinated by Mark P. Sullivan.

³³ OAS, *Inter-American Democratic Charter*, at http://www.oas.org/OASpage/eng/Documents/Democratic_Charter.htm.

³⁴ See, for example, Lisa Vasciannie, "The Organization of American States: Evolution of Election Observation in the Inter-American System 1962-2017," *Caribbean Journal of International Relations & Diplomacy*, vol. 5, no. 1 (March 2018), pp. 89-112; and Ferran Martínez i Coma, Alessandro Nai, and Pippa Norris, *Democratic Diffusion: How Regional Organizations Strengthen Electoral Integrity*, University of Sidney and Harvard University, John F. Kennedy School of Government, Executive Report, 2016.

³⁵ OAS, Secretariat for Political Affairs, Department of Electoral Cooperation and Observation, "Electoral Observation Missions and Recommendations Database," at <https://www.oas.org/eomdatabase/default.aspx?lang=en>.

³⁶ Jack R. Williams and John Curiel, *Analysis of the 2019 Bolivia Election*, 2020; Nicolás Idrobo, Dorothy Kronick, and Francisco Rodríguez, *Do Shifts in Late-Counted Votes Signal Fraud? Evidence From Bolivia*, 2020; and OAS, *Electoral Integrity Analysis, General Elections in the Plurinational State of Bolivia: October 20, 2019, Final Report*, December 4, 2019.

³⁷ For example, a European Union electoral observation mission documented polling stations with unusually high numbers of invalid votes, blank votes, and 100% turnout. European Union, Election Expert Mission, *Bolivia 2019*:

its fraud claims and undermined democracy in Bolivia by contributing to subsequent political turmoil and violence.³⁸

The OAS also has established special political missions to assist member states with sensitive matters. In Colombia, the OAS Mission to Support the Peace Process provides verification and advisory support regarding peace accord implementation in the most conflict-affected areas of the country. The Honduran and Salvadoran governments sought assistance from the OAS in combatting corruption but, in controversial moves, ended their respective agreements with the organization in January 2020 and June 2021, as OAS-backed prosecutors were in the process of investigating high-level government officials.³⁹

Although OAS election observation and technical assistance missions generally enjoy widespread support among member states, there is less consensus regarding how to respond to democratic backsliding in the region. Many member states adhere to the principal of nonintervention, which is enshrined in the OAS charter, and are unwilling to interfere in the internal affairs of another member state unless there is an abrupt democratic breakdown resembling a coup d'état.⁴⁰ For example, the IACHR documented and raised concerns about the erosion of Venezuela's democratic institutions for more than a decade before Secretary General Almagro invoked Article 20 of the Inter-American Democratic Charter to initiate a collective assessment of the situation in 2016. The majority of member states remained reluctant to act until 2017, when they formally recognized there had been an "unconstitutional alteration of the democratic order" in Venezuela.⁴¹ Since then, member states have adopted resolutions declaring Venezuelan President Nicolás Maduro's 2018 reelection illegitimate; recognizing an appointee of the former opposition-controlled National Assembly as Venezuela's Permanent Representative to the OAS; and urging member states to adopt diplomatic, political, and economic measures to facilitate the restoration of democracy in Venezuela.⁴²

Human Rights Protection

During the initial decades following the IACHR's 1959 creation, the commission's documentation of human rights violations brought international attention to the abuses of repressive regimes. Although the human rights situation in the hemisphere has improved considerably with the spread of democracy, the IACHR continues to receive several thousand

Final Report, November 19, 2020, pp. 32-33.

³⁸ See, for example, Gabriel Hetland, "The OAS Helped Undermine, Not Restore, Democracy in Bolivia," *Washington Post*, March 7, 2020. The explanatory statement accompanying the Consolidated Appropriations Act, 2022 (P.L. 117-103), directed the Secretary of State to solicit information from independent, internationally recognized experts regarding the 2019 Bolivian elections and to submit a report evaluating the elections' transparency and legitimacy and progress in investigating those responsible for human rights violations during the electoral period.

³⁹ For more information, see CRS Insight IN11211, *Corruption in Honduras: End of the Mission to Support the Fight Against Corruption and Impunity in Honduras (MACCIH)*.

⁴⁰ Article 19 of the OAS charter states, "No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic, and cultural elements."

⁴¹ OAS, *Resolution on the Recent Events in Venezuela*, CP/RES. 1078 (2108/17), April 3, 2017.

⁴² OAS, *Resolution on the Situation in Venezuela*, CP/RES. 1117 (2200/19), January 10, 2019; and OAS, *Resolution on the Situation in Venezuela*, CP/RES. 1124 (2217/19) rev. 2, April 9, 2019. Although some member states have shifted recognition back to the Maduro government, the ambassador appointed by the former opposition-controlled National Assembly remains Venezuela's permanent representative to the OAS.

allegations of human rights violations annually.⁴³ The IACHR investigates alleged human rights abuses, issues requests to governments to adopt “precautionary measures” to protect individuals or groups at risk of suffering abuses, and observes and reports on the general human rights situations in OAS member states. Over the past decade, special independent teams of experts established by the IACHR have conducted in-depth investigations into high-profile and politically sensitive human rights issues, such as the 2014 disappearance of 43 students from Ayotzinapa, Mexico; repression during the 2018 social protests in Nicaragua; and violence surrounding Bolivia’s 2019 elections. The IACHR also has created 13 rapporteurships to draw attention to certain human rights issues, such as freedom of expression, and to groups that are particularly at risk of human rights violations.⁴⁴

The Inter-American Court of Human Rights, which the OAS installed in San José, Costa Rica, in 1979, is a judicial institution charged with interpreting and applying the hemisphere’s human rights conventions.⁴⁵ It considers cases submitted by the IACHR to determine whether OAS member states are responsible for human rights violations and, if so, the measures to be adopted to redress the consequences of such violations. The court also provides advisory opinions to member states and other OAS bodies, and it orders member states to adopt “provisional measures” to protect the rights of individuals or groups at urgent risk of suffering irreparable harm. Currently, 20 OAS member states accept the court’s jurisdiction; the United States does not.⁴⁶

The IACHR and the Inter-American Court are widely considered to be among the most effective parts of the OAS. In the view of one expert, these bodies play a “pivotal role of condemnation and early warning in response to situations that undermine the consolidation of democracy and rule of law” in the hemisphere and “protect the rights of individuals when they are not duly guaranteed at the domestic level.”⁴⁷ However, some analysts and member states have criticized the IACHR and the court for weighing in on issues such as same-sex marriage and abortion, which they argue are outside the bodies’ mandates under inter-American treaties.⁴⁸

Economic and Social Development

The OAS greatly expanded its economic, social, cultural, scientific, and technological programs in the 1960s, coinciding with President John F. Kennedy’s Alliance for Progress to promote

⁴³ Inter-American Commission on Human Rights (IACHR), “Statistics,” at <https://www.oas.org/en/iachr/multimedia/statistics/statistics.html>.

⁴⁴ The 13 thematic rapporteurships focus on freedom of expression; economic, social, cultural, and environmental rights; memory, truth, and justice; and the rights of Indigenous peoples; women; migrants; children; human rights defenders; persons deprived of liberty; Afro-descendants; lesbian, gay, trans, bisexual, and intersex persons; older persons; and persons with disabilities.

⁴⁵ The hemisphere’s human rights conventions are available at https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/mandate/basic_documents.asp.

⁴⁶ The United States has not ratified any of the inter-American human rights conventions. The United States is subject to the jurisdiction of the IACHR under the American Declaration of the Rights and Duties of Man (adopted in 1948 alongside the OAS charter), but the U.S. government argues that the declaration does not create legally binding obligations.

⁴⁷ Ariel E. Dulitzky, “Twenty Reflections on the Process of Reflection,” *Aportes: Magazine of the Due Process of Law Foundation*, vol. 5, no. 16 (June 2012), p. 11.

⁴⁸ Alfonso Aguilar, testimony before the U.S. Congress, House Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, *Advancing U.S. Interests Through the Organization of American States*, 115th Cong., 2nd sess., February 14, 2018; and Gobierno de Guatemala, “Presidente Giammattei Rechaza Presiones de Comisión Interamericana de Derechos Humanos de la OEA,” June 28, 2022.

development in Latin America. Although the region has made considerable strides in terms of economic growth and social inclusion, poverty and inequality levels remain high in many countries and the OAS continues to support development efforts today. The Secretariat for Integral Development provides a wide array of training and capacity-building support to member states regarding economic, human, and sustainable development. It also fosters policy dialogue and serves as a clearinghouse for best practices. In 2020, for example, the OAS launched an online portal to compile research, host virtual forums, and solicit ideas to help member states respond to, and recover from, the COVID-19 pandemic. In 2021, the organization approved \$1.8 million in seed funding through its Development Cooperation Fund to support national and multinational projects focused on “Inclusive Resilience for an Effective Recovery.”⁴⁹

Some analysts assert that the accumulation of development programs at the OAS has stretched the organization’s mandate and resources while undermining its efficiency. They contend the OAS should transfer such programs to other institutions, such as the Inter-American Development Bank, so it can focus more clearly on the remaining portions of its mission.⁵⁰ Conversely, some member states—particularly small Caribbean countries—argue the OAS has placed too much emphasis on democracy and human rights issues and should reprioritize development efforts.⁵¹

Regional Security Cooperation

The OAS has dedicated greater attention to hemispheric security issues over the past two decades as member states have become more concerned about transnational threats. In 2005, the OAS created the Secretariat for Multidimensional Security in an attempt to address security issues in a more comprehensive manner and better coordinate member states’ efforts. The Secretariat supports a wide variety of activities, including efforts to reduce gang violence, prevent human trafficking, and remove land mines. The OAS also supports regional coordination on cybersecurity and counterterrorism efforts through the Inter-American Committee Against Terrorism (CICTE). In 2020, CICTE helped Ecuador develop a national cybersecurity strategy, trained more than 500 public and private sector representatives from Panama and Paraguay on the implementation of targeted financial sanctions, and began implementing a three-year program to strengthen biosecurity and biosafety in Latin America, among other actions.⁵²

OAS member states coordinate anti-drug efforts through the Inter-American Drug Abuse Control Commission (CICAD). CICAD assists OAS member states in strengthening their anti-drug policies by developing and recommending legislation, providing technical assistance and specialized training, and conducting assessments. In December 2020, after a year-long process led by the United States, CICAD adopted a new Hemispheric Drug Strategy and a Hemispheric Plan of Action on Drugs for 2021-2025. Among other changes, the updated plan of action calls for

⁴⁹ OAS Audit Committee, *Annual Audit of Accounts and Financial Statements for the Years Ended December 31, 2021 and 2020*, Report to the Permanent Council, JAE/Doc.5222, June 15, 2022, pp. 26-27.

⁵⁰ Ben Raderstorf and Michael Shifter, *Rebuilding Hemispheric Consensus: A Reform Agenda for the Organization of American States*, Inter-American Dialogue, February 2018, pp. 15-16.

⁵¹ See, for example, Anton Edmunds, Ambassador of St. Lucia to the United States, remarks during a virtual Center for Strategic and International Studies event on “A New Agenda for the Hemisphere: Perspectives from Ambassadors,” August 16, 2021.

⁵² Inter-American Committee Against Terrorism, *Annual Report 2020 of the Inter-American Committee Against Terrorism (CICTE) to the Fifty-First Regular Session of the General Assembly*, CICTE/doc.7/21 rev. 1, October 8, 2021.

member states to strengthen national measures to address the threat of fentanyl-related substances and nonmedical synthetic opioids.⁵³

Looking Ahead: Issues for Congress

The countries of the Western Hemisphere are contending with numerous challenges, including democratic backsliding, transnational crime, and the health and economic effects of the COVID-19 pandemic. As the preeminent multilateral forum in the hemisphere, the OAS is well placed to facilitate regional cooperation on such issues, though it must overcome political differences among member states and internal financial constraints. Members of Congress may seek to influence OAS actions and U.S. policy toward the organization through a variety of oversight and legislative activities.

Oversight. Over the past decade, Congress has enacted the OAS Revitalization and Reform Act of 2013 (P.L. 113-41) and the OAS Legislative Engagement Act of 2020 (P.L. 116-343), which were intended to strengthen the OAS and increase congressional involvement in the organization. Congress may oversee how the Biden Administration is complying with the directives included in those measures and the extent to which the OAS is adopting Congress's recommended reforms. Congress also may conduct oversight over other U.S. policies in the Western Hemisphere and consider the extent to which OAS actions align with U.S. objectives.

Appropriations. In the remainder of the 117th Congress, Members may conclude action on FY2023 SFOPS appropriations or consider a continuing resolution to maintain funding for such programs. Appropriations legislation may include funding for the U.S. assessed contribution to the OAS and other international organizations as well as voluntary contributions to support particular OAS activities or objectives. Congress also could consider tying a portion of the funds appropriated for the OAS to certain Administration or OAS actions.

Other Legislation. In addition to appropriating funding for the OAS, Congress may consider other legislative measures intended to strengthen the organization or support OAS objectives. For example, the Upholding the Inter-American Democratic Charter Act of 2022 (S. 4285), introduced in May 2022, would direct the Secretary of State to develop and implement a multi-year strategy to uphold and strengthen the Inter-American Democratic Charter, including through diplomatic engagement at the OAS.

Advice and Consent. The Senate could shape U.S. policy toward the OAS using its right to provide advice and consent on nominations and treaties. The Senate may vote on President Biden's nomination of Francisco Mora to be the U.S. Permanent Representative to the OAS (PN953), which was received in the Senate in August 2021 and reported favorably by the Senate Committee on Foreign Relations in June 2022. The Senate also could consider various treaties that the United States negotiated and signed at the OAS but has not ratified. For example, the American Convention on Human Rights (Treaty Doc. 95-21), the hemisphere's primary human rights treaty, has been awaiting the advice and consent of the Senate since 1978, and the Inter-American Convention Against the Illicit Manufacturing and Trafficking of Firearms, Ammunition, Explosives, and Other Related Materials (Treaty Doc. 105-49) has been awaiting the advice and consent of the Senate since 1998.

⁵³ Inter-American Drug Abuse Control Commission, *Hemispheric Plan of Action on Drugs 2021-2025*, CICAD/doc.2533/20, December 10, 2020, p. 8.

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