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Draft Political Commitment for the Ninth Summit of the Americas Inter-American Action Plan on Democratic Governance

We, the democratically elected heads of state and of government of the Americas, meeting in Los Angeles, California, United States of America, on June XX for the Ninth Summit of the Americas,

Underscoring that upholding our commitment to democracy has been an essential component of each Summit of the Americas, beginning with the first Summit in 1994 in Miami;

Recognizing that our leaders acknowledged in the 2001 Declaration of Quebec City that the values and practices of democracy are fundamental to the advancement of all our objectives, and the maintenance and strengthening of the rule of law and strict respect for the democratic system are, at the same time, a goal and a shared commitment and are an essential condition of our presence at this and future Summits;

Reaffirming our obligations under the Inter-American Convention Against Corruption and our commitments to the Inter-American Democratic Charter, the Lima Commitment on Democratic Governance Against Corruption, and other previous Summits of the Americas commitments on democracy, human rights, anticorruption, transparency, democratic governance, and inclusion;

Recognizing the important opportunity provided by the Summit for Democracy to advance commitments to bolster democracy and human rights in the Hemisphere;

Recognizing that women and girls in all their diversity, Indigenous peoples, Afro-descendants, minorities, LGBTQI+ individuals, and vulnerable and marginalized persons suffer the greatest impacts of failures to defend and uphold democracy, human rights, transparency, and rule of law in our countries and that their contributions to governance, rights, the economy and all other sectors are essential for fully functioning vibrant societies;

Pledge to implement by the Tenth Summit of the Americas, the following actions, in coordination with civil society, the private sector, and other social actors, with the support of the Joint Summit Working Group, to strengthen confidence in our democracies by fulfilling our commitments on democracy, human rights, transparent governance and good regulatory practices, anticorruption, and rule of law:

A. Democracy and Human Rights

1. Establish prior to the Tenth Summit of the Americas a regional mechanism to evaluate and address new and emerging threats to democracy.

2. Strengthen regional cooperation in support of the Inter-American Democratic Charter, including through the following measures:
 - a. Establish a regionally accepted definition of an “unconstitutional alteration or disruption” of democratic order under the Inter-American Democratic Charter.
 - b. Create independent councils to advise the Organization of American States (OAS) Permanent Council in preparing analyses of the Hemisphere’s political crises so that the Democratic Charter can be applied, when appropriate, in a more consistent and coherent manner and serve as the basis for an early warning system on potential alterations or disruptions of democratic order.
3. Support free and fair elections through the following measures:
 - a. Allow all eligible voters in the Americas, regardless of race, ethnicity, gender, faith, sexual orientation, income, or political belief, and without unreasonable restrictions, to vote in elections of the country of which they are citizens and facilitate the ability of citizens residing abroad to vote in national elections;
 - b. Establish or support independent, balanced, or nonpartisan electoral councils at the local, state, and national level that determine and/or certify election results;
 - c. Implement measures that protect the integrity of the electoral process and promote its accountability to voters, transparency, and impartiality in domestic electoral institutions and oversight mechanisms, and transparency in the funding of candidatures for elected public office, political parties, and electoral campaigns.
 - d. Implement measures to protect the ability of all political parties and individuals to stand for election, including those in opposition to the ruling government, and thus protect the voters’ right to choose their leaders in free and fair elections;
 - e. Promote and encourage candidates and elected officials to represent the full diversity — including but not limited to gender, race, ethnicity, faith, and sexual orientation — of the citizens of a country;
 - f. Work to prohibit the adoption or maintenance of policies that create direct or indirect limitations in access to the electoral process for members of specific groups, particularly opposition political parties and vulnerable and marginalized persons;
 - g. Provide a standing invitation to the Organization of American States and other relevant electoral observation bodies for electoral observation missions;
 - h. Work with legislatures to prohibit intentional, targeted damage to election infrastructure and threats of violence to election workers, officials, staff, and their families to facilitate the unimpeded administration of elections.
4. Establish national-level mechanisms for engagement between civil society, social actors, the private sector, and governments to monitor progress toward implementation of this and other commitments stemming from the Summit of the Americas process, as well as the Summit for Democracy commitments, where relevant, to defend against authoritarianism, combat corruption, and advance protection of human rights.
5. Protect freedoms of expression and association as fundamental tenets of inclusive democracies with robust civil societies by establishing mechanisms at all levels of government to promote transparency, the free flow of ideas, and the protection of journalists and media workers, allowing them to do their work safe from physical or legal threat, or targeted acts of repression

against them or their families, and implement laws that prevent and prohibit impunity for attacks against journalists, media outlets, and civil society representatives conveying information.

6. Take concrete actions, in coordination with civil society, to improve the promotion and protection of human rights defenders, including those working on environmental matters, to include:
 - a. Develop meaningful consultative processes, particularly around the enactment of laws, public policies, development projects, and create a safe and enabling space for civil society to work;
 - b. Promote access to information concerning the environment, public participation, and access to judicial and administrative proceedings, reflecting Principle 10 of the 1992 Rio Declaration on Environment and Development;
 - c. Develop protection mechanisms for defenders at risk or in vulnerable situations;
 - d. Commit to and carry out meaningful investigations and prosecutions, where appropriate, on complaints and allegations of human rights abuses and violations perpetrated by State and non-State actors;
7. Work with civil society, including trade unions, and private sector representatives to eliminate forced labor, child labor, and violence, harassment, and discrimination in the world of work, and to protect freedom of association and the right to collective bargaining, including protecting workers from reprisal for exercising these rights.
8. Protect the human rights of marginalized groups including Indigenous and Afro-descendant peoples, women and girls, LGBTQI+ individuals, and persons with disabilities.
9. Recognize, respect, and protect the rights, cultures, and traditions of all Tribal Nations and Indigenous peoples, and uphold each state's unique legal responsibilities and relations with Indigenous Governments.

B. Transparency and Anticorruption

10. Address the commitments of the Eighth Summit of the Americas *Lima Commitment on Democratic Governance* that depend on renewed efforts and focus to confirm that all our governments have made concrete progress toward our commitments by carrying out the following actions:
 - a. Promote gender equity and equality and the empowerment of women, as well as the inclusion of women and girls, Indigenous peoples, Afro-descendants, minorities, LGBTQI+ individuals, and vulnerable and marginalized populations in anti-corruption measures, from the planning process through implementation and assessment;
 - b. Establish measures and systems to encourage the reporting of irregularities and acts of corruption, including the laundering of the proceeds generated by illicit activities, as well as measures that provide effective protection from potential retaliation or intimidation, use of physical force or threats for reporting persons as well as victims, witnesses and justice and law enforcement officials consistent with international obligations;

- c. Implement policies, platforms and tools for open, transparent and accessible procurement and contracting processes in line with globally recognized good practices, such as the OECD Recommendations on Public Procurement, and explicitly address anti-corruption in relevant public contracts.
 - d. Establish and implement measures that enable the prevention and identification of conflicts of interest.
 - e. Identify and maintain statistics—including gender disaggregated statistics—to evaluate the results of transparency and access to information policies in order to identify their actual impact and provide for public access to these statistics for independent evaluation.
 - f. Strengthen spaces for citizen participation and consultation, where appropriate, for the implementation of anti-corruption measures.
11. Identify no fewer than five recommendations received through the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) review process and commit to satisfactorily address them before the Tenth Summit of the Americas and report on progress addressing these recommendations through their participation in the MESICIC Committee of Experts. In doing so, our governments consider the following actions:
 - a. Work with legislatures in response to MESICIC recommendations concerning the passage or amendment of laws and regulations;
 - b. Strengthen oversight bodies that have jurisdiction in the areas of preventing, detecting, investigating, or punishing corrupt practices that lead to disciplinary action as well as financial or criminal liability;
 - c. Adopt the procedures and indicators necessary for analysis of the outcomes of anti-corruption systems, laws, measures, and mechanisms;
 - d. Carry out the necessary legislative and administrative actions to improve international cooperation on anticorruption to enhance the exchange of information in the investigation and prosecution of acts of corruption;
 - e. Share experiences, best practices, and measures devised to tackle corruption;
 - f. Effectively involve civil society, the private sector, and social actors in the prevention of and fight against corruption, including by implementing mechanisms that encourage public consultations, promote citizen participation in public management, and enable civil society to engage in monitoring and oversight, where appropriate.
12. Integrate commitments from the Summit of the Americas, Summit for Democracy, and other relevant forums into governments' Open Government Partnership National Action Plans, to include, among others, actions to support free and independent media, fight corruption, bolster democratic reformers, advance technology for democracy, defend free and fair elections and political processes, hold corrupt actors accountable, protect anticorruption champions, and combat illicit finance.
13. Carry out actions identified by the 2021 Conference of States Parties (COSP) to the UN Convention against Corruption (UNCAC), to include measures to effectively follow-up on the Sharm el-Sheikh declaration on strengthening international cooperation in the prevention of and fight against corruption during times of emergencies and crisis response and recovery, including by developing, putting in place and, where appropriate, improving and strengthening anti-corruption policies and strategies, consistent with domestic law, to provide for emergency

preparedness and address corruption during times of emergencies and crisis response and recovery.

14. Take appropriate measures to address the political commitments in the UN General Assembly Resolution S/32-1, “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation,” including:
 - a. Develop and implement measures to collect and share information, consistent with domestic law, on the beneficial ownership of legal persons and legal arrangements, for use in the investigation and prosecution of acts of corruption and recovery of proceeds of crimes;
 - b. Criminalize the solicitation and acceptance of bribes and the bribery of national public officials, foreign public officials, and officials of public international organizations;
 - c. Develop and implement measures to establish liability for legal persons that commit foreign bribery offenses;
 - d. Strengthen the capacities of central and other competent authorities responsible for international cooperation and asset recovery, as necessary, and draw upon and improve the relevant skills of experts on an ongoing basis to enhance the identification, tracing, freezing, seizure, confiscation and return of the confiscated proceeds of crime with a view to giving effect to requests for asset recovery;
 - e. Deny persons involved in the commission of corruption offenses and who knowingly benefit from such acts, and their family members, safe havens and visas, where appropriate and consistent with domestic legal frameworks and international obligations.

15. Support regulatory transparency and reliance by our governments on good regulatory practices that protect people, increase accountability, predictability, and inclusion, and support strong and resilient economies, including:
 - a. Establish, maintain, or improve our respective processes and mechanisms to develop regulations in an open and transparent manner, and take concrete steps to implement good regulatory practices across the region, including through cooperative activities, sharing best practices, engagement with the private sector, and plurilateral and bilateral initiatives;
 - b. Use good regulatory practices when developing and implementing regulations, including by conducting public consultations, engaging all interested persons, and relying on science and evidence in regulatory decision-making.

16. Strengthen procurement policies at the national, regional and international levels, to include:
 - a. Establish and implement effective measures to prevent and address corruption and abuses, including forced labor, in global supply chains by developing transparent public procurement standards, compliance requirements or codes of conduct, related to the sustainable procurement of goods and services;
 - b. Develop and establish mechanisms to prevent, monitor, investigate, mitigate, and, where appropriate, prosecute abuses and crimes, such as bribery and forced labor, in the public and the private sector procurement of goods and services, in partnership

with labor inspectors and law enforcement authorities, and with trade unions and other private sector actors, as appropriate, and consider establishing or strengthening mechanisms to enforce consumer protection laws and increase related compliance measures.

C. Citizen Participation and Inclusion

17. Formalize a regional mechanism to empower civil society to monitor governments' implementation of their Summit commitments.
18. Create or strengthen multi-stakeholder forums for dialogue among governments, civil society, and social actors—particularly those representing underserved or marginalized populations—to strengthen democratic practices, respect for human rights and fundamental freedoms, and anticorruption efforts, including:
 - a. Participatory processes to promote government accountability and public trust in government, such as the development of citizen charters, which set forth what citizens can expect from public services and how to access them;
 - b. Community development planning processes—particularly with regard to post-COVID recovery and resilience to climate change—that are inclusive of historically marginalized groups and provide community members agency and oversight in the use of development resources;
 - c. Regular, meaningful, and robust consultation with Indigenous communities, leaders, and officials, especially in the development of policies that affect their way of life.
19. Establish public-private partnerships in the prevention of and fight against corruption, and encourage the private sector to take collective action to conduct business with transparency and accountability.
20. Increase efforts to provide for inclusion and diversity in all aspects of governance, to include:
 - a. Increase the use of gender integration tools in assessing and drafting legislation so that laws and policies are responsive to differential impacts of laws, regulations, and policies on men, women, boys, and girls, including in efforts to address climate change, the digital economy, and healthcare, among other sectors;
 - b. Include women and girls, Indigenous peoples, Afro-descendants, minorities, LGBTQI+ individuals, and vulnerable and marginalized groups in planning for the recovery and take into account their differentiated needs, including but not limited to increased care burdens, physical safety, lack of digital access, and access to employment and other economic opportunities;
 - c. Address social, cultural, and legal barriers to full and equitable economic participation and opportunity, including, but not limited to, access to markets and credit, land tenure rights (including for Indigenous people), access to natural resources, discrimination in hiring and employment, access to safe and reliable elder and childcare, and addressing the impacts of gender-based violence on women's economic opportunities and their ability to move or travel freely;

- d. Establish mechanisms and provide sufficient training and resources for the investigation and enforcement of anti-discrimination policies and laws in hiring practices, access to justice, finance, housing, infrastructure and social services and other social and economic opportunities.
21. Collect and report municipal-level demographic data through qualitative and quantitative mechanisms to inform and improve equitable access to community development planning processes and public resources and services, particularly among underserved populations.

D. Follow-up and Implementation

22. Direct the Summit Implementation Working Group to work with the Joint Summit Working Group, civil society, and the private sector to take stock of governments' progress in implementing the action plan leading up to the Tenth Summit of the Americas.