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117TH CONGRESS
2D 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, Mr. COONS, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

APRIL 6, 2022

Reported by Mr. MENENDEZ, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

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:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means the Committee on Foreign Relations
4 of the Senate and the Committee on Foreign Affairs
5 of the House of Representatives.

6 (2) SECRETARY.—The term “Secretary” means
7 the Secretary of State.

8 **SEC. 3. FINDINGS.**

9 Congress makes the following findings:

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

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

20 (3) Amid proliferating popular protests in
21 2018, against decades of authoritarian rule, Ethio-
22 pia’s governing Ethiopian People’s Revolutionary
23 Democratic Front (EPRDF) selected Abiy Ahmed
24 as Prime Minister, who upon taking office embarked
25 on a program of political and economic reform that

1 was soon encumbered by widespread inter-communal
2 conflict, political assassinations, and democratic
3 backsliding.

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

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

22 (6) Throughout November 2020, hostilities be-
23 tween the ENDF and forces loyal to the TPLF
24 evolved into a large-scale armed conflict that also in-
25 volved the Eritrean Defense Forces (EDF) and Am-

1 hara regional forces and militia fighting in support
2 of the Federal Government.

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

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

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

1 and a further 1,800,000 close to that threshold, ac-
2 cording to an analysis issued in June 2021.

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

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

19 (12) Twenty-three aid workers have been killed
20 in the course of the conflict in northern Ethiopia, in-
21 cluding an aid worker employed by a United States
22 Agency for International Development implementing
23 partner, who was reportedly executed by Ethiopian
24 and Eritrean forces in May 2021, and 3 Doctors

1 Without Borders employees in June 2021, by un-
2 known armed actors.

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

7 (14) Two Eritrean refugee camps in Tigray,
8 Shimelba and Hitsats, were attacked and destroyed
9 by armed actors in November 2020 through January
10 2021, and refugees subjected to killings, abductions,
11 and forced returns.

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

19 (16) In July 2021, TPLF aligned forces
20 launched military operations into some occupied por-
21 tions neighboring Amhara and Afar regions, dis-
22 placing hundreds of thousands of Amhara and Afar
23 civilians, and giving rise to allegations of serious
24 abuses by Tigrayan forces against civilians in those

1 two regions, as well as against Eritrean refugees re-
2 siding in the Mai Aini and Adi Harush camps.

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

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

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

1 (20) In September 2021, the Federal Govern-
2 ment of Ethiopia announced it was expelling seven
3 senior United Nations officials, and in October 2021
4 commenced an air offensive on the Tigrayan capital,
5 Mekele, which has further exacerbated the inability
6 of international aid organizations to deliver food.

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

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

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

24 (24) On November 3, 2021, the Office of the
25 High Commissioner for Human Rights released the

1 Joint Investigation into Alleged Violations of Inter-
2 national Human Rights, Humanitarian and Refugee
3 Law Committed by all Parties to the Conflict in the
4 Tigray Region of the Federal Democratic Republic
5 of Ethiopia, which found that “attacks on civilians
6 and civilian objects, as well as indiscriminate attacks
7 by ENDF, EDF, and TSE Tigray Special Forces]—
8 in violation of international humanitarian law : : :
9 may amount to war crimes,” and that “these groups
10 and affiliated militia committed acts in violation of
11 international human rights law and international hu-
12 manitarian law”.

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

22 (26) Ethiopia’s crisis is nested within a complex
23 regional environment, the most important dimen-
24 sions of which are three-way tensions between Ethi-
25 opia, Egypt, and Sudan over the Grand Ethiopian

1 Renaissance Dam border tensions between Sudan
2 and Ethiopia over Al Fashaga, Eritrea's muscular
3 regional engagement, and increasing geopolitical
4 competition in the Horn of Africa that involves the
5 Gulf, Turkey, Iran, Russia, and the People's Repub-
6 lie of China.

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

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

1 obstruct humanitarian access and a ceasefire with
2 respect to the conflict.

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

10 **SEC. 4. STATEMENT OF POLICY.**

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

18 **SEC. 5. SUPPORT FOR DEMOCRACY AND HUMAN RIGHTS IN**

19 **ETHIOPIA.**

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

1 (1) plans to support civil society efforts related
2 to expanding citizen participation and political
3 space;

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

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

9 (4) plans to combat hate speech and
10 disinformation in Ethiopia;

11 (5) current and planned democracy and govern-
12 ance support to government institutions in Ethiopia;
13 and

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

16 (B) plans for applying lessons learned from
17 such evaluations.

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

1 **SEC. 6. SUPPORT FOR CONFLICT RESOLUTION, MITIGA-**
2 **TION AND MANAGEMENT, AND RECONCILI-**
3 **ATION.**

4 (a) **CONFLICT RESOLUTION.**—The President is au-
5 thorized to provide financial, technical, and diplomatic
6 support for—

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

11 (2) efforts by civil society, especially those from
12 marginalized communities, women, and youth, to
13 participate and engage in peacebuilding, mediation,
14 and community reconciliation.

15 (b) **CONFLICT MITIGATION AND RECONCILIATION.**—
16 The Administrator of the United States Agency for Inter-
17 national Development shall develop and implement a strat-
18 egy, coordinated with the Secretary as relevant, to support
19 conflict mitigation and management, and reconciliation
20 and trauma healing for conflict affected groups in Ethi-
21 opia that includes—

22 (1) an analysis of the drivers of conflict in
23 Ethiopia;

24 (2) a comprehensive plan to mitigate and man-
25 age conflict;

1 ~~(3)~~ an emphasis on community-led grass roots
2 reconciliation;

3 ~~(4)~~ specific steps the Agency will take to ensure
4 the participation of traditionally marginalized com-
5 munities and ethnic groups; women; and youth;

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

14 ~~(6)~~ a clear statement of—

15 ~~(A)~~ the goals and expected outcomes of the
16 strategy; and

17 ~~(B)~~ the means through which progress to-
18 wards those goals will be met including through
19 regular rigorous evaluations; and

20 ~~(7)~~ plans for updating and revising the current
21 Country Development Cooperation Strategy to in-
22 clude elements of the strategy required under this
23 subsection.

24 ~~(c)~~ SUBMISSION.—The strategy required under sub-
25 section ~~(b)~~ shall be submitted to the appropriate congress-

1 sional committees not later than 90 days after the date
2 of the enactment of this Act.

3 **SEC. 7. ACTIONS IN SUPPORT OF PEACE AND STABILITY IN**
4 **ETHIOPIA.**

5 (a) **SANCTIONS FOR ACTIONS UNDERMINING TRAN-**
6 **SITION TO DEMOCRACY.—**

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

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

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

24 (C) provides to any party involved in hos-
25 tilities in Ethiopia—

1 (i) weapon systems, such as firearms,
2 unmanned aerial systems, helicopters, mu-
3 nitions used by such unmanned aerial sys-
4 tems or helicopters, battle tanks, armored
5 combat vehicles, or munitions for such
6 tanks and vehicles, missiles or missile sys-
7 tems; armed vehicles; or

8 (ii) support for such systems, such as
9 ammunition, spare parts, pilots or other
10 operators; or

11 (D) knowingly facilitates or finances the
12 sale, operation, or transfer of weapons to any
13 party involved in hostilities in Ethiopia.

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

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

1 the United States, or are or come within the
2 possession or control of a United States person.

3 ~~(B) ALIENS INADMISSIBLE FOR VISAS, AD-~~
4 ~~MISSION, OR PAROLE.—~~

5 ~~(i) VISAS, ADMISSION, OR PAROLE.—~~

6 ~~An alien described in paragraph (1) is—~~

7 ~~(I) inadmissible to the United~~
8 ~~States;~~

9 ~~(II) ineligible to receive a visa or~~
10 ~~other documentation to enter the~~
11 ~~United States; and~~

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

17 ~~(ii) CURRENT VISAS REVOKED.—~~

18 ~~(I) IN GENERAL.—The visa or~~
19 ~~other entry documentation of an alien~~
20 ~~described in paragraph (1) shall be re-~~
21 ~~voked, regardless of when such visa or~~
22 ~~other entry documentation is or was~~
23 ~~issued.~~

24 ~~(II) IMMEDIATE EFFECT.—A rev-~~
25 ~~ocation under subclause (I) shall—~~

1 (aa) take effect immediately;
2 and
3 (bb) automatically cancel
4 any other valid visa or entry doc-
5 umentation that is in the alien's
6 possession.

7 ~~(3) EXCEPTIONS.—~~

8 ~~(A) EXCEPTION RELATING TO IMPORTA-~~
9 ~~TION OF GOODS.—~~

10 ~~(i) IN GENERAL.—~~The authority or a
11 requirement to impose sanctions under this
12 section shall not include the authority or a
13 requirement to impose sanctions on the im-
14 portation of goods.

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

21 ~~(B) EXCEPTION TO COMPLY WITH UNITED~~
22 ~~NATIONS HEADQUARTERS AGREEMENT AND~~
23 ~~LAW ENFORCEMENT OBJECTIVES.—~~Sanctions
24 under paragraph ~~(2)(B)~~ shall not apply to an

1 alien if admitting the alien into the United
2 States—

3 (i) is necessary to permit the United
4 States to comply with the Agreement re-
5 garding the Headquarters of the United
6 Nations, signed at Lake Success on June
7 26, 1947, and entered into force November
8 21, 1947, between the United Nations and
9 the United States, or other applicable
10 international obligations of the United
11 States; or

12 (ii) would further important law en-
13 forcement objectives.

14 (4) IMPLEMENTATION; PENALTIES.—

15 (A) IMPLEMENTATION.—The President
16 may exercise all authorities provided under sec-
17 tions 203 and 205 of the International Emer-
18 gency Economic Powers Act (50 U.S.C. 1702
19 and 1704) to carry out this subsection.

20 (B) PENALTIES RELATING TO PROPERTY
21 BLOCKING.—A person that violates, attempts to
22 violate, conspires to violate, or causes a viola-
23 tion of subparagraph (A) of paragraph (2) or
24 any regulation, license, or order issued to carry
25 out either such subparagraph shall be subject to

1 the penalties set forth in subsections (b) and (c)
2 of section 206 of the International Emergency
3 Economic Powers Act (50 U.S.C. 1705) to the
4 same extent as a person that commits an un-
5 lawful act described in subsection (a) of that
6 section.

7 (5) DEFINITIONS.—In this subsection:

8 (A) ADMISSION; ADMITTED; ALIEN.—The
9 terms “admission”, “admitted”, and “alien”
10 have the meanings given those terms in section
11 101 of the Immigration and Nationality Act (8
12 U.S.C. 1101).

13 (B) FOREIGN PERSON.—The term “foreign
14 person” means a person that is not a United
15 States person.

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

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

23 (i) a United States citizen, an alien
24 lawfully admitted for permanent residence
25 to the United States, or any other indi-

1 vidual subject to the jurisdiction of the
2 United States; or

3 (ii) an entity organized under the laws
4 of the United States or of any jurisdiction
5 within the United States, including a for-
6 eign branch of such entity.

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

9 (1) DUAL-USE ITEMS.—A license shall be re-
10 quired under section 1754(e)(1)(A) of the Export
11 Control Reform Act of 2018 (50 U.S.C.
12 4813(e)(1)(A)) for the export, reexport, or in-coun-
13 try transfer to Ethiopia or Eritrea of items de-
14 scribed in clause (ii) of that section.

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

20 (c) PROHIBITION AND SUSPENSION OF CERTAIN AS-
21 SISTANCE TO ETHIOPIA.—

22 (1) SUPPORT BY UNITED STATES INTER-
23 NATIONAL DEVELOPMENT FINANCE CORPORATION.—

24 The United States International Development Fi-
25 nance Corporation may not provide support under

1 title II of the Better Utilization of Investments
2 Leading to Development Act of 2018 (22 U.S.C.
3 9621 et seq.) for projects in Ethiopia.

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

10 (A) ceased all offensive military operations
11 in northern Ethiopia;

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

14 (C) implemented measures to better pro-
15 tect human rights and ensure adherence to
16 international humanitarian law and inter-
17 national human rights law;

18 (D) continuously allowed unfettered hu-
19 manitarian access; and

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

1 (d) MULTILATERAL SANCTIONS.—The Secretary, in
2 consultation with the Secretary of the Treasury and the
3 Secretary of Commerce, as appropriate, should engage
4 with members of the United Nations Security Council, the
5 North Atlantic Treaty Organization, the European Union,
6 the African Union, and any other relevant actors to
7 achieve a coordinated imposition of multilateral sanctions
8 and export controls on persons described in subsection
9 (a)(1).

10 **SEC. 8. SECURITY ASSISTANCE.**

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

19 (b) REPORT.—Not later than 15 days after the date
20 of the enactment of this Act, the Secretary shall provide
21 to the appropriate congressional committees a comprehen-
22 sive list of all assistance halted in compliance with sub-
23 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 (c) 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.

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the “Ethiopia Peace and Sta-
15 bilization Act of 2022”.*

16 **SEC. 2. DEFINITIONS.**

17 *In this Act:*

18 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
19 *TEES.—The term “appropriate congressional commit-*
20 *tees” means the Committee on Foreign Relations of*
21 *the Senate and the Committee on Foreign Affairs of*
22 *the House of Representatives.*

23 (2) *CIVIL CONFLICT.—The term “civil conflict”*
24 *means the civil conflict that began in Ethiopia’s*

1 *Tigray region in November 2020, and has since*
2 *spread to other parts of the country.*

3 (3) *PARTIES TO THE CONFLICT.*—*The term “part-*
4 *ties to the conflict” means the state authorities and*
5 *armed parties directly participating in the civil con-*
6 *flict in Ethiopia, including the Governments of Ethi-*
7 *opia and Eritrea, Tigray People’s Liberation Front*
8 *(TPLF), Ethiopian National Defense Forces (ENDF),*
9 *Tigray Defense Forces (TDF), Eritrean Defence*
10 *Forces (EDF), Ethiopian regional forces, organized*
11 *ethnic militia, and any other entity which the Presi-*
12 *dent determines to be among the parties to the conflict*
13 *for purposes of this Act.*

14 (4) *SECRETARY.*—*The term “Secretary” means*
15 *the Secretary of State.*

16 (5) *SENIOR OFFICIAL.*—*The term “senior offi-*
17 *cial” means—*

18 (A) *the head of state or head of party;*

19 (B) *the head of government;*

20 (C) *a member of the cabinet or official exer-*
21 *cising minister-level authority;*

22 (D) *any other high ranking official in the*
23 *defense, security, or foreign affairs apparatus of*
24 *the government; or*

1 (E) any other office which the President de-
2 termines to be a senior official for purposes of
3 this Act.

4 **SEC. 3. SENSE OF CONGRESS.**

5 It is the sense of Congress that—

6 (1) Ethiopia’s civil conflict directly threatens the
7 unity of and undermines democracy in Ethiopia and
8 threatens stability in the Horn of Africa;

9 (2) northern Ethiopia has suffered from a pro-
10 longed blockade that has prevented the flow of human-
11 itarian assistance, medical supplies, and fuel and cre-
12 ated an unprecedented humanitarian crisis;

13 (3) all parties to the civil conflict should imme-
14 diately end hostilities and allow unfettered access to
15 deliver humanitarian aid, negotiate a ceasefire, and
16 begin negotiations towards a sustainable peace agree-
17 ment;

18 (4) the Government of Eritrea must immediately
19 and completely withdraw its military forces from
20 Ethiopia;

21 (5) external actors must cease the sale and provi-
22 sion of all arms and materiel to all parties to the con-
23 flict;

24 (6) the United States and the international com-
25 munity should prioritize delivering humanitarian aid

1 *to all areas in need of assistance, with an urgent*
2 *focus on the provision of emergency food aid to com-*
3 *munities that are currently facing famine conditions*
4 *or food insecurity;*

5 *(7) the United States should provide assistance*
6 *for a peaceful negotiated settlement to the civil con-*
7 *flict, including assistance for stabilization, mitiga-*
8 *tion, reconciliation, and democracy strengthening;*

9 *(8) the United States should impose restrictions*
10 *on security and other related assistance;*

11 *(9) all allegations of human rights abuses, war*
12 *crimes, and crimes against humanity must be thor-*
13 *oughly investigated by a neutral credible body, and*
14 *perpetrators must be held accountable; and*

15 *(10) the United States and international com-*
16 *munity should seek to hold accountable governments,*
17 *organizations, and individuals, including those in the*
18 *diaspora who have—*

19 *(A) incited the civil conflict and related vio-*
20 *lence in Ethiopia; and*

21 *(B) spread disinformation as part or on be-*
22 *half of a foreign government, political party, eth-*
23 *nic group, or organization to further the civil*
24 *conflict or incite anti-American sentiment in*
25 *Ethiopia.*

1 **SEC. 4. STATEMENT OF POLICY.**

2 *It is the policy of the United States to support a peace-*
3 *ful, democratic, and unified Ethiopia by—*

4 *(1) using all diplomatic, development, and legal*
5 *tools to support a sustainable peace agreement;*

6 *(2) supporting a credible, inclusive political*
7 *process to unify the country that is convened by a*
8 *mutually agreed upon party, individual, or group*
9 *and that—*

10 *(A) acknowledges the political nature of*
11 *conflict;*

12 *(B) seeks a political solution to support the*
13 *resolution of grievances; and*

14 *(C) charts a democratic and peaceful path*
15 *forward for the country;*

16 *(3) advancing the human, civil, and political*
17 *rights of all Ethiopians regardless of ethnicity, reli-*
18 *gion, gender, or geographic area of origin; and*

19 *(4) countering malign foreign influence and*
20 *disinformation exacerbating the civil conflict and*
21 *intercommunal violence.*

22 **SEC. 5. SUPPORT FOR DEMOCRACY AND HUMAN RIGHTS IN**
23 **ETHIOPIA.**

24 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
25 *that the United States must—*

1 (1) *use all diplomatic levers at its disposal to se-*
2 *cure the release of all political prisoners, including*
3 *opposition leaders, supporters, journalists, and activ-*
4 *ists detained on the basis of their political activity or*
5 *views, their ethnicity, or their reporting;*

6 (2) *ensure the Government of Ethiopia respects*
7 *the rights of all Ethiopians to free expression and po-*
8 *litical participation, without discrimination based on*
9 *ethnicity, ideology, or political affiliation; and*

10 (3) *support a credible mechanism that addresses*
11 *grievances and charts a democratic and peaceful path*
12 *forward for the country, and which includes rep-*
13 *resentatives of all political parties, including those*
14 *who have been detained as political prisoners, civil*
15 *society organizations, and representatives of ethnic*
16 *communities.*

17 (b) *STRATEGY.—*

18 (1) *IN GENERAL.—The Secretary, in consultation*
19 *with the Administrator of the United States Agency*
20 *for International Development, shall develop and im-*
21 *plement a strategy for supporting democracy and the*
22 *rule of law and adherence to international humani-*
23 *tarian law and relevant international human rights*
24 *treaties in Ethiopia that includes a description and*
25 *justification of—*

1 (A) plans to support civil society efforts re-
2 lated to expanding citizen participation and po-
3 litical space;

4 (B) plans to support a credible, comprehen-
5 sive political process to unify Ethiopia, which
6 includes broad representation from civil society,
7 political parties, ethnic communities, and reli-
8 gious groups;

9 (C) plans to support respect for the rule of
10 law, including justice and accountability mecha-
11 nisms for abuses and atrocities committed in the
12 course of the civil conflict;

13 (D) plans to combat hate speech and
14 disinformation in Ethiopia;

15 (E) current and planned democracy and
16 governance support to Ethiopia's government in-
17 stitutions, including independent institutions
18 like the National Electoral Board of Ethiopia
19 (NEBE);

20 (F) plans for evaluating current and
21 planned democracy and governance support and
22 application of lessons learned; and

23 (G) mechanisms for holding accountable in-
24 dividuals who impede democratic processes, per-

1 *petrate gross violations of human rights, or are*
2 *credibly implicated in public corruption.*

3 (2) *REPORT TO CONGRESS.*—*Not less than 90*
4 *days after the date of the enactment of this Act, the*
5 *Secretary shall submit the strategy required under*
6 *paragraph (1) to the appropriate congressional com-*
7 *mittees.*

8 (c) *QUARTERLY REPORTS.*—

9 (1) *IN GENERAL.*—*Not later than 30 days after*
10 *the date of the enactment of this Act, and every 90*
11 *days thereafter, the Secretary of State, after consulta-*
12 *tion with the heads of other Federal departments and*
13 *agencies represented on the Atrocity Early Warning*
14 *Task Force and with representatives of human rights*
15 *organizations, shall submit to the appropriate con-*
16 *gressional committees a report that includes a deter-*
17 *mination with respect to whether actions in Ethiopia*
18 *by parties to the conflict constitute—*

19 (A) *genocide;*

20 (B) *crimes against humanity; or*

21 (C) *war crimes.*

22 (2) *FORM.*—*Each report required by paragraph*
23 (1) *shall—*

1 (A) clearly identify individuals or groups
2 about which the determination in such para-
3 graph is made; and

4 (B) be submitted in unclassified form, but
5 may include a classified annex that is provided
6 separately.

7 (3) *PUBLIC AVAILABILITY.*—The Secretary shall
8 make each report submitted under paragraph (1)
9 available to the public on an internet website of the
10 Department of State.

11 **SEC. 6. SUPPORT FOR CONFLICT RESOLUTION, MITIGATION**
12 **AND MANAGEMENT, AND RECONCILIATION.**

13 (a) *CONFLICT RESOLUTION.*—The President is author-
14 ized to provide financial, technical, and diplomatic support
15 for—

16 (1) efforts by the African Union or other credible
17 entities engaged in efforts to help bring about a peace-
18 ful resolution to conflict across Ethiopia; and

19 (2) efforts by civil society, especially those from
20 marginalized communities in all regions of Ethiopia,
21 women, youth, and persons with disabilities, to par-
22 ticipate and engage in peacebuilding, mediation, and
23 community reconciliation.

24 (b) *CONFLICT MITIGATION AND RECONCILIATION.*—
25 The Secretary shall ensure the development and implemen-

1 *tation of a coordinated strategy, developed by the Adminis-*
2 *trator of the United States Agency for International Devel-*
3 *opment in coordination with relevant bureaus of the De-*
4 *partment of State, to support conflict mitigation and man-*
5 *agement, reconciliation, and trauma healing for conflict af-*
6 *ected groups in Ethiopia that includes—*

7 (1) *an analysis of the drivers of conflict in Ethi-*
8 *opia;*

9 (2) *a comprehensive plan to support efforts to*
10 *mitigate and manage conflict with an emphasis on*
11 *community-led grassroots reconciliation;*

12 (3) *plans to support grass roots local mecha-*
13 *nisms for dispute resolution and sustainable mecha-*
14 *nisms to address grievances at the community level;*

15 (4) *specific steps the Department of State and*
16 *the United States Agency for International Develop-*
17 *ment will take to ensure the participation of tradi-*
18 *tionally marginalized communities and ethnic*
19 *groups, women, and youth;*

20 (5) *plans to ensure that all assistance programs*
21 *that aim to benefit the Ethiopian people or build the*
22 *capacity of civil society incorporate, to the extent*
23 *practicable, community-based conflict mitigation and*
24 *management, violence prevention, peacebuilding*

1 *interventions, reconciliation activities, psychosocial*
 2 *support, and trauma healing;*

3 *(6) plans to ensure that all assistance programs*
 4 *that are directly aimed at benefitting the Ethiopian*
 5 *people are implemented based on need and do not dis-*
 6 *criminate on the basis of ethnic, regional, or political*
 7 *affiliations;*

8 *(7) a clear statement of—*

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

11 *(B) the means through which progress to-*
 12 *wards the strategy's goals will be measured, in-*
 13 *cluding through regular evaluations; and*

14 *(8) plans for updating and revising the current*
 15 *Country Development Cooperation Strategy to include*
 16 *elements of the strategy required under this sub-*
 17 *section.*

18 *(c) SUBMISSION.—The Secretary shall submit the*
 19 *strategy required under subsection (b) to the appropriate*
 20 *congressional committees not later than 90 days after the*
 21 *date of the enactment of this Act.*

22 **SEC. 7. ACTIONS IN SUPPORT OF PEACE AND STABILITY IN**
 23 **ETHIOPIA.**

24 *(a) SANCTIONS FOR ACTIONS UNDERMINING TRANSI-*
 25 *TION TO DEMOCRACY.—*

1 (1) *IN GENERAL.*—Beginning 180 days after the
2 date of the enactment of this Act, the President shall
3 impose the sanctions described in paragraph (2) con-
4 cerning any foreign person that the President deter-
5 mines—

6 (A) has knowingly engaged in significant
7 acts which have materially undermined or which
8 are intended to undermine officially authorized
9 efforts to negotiate a settlement to end the civil
10 conflict;

11 (B) has directly and materially contributed
12 to an escalation of the civil conflict;

13 (C) deliberately impedes the delivery of hu-
14 manitarian assistance to any area of the coun-
15 try; or

16 (D) through business dealings with senior
17 leadership of the Government of Ethiopia or the
18 Tigray People’s Liberation Front or other par-
19 ties to the conflict, has knowingly derived signifi-
20 cant financial or political benefit from the con-
21 flict or efforts made to impede a transition to de-
22 mocracy in Ethiopia through actions including
23 directing or knowingly engaging in or facili-
24 tating—

25 (i) electoral fraud;

1 (ii) *serious human rights abuses; or*

2 (iii) *acts of public corruption.*

3 (2) *SANCTIONS DESCRIBED.—The sanctions that*
4 *the President shall impose under paragraph (1) con-*
5 *cerning a foreign person are the following:*

6 (A) *PROPERTY BLOCKING.—The exercise of*
7 *all powers granted to the President by the Inter-*
8 *national Emergency Economic Powers Act (50*
9 *U.S.C. 1701 et seq.) to the extent necessary to*
10 *block and prohibit all transactions in all prop-*
11 *erty and interests in property of the foreign per-*
12 *son if such property and interests in property*
13 *are in the United States, come within the United*
14 *States, or come within the possession or control*
15 *of a United States person.*

16 (B) *ALIENS INADMISSIBLE FOR VISAS, AD-*
17 *MISSION, OR PAROLE.—*

18 (i) *VISAS, ADMISSION, OR PAROLE.—*

19 *An alien described in paragraph (1) is—*

20 (I) *inadmissible to the United*
21 *States;*

22 (II) *ineligible to receive a visa or*
23 *other documentation to enter the*
24 *United States; and*

1 (III) otherwise ineligible to be ad-
2 mitted or paroled into the United
3 States or to receive any other benefit
4 under the Immigration and Nation-
5 ality Act (8 U.S.C. 1101 et seq.).

6 (ii) *CURRENT VISAS REVOKED.*—

7 (I) *IN GENERAL.*—The United
8 States shall revoke the visa or other
9 entry documentation of an alien de-
10 scribed in paragraph (1), regardless of
11 when such visa or other entry docu-
12 mentation is or was issued.

13 (II) *IMMEDIATE EFFECT.*—A rev-
14 ocation under subclause (I) shall—

15 (aa) take effect immediately;

16 and

17 (bb) automatically cancel
18 any other valid visa or entry docu-
19 mentation that is in the alien's
20 possession.

21 (3) *EXCEPTIONS.*—

22 (A) *EXCEPTION FOR INTELLIGENCE ACTIVI-*
23 *TIES.*—Sanctions under this section shall not
24 apply to any activity subject to the reporting re-
25 quirements under title V of the National Secu-

1 *urity Act of 1947 (50 U.S.C. 3091 et seq.) or any*
2 *authorized intelligence activities of the United*
3 *States.*

4 (B) *EXCEPTION TO COMPLY WITH INTER-*
5 *NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-*
6 *MENT ACTIVITIES.—Sanctions under paragraph*
7 *(2)(B) shall not apply with respect to an alien*
8 *if admitting or paroling the alien into the*
9 *United States is necessary—*

10 *(i) to permit the United States to com-*
11 *ply with the Agreement regarding the Head-*
12 *quarters of the United Nations, signed at*
13 *Lake Success June 26, 1947, and entered*
14 *into force November 21, 1947, between the*
15 *United Nations and the United States, or*
16 *other applicable international obligations;*
17 *or*

18 *(ii) to carry out or assist law enforce-*
19 *ment activity in the United States.*

20 (C) *EXCEPTION RELATING TO IMPORTATION*
21 *OF GOODS.—*

22 (i) *IN GENERAL.—The authorities and*
23 *requirements to impose sanctions authorized*
24 *under this subtitle shall not include the au-*

1 *thority or a requirement to impose sanc-*
2 *tions on the importation of goods.*

3 *(ii) GOOD DEFINED.—In this para-*
4 *graph, the term “good” means any article,*
5 *natural or manmade substance, material,*
6 *supply or manufactured product, including*
7 *inspection and test equipment, and exclud-*
8 *ing technical data.*

9 *(4) IMPLEMENTATION; PENALTIES.—*

10 *(A) IMPLEMENTATION.—The President may*
11 *exercise all authorities provided under sections*
12 *203 and 205 of the International Emergency*
13 *Economic Powers Act (50 U.S.C. 1702 and*
14 *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 violation*
18 *of subparagraph (A) of paragraph (2) or any*
19 *regulation, license, or order issued to carry out*
20 *either such subparagraph shall be subject to the*
21 *penalties set forth in subsections (b) and (c) of*
22 *section 206 of the International Emergency Eco-*
23 *nomie Powers Act (50 U.S.C. 1705) to the same*
24 *extent as a person that commits an unlawful act*
25 *described in subsection (a) of that section.*

1 (5) *DEFINITIONS.*—*In this subsection:*

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

7 (B) *APPROPRIATE COMMITTEES OF CON-*
8 *GRESS.*—*The term “appropriate committees of*
9 *Congress” means the Committee on Foreign Re-*
10 *lations of the Senate, the Committee on Banking,*
11 *Housing, and Urban Affairs of the Senate, the*
12 *Committee on Foreign Affairs of the House of*
13 *Representatives, and the Committee on Finan-*
14 *cial Services of the House of Representatives.*

15 (C) *FOREIGN PERSON.*—*The term “foreign*
16 *person” means a person that is not a United*
17 *States person.*

18 (D) *KNOWINGLY.*—*The term “knowingly”,*
19 *with respect to conduct, a circumstance, or a re-*
20 *sult, means that a person has actual knowledge,*
21 *or should have known, of the conduct, the cir-*
22 *cumstance, or the result.*

23 (E) *UNITED STATES PERSON.*—*The term*
24 *“United States person” means—*

1 (i) a United States citizen, an alien
2 lawfully admitted for permanent residence
3 to the United States, or any other indi-
4 vidual subject to the jurisdiction of the
5 United States; or

6 (ii) an entity organized under the laws
7 of the United States or of any jurisdiction
8 within the United States, including a for-
9 eign branch of such entity.

10 (6) *PRESIDENTIAL WAIVER AUTHORITY.*—*The*
11 *President may waive, on a case-by-case basis and for*
12 *a period of not more than 180 days, subject to re-*
13 *newal, a requirement under this section to impose or*
14 *maintain sanctions with respect to a person, only if*
15 *the President submits to the appropriate committees*
16 *of Congress—*

17 (A) *a written determination that the waiver*
18 *or renewal of a waiver is in the national secu-*
19 *rity interests of the United States; or*

20 (B) *a certification that the person that had*
21 *engaged in otherwise sanctionable behavior has*
22 *ceased engaging in such behavior and that there*
23 *is not a risk that the person could engage in such*
24 *behavior in the future.*

1 **(b) LIMITATIONS ON EXPORT OF DEFENSE AND DUAL-**
2 **USE ITEMS TO ETHIOPIA AND ERITREA.—**

3 **(1) DUAL-USE ITEMS.—***A license shall be re-*
4 *quired under section 1754(c)(1)(A) of the Export Con-*
5 *trol Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)) for*
6 *the export, re-export, or in-country transfer to Ethi-*
7 *opia or Eritrea of items described in clause (ii) of*
8 *that section.*

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

14 **(c) PROHIBITION AND SUSPENSION OF CERTAIN AS-**
15 **SISTANCE TO ETHIOPIA.—**

16 **(1) SUPPORT BY UNITED STATES INTERNATIONAL**
17 **DEVELOPMENT FINANCE CORPORATION.—***The United*
18 *States International Development Finance Corpora-*
19 *tion may not provide support under title II of the*
20 *Better Utilization of Investments Leading to Develop-*
21 *ment Act of 2018 (22 U.S.C. 9621 et seq.) for projects*
22 *in Ethiopia.*

23 **(2) TERMINATION.—***The prohibition under para-*
24 *graph (1) shall not apply on or after the date that*
25 *the criteria outlined in section 13 have been met.*

1 (3) *PRESIDENTIAL WAIVER AUTHORITY.*—*The*
2 *President may waive, on a case-by-case basis, the pro-*
3 *hibition under paragraph (1) if the President submits*
4 *to the appropriate committees of Congress a written*
5 *determination that the waiver is in the national secu-*
6 *rity interests of the United States.*

7 (d) *MULTILATERAL SANCTIONS.*—*The Secretary, in*
8 *consultation with the Secretary of the Treasury and the*
9 *Secretary of Commerce, as appropriate, should engage with*
10 *members of the United Nations Security Council, the North*
11 *Atlantic Treaty Organization, the European Union, the Af-*
12 *rican Union, and any other relevant actors to achieve a*
13 *coordinated imposition of multilateral sanctions and export*
14 *controls on persons described in subsection (a)(1).*

15 **SEC. 8. SECURITY ASSISTANCE.**

16 (a) *SUSPENSION OF ASSISTANCE.*—*The United States*
17 *shall immediately suspend all security assistance being pro-*
18 *vided to the Government of Ethiopia.*

19 (b) *PRESIDENTIAL WAIVER AUTHORITY.*—*The Presi-*
20 *dent may waive the suspension in subsection (a) if the*
21 *President submits to the appropriate committees of Con-*
22 *gress a written determination that—*

23 (1) *the waiver or renewal of a waiver is in the*
24 *national security interests of the United States; and*

1 (2) *the Government of Ethiopia and its proxies*
2 *are taking steps toward a genuine negotiated settle-*
3 *ment with the major parties to the conflict.*

4 (c) *TERMINATION.*—*The suspension under subsection*
5 *(a) shall not apply on or after the date that the criteria*
6 *outlined in section 13 are met.*

7 (d) *REPORT.*—*Not later than 30 days after the date*
8 *of the enactment of this Act, the Secretary shall provide to*
9 *the appropriate congressional committees a comprehensive*
10 *list of all assistance halted in compliance with subsection*
11 *(a) as of the date of the enactment of this Act.*

12 **SEC. 9. ASSISTANCE TO THE GOVERNMENT OF ETHIOPIA**
13 **PROVIDED THROUGH INTERNATIONAL FI-**
14 **NANCIAL INSTITUTIONS.**

15 (a) *RESTRICTIONS.*—*The Secretary of the Treasury*
16 *shall instruct the United States Executive Directors of the*
17 *international financial institutions—*

18 (1) *to use the voice and vote of the United States*
19 *in those institutions to oppose any loan or extension*
20 *of financial or technical assistance to the Govern-*
21 *ments of Ethiopia and Eritrea; and*

22 (2) *to work with other key donor countries to de-*
23 *velop a coordinated policy for lending to the Govern-*
24 *ments of Ethiopia and Eritrea aimed at promoting*

1 *peace and adherence to international humanitarian*
2 *law and relevant international human rights treaties.*

3 **(b) EXCEPTION FOR HUMANITARIAN PURPOSES.**—*The*
4 *restrictions under paragraphs (1) and (2) of subsection (a)*
5 *shall not apply to loans or financial or technical assistance*
6 *provided for humanitarian purposes.*

7 **(c) WAIVER FOR PROJECTS THAT DIRECTLY SUPPORT**
8 **BASIC HUMAN NEEDS.**—*The Secretary of the Treasury*
9 *may waive the application of the restriction under sub-*
10 *section (a)(1) only if the Secretary of the Treasury submits*
11 *to the appropriate congressional committees a written deter-*
12 *mination, arrived at with the concurrence of the Secretary*
13 *of State, that the waiver supports projects that directly pro-*
14 *vides basic human needs.*

15 **(d) PRESIDENTIAL WAIVER AUTHORITY.**—*The Presi-*
16 *dent may waive the application of the restriction under sub-*
17 *section (a)(1), on a case-by-case basis, if the President sub-*
18 *mits to the appropriate congressional committees a written*
19 *determination that the waiver is in the national security*
20 *interests of the United States.*

21 **(e) TERMINATION.**—*Subsection (a)(1) shall not apply*
22 *after the criteria outlined in section 13 are met.*

23 **(f) BRIEFING.**—*Not later than 60 days after the date*
24 *of the enactment of this Act and every 120 days upon re-*
25 *quest until the restrictions in subsection (a)(1) are termi-*

1 nated pursuant to subsection (d), the Secretary of the Treas-
2 ury, in conjunction with the Secretary of State and the Ad-
3 ministrator of the United States Agency for International
4 Development, or their designees, shall brief the appropriate
5 congressional committees on the efforts of the United States
6 Executive Directors of the international financial institu-
7 tions pursuant to subsection (a).

8 **SEC. 10. SUPPORT FOR ACCOUNTABILITY.**

9 (a) *IN GENERAL.*—The President is authorized to pro-
10 vide technical and diplomatic support, including support
11 for activities related to evidence preservation and informa-
12 tion sharing, to credible accountability mechanisms with
13 jurisdiction, to promote accountability for war crimes,
14 crimes against humanity, or other violations of inter-
15 national human rights law and international humani-
16 tarian law that took place in the 6 months preceding the
17 outbreak of the civil conflict, and have taken place in the
18 course of the civil conflict.

19 (b) *REPORT ON PROGRESS ON ACCOUNTABILITY IN*
20 *ETHIOPIA.*—Not later than 180 days after the date of the
21 enactment of this Act, and every 180 days thereafter, the
22 Secretary of State shall submit to Congress a report on
23 progress towards holding individuals in Ethiopia and Eri-
24 trea accountable for atrocities, including war crimes and
25 crimes against humanity.

1 **SEC. 11. CERTAIN ACTIVITIES AND FINANCES RELATED TO**
2 **THE CONFLICT.**

3 (a) *IN GENERAL.*—Not later than 90 days after the
4 date of the enactment of this Act, and every 90 days after
5 that until the end of the civil conflict, the Secretary, in con-
6 sultation with the Director of National Intelligence and the
7 Secretary of the Treasury, shall provide to the appropriate
8 committees of Congress a report that includes—

9 (1) a description of the actions and involvement
10 of any senior officials of any party to the civil con-
11 flict—

12 (A) *facilitating or financing the sale or*
13 *transfers of arms or weapons to any party to the*
14 *civil conflict;*

15 (B) *directing, carrying out, or ordering ac-*
16 *tions that lead to violations of international hu-*
17 *manitarian law, including those involving the*
18 *systemic use of rape;*

19 (C) *directing, carrying out, or ordering the*
20 *use or recruitment of children by armed groups*
21 *or armed forces;*

22 (D) *directing, carrying out, or engaging in*
23 *significant acts of corruption;*

24 (E) *directing, carrying out, or ordering the*
25 *denial of humanitarian access, including by pre-*

1 *venting humanitarian assistance or aid workers*
2 *from reaching civilian populations;*

3 *(F) directing, carrying out, or ordering the*
4 *killing of aid workers in Ethiopia; and*

5 *(G) directing, carrying out, or ordering the*
6 *looting or destruction of civilian infrastructure*
7 *in violation of international humanitarian law,*
8 *including health facilities and schools;*

9 *(2) a description of Ethiopian and other foreign*
10 *financial institutions that identifies—*

11 *(A) senior officials of the parties to the con-*
12 *flict whose actions, as identified in paragraph*
13 *(1) who hold significant assets within a finan-*
14 *cial institution subject to the jurisdiction of the*
15 *United States, and an estimated assessment of*
16 *the value of such assets; and*

17 *(B) Ethiopian and foreign financial insti-*
18 *tutions that knowingly facilitate or finance the*
19 *sale or transfer of weapons, arms, or non-lethal*
20 *equipment intended or altered by a third party*
21 *for military use to any party to the civil con-*
22 *flict;*

23 *(3) a description of the full extent of involvement*
24 *in the civil conflict by foreign governments, including*
25 *the Governments of China, Egypt, Eritrea, Iran,*

1 *Qatar, Russia, Saudi Arabia, Sudan, Turkey, and*
2 *the United Arab Emirates, and others as appropriate,*
3 *which shall include—*

4 *(A) a description of which governments*
5 *have engaged in or supported the conduct of*
6 *drone and aircraft strikes;*

7 *(B) a list of the types and estimated*
8 *amounts of arms and materiel transferred by*
9 *each government identified under this para-*
10 *graph, including drone aircraft, to the parties to*
11 *the conflict or foreign military contractors oper-*
12 *ating in Ethiopia;*

13 *(C) an estimate of significant financial sup-*
14 *port provided by each government identified*
15 *under this paragraph to the parties to the con-*
16 *flict or foreign military contractors; and*

17 *(D) a description of United States diplo-*
18 *matic engagement with the European Union and*
19 *NATO regarding the support provided by the*
20 *foreign governments, identified under this para-*
21 *graph, to the parties to the conflict and foreign*
22 *military contractors; and*

23 *(4) a description of the full extent of involvement*
24 *by Ethiopian diaspora and other non-Ethiopian na-*

1 *tionals in military activities in the civil conflict, in-*
2 *cluding—*

3 *(A) a description of the Ethiopian diaspora*
4 *and other non-Ethiopian nationals directly par-*
5 *ticipating in the civil conflict either through on*
6 *the ground fighting or support operations, pro-*
7 *viding financial or logistical support from*
8 *abroad, or engaging in activities inciting the*
9 *parties to the conflict; and*

10 *(B) an estimate of significant financial*
11 *support provided by Ethiopian diaspora and*
12 *other non-Ethiopian nationals to the parties to*
13 *the conflict.*

14 *(b) FORM.—The Secretary shall submit the report re-*
15 *quired under subsection (a) in a classified form.*

16 *(c) BRIEFING.—Not later than 30 days after the date*
17 *of the enactment of this Act, and not less than 120 days*
18 *thereafter upon request until the Secretary determines the*
19 *requirements are met pursuant to section 13, the Secretary,*
20 *or the Secretary’s designee, shall brief the appropriate com-*
21 *mittees of Congress on the information described under sub-*
22 *section (a).*

23 *(d) APPROPRIATE COMMITTEES OF CONGRESS DE-*
24 *FINED.—In this section, the term “appropriate committees*
25 *of Congress” means—*

1 (1) *the Committee on Foreign Relations and the*
2 *Select Committee on Intelligence of the Senate; and*

3 (2) *the Committee on Foreign Affairs and the*
4 *Permanent Select Committee on Intelligence of the*
5 *House of Representatives.*

6 **SEC. 12. REPORT ON THE USE OF DISINFORMATION RE-**
7 **LATED TO THE CONFLICT.**

8 (a) *REPORT ON THE USE OF ONLINE DISINFORMATION*
9 *IN THE CIVIL CONFLICT.*—*Not later than 90 days after the*
10 *date of the enactment of this Act, and every 180 days there-*
11 *after, the Secretary of State shall submit to the appropriate*
12 *congressional committees a report that—*

13 (1) *describes the use of online disinformation by*
14 *parties to the conflict to perpetuate the conflict;*

15 (2) *describes how funding from state and non-*
16 *state actors supports use by parties to the conflict of*
17 *disinformation, in order to further the civil conflict;*
18 *and*

19 (3) *details any efforts to disrupt the spread of*
20 *online disinformation related to the civil conflict, in-*
21 *cluding efforts by online and social media providers.*

22 (b) *FORM.*—*The report required under subsection (a)*
23 *shall be submitted in unclassified form and made publicly*
24 *available, but may contain a classified annex.*

1 **SEC. 13. TERMINATION OF REQUIREMENTS.**

2 *Reporting requirements under sections 5(c), 10, and*
3 *11, the authorities under section 7, the suspension of secu-*
4 *rity assistance under section 8(a), and the restriction under*
5 *section 9(a)(1) shall not apply on or after the date that*
6 *is 30 days after the Secretary determines and certifies to*
7 *the appropriate congressional committees that the Govern-*
8 *ment of Ethiopia and its proxies have—*

9 *(1) ceased all offensive military operations in the*
10 *civil conflict;*

11 *(2) taken steps toward a genuine negotiated set-*
12 *tlement with the major parties to the conflict;*

13 *(3) implemented measures to ensure adherence to*
14 *international humanitarian law and international*
15 *human rights law;*

16 *(4) allowed unfettered access for humanitarian*
17 *relief on a reliable and established basis; and*

18 *(5) cooperated with independent investigations of*
19 *credible allegations of war crimes, crimes against hu-*
20 *manity, and other atrocities carried out in the civil*
21 *conflict.*

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S. 3199

A BILL

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

APRIL 6, 2022

Reported with an amendment