AN ACT

To encourage and facilitate the consolidation of peace and security, respect for human rights, democracy, and economic freedom in Ethiopia.

1 Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Ethiopia Democracy and Accountability Act of 2007”.

SEC. 2. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) support the advancement of human rights, democracy, independence of the judiciary, freedom of the press, peacekeeping capacity building, and economic development in the Federal Democratic Republic of Ethiopia;

(2) seek the unconditional release of all political prisoners and prisoners of conscience in Ethiopia;

(3) foster stability, democracy, and economic development in the region;

(4) support humanitarian assistance efforts, especially in the Ogaden region;

(5) collaborate with Ethiopia in the Global War on Terror; and

(6) strengthen United States-Ethiopian relations based on the policy objectives specified in paragraphs (1) through (5).

SEC. 3. SUPPORT FOR HUMAN RIGHTS IN ETHIOPIA.

The Secretary of State shall—

(1) provide financial support to local and national human rights groups and other relevant civil society organizations to help strengthen human
rights monitoring and regular reporting on human
rights conditions in Ethiopia;

(2) provide legal support, as needed, for polit-
ical prisoners and prisoners of conscience in Ethi-
opia and assist local, national, and international
groups that are active in monitoring the status of
political prisoners and prisoners of conscience in
Ethiopia;

(3) seek to promote and bolster the independ-
ence of the Ethiopian judiciary through—

(A) facilitation of joint discussions between
court personnel, officials from the Ethiopian
Ministry of Justice, relevant members of the
legislature, and civil society representatives on
international human rights standards; and

(B) encouraging exchanges between Ethio-
pian and United States jurists, law schools, law
professors, and law students, especially in legal
fields such as constitutional law, role of the ju-
diciary, due process, political and voting rights,
criminal law and procedure, and discrimination;

(4) establish a program, in consultation with
Ethiopian civil society, to provide for a judicial mon-
itoring process, consisting of indigenous organiza-
tions, international organizations, or both, to mon-
itor judicial proceedings throughout Ethiopia, with special focus on unwarranted government intervention on matters that are strictly judicial in nature, and to report on actions needed to strengthen an independent judiciary;

(5) establish a program, in consultation with Ethiopian civil society, and provide support to other programs, to strengthen independent media in Ethiopia, including training, and technical support;

(6) expand the Voice of America’s Ethiopia program;

(7) support efforts of the international community to gain full and unfettered access to the Ogaden region for—

(A) humanitarian assistance organizations;

and

(B) independent human rights experts; and

(8) work with appropriate departments and agencies of the Government of the United States and appropriate officials of foreign governments—

(A) to identify members of the Mengistu Haile Mariam regime and officials of the current Government of Ethiopia who were engaged in gross human rights violations, including
those individuals who may be residing in the
United States; and
(B) to support and encourage the prosecu-
tion of individuals identified under subpara-
graph (A) in the United States or Ethiopia.

SEC. 4. SUPPORT FOR DEMOCRATIZATION IN ETHIOPIA.

(a) STRENGTHENING LOCAL, REGIONAL, AND Na-
TIONAL DEMOCRATIC PROCESSES.—The Secretary of
State shall—

(1) provide assistance to strengthen local, re-
gional, and national parliaments and governments in
Ethiopia, as needed;
(2) establish a program focused on reconcili-
ation efforts between the Government of Ethiopia
and political parties, including in minority commu-
nities, in preparation for negotiation and for partici-
pation in the political process; and
(3) provide training for civil society groups in
election monitoring in Ethiopia.

(b) DEMOCRACY ENHANCEMENT.—

(1) ASSISTANCE.—United States technical as-
sistance for democracy promotion in Ethiopia should
be made available to all political parties and civil so-
ciety groups in Ethiopia.
(2) RESTRICTION.—
(A) IN GENERAL.—Nonessential United States assistance shall not be made available to the Government of Ethiopia if the Government of Ethiopia acts to obstruct United States technical assistance to advance human rights, democracy, independence of the judiciary, freedom of the press, economic development, and economic freedom in Ethiopia.

(B) DEFINITION.—In this paragraph, the term “nonessential United States assistance” means assistance authorized under any provision of law, other than humanitarian assistance, food aid programs, assistance to combat HIV/AIDS and other health care assistance, peacekeeping assistance, and counter-terrorism assistance.

SEC. 5. ENSURING GOVERNMENT SUPPORT FOR HUMAN RIGHTS, DEMOCRACY, AND ECONOMIC DEVELOPMENT IN ETHIOPIA.

(a) LIMITATION ON SECURITY ASSISTANCE; TRAVEL RESTRICTIONS.—

(1) LIMITATION ON SECURITY ASSISTANCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), security assistance shall not be provided to Ethiopia until such time as the
certification described in paragraph (3) is made in accordance with such paragraph.

(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to peacekeeping assistance, counter-terrorism assistance, or international military education and training for civilian personnel under section 541 of the Foreign Assistance Act of 1961 (commonly referred to as “Expanded IMET”). Peacekeeping or counter-terrorism assistance provided to Ethiopia shall not be used for any other security-related purpose or to provide training to security personnel or units against whom there is credible evidence of gross human rights abuses or violations.

(2) TRAVEL RESTRICTIONS.—Beginning on the date that is 60 days after the date of the enactment of this Act and until such time as the certification described in paragraph (3) is made in accordance with such paragraph, the President shall deny a visa and entry into the United States to—

(A) any official of the Government of Ethiopia—

(i) who has been involved in giving orders to use lethal force against peaceful
demonstrators or police officers in Ethiopia; or

(ii) against whom there is credible evidence of gross human rights abuses or violations;

(B) security personnel of the Government of Ethiopia who were involved in the June or November 2005 shootings of demonstrators;

(C) security personnel responsible for murdering Etenesh Yemam; and

(D) security personnel responsible for murdering prisoners at Kaliti prison in the aftermath of the election violence in 2005.

(3) CERTIFICATION.—The certification described in this paragraph is a certification by the President to Congress that the Government of Ethiopia is making credible, quantifiable efforts to ensure that—

(A) all political prisoners and prisoners of conscience in Ethiopia have been released, their civil and political rights restored, and their property returned;

(B) prisoners held without charge or kept in detention without fair trial in violation of the Constitution of Ethiopia are released or receive
a fair and speedy trial, and prisoners whose charges have been dismissed or acquitted and are still being held are released without delay;

(C) the Ethiopian judiciary is able to function independently and allowed to uphold the Ethiopian Constitution and international human rights standards;

(D) security personnel involved in the unlawful killings of demonstrators and others, including Etenesh Yemam, and Kaliti prisoners are held accountable;

(E) family members, friends, legal counsel, medical personnel, human rights advocates, and others have access, consistent with international law, to visit detainees in Ethiopian prisons;

(F) print and broadcast media in Ethiopia are able to operate free from undue interference and laws restricting media freedom, including sections of the Ethiopian Federal Criminal Code, are revised;

(G) licensing of independent radio and television in Ethiopia is open and transparent;

(H) Internet access is not restricted by the government and the ability of citizens to freely
send and receive electronic mail and otherwise
obtain information is guaranteed;

(I) the National Election Board (NEB) in-
cludes representatives of political parties with
seats in the Ethiopian Parliament and the NEB
functions independently in its decision-making;

(J) representatives of international human
rights organizations engaged in human rights
monitoring work, humanitarian aid work, or in-
vestigations into human rights abuses in Ethi-
opia are admitted to Ethiopia and allowed to
undertake their work in all regions of the coun-
try without undue restriction; and

(K) Ethiopian human rights organizations
are able to operate in an environment free of
harassment, intimidation, and persecution.

(4) WAIVER.—

(A) IN GENERAL.—The President may
waive the application of paragraph (1) or (2) on
a case-by-case basis if the President determines
that such a waiver is in the national security in-
terests of the United States.

(B) NOTIFICATION.—Prior to granting a
waiver under the authority of subparagraph
(A), the President shall transmit to Congress a
notification that includes the reasons for the
waiver.

(b) TREATMENT OF POLITICAL PRISONERS AND
PRISONERS OF CONSCIENCE.—

(1) IN GENERAL.—The President, the Secretary
of State, and other relevant officials of the Govern-
ment of the United States shall call upon the Gov-
ernment of Ethiopia to immediately—

(A) release any and all remaining political
prisoners and prisoners of conscience, especially
prisoners held without charge; and

(B) allow full and unfettered access to the
Ogaden region by humanitarian aid organiza-
tions and international human rights investiga-
tors.

(2) TORTURE VICTIM RELIEF.—While it is the
responsibility of the Government of Ethiopia to com-
penstate the victims of unlawful imprisonment and
torture and their families for their suffering and
losses, the President shall provide assistance for the
rehabilitation of victims of torture in Ethiopia at
centers established for such purposes pursuant to
section 130 of the Foreign Assistance Act of 1961
(22 U.S.C. 2152).
(c) Sense of Congress.—It is the sense of Congress that the Government of the United States should—

1. encourage the Government of Ethiopia to enter into discussions with opposition political groups interested in reconciliation in order to bring such groups into full participation in the political and economic affairs of Ethiopia, including their legalization as political parties, and provide such assistance as is warranted and necessary to help achieve the goal described in this paragraph; and

2. provide assistance to promote the privatization of government owned or controlled industries and properties in Ethiopia.

Sec. 6. Support for Economic Development in Ethiopia.

(a) Resource Policy Assistance.—The President, acting through the Administrator of the United States Agency for International Development and in cooperation with the World Bank and other donors, shall provide assistance, as needed, for sustainable development of Ethiopia’s Nile and Awash River resources, including assistance to help Ethiopia with the technology necessary for the construction of irrigation systems and hydroelectric power that might prevent future famine.
(b) HEALTH CARE ASSISTANCE.—The President, acting through the Administrator of the United States Agency for International Development, shall provide material support to hospitals, clinics, and health care centers in Ethiopia, especially hospitals, clinics, and health care centers in rural areas.

SEC. 7. REPORT.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to Congress a report on the implementation of this Act, including a description of a comprehensive plan to address issues of security, human rights, including in the Ogaden region, democratization, and economic freedom that potentially threaten the stability of Ethiopia.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act $20,000,000 for each of the fiscal years 2008 and 2009.
(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

Passed the House of Representatives October 2, 2007.

Attest: LORRAINE C. MILLER, Clerk.