

United States Senate

WASHINGTON, DC 20510

July 2, 2019

The Honorable Michael Pompeo
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear Secretary Pompeo:

We write regarding a June 18, 2019, *Reuters* report that you excluded the Kingdom of Saudi Arabia from the State Department's list of countries known to recruit and use child soldiers in the 2019 Trafficking in Persons Report, despite State Department experts' findings that should have led to its inclusion on such list.¹ While Saudi Arabia was appropriately downgraded in the 2019 Trafficking in Persons Report from the Tier 2 Watch List to Tier 3 in light of its failure to substantively address human trafficking, the exclusion of Saudi Arabia from the list of countries known to recruit and use child soldiers appears to be contrary to what is required under the Child Soldiers Prevention Act of 2008 (Public Law 110-457) based on the State Department's own reporting.

As you know, P.L. 110-457 requires the State Department to publish in the annual Trafficking in Persons Report a list of the foreign governments that recruit and use child soldiers, and to subject such governments to certain restrictions. Whether or not the Administration wants to hold Saudi Arabia accountable for its actions, the first part of the requirement – the identification of governments violating the standards of P.L. 110-457 – is a fact-based determination. The law is clear in applying to any “governmental armed forces or government-supported armed groups, including paramilitaries, militias, or civil defense forces, that recruit and use child soldiers.” Further, the law includes a waiver and related reporting requirements, which should have been the juncture for any national interest determination.

The Office to Monitor and Combat Trafficking in Persons itself included information about Saudi Arabia's alleged use of child soldiers in its 2019 Trafficking in Persons Report. The Report notes media accounts indicating that Saudi Arabia may have “funded Yemeni militias that in some cases may have hired minors in combatant roles.”² Further, the report goes on to recount that all parties to the conflict in Yemen, including Saudi Arabia, “used both boys and girls as uniformed soldiers in combat and to guard checkpoints and military facilities,”³ and that the Saudi Arabian government reportedly “provided salaries, uniforms, and weapons, as well as two to four weeks of weapons training, to Sudanese combatants which included children aged 14-17 years old.”⁴ In addition, *The New York Times* reported in December that Saudi Arabia had

¹ Jonathan Landay and Matt Spetalnick, “Exclusive: Overruling his experts, Pompeo keeps Saudis off U.S. child soldiers list,” *Thompson Reuters*, June 18, 2019, <https://www.reuters.com/article/us-usa-saudi-childsoldiers-exclusive/exclusive-pompeo-blocks-inclusion-of-saudis-on-us-child-soldiers-list-sources-idUSKCN1TJ25H>.

² Department of State. *Trafficking in Persons Report* (June 2019), 405, <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>.

³ *Ibid.*

⁴ *Ibid.*

recruited desperate survivors from the Darfur conflict, at least 20 percent of whom were reportedly child soldiers, to fight in Yemen.⁵

Accordingly, we request that you share with us, by July 26, 2019, the following information:

- 1) Did any State Department office or bureau recommend inclusion of Saudi Arabia on the child soldiers list?
- 2) What led you to make the determination to exclude Saudi Arabia from the State Department's list of countries known to recruit and use child soldiers in the 2019 Trafficking in Persons Report? In particular, what information did you use to make such a determination, where did such information come from, and what was the legal justification for such an omission (versus using a waiver at a later stage)?
- 3) What is the process in place when a country is recommended for inclusion on the child soldiers list? How does the State Department reconcile differing opinions among offices or bureaus?
- 4) Do you believe the Saudi-led coalition fighting in Yemen has used child soldiers?

The United States Government has a responsibility to ensure that U.S. assistance does not support the recruitment or use of child soldiers. It is critical that any determination on this matter adheres to legal requirements and upholds our values as a nation.

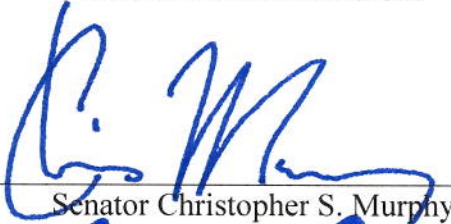
Sincerely,



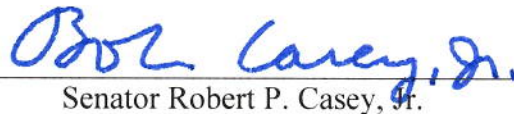
Senator Richard J. Durbin



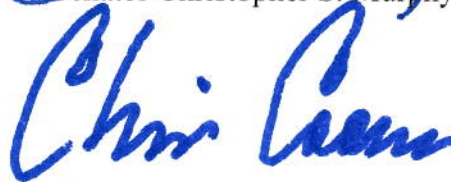
Senator Patrick Leahy



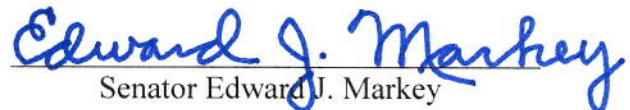
Senator Christopher S. Murphy



Senator Robert P. Casey, Jr.



Senator Christopher A. Coons



Senator Edward J. Markey

⁵ David D. Kirkpatrick, "On the Front Line of the Saudi War in Yemen: Child Soldiers from Darfur," *The New York Times*, December 28, 2018, <https://www.nytimes.com/2018/12/28/world/africa/saudi-sudan-yemen-child-fighters.html>.

Richard Blumenthal

Senator Richard Blumenthal

Ron Wyden

Senator Ron Wyden

Bern Sanders

Senator Bernard Sanders

J. A. B.

Senator Cory A. Booker

Amy Klobuchar

Senator Amy Klobuchar

Patty Murray

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