

1. The Democratic Values and Practices contained in the Inter-American Democratic Charter

The Inter-American Democratic Charter represents a collective commitment to strengthen democracy in the Americas. Article 1, “**The peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it. Democracy is essential for the social, political, and economic development of the peoples of the Americas.**”

Representative democracy requires permanent, ethical, and responsible participation of citizens. Article 2: “The effective exercise of representative democracy is the basis for the rule of law and of the constitutional regimes of the member states of the Organization of American States. Representative democracy is strengthened and deepened by permanent, ethical, and responsible participation of the citizenry within a legal framework conforming to the respective constitutional order.” Article 6: “It is the right and responsibility of all citizens to participate in decisions relating to their own development. This is also a necessary condition for the full and effective exercise of democracy. Promoting and fostering diverse forms of participation strengthens democracy.”

Respect for human rights and fundamental freedoms. Article 3: “Essential elements of representative democracy include, inter alia, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government.

Article 7: “Democracy is indispensable for the effective exercise of fundamental freedoms and human rights in their universality, indivisibility and interdependence, embodied in the respective constitutions of states and in inter-American and international human rights instruments.”

Transparency in government activities and civil authority. Article 4: “Transparency in government activities, probity, responsible public administration on the part of governments, respect for social rights, and freedom of expression and of the press are essential components of the exercise of democracy. The constitutional subordination of all state institutions to the legally constituted civilian authority and respect for the rule of law on the part of all institutions and sectors of society are equally essential to democracy.”

Political Parties. Article 5: “The strengthening of political parties and other political organizations is a priority for democracy. Special attention will be paid to the problems associated with the high cost of election campaigns and the establishment of a balanced and transparent system for their financing.” Article 28: “States shall promote the full and equal participation of women in the political structures of their countries as a fundamental element in the promotion and exercise of a democratic culture.”

Non-discrimination. Article 9: “The elimination of all forms of discrimination, especially gender, ethnic and race discrimination, as well as diverse forms of intolerance, the promotion and protection of human rights of indigenous peoples and migrants, and respect for ethnic, cultural and religious diversity in the Americas contribute to strengthening democracy and citizen participation.”

Workers' Rights. Article 10: “The promotion and strengthening of democracy requires the full and effective exercise of workers' rights and the application of core labor standards, as recognized in the International Labor Organization (ILO) Declaration on Fundamental Principles and Rights at Work, and its Follow-up, adopted in 1998, as well as other related fundamental ILO conventions. Democracy is strengthened by improving standards in the workplace and enhancing the quality of life for workers in the Hemisphere.”

Human, economic and social development. Article 11: “Democracy and social and economic development are interdependent and are mutually reinforcing.” Article 12: “Poverty, illiteracy, and low levels of human development are factors that adversely affect the consolidation of democracy. The OAS member states are committed to adopting and implementing all those actions required to generate productive employment, reduce poverty, and eradicate extreme poverty, taking into account the different economic realities and conditions of the countries of the Hemisphere. This shared commitment regarding the problems associated with development and poverty also underscores the importance of maintaining macroeconomic equilibria and the obligation to strengthen social cohesion and democracy. Article 13: “The promotion and observance of economic, social, and cultural rights are inherently linked to integral development, equitable economic growth, and to the consolidation of democracy in the states of the Hemisphere.

Protection of the Environment. Article 15: “The exercise of democracy promotes the preservation and good stewardship of the environment. It is essential that the states of the Hemisphere implement policies and strategies to protect the environment, including application of various treaties and conventions, to achieve sustainable development for the benefit of future generations.”

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Quality education for all. Article 16: “Education is key to strengthening democratic institutions, promoting the development of human potential, and alleviating poverty and fostering greater understanding among our peoples. To achieve these ends, it is essential that a quality education be available to all, including girls and women, rural inhabitants, and minorities.”

Promotion of Democratic Culture. Article 26: “The OAS will continue to carry out programs and activities designed to promote democratic principles and practices and strengthen a democratic culture in the Hemisphere, bearing in mind that democracy is a way of life based on liberty and enhancement of economic, social, and cultural conditions for the peoples of the Americas. The OAS will consult and cooperate on an ongoing basis with member states and take into account the contributions of civil society organizations working in those fields. Article 27: “ The objectives of the programs and activities will be to promote good governance, sound administration, democratic values, and the strengthening of political institutions and civil society organizations. Special attention shall be given to the development of programs and activities for the education of children and youth as a means of ensuring the continuance of democratic values, including liberty and social justice.”

2. The Inter-American Democratic Charter as a mechanism for defending democracy.

Chapter IV “Strengthening and Preservation of Democratic Institutions” of the Inter-American Democratic Charter sets forth the conditions by which the OAS applies its diplomatic initiatives to defend democracy in its member states respecting the principle of non-intervention. It provides: who can act, under what conditions, and for what result.

Article	Text	Who can act?	Under what conditions?	What results?
Article 17	“When the government of a member state considers that its democratic political institutional process or its legitimate exercise of power is at risk, it may request assistance from the Secretary General or the Permanent Council for the strengthening and preservation of its democratic system.”	The Executive Branch of government of the member state affected	When the member state considers a risk	Assistance of the Secretary General or Permanent Council
Article 18	“When situations arise in a member state that may affect the development of its democratic political institutional process or the legitimate exercise of power, the Secretary General or the Permanent Council may, with prior consent of the government concerned, arrange for visits or other actions in order to analyze the situation. The Secretary General will submit a report to the Permanent Council, which will undertake a collective assessment of the situation and, where necessary, may adopt decisions for the preservation of the democratic system and its strengthening.”	The Secretary General or the Permanent Council	When the SG or PC determines and with prior consent of the Executive Branch of the government concerned	Visits or other action, and report to the PC
Article 19	“Based on the principles of the Charter of the OAS and subject to its norms, and in accordance with the democracy clause contained in the Declaration of Quebec City, <u>an unconstitutional interruption of the democratic order or an unconstitutional alteration of the constitutional regime that seriously impairs the democratic order in a member state, constitutes, while it persists, an insurmountable obstacle to its government's participation</u> in sessions of the General Assembly, the Meeting of Consultation, the Councils of the Organization, the specialized conferences, the commissions, working groups, and other bodies of the Organization.” (Underline added.)	This article is a statement of the condition required for incapacity of the participation of a member state in the OAS organs. (Suspension of participation; not expulsion from OAS.)		

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Article 20	<p>“In the event of an unconstitutional alteration of the constitutional regime that seriously impairs the democratic order in a member state, any member state or the Secretary General may request the immediate convocation of the Permanent Council to undertake a collective assessment of the situation and to take such decisions as it deems appropriate.</p> <p>The Permanent Council, depending on the situation, may undertake the necessary diplomatic initiatives, including good offices, to foster the restoration of democracy. If such diplomatic initiatives prove unsuccessful, or if the urgency of the situation so warrants, the Permanent Council shall immediately convene a special session of the General Assembly. The General Assembly will adopt the decisions it deems appropriate, including the undertaking of diplomatic initiatives, in accordance with the Charter of the Organization, international law, and the provisions of this Democratic Charter.</p> <p>The necessary diplomatic initiatives, including good offices, to foster the restoration of democracy, will continue during the process.”</p>	Step 1: Any member state or the Secretary General	Step 1: When determined that there exists an unconstitutional alteration of the constitutional regime that seriously impairs the democratic order in a member state	Step 1: Convene the Permanent Council to undertake collective assessment and action
		Step 2: Permanent Council	Step 2: Depending on the situation	Step 2: Undertake diplomatic initiatives and convene a special session of the General Assembly to undertake diplomatic initiatives.
Article 21	<p>“When the special session of the General Assembly determines that there has been an unconstitutional interruption of the democratic order of a member state, and that diplomatic initiatives have failed, the special session shall take the decision to suspend said member state from the exercise of its right to participate in the OAS by an affirmative vote of two thirds of the member states in accordance with the Charter of the OAS. The suspension shall take effect immediately.</p> <p>The suspended member state shall continue to fulfill its obligations to the Organization, in particular its human rights obligations.</p> <p>Notwithstanding the suspension of the member state, the Organization will maintain diplomatic initiatives to restore democracy in that state.”</p>	Special Session of the General Assembly	When there's an interruption of democratic order and diplomatic initiatives have failed	Suspension of the member state's right to participate with a two thirds vote. Diplomatic initiatives continue to restore democracy in that state.
Article 22	<p>“Once the situation that led to suspension has been resolved, any member state or the Secretary General may propose to the General Assembly that suspension be lifted. This decision shall require the vote of two thirds of the member states in accordance with the OAS Charter.”</p>	Any member state or the Secretary General	When situation has been resolved	Special General Assembly may lift the suspension with two thirds vote

(This chart does not represent the opinion of the General Secretariat of the OAS. It has been prepared for the purpose of facilitating an analysis and discussion of the Chapter IV of the Inter-American Democracy Charter during the Workshop “The State of Democracy in the Americas: the Inter-American Democratic Charter in Review”)