

Calendar No. 531

115TH CONGRESS
2D SESSION

S. 3248

To restrict the provision by international financial institutions of loans and financial and technical assistance to the Government of Turkey, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 19, 2018

Mr. CORKER (for himself, Mr. MENENDEZ, Mr. LANKFORD, Mr. TILLIS, Mrs. SHAHEEN, and Mr. NELSON) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JULY 26, 2018

Reported by Mr. CORKER, without amendment

A BILL

To restrict the provision by international financial institutions of loans and financial and technical assistance to the Government of Turkey, 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 “Turkey International
5 Financial Institutions Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) In accordance with section 701 of the Inter-
4 national Financial Institutions Act (22 U.S.C.
5 262d), it is the policy of the United States Govern-
6 ment that the voice and vote of the United States
7 in international financial institutions “shall advance
8 the cause of human rights, including by seeking to
9 channel assistance towards countries other than
10 those whose governments engage in . . . a pattern
11 of gross violations of internationally recognized
12 human rights, such as torture or cruel, inhumane, or
13 degrading treatment or punishment, prolonged de-
14 tention without charges, or other flagrant denial to
15 life, liberty, and the security of person”.

16 (2) International and civil society organizations
17 have documented significant human rights abuses by
18 the Government of Turkey since the failed coup at-
19 tempt in July 2016.

20 (3) The 2017 Country Report on Human
21 Rights Practices of the Department of State for
22 Turkey highlights significant human rights issues in
23 Turkey, including the “arbitrary arrest and deten-
24 tion under the state of emergency of tens of thou-
25 sands, including members of parliament and two

1 Turkish-national employees of the U.S. Mission to
2 Turkey”.

3 (4) United States citizens continue to be sub-
4 jected to unacceptable harassment and human rights
5 violations by the Government of Turkey, including
6 prolonged detention on unsubstantiated, politically
7 motivated allegations, and arbitrary restrictions on
8 freedom of movement.

9 **SEC. 3. STATEMENT OF POLICY.**

10 It is the policy of the United States—

11 (1) to oppose any effort by a foreign govern-
12 ment to detain United States citizens for political le-
13 verage; and

14 (2) to contest the pattern of the Government of
15 Turkey of arbitrary detention of and denial of free-
16 dom of movement to United States citizens (includ-
17 ing dual citizens) and locally employed staff of the
18 United States mission to Turkey.

19 **SEC. 4. RESTRICTIONS RELATING TO INTERNATIONAL FI-**
20 **NANCIAL INSTITUTION ASSISTANCE TO THE**
21 **GOVERNMENT OF TURKEY.**

22 (a) RESTRICTIONS.—The Secretary of the Treasury
23 shall—

24 (1) instruct the United States Executive Direc-
25 tor of the World Bank Group to use the voice and

1 vote of the United States to oppose the extension by
2 the International Finance Corporation of any loan or
3 financial or technical assistance to the Government
4 of Turkey or to any entity for a project in Turkey;

5 (2) instruct the United States Executive Direc-
6 tor of the European Bank for Reconstruction and
7 Development to use the voice and vote of the United
8 States to oppose the extension by the Bank of any
9 loan or financial or technical assistance to the Gov-
10 ernment of Turkey or to any entity for a project in
11 Turkey; and

12 (3) instruct the United States Executive Direc-
13 tor of all other international financial institutions,
14 including the International Monetary Fund, to work
15 with other key donor countries to develop a coherent
16 policy approach to future engagements with and
17 lending to the Government of Turkey, in a manner
18 that will advance human rights, including the full
19 restoration of the rights guaranteed to the people of
20 Turkey through that Government's commitments as
21 a signatory of the International Covenant on Civil
22 and Political Rights.

23 (b) EXCEPTION FOR HUMANITARIAN PURPOSES.—

24 The restrictions under paragraphs (1) and (2) of sub-
25 section (a) shall not apply with respect to loans or finan-

1 cial or technical assistance provided for humanitarian pur-
2 poses.

3 (c) WAIVER FOR ENERGY DIVERSIFICATION
4 PROJECTS.—The Secretary of the Treasury may waive the
5 application of the restriction under subsection (a)(1) only
6 if the Secretary submits to the appropriate congressional
7 committees a written determination that the waiver will
8 be used to support projects to diversify energy resources
9 in Turkey and to lessen the dependence of Turkey on oil
10 or gas from the Russian Federation or the Islamic Repub-
11 lic of Iran.

12 (d) TERMINATION.—Subsection (a) shall not apply on
13 or after the date that is 30 days after the President deter-
14 mines and certifies to the appropriate congressional com-
15 mittees that the Government of Turkey is no longer arbi-
16 trarily detaining or denying freedom of movement to
17 United States citizens (including dual citizens) or locally
18 employed staff members of the United States mission to
19 Turkey.

20 (e) BRIEFING.—Not later than 180 days after the
21 date of the enactment of this Act, and every 180 days
22 thereafter until the restrictions in subsection (a) are ter-
23 minated pursuant to subsection (d), the Secretary of the
24 Treasury, in conjunction with the Secretary of State, shall
25 brief the appropriate congressional committees on—

1 (1) the efforts of the United States Executive
2 Directors of the international financial institutions
3 under subsection (a); and

4 (2) the status of all United States citizens (in-
5 cluding dual citizens) and locally employed staff
6 members of the United States mission to Turkey ar-
7 bitrarily detained or denied freedom of movement by
8 the Government of Turkey, as appropriate.

9 **SEC. 5. DEFINITIONS.**

10 In this Act:

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees” means—

14 (A) the Committee on Foreign Relations
15 and the Committee on Appropriations of the
16 Senate; and

17 (B) the Committee on Financial Services
18 and the Committee on Appropriations of the
19 House of Representatives.

20 (2) DUAL CITIZEN.—The term “dual citizen”
21 means an individual who is a citizen of the United
22 States and another country.

23 (3) INTERNATIONAL FINANCIAL INSTITU-
24 TION.—The term “international finance institution”
25 means the International Monetary Fund, the Inter-

1 national Bank for Reconstruction and Development,
2 the European Bank for Reconstruction and Develop-
3 ment, the International Development Association,
4 the International Finance Corporation, the Multilat-
5 eral Investment Guarantee Agency, the African De-
6 velopment Bank, the African Development Fund, the
7 Asian Development Bank, the Inter-American Devel-
8 opment Bank, the Bank for Economic Cooperation
9 and Development in the Middle East and North Af-
10 rica, and the Inter-American Investment Corpora-
11 tion.

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