

United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

July 6, 2021

His Excellency
Mr. António Guterres
Secretary-General of the United Nations
760 United Nations Plaza
New York, NY 10017

Dear Secretary-General Guterres,

I write with deep concern about ongoing reports that the Ethiopian National Defense Force, working alongside Eritrean and other armed actors, is committing potential war crimes and crimes against humanity in the Tigray region of Ethiopia. As the government of Ethiopia remains one of the largest contributors of troops for UN peacekeeping operations, we urge the United Nations to vet vigorously all Ethiopian troops to be deployed in UN peacekeeping operations to determine if they participated in military operations in Tigray. Until there is a credible national-level vetting process to determine whether individuals or specific units committed human rights atrocities in Tigray, any individuals or units that are found to have participated in operations in Tigray must be barred from participation in future UN peacekeeping operations.

All parties to the horrific conflict in Tigray—including Ethiopian National Defense Force troops—stand accused of atrocities against thousands of civilians in Tigray. These atrocities include mass systemic rape and starvation of civilians as instruments of war. Tens of thousands of women, girls, and others will require medical and psycho-social services to address the impacts of sexual and gender-based violence as a result of actions by military forces in Tigray. United States and UN officials report that Ethiopian and Eritrean government forces burned farmer's fields, destroyed livestock, and systematically blocked aid deliveries to the parts of Tigray not under government control, in an apparent attempt to starve the civilian population. In early June, UN agencies reported that 350,000 of Tigray's 6 million people are living in famine conditions. Over 140,000 children are facing starvation, with 33,000 at imminent risk of death according to UNICEF. Forced starvation and mass rape represent grave violations of international law and amount to war crimes and crimes against humanity.

Forces implicated in gross violations of human rights are unfit to serve in UN peacekeeping operations. Recognizing the high standards expected of peacekeepers, the UN General Assembly adopted a resolution in 2003 requesting the Secretary General to take measures to prevent sexual exploitation and abuse in humanitarian and peacekeeping missions. The UN also adopted a due diligence policy in 2011 which bars the deployment of peacekeepers alleged to have committed grave violations of international humanitarian law and human rights law. Where government forces were responsible for committing widespread atrocities, such as in Burundi and Sri Lanka, the UN adopted a "screening plus" process to vet stringently their police and military personnel identified for peacekeeping operations before rotating them into ongoing operations. However, as both cases demonstrated, the government must be a willing and transparent partner for the

UN's "screening plus" model to secure the necessary credible intelligence and background on troops. The Ethiopian Government is currently implicated in ongoing war crimes and crimes against humanity in the Tigray region and therefore is disqualified from any "screening plus" process, which requires that a government responsibly vet its own soldiers. The United Nations Office of the High Commissioner for Human Rights (OHCHR) should undertake an active role in vetting Ethiopian troops in the future. However, OHCHR is unable to secure unfettered access in Tigray, limiting their ability to assist in this role at present.

We have learned from the UN's ongoing investigation into the gender-based violence and sexual misconduct of Sri Lankan peacekeepers in Haiti that the past conduct of a military force is an important indicator of how it will behave in the field as peacekeepers. Troops that are accustomed to operating with impunity are unlikely to change their behavior simply because they put on a blue helmet. Given the devastating consequences of deploying human rights abusers as peacekeepers, Ethiopian troops that have operated in Tigray must be barred from serving as UN peacekeepers until an independent entity such as OHCHR can credibly vet them. The UN Department of Peace Operations must begin to plan accordingly for how they will fill any gaps in troop rotations that may result from this necessary step.

Finally, I applaud the UN's efforts to protect ethnic Tigrayan UN peacekeepers serving in Sudan, South Sudan and elsewhere who feared persecution if they were forced to return home to Ethiopia. I encourage the UN to continue aggressively working with member states to provide safe haven for such peacekeepers. Thank you for your work ensuring that all UN peacekeepers embody the core purposes and principles of the UN, including recognition of the inherent dignity and equal and inalienable rights of all members of the human family and the pursuit of justice and peace. With this in mind, I appreciate your exerting all efforts to vet vigorously all Ethiopian troops to be fielded in UN peacekeeping operations and to bar from future operations those credibly implicated in human rights violations.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez". The signature is fluid and cursive, with a prominent initial "R" and a long, sweeping underline.

Robert Menendez
Chairman