

House Foreign Affairs Committee
Tom Lantos Human Rights Commission

Hearing
on
Human Rights in Azerbaijan Since the Fall of Nagorno-Karabakh

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2118 Rayburn House Office Building

STATEMENT SUBMITTED FOR THE RECORD

Submitted by:

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I want to thank Co-Chairs Christopher Smith and James McGovern for their leadership in continuing to raise awareness of human rights violations through the Tom Lantos Human Rights Commission. The work of this Commission is vitally important.

Today's hearing is being held on the one-year anniversary of Azerbaijan's military assault on the Republic of Artsakh, which began on September 19, 2023. But even before this attack, Azerbaijan's atrocities against the peoples of the region, also known as Nagorno Karabakh, were well established. Beginning in December 2022, Azerbaijan fabricated a crisis in order to seize control of the Lachin Corridor, the narrow strip of land that connects Artsakh with Armenia, effectively isolating the region's 120,000 residents.

After closing the Lachin corridor, Azerbaijan's military slowly choked the life out of Artsakh's inhabitants by severely disrupting the supply of electricity, natural gas, and fuel. By February 2023, the situation in Artsakh had clearly developed into a humanitarian crisis. At that time, I joined 103 fellow Members of Congress in a resolution that condemned Azerbaijan's blockade of Nagorno Karabakh and their ongoing human rights violations. The United Nations called on the Azerbaijani government to lift the blockade, recognizing the massive region-wide humanitarian crisis. According to Amnesty International, the blockade resulted in "severe shortages of food and medical supplies, as humanitarian aid delivered by the International Committee of the Red Cross and Russian peacekeepers [were] insufficient to meet demand."¹ The blockade was so devastating in its isolation of Artsakh that its inhabitants suffered from severe malnutrition, including a fourfold increase in the number of recorded miscarriages

¹ Amnesty International, "Azerbaijan: Blockade of Lachin corridor putting thousands of lives in peril must be immediately lifted," February 9, 2023. <https://www.amnesty.org/en/latest/news/2023/02/azerbaijan-blockade-of-lachin-corridor-putting-thousands-of-lives-in-peril-must-be-immediately-lifted/>.

compared to the previous year.² The blockade created such a humanitarian crisis that the International Association of Genocide Scholars warned of the risk of genocide against the Armenian population in the region.

Many suspected that Azerbaijan was using the blockade to prepare for military action against the Republic of Artsakh. Azerbaijan made promises that it would not do so.³ Yet, after nine months of the blockade, Azerbaijan launched a massive military assault into Artsakh on September 19, 2023. Using the pretense of taking “anti-terror” measures, Azerbaijan’s military quickly forced the government of Artsakh to surrender, putting an end to three decades of autonomy for the region.⁴ Azerbaijan took many of the senior political leadership of the government of Artsakh as prisoners and continues to hold eight high-ranking officials of the former Republic of Artsakh, as well as several other officials and civilians. One year later, Azerbaijan continues to illegally hold these officials. The U.S. Government and the international community must continue to call on Azerbaijan to comply with international commitments regarding the release and treatment of prisoners of war, hostages, and other detained persons.

The unjustified and unprovoked use of military force against the people of Artsakh resulted in the expulsion of over 100,000 residents from their ancestral homes within weeks of the attack. Fearing for their lives and the potential atrocities that Azerbaijan’s military could inflict, nearly all of the residents of the region left.⁵ Only a handful of residents, those who were incapable of travel, remained behind. Azerbaijan had effectively cleared the region of all of its inhabitants. Azerbaijan committed an intentional act of ethnic cleansing, a crime against humanity. Azerbaijan’s actions were a flagrant violation of the human rights of those who lived in Artsakh.

The U.S. Department of State’s 2023 Country Reports on Human Rights Practices makes it clear that Azerbaijan has committed significant human rights violations, which include unlawful or arbitrary killing; serious abuses in a conflict, including deliberate deprivation of items required by the civilian population and denial of humanitarian access; and political prisoners and detainees to name just a few.⁶ Just as importantly, the report notes that Azerbaijan has not taken “credible steps to punish the majority of officials who were reported to have committed human

² Magee, Caolan, “‘We are starving to death:’ Residents of Nagorno-Karabakh fear for future under blockade,” CNN, September 7, 2023. <https://www.cnn.com/2023/09/06/europe/nagorno-karabakh-blockade-azerbaijan-armenia-intl-cmd/index.html>

³ Talmon, Stefan, “Germany Accuses Azerbaijan of Breaking Its Promise to Refrain from Military Action in Nagorno-Karabakh,” German Practice in International Law, September 21, 2023. <https://gpil.jura.uni-bonn.de/2023/09/germany-accuses-azerbaijan-of-breaking-its-promise-to-refrain-from-military-action-in-nagorno-karabakh/>.

⁴ Landgraf, Walter, and Nareg Seferian, “A ‘Frozen Conflict’ Boils Over: Nagorno-Karabakh in 2023 and Future Implications,” Foreign Policy Research Institute, January 18, 2024. <https://www.fpri.org/article/2024/01/a-frozen-conflict-boils-over-nagorno-karabakh-in-2023-and-future-implications/>

⁵ Scheffer, David J., “Ethnic Cleansing Is Happening in Nagorno-Karabakh. How Can the World Respond?” Council on Foreign Relations, October 4, 2023. <https://www.cfr.org/article/ethnic-cleansing-happening-nagorno-karabakh-how-can-world-respond>

⁶ U.S. Department of State, 2023 Country Reports on Human Rights Practices: Azerbaijan. <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/azerbaijan/>

rights abuses. There was no reported progress on government investigations of alleged abuses committed by Azerbaijani armed forces or individuals during the 2020 and 2022 hostilities.”⁷

Those former residents of Artsakh have now become refugees. Most fled west to Armenia to take shelter. Some with the means to do so fled to other countries. Yet, wherever they went, all these individuals have had their lives inexplicably disrupted. They were forced to abandon their ancestral homes and to leave behind their possessions. They lost their businesses and jobs, and with them the ability to earn an income and to live with dignity. The international community must ensure that these individuals have the right to return to their property in Artsakh and to reclaim their rightful possessions.

The Government of Armenia has compassionately and courageously welcomed the former inhabitants of Artsakh. Out of a sense of moral duty and obligation to international norms, Armenia has attempted to ameliorate the tragic suffering of the refugees. But the sheer number of refugees is a significant undertaking for Armenia alone. The number of refugees that are now in Armenia reflects over four percent of the country’s population. The international community must partner with Armenia to adequately address the needs of the refugees.

The United States Agency for International Development has provided \$18 million in humanitarian aid and other relief assistance since September 2023, but this only scratches the surface of the intense unmet need. The Agency is also supporting longer-term efforts to build a sustainable economy for Armenia, one that is more integrated with the United States and other western partners.

Yet, it is unreasonable to expect that the United States and other international partners will be able to sufficiently provide the resources to fully address the massive humanitarian crisis that has been inflicted upon them. The cost of housing these refugees is estimated at over \$1.2 billion over the next five years. The cost of providing training and education for the refugees to be able to effectively integrate into Armenia’s economy is expected to cost up to \$400 million over the next two years. Armenia faced food insecurity prior to the arrival of the refugees. With the sudden influx of the large number of refugees, nearly a third of all Armenians now face food insecurity at the level of the Fifth Food Security and Vulnerability Assessment (FSVA5).⁸

One approach to addressing this humanitarian crisis is to force Azerbaijan to accept responsibility for the current situation. Since Azerbaijan created this crisis, it should be held liable for the financial costs associated with providing support to the refugees. The *Artsakh Revenue Recovery Act* is a bill that not only places the liability for lost revenue on the government of Azerbaijan, but also establishes a mechanism by which those who lost the ability to generate revenue could receive compensation, even if the government of Azerbaijan refuses to

⁷ U.S. Department of State, 2023 Country Reports on Human Rights Practices: Azerbaijan. <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/azerbaijan/>

⁸ World Food Programme, “Context analysis and the possible implications of the refugee influx to Armenia in September 2023,” September 19, 2023. <https://data.unhcr.org/en/documents/download/104582>

do so. This mechanism involves the seizure of Azerbaijan's sovereign assets in the United States, and then transferring those assets to the Artsakh Revenue Recovery Fund. The Fund will compensate the lost revenue of those who were displaced from Artsakh until Azerbaijan decides to accept the responsibility for paying compensation to these victims. The compensation is for the lost revenue from jobs and property in Artsakh and does not impact the ownership status of any property. The original property owners will continue to have the right to return to their property.

Azerbaijan must accept responsibility for the enormous humanitarian crisis that its blockade and military assault on Artsakh created. It must release the hostages and prisoners and commit to the preservation of Armenian cultural heritage. It must assure those who have property in Artsakh the ability to return to their ancestral home and to rebuild their lives and ease the suffering of refugees now. Azerbaijan must accept the responsibility to compensate lost revenue of those who left Artsakh. This compensation cannot fully address the disruption to their lives. But, it is an important step to address the current suffering of those who lost so much.

On this one-year anniversary of the tragic attack against the peaceful inhabitants of Artsakh, I ask that we not only commemorate the suffering of so many refugees who have had to endure loss and uncertainty, but also to recommit ourselves to holding the Government of Azerbaijan accountable for its actions and alleviate the suffering of those refugees. As Azerbaijan prepares to host the 29th Conference of the Parties (COP29) to the United Nations Framework Convention on Climate Change in November 2024, the U.S. Government and others in the international community should highlight these continuing human rights violations and demand that Baku fully address these serious issues.

Thank you for the opportunity to have my statement included in the Tom Lantos Human Rights Commission's hearing on Azerbaijan's human rights.