

United States Senate

October 20, 2017

The Honorable Nikki R. Haley
United States Permanent Representative to the United Nations
United States Mission to the United Nations
799 United Nations Plaza
New York, NY 10017

Dear Ambassador Haley:

I write today in regards to your upcoming trip to Ethiopia, South Sudan, and the Democratic Republic of the Congo (DRC) and hope you will convey a number of key messages to leaders and stakeholders during your interactions.

I appreciate your efforts at the United Nations to strategically review each peacekeeping mission and seek to increase the effectiveness of each mandate. Nevertheless, we must be careful to ensure that each mission is sufficiently resourced so that they can continue critical protection of civilian activities and facilitate the delivery of humanitarian assistance. With so many looming crises in the world, and to date, a seeming lack of Administration focus on the African continent, I am grateful for your attention to concerns facing the region. As you know, there are currently eight UN Peacekeeping missions on the continent of Africa and five out of the ten top troop-contributing countries worldwide are also from the continent. With such peacekeepers playing an indispensable role in the mandates of UN missions in the DRC and South Sudan, I am pleased that you will be traveling to the region and recognize your ongoing efforts and focus.

Ethiopia

In your travels to Ethiopia, you will have the opportunity to reaffirm our countries' shared commitment to sustainable development and advancing regional peace and security, while also communicating our serious concerns regarding the state of democracy and human rights within the country. The protests in the Oromia and Amhara regions from late 2015 into 2016 resulted in widespread crackdowns in which hundreds of Ethiopians were killed and tens of thousands were detained. This excessive violence by security forces and the continued detention of Ethiopian citizens runs contrary to the government's own commitments under its constitution. In addition, the government has yet to conduct meaningful investigations into any of these abuses. I hope you will use this opportunity to urge the Ethiopian government to address the broad and persistent concerns expressed across large swathes of the citizenry, which if neglected or ignored, will only increase tension and diminish the prospect of capitalizing on much economic progress and significant development opportunities that remain for Ethiopia.

Moreover, the state of democracy and respect for fundamental rights within Ethiopia is seriously lacking, with the ruling party and its allies winning all parliamentary seats in 2015. Although the government has communicated publically and privately that it understands the need for greater political openness, the country has yet to make significant reforms that would allow for competitive elections. In addition, repressive regulations, such as the 2009 Anti-Terrorism Proclamation and the 2009 Charities and Societies Proclamation, have been used by the government to limit press freedom, silence independent journalists, restrict civil society and nongovernmental organizations, and persecute members of the political opposition. I urge you to raise the need for progress on reforms through effective and meaningful implementation of Ethiopia's National Human Rights Action Plan and continued bilateral engagement under the Working Group on Democracy, Governance and Human Rights.

I also hope you will encourage the Government of Ethiopia to play a constructive role in the High Level Revitalization Forum for South Sudan through its role in the Intergovernmental Authority on Development (IGAD) and the African Union. Continued violence and humanitarian crises in South Sudan will only lead to greater flows of refugees to Ethiopia, which already hosts some 350,000 South Sudanese. As a country directly affected by the ongoing conflict, the Ethiopian government has an opportunity to relay the message to President Kiir and other top South Sudanese officials that now is the time for a meaningful resolution to the crisis.

South Sudan

In South Sudan, humanitarian conditions have further deteriorated with possibly as many as 300,000 civilians having been killed, four million South Sudanese having fled their homes, and six million severely food insecure. I hope that you are able to meet with David Shearer, Special Representative of the Secretary-General for South Sudan and Head of the UN Mission in South Sudan (UNMISS) to see the invaluable work of UN peacekeepers and are able to visit the protection of civilians sites where peacekeepers are protecting over 220,000 civilians, including families and children. As you look to further strengthen the mission, I encourage you to reiterate our government's support for a more robust UNMISS response to attacks on civilians and other efforts to ensure it is able to fully implement its mandate.

I also hope you will push the Government of South Sudan to honor its stated consent to the full and rapid deployment of the Regional Protection Force (RPF) so it can carry out its mandate. After your return, I hope you will communicate to Congress the need to fully fund UNMISS and any additional resources that may be necessary to support the RPF deployment. Furthermore, while the UN Security Council unsuccessfully pushed for an arms embargo for South Sudan in 2016, I hope that you are able to use bilateral pressure to stem the flow of arms into the country. The horrific violence and atrocities that have taken place demand serious and substantial actions from the international community to end the flow of weapons that have inflamed this conflict.

Most critically, I hope you will urge President Kiir to reengage with all parties in the peace process in order to reach a political solution and rapidly deploy humanitarian assistance. As South Sudan's largest bilateral foreign aid donor, I hope you will relay that the current humanitarian catastrophe is, as you have stated, "unacceptable." As we push for all relevant stakeholders to commit to the IGAD-led High Level Revitalization Forum, I hope that you will reinforce the message that while the United States has taken steps to sanction some officials and their financial networks, we stand prepared to significantly increase sanctions designations and other penalties in the absence of a resolution to the crisis.

Democratic Republic of the Congo (DRC)

Across the DRC, millions of citizens have been internally displaced by violence in the Kasai region and eastern Congo, and another nearly half million have fled the country as refugees in recent months. In your travels to Kinshasa, I hope you will remind President Kabila that the government risks losing the confidence of its citizens and the international community the longer that free and fair elections are delayed. The electoral timeline recently proposed by CENI is simply not a viable option. President Kabila and the DRC government must fulfill their commitments under the December 31st agreement, which stipulated that presidential, legislative, and provincial elections are to be held in 2017 and that the government undertake other confidence-building measures including the release of political prisoners and relaxation of media restrictions. Additionally, Congolese civil society has played a critical role in holding leaders accountable and preventing further instability thus far, but continued crackdowns by government security forces on freedom of expression and assembly threaten more violence and volatility. I hope you will relay the importance of a robust civil society that allows citizens to air their grievances and actively participate in the political process.

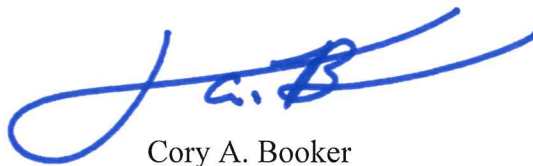
As you have rightly stated, the election of the DRC to the UN Human Rights Council is exceedingly troubling given the significant human rights abuses that have been committed in the Kasai region and against peaceful protesters with near impunity. I further urge you to continue your vital efforts to bring attention to the death of UN sanctions investigator Michael Sharp, and push for real justice for those perpetrators who killed him and his Swedish-Chilean colleague, Zaida Catalán, and their interpreter, Bete Tshintela.

Finally, I hope you will highlight the October 3rd letter from me and several of my Senate colleagues regarding the situation in the DRC and U.S. policy. In that letter, we noted how targeted sanctions imposed in 2016 by the United States and the European Union at several strategic junctions provided much-needed leverage to the negotiations that resulted in the December 31st accord. I applaud the sanctions designations by the U.S. and EU in late May and early June 2017 that began to target the officials and their financial networks responsible for obstructing the transfer of power. However, in the absence of any notable progress towards implementation of the accord, I urge you to make clear to President Kabila and the DRC government that the United States will look to significantly expand the use of sanctions designations under Executive Order 13671 on the DRC, anti-money laundering actions, and additional tools available under the Global Magnitsky Human Rights Accountability Act.

Your travels come at a crucial time for Ethiopia, South Sudan, and the DRC. Today, each of these governments has the opportunity before them to veer from the path of further instability towards one that assures a brighter and more secure future for their citizens. I hope you will encourage these governments to seize this opening and I look forward to learning about your findings after you return from your visit.

Thank you for your continued engagement on these issues.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C.A. Booker', with a large, stylized flourish extending from the end of the signature.

Cory A. Booker
United States Senator