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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

April 25, 2019

The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, DC 20520

Dear Mr. Secretary:

I write to express my concern about reports that the United States is longer fully responding to formal queries and visit requests from United Nations Human Rights Council Special Rapporteurs who have a mandate to “examine, monitor, advise and publicly report” human rights concerns. While I have concerns about the Human Rights Council’s current composition and methodology, the work Special Rapporteurs conduct remains one of the international community’s most important tools for promoting and protecting human rights. However, according to publically available data the United States has failed to respond to any requests for official visits from UN monitors since January 20, 2017, and as of May 7, 2018, has ceased responding to formal queries from UN Special Rapporteurs altogether.

Under previous Democratic and Republican administrations the United States welcomed visits by UN Special Rapporteurs and regularly responded to official queries, regardless of U.S. participation in the Human Rights Council at the time. Engaging with UN Special Rapporteurs is an essential part of U.S. global leadership and demonstrates our commitment to addressing complex human rights issues and the rule of law both at home and around the globe. The credibility of the work of UN Special Rapporteurs depends heavily on their ability to apply the same international standards to all countries, including democracies.

By shutting out UN Special Rapporteurs, the United States risks undermining a foundational value of the United Nations as well as human rights progress globally and will be seen as empowering repressive regimes, like China and Russia, who seek to delegitimize internationally accepted human rights norms. Though the United Nations is an imperfect body, UN Special Rapporteurs play an important role in advancing the fundamental human values traditionally championed by every previous U.S. Administration.

For this reason, I request the following information by May 30, 2019:

- 1) Is there a policy, either formal or informal, in place with regards to responding to queries and visit requests from UN Special Rapporteurs? What is that policy?

- 2) Since May 7, 2018, has the State Department responded either formally or informally to any queries or visit request from UN Special Rapporteurs? If yes, please provide detailed information, including: which UN Special Rapporteur the Department responded to, the date of last correspondence or engagement, the type of engagement (formal vs. informal) and copies of any formal responses.

As the committee of jurisdiction responsible for conducting oversight of the conduct of U.S. diplomacy and foreign policy, the Senate Foreign Relations Committee depends on transparency from the Department of State to carry out our work. I look forward to your responses so that I can better assess our policies towards UN Special Rapporteurs. Thank you in advance for your time and attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez". The signature is fluid and cursive, with a large initial "R" and "M".

Robert Menendez
Ranking Member