

117TH CONGRESS
1ST SESSION

S. 3199

To promote peace and democracy in Ethiopia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 4, 2021

Mr. MENENDEZ (for himself, Mr. RISCH, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To promote peace and democracy in Ethiopia, 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 “Ethiopia Peace and
5 Democracy Promotion Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means the Committee on Foreign Relations

1 of the Senate and the Committee on Foreign Affairs
2 of the House of Representatives.

3 (2) SECRETARY.—The term “Secretary” means
4 the Secretary of State.

5 **SEC. 3. FINDINGS.**

6 Congress makes the following findings:

7 (1) The United States and the Federal Demo-
8 cratic Republic of Ethiopia share an important rela-
9 tionship and more than a century of diplomatic rela-
10 tions.

11 (2) Ethiopia is the second most populous coun-
12 try in Africa and plays a key role in advancing secu-
13 rity and stability across sub-Saharan Africa, includ-
14 ing as a top contributor of uniformed personnel to
15 United Nations peacekeeping missions and as host
16 country to the African Union.

17 (3) Amid proliferating popular protests in
18 2018, against decades of authoritarian rule, Ethio-
19 pia’s governing Ethiopian People’s Revolutionary
20 Democratic Front (EPRDF) selected Abiy Ahmed
21 as Prime Minister, who upon taking office embarked
22 on a program of political and economic reform that
23 was soon encumbered by widespread inter-communal
24 conflict, political assassinations, and democratic
25 backsliding.

1 (4) Tensions between Prime Minister Abiy
2 Ahmed and the leadership of the Tigray People's
3 Liberation Front (TPLF), who, until 2019, were
4 EPRDF coalition partners, deteriorated significantly
5 throughout 2019–2020, with the EPRDF's trans-
6 formation into the Prosperity Party (PP), the Fed-
7 eral Government of Ethiopia's postponement of the
8 2020 elections, and the TPLF's decision to hold
9 elections in Tigray Regional State of Ethiopia de-
10 spite Federal objections, all serving as major cata-
11 lysts.

12 (5) In the early hours of November 4, 2020,
13 Prime Minister Abiy ordered a military offensive in
14 response to an attack by the TPLF on the Northern
15 Command of the Ethiopian National Defense Forces
16 (ENDF), which TPLF officials have asserted was
17 an act of self-defense in the face of an imminent in-
18 vasion by Federal forces.

19 (6) Throughout November 2020, hostilities be-
20 tween the ENDF and forces loyal to the TPLF
21 evolved into a large-scale armed conflict that also in-
22 volved the Eritrean Defense Forces (EDF) and Am-
23 hara regional forces and militia fighting in support
24 of the Federal Government.

1 (7) Despite repeated calls from the United
2 States and its international partners for a full and
3 verifiable Eritrean withdrawal from Ethiopia, which
4 date back to November 2020, Eritrean forces remain
5 in Ethiopia.

6 (8) Fighting between TPLF aligned forces and
7 the ENDF and its allies persists in parts of Tigray,
8 and has spread to Amhara and Afar, and is esti-
9 mated to have resulted in the deaths of tens of thou-
10 sands of individuals, prompted more than 61,000
11 Ethiopians to seek refuge in Sudan, and internally
12 displaced over 2,000,000.

13 (9) The war has disrupted harvests, livelihoods,
14 markets, and banking, and critical public infrastruc-
15 ture was systematically looted and destroyed during
16 the course of the conflict, including health centers
17 and schools, with the majority of the reports impli-
18 cating the ENDF, the EDF, and allied militia. Sup-
19 ply chains and food were allegedly looted by ENDF,
20 EDF, and allied militia, which collectively contrib-
21 uted to conditions that have resulted in 400,000–
22 900,000 Ethiopians living in famine-like conditions
23 and a further 1,800,000 close to that threshold, ac-
24 cording to an analysis issued in June 2021.

1 (10) Interruptions in electricity, internet, and
2 telephone services imposed by the Federal Govern-
3 ment of Ethiopia continue to hamper humanitarian
4 relief efforts and enable impunity from armed actors
5 on all sides of the conflict by restricting the flow of
6 information about human rights and humanitarian
7 conditions in the region.

8 (11) Despite repeated assurances from the Fed-
9 eral Government of Ethiopia that it would allow un-
10 fettered humanitarian access to Tigray, it continues
11 to impose wide-ranging bureaucratic obstacles that
12 impede the relief efforts of international humani-
13 tarian organizations, and encourage and deploy hos-
14 tile rhetoric toward international humanitarian orga-
15 nizations that endanger the safety and security of
16 their staff on the ground.

17 (12) Twenty-three aid workers have been killed
18 in the course of the conflict in northern Ethiopia, in-
19 cluding an aid worker employed by a United States
20 Agency for International Development implementing
21 partner, who was reportedly executed by Ethiopian
22 and Eritrean forces in May 2021, and 3 Doctors
23 Without Borders employees in June 2021, by un-
24 known armed actors.

1 (13) Parties to the conflict in northern Ethiopia
2 have been accused of extra-judicial killings, rape,
3 and ethnic cleansing that may amount to war
4 crimes, crimes against humanity, and genocide.

5 (14) Two Eritrean refugee camps in Tigray,
6 Shimelba and Hitsats, were attacked and destroyed
7 by armed actors in November 2020 through January
8 2021, and refugees subjected to killings, abductions,
9 and forced returns.

10 (15) As of October 31, 2021, total United
11 States Government humanitarian assistance in fiscal
12 years 2020 and 2021 for the northern Ethiopia cri-
13 sis response totaled \$617,387,662, making it the
14 single largest donor of humanitarian aid to the hu-
15 manitarian crisis in northern Ethiopia since the con-
16 flict began.

17 (16) In July 2021, TPLF aligned forces
18 launched military operations into some occupied por-
19 tions neighboring Amhara and Afar regions, dis-
20 placing hundreds of thousands of Amhara and Afar
21 civilians, and giving rise to allegations of serious
22 abuses by Tigrayan forces against civilians in those
23 two regions, as well as against Eritrean refugees re-
24 siding in the Mai Aini and Adi Harush camps.

1 (17) The TPLF's July 2021 offensive was fol-
2 lowed by reports of escalating abuses against
3 Tigrayan civilians in various parts of Ethiopia and
4 the alleged killing of Tigrayans in Humera, all of
5 which occur within a context of incendiary and
6 ethnicized public statements from Ethiopian officials
7 and media platforms.

8 (18) The Federal Government of Ethiopia re-
9 sponded to TPLF offensives in July through August
10 2021 by pursuing mass military mobilization, includ-
11 ing the mobilization of regional special forces and
12 ethnic militia from various parts of the country, in
13 an effort to thwart and roll back TPLF operations.

14 (19) In August 2021, officials from the TPLF
15 and Oromo Liberation Army (OLA), a rebel group
16 engaged in armed struggle primarily in the Oromia
17 region, publicly confirmed they had entered an alli-
18 ance designed to coordinate their military operations
19 against the Federal Government of Ethiopia, devel-
20 opments which occurred against the backdrop of
21 TPLF advances in Amhara region and increased
22 OLA activity in Oromia.

23 (20) In September 2021, the Federal Govern-
24 ment of Ethiopia announced it was expelling seven
25 senior United Nations officials, and in October 2021

1 commenced an air offensive on the Tigrayan capital,
2 Mekele, which has further exacerbated the inability
3 of international aid organizations to deliver food.

4 (21) In October, state-owned Ethiopia Tele-
5 vision reported that Prime Minister Abiy stated that,
6 “[i]f we make sure that this thing called wheat [food
7 aid] does not enter Ethiopia, 70 per cent of Ethio-
8 pia’s problems will be solved,” implying that he may
9 stop the delivery of international food aid altogether.

10 (22) In October 2021, a United Nations Hu-
11 manitarian Air Services flight that had been cleared
12 by Federal authorities to land in Mekelle to deliver
13 food aid was forced to abort landing due to air raids,
14 threatening the lives of 11 United Nations and non-
15 governmental staff on board.

16 (23) In the wake of military advances by the
17 Tigray Defense Forces in late October 2021, Prime
18 Minister Abiy urged citizens to take up arms to de-
19 fend themselves, and on November 2, 2021, Ethiopia
20 declared a 6-month state of emergency.

21 (24) On November 3, 2021, the Office of the
22 High Commissioner for Human Rights released the
23 Joint Investigation into Alleged Violations of Inter-
24 national Human Rights, Humanitarian and Refugee
25 Law Committed by all Parties to the Conflict in the

1 Tigray Region of the Federal Democratic Republic
 2 of Ethiopia, which found that “attacks on civilians
 3 and civilian objects, as well as indiscriminate attacks
 4 by ENDF, EDF, and TSF Tigray Special Forces]
 5 in violation of international humanitarian law . . .
 6 may amount to war crimes,” and that “these groups
 7 and affiliated militia committed acts in violation of
 8 international human rights law and international hu-
 9 manitarian law”.

10 (25) The escalating conflict between the Fed-
 11 eral Government of Ethiopia and its allies and the
 12 TPLF and OLA occurs in the context of a broader
 13 deterioration of political conditions across the coun-
 14 try, including persistent inter-communal violence, ex-
 15 panding repression against journalists, opposition
 16 parties, and dissident voices, and highly contentious
 17 national elections conducted in June to July 2021
 18 that did not meet internationally accepted standards.

19 (26) Ethiopia’s crisis is nested within a complex
 20 regional environment, the most important dimen-
 21 sions of which are three-way tensions between Ethi-
 22 opia, Egypt, and Sudan over the Grand Ethiopian
 23 Renaissance Dam border tensions between Sudan
 24 and Ethiopia over Al Fashaga, Eritrea’s muscular
 25 regional engagement, and increasing geopolitical

1 competition in the Horn of Africa that involves the
2 Gulf, Turkey, Iran, Russia, and the People’s Repub-
3 lic of China.

4 (27) Working in conjunction with its inter-
5 national partners, the United States has consistently
6 called for a political solution to the crisis, unfettered
7 humanitarian access, an end to human rights viola-
8 tions, full accountability for all atrocities committed
9 during the course of hostilities, and a broader all-in-
10 clusive national dialogue, and has taken a number of
11 actions to encourage and incentivize a peaceful reso-
12 lution to the conflict in Ethiopia, including reduc-
13 tions in development and security assistance, visa
14 sanctions, and high-level diplomatic engagement.

15 (28) On September 17, 2021, President Joseph
16 R. Biden signed Executive Order No. 14046 “Im-
17 posing Sanctions on Certain Persons With Respect
18 to the Humanitarian and Human Rights Crisis in
19 Ethiopia,” which authorizes the United States to
20 target parties responsible for or complicit in actions
21 or policies that prolong the conflict in northern Ethi-
22 opia, and those that commit human rights abuses, or
23 obstruct humanitarian access and a ceasefire with
24 respect to the conflict.

1 (29) The Federal Government of Ethiopia has
2 rejected all offers to facilitate a diplomatic solution
3 to the conflict, including those extended by African
4 Union Chairman Cyril Ramaphosa in November
5 2020, and Intergovernmental Authorities on Devel-
6 opment (IGAD) Chairman Abdalla Hamdok in Au-
7 gust 2021, to mediate talks with the TPLF.

8 **SEC. 4. STATEMENT OF POLICY.**

9 It is the policy of the United States to support a
10 peaceful, democratic unified Ethiopia, and to use all diplo-
11 matic, development, and legal tools to support an end to
12 the conflict that began in northern Ethiopia, an end to
13 violence throughout Ethiopia, the promotion of an all-in-
14 clusive national dialogue, and the advancement of the
15 human, civil, and political rights of all Ethiopians.

16 **SEC. 5. SUPPORT FOR DEMOCRACY AND HUMAN RIGHTS IN**
17 **ETHIOPIA.**

18 (a) IN GENERAL.—The Secretary, in consultation
19 with the Administrator of the United States Agency for
20 International Development, shall develop and implement
21 a strategy for supporting democracy and human rights in
22 Ethiopia that includes a description and justification of—

23 (1) plans to support civil society efforts related
24 to expanding citizen participation and political
25 space;

1 (2) plans to support all-inclusive national dia-
2 logue in Ethiopia;

3 (3) plans to support justice and accountability
4 mechanisms for abuses and atrocities committed in
5 the course of the conflict;

6 (4) plans to combat hate speech and
7 disinformation in Ethiopia;

8 (5) current and planned democracy and govern-
9 ance support to government institutions in Ethiopia;
10 and

11 (6)(A) results of the most recent impact evalua-
12 tion of these activities; and

13 (B) plans for applying lessons learned from
14 such evaluations.

15 (b) REPORT TO CONGRESS.—Not less than 180 days
16 after the date of the enactment of this Act, the Secretary
17 shall submit the strategy required in subsection (a) to the
18 appropriate congressional committees.

19 **SEC. 6. SUPPORT FOR CONFLICT RESOLUTION, MITIGA-**
20 **TION AND MANAGEMENT, AND RECONCILI-**
21 **ATION.**

22 (a) CONFLICT RESOLUTION.—The President is au-
23 thorized to provide financial, technical, and diplomatic
24 support for—

1 (1) efforts by the African Union or other cred-
2 ible entities engaged in efforts to help bring about
3 a peaceful resolution to the conflict in northern
4 Ethiopia; and

5 (2) efforts by civil society, especially those from
6 marginalized communities, women, and youth, to
7 participate and engage in peacebuilding, mediation,
8 and community reconciliation.

9 (b) CONFLICT MITIGATION AND RECONCILIATION.—
10 The Administrator of the United States Agency for Inter-
11 national Development shall develop and implement a strat-
12 egy, coordinated with the Secretary as relevant, to support
13 conflict mitigation and management, and reconciliation
14 and trauma healing for conflict affected groups in Ethi-
15 opia that includes—

16 (1) an analysis of the drivers of conflict in
17 Ethiopia;

18 (2) a comprehensive plan to mitigate and man-
19 age conflict;

20 (3) an emphasis on community-led grass roots
21 reconciliation;

22 (4) specific steps the Agency will take to ensure
23 the participation of traditionally marginalized com-
24 munities and ethnic groups, women, and youth;

1 (5) plans to ensure that all assistance programs
2 that are directly aimed at benefitting the Ethiopian
3 people or building the capacity of civil society to in-
4 corporate, to the extent practicable, community-
5 based conflict mitigation and management, violence
6 prevention, peacebuilding interventions, reconcili-
7 ation activities, psychosocial support, and trauma
8 healing;

9 (6) a clear statement of—

10 (A) the goals and expected outcomes of the
11 strategy; and

12 (B) the means through which progress to-
13 wards those goals will be met including through
14 regular rigorous evaluations; and

15 (7) plans for updating and revising the current
16 Country Development Cooperation Strategy to in-
17 clude elements of the strategy required under this
18 subsection.

19 (c) SUBMISSION.—The strategy required under sub-
20 section (b) shall be submitted to the appropriate congres-
21 sional committees not later than 90 days after the date
22 of the enactment of this Act.

1 **SEC. 7. ACTIONS IN SUPPORT OF PEACE AND STABILITY IN**
2 **ETHIOPIA.**

3 (a) SANCTIONS FOR ACTIONS UNDERMINING TRAN-
4 SITION TO DEMOCRACY.—

5 (1) IN GENERAL.—The President shall impose
6 the sanctions described in paragraph (2) with re-
7 spect to any foreign person that the President deter-
8 mines—

9 (A) undermines efforts with respect to a
10 peaceful negotiated settlement to end hostilities
11 in northern Ethiopia;

12 (B) through business dealings with senior
13 leadership of the Government of Ethiopia or the
14 Government of Eritrea, the Tigray People's
15 Liberation Front, or other parties to the con-
16 flict in and around northern Ethiopia, derives
17 significant financial benefit or political power
18 from policies or actions, including electoral
19 fraud, human rights abuses, or corruption, that
20 contribute to the conflict or impede a transition
21 to democracy in Ethiopia;

22 (C) provides to any party involved in hos-
23 tilities in Ethiopia—

24 (i) weapon systems, such as firearms,
25 unmanned aerial systems, helicopters, mu-
26 nitions used by such unmanned aerial sys-

1 tems or helicopters, battle tanks, armored
2 combat vehicles, or munitions for such
3 tanks and vehicles, missiles or missile sys-
4 tems; armed vehicles; or

5 (ii) support for such systems, such as
6 ammunition, spare parts, pilots or other
7 operators; or

8 (D) knowingly facilitates or finances the
9 sale, operation, or transfer of weapons to any
10 party involved in hostilities in Ethiopia.

11 (2) SANCTIONS DESCRIBED.—The sanctions to
12 be imposed under paragraph (1) with respect to a
13 foreign person are the following:

14 (A) PROPERTY BLOCKING.—The exercise
15 of all powers granted to the President by the
16 International Emergency Economic Powers Act
17 (50 U.S.C. 1701 et seq.) to the extent nec-
18 essary to block and prohibit all transactions in
19 all property and interests in property of the for-
20 eign person if such property and interests in
21 property are in the United States, come within
22 the United States, or are or come within the
23 possession or control of a United States person.

24 (B) ALIENS INADMISSIBLE FOR VISAS, AD-
25 MISSION, OR PAROLE.—

1 (i) VISAS, ADMISSION, OR PAROLE.—

2 An alien described in paragraph (1) is—

3 (I) inadmissible to the United
4 States;

5 (II) ineligible to receive a visa or
6 other documentation to enter the
7 United States; and

8 (III) otherwise ineligible to be
9 admitted or paroled into the United
10 States or to receive any other benefit
11 under the Immigration and Nation-
12 ality Act (8 U.S.C. 1101 et seq.).

13 (ii) CURRENT VISAS REVOKED.—

14 (I) IN GENERAL.—The visa or
15 other entry documentation of an alien
16 described in paragraph (1) shall be re-
17 voked, regardless of when such visa or
18 other entry documentation is or was
19 issued.

20 (II) IMMEDIATE EFFECT.—A rev-
21 ocation under subclause (I) shall—

22 (aa) take effect immediately;

23 and

24 (bb) automatically cancel
25 any other valid visa or entry doc-

1 umentation that is in the alien’s
2 possession.

3 (3) EXCEPTIONS.—

4 (A) EXCEPTION RELATING TO IMPORTA-
5 TION OF GOODS.—

6 (i) IN GENERAL.—The authority or a
7 requirement to impose sanctions under this
8 section shall not include the authority or a
9 requirement to impose sanctions on the im-
10 portation of goods.

11 (ii) GOOD DEFINED.—In this subpara-
12 graph, the term “good” means any article,
13 natural or manmade substance, material,
14 supply, or manufactured product, including
15 inspection and test equipment, and exclud-
16 ing technical data.

17 (B) EXCEPTION TO COMPLY WITH UNITED
18 NATIONS HEADQUARTERS AGREEMENT AND
19 LAW ENFORCEMENT OBJECTIVES.—Sanctions
20 under paragraph (2)(B) shall not apply to an
21 alien if admitting the alien into the United
22 States—

23 (i) is necessary to permit the United
24 States to comply with the Agreement re-
25 garding the Headquarters of the United

1 Nations, signed at Lake Success on June
 2 26, 1947, and entered into force November
 3 21, 1947, between the United Nations and
 4 the United States, or other applicable
 5 international obligations of the United
 6 States; or

7 (ii) would further important law en-
 8 forcement objectives.

9 (4) IMPLEMENTATION; PENALTIES.—

10 (A) IMPLEMENTATION.—The President
 11 may exercise all authorities provided under sec-
 12 tions 203 and 205 of the International Emer-
 13 gency Economic Powers Act (50 U.S.C. 1702
 14 and 1704) to carry out this subsection.

15 (B) PENALTIES RELATING TO PROPERTY
 16 BLOCKING.—A person that violates, attempts to
 17 violate, conspires to violate, or causes a viola-
 18 tion of subparagraph (A) of paragraph (2) or
 19 any regulation, license, or order issued to carry
 20 out either such subparagraph shall be subject to
 21 the penalties set forth in subsections (b) and (c)
 22 of section 206 of the International Emergency
 23 Economic Powers Act (50 U.S.C. 1705) to the
 24 same extent as a person that commits an un-

1 lawful act described in subsection (a) of that
2 section.

3 (5) DEFINITIONS.—In this subsection:

4 (A) ADMISSION; ADMITTED; ALIEN.—The
5 terms “admission”, “admitted”, and “alien”
6 have the meanings given those terms in section
7 101 of the Immigration and Nationality Act (8
8 U.S.C. 1101).

9 (B) FOREIGN PERSON.—The term “foreign
10 person” means a person that is not a United
11 States person.

12 (C) KNOWINGLY.—The term “knowingly”,
13 with respect to conduct, a circumstance, or a
14 result, means that a person has actual knowl-
15 edge, or should have known, of the conduct, the
16 circumstance, or the result.

17 (D) UNITED STATES PERSON.—The term
18 “United States person” means—

19 (i) a United States citizen, an alien
20 lawfully admitted for permanent residence
21 to the United States, or any other indi-
22 vidual subject to the jurisdiction of the
23 United States; or

24 (ii) an entity organized under the laws
25 of the United States or of any jurisdiction

1 within the United States, including a for-
2 eign branch of such entity.

3 (b) LIMITATIONS ON EXPORT OF DEFENSE AND
4 DUAL-USE ITEMS TO ETHIOPIA AND ERITREA.—

5 (1) DUAL-USE ITEMS.—A license shall be re-
6 quired under section 1754(c)(1)(A) of the Export
7 Control Reform Act of 2018 (50 U.S.C.
8 4813(c)(1)(A)) for the export, reexport, or in-coun-
9 try transfer to Ethiopia or Eritrea of items de-
10 scribed in clause (ii) of that section.

11 (2) DEFENSE ITEMS.—No license may be
12 issued for the export to Ethiopia or Eritrea of any
13 item on the United States Munitions List under sec-
14 tion 38(a)(1) of the Arms Export Control Act (22
15 U.S.C. 2778(a)(1)) on January 1, 2016.

16 (c) PROHIBITION AND SUSPENSION OF CERTAIN AS-
17 SISTANCE TO ETHIOPIA.—

18 (1) SUPPORT BY UNITED STATES INTER-
19 NATIONAL DEVELOPMENT FINANCE CORPORATION.—
20 The United States International Development Fi-
21 nance Corporation may not provide support under
22 title II of the Better Utilization of Investments
23 Leading to Development Act of 2018 (22 U.S.C.
24 9621 et seq.) for projects in Ethiopia.

1 (2) TERMINATION.—The prohibition under
2 paragraph (1) shall not apply on or after the date
3 that is 30 days after the Secretary of State deter-
4 mines and certifies to the appropriate congressional
5 committees that the Government of Ethiopia and its
6 proxies and allies have—

7 (A) ceased all offensive military operations
8 in northern Ethiopia;

9 (B) taken steps toward a genuine political
10 dialogue to achieve an end to the conflict;

11 (C) implemented measures to better pro-
12 tect human rights and ensure adherence to
13 international humanitarian law and inter-
14 national human rights law;

15 (D) continuously allowed unfettered hu-
16 manitarian access; and

17 (E) cooperated with independent investiga-
18 tions of credible allegations of war crimes,
19 crimes against humanity, and other human
20 rights abuses carried out in the course of hos-
21 tilities.

22 (d) MULTILATERAL SANCTIONS.—The Secretary, in
23 consultation with the Secretary of the Treasury and the
24 Secretary of Commerce, as appropriate, should engage
25 with members of the United Nations Security Council, the

1 North Atlantic Treaty Organization, the European Union,
2 the African Union, and any other relevant actors to
3 achieve a coordinated imposition of multilateral sanctions
4 and export controls on persons described in subsection
5 (a)(1).

6 **SEC. 8. SECURITY ASSISTANCE.**

7 (a) SUSPENSION OF ASSISTANCE.—All security as-
8 sistance being provided to the Government of Ethiopia by
9 the United States Government shall immediately be sus-
10 pended until such time as the Secretary reports to the ap-
11 propriate congressional committees that hostilities in
12 northern Ethiopia and related conflicts have ended, and
13 the parties to the conflict are engaged in good faith efforts
14 to reach a comprehensive peace agreement.

15 (b) REPORT.—Not later than 15 days after the date
16 of the enactment of this Act, the Secretary shall provide
17 to the appropriate congressional committees a comprehen-
18 sive list of all assistance halted in compliance with sub-
19 section (a) as of the date of the enactment of this Act.

1 **SEC. 9. ASSISTANCE TO THE GOVERNMENT OF THE FED-**
2 **ERAL DEMOCRATIC REPUBLIC OF ETHIOPIA**
3 **PROVIDED THROUGH INTERNATIONAL FI-**
4 **NANCIAL INSTITUTIONS.**

5 (a) RESTRICTIONS.—The Secretary of the Treasury
6 shall instruct the United States Executive Directors of the
7 international financial institutions—

8 (1) to use the voice and vote of the United
9 States in those institutions to oppose any loan or ex-
10 tension of financial or technical assistance to the
11 Governments of Ethiopia and Eritrea; and

12 (2) to work with other key donor countries to
13 develop a coordinated policy with respect to lending
14 to the Governments of Ethiopia and Eritrea aimed
15 at advancing human rights and promoting peace.

16 (b) EXCEPTION FOR HUMANITARIAN PURPOSES.—
17 The restrictions under paragraphs (1) and (2) of sub-
18 section (a) shall not apply with respect to loans or finan-
19 cial or technical assistance provided for humanitarian pur-
20 poses, including efforts to prevent, detect, and respond to
21 the COVID–19 pandemic, or any other infectious disease
22 threat that is declared by the World Health Organization
23 to be a Public Health Emergency of International Con-
24 cern.

25 (c) WAIVER FOR PROJECTS THAT DIRECTLY SUP-
26 PORT BASIC HUMAN NEEDS.—The Secretary of the

1 Treasury may waive the application of the restriction
2 under subsection (a)(1) only if the Secretary of the Treas-
3 ury submits to the appropriate congressional committees
4 a written determination, arrived at with the concurrence
5 of the Secretary of State, that the waiver is being exer-
6 cised to support projects that directly support basic, life-
7 saving human needs.

8 (d) TERMINATION.—Subsection (a)(1) shall not apply
9 on or after the date that is 30 days after the Secretary
10 of State determines and certifies to the appropriate con-
11 gressional committees that the Government of Ethiopia
12 and its proxies and allies have—

13 (1) ceased all offensive military operations in
14 northern Ethiopia and conflict in surrounding areas
15 of Ethiopia;

16 (2) taken steps toward a genuine political dia-
17 logue to achieve an end to the conflict;

18 (3) implemented measures to better protect
19 human rights and ensure adherence to international
20 humanitarian law and international human rights
21 law;

22 (4) continuously allowed unfettered humani-
23 tarian access; and

24 (5) cooperated with independent investigations
25 of credible allegations of war crimes, crimes against

1 humanity and other human rights abuses carried out
2 in the course of hostilities.

3 (e) BRIEFING.—Not later than 60 days after the date
4 of the enactment of this Act and every 120 days thereafter
5 until the restrictions in subsection (a)(1) are terminated
6 pursuant to subsection (d), the Secretary of the Treasury,
7 in conjunction with the Secretary and the Administrator
8 of the United States Agency for International Develop-
9 ment, or their designees, shall brief the appropriate con-
10 gressional committees on the efforts of the United States
11 Executive Directors of the international financial institu-
12 tions pursuant to subsection (a).

13 **SEC. 10. SUPPORT FOR ACCOUNTABILITY.**

14 (a) IN GENERAL.—The President is authorized to
15 provide financial, technical, and diplomatic support for ef-
16 forts to pursue accountability for war crimes and crimes
17 against humanity, including any preliminary activities nec-
18 essary to preserve evidence of crimes in Ethiopia, with the
19 goal of promoting accountability for war crimes, crimes
20 against humanity, or other violations of international
21 human rights law and international humanitarian law that
22 have taken place in the course of hostilities in northern
23 Ethiopia or other areas of Ethiopia.

24 (b) PROVISION OF INFORMATION.—The President is
25 authorized to share information possessed by the United

1 States Government with organizations engaged in a cred-
 2 ible investigation meant to lead to the prosecution of any
 3 individual credibly accused of war crimes, crimes against
 4 humanity, or other violations of international human
 5 rights law or international humanitarian law in accord-
 6 ance with this section.

7 **SEC. 11. ARMS-RELATED, FINANCIAL, AND OTHER REPORT-**
 8 **ING REQUIREMENTS.**

9 (a) REPORT ON CERTAIN ACTIVITIES AND FINANCES
 10 OF SENIOR OFFICIALS OF THE GOVERNMENTS OF ETHI-
 11 OPIA AND ERITREA AND ARMED OPPOSITION GROUPS.—
 12 Not later than 180 days after the date of the enactment
 13 of this Act, and annually thereafter until the date that
 14 is 2 years after the end of hostilities in the Tigray region,
 15 the Secretary shall submit to the appropriate congres-
 16 sional committees a report that—

17 (1) describes the actions and involvement of any
 18 senior officials of the Governments of Ethiopia and
 19 Eritrea and any senior leaders in the party to the
 20 conflict in northern Ethiopia and related conflicts—

21 (A) facilitating or financing the sale or
 22 transfers of arms or weapons to any party to
 23 the hostilities in Ethiopia, including the Gov-
 24 ernment of Ethiopia, the Government of Eri-

1 trea, opposition groups, militias, or other armed
2 groups active in the conflict in Ethiopia;

3 (B) directing, carrying out, or ordering
4 violations of human rights including the sys-
5 temic use of rape and sexual and gender based
6 violence;

7 (C) directing, carrying out, or ordering the
8 use or recruitment of children by armed groups
9 or armed forces; and

10 (D) directing, carrying out, or ordering
11 significant acts of corruption;

12 (2) identifies Ethiopian, Eritrean, and other
13 foreign financial institutions in which senior officials
14 of the Governments of Ethiopia and Eritrea whose
15 actions are described in paragraph (1), and senior
16 leaders of parties to the conflict in northern Ethi-
17 opia and related conflicts in the Federal Democratic
18 Republic of Ethiopia whose actions are described in
19 paragraph (1), hold significant assets, and provides
20 an assessment of the value of such assets; and

21 (3) identifies Ethiopian, Eritrean, and foreign
22 financial institutions that knowingly facilitate or fi-
23 nance the sale or transfer of weapons, arms, or non-
24 lethal equipment intended or altered by a third party

1 for military use to any party to the hostilities in
2 Ethiopia.

3 (b) FORM.—The report required under subsection (a)
4 shall be submitted in unclassified form, but may contain
5 a classified annex.

6 (c) REPORT ON PROGRESS ON ACCOUNTABILITY IN
7 ETHIOPIA.—Not later than 180 days after the date of the
8 enactment of this Act, and every 180 days thereafter, the
9 Secretary of State shall submit to Congress a report on
10 progress towards holding individuals in Ethiopia and Eri-
11 trea accountable for human rights violations, war crimes,
12 and crimes against humanity.

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