AMENDMENT TO RULES COMM. PRINT 117–13
OFFERED BY MR. CÁRDENAS OF CALIFORNIA

Add at the end of subtitle C of title XIII of division A the following:

SEC. 13. REPORT ON AZERBAIJAN.

(a) SENSE OF CONGRESS ON AZERBAIJAN’S ILLEGAL DETENTION OF ARMENIAN PRISONERS OF WAR.—

(1) FINDINGS.—Congress makes the following findings:

(A) On September 27, 2020, Azerbaijan, with support from Turkey and foreign militia groups, launched a military assault on Nagorno-Karabakh, also known as Artsakh, resulting in the deaths of thousands and displacing tens of thousands of ethnic Armenian residents.

(B) On November 9, 2020, Azerbaijan, Armenia, and Russia signed a tripartite statement to end the conflict.

(C) In signing the November 9 statement, all parties agreed that the “exchange of prisoners of war, hostages and other detainees as
well as the remains of the fatalities shall be car-
ried out.”

(D) The Third Geneva Convention, of
which Azerbaijan is a signatory, and customary
international law require the release of pris-
oners of war and captured civilians upon the
cession of hostilities and require that all de-
tainees be treated humanely.

(E) Despite Azerbaijan’s obligations under
the Geneva Conventions and their commitments
in signing the November 9 statement, long after
the end of the conflict, the Government of Azer-
baijan continues to detain an estimated 200 Ar-
menian prisoners of war, hostages, and detained
persons, misrepresenting their status in an at-
tempt to justify their continued captivity.

(F) Human Rights Watch reported in De-
cember 2020, that Azerbaijani military forces
had mistreated ethnic Armenian prisoners of
war and subjected them to “physical abuse and
humiliation”.

(G) Columbia University’s Institute for the
Study of Human Rights issued a report on the
conflict that “document[s] crimes against hu-
manity and other atrocities committed by Azer-
bajani armed forces and Turkish-backed
Islamist fighters against Armenians”, including
beheadings, summary executions, and the dese-
cration of human remains.

(H) There is limited reliable information
about the condition or treatment of prisoners of
war and captured civilians, and there is signifi-
cant concern that female detainees in particular
could be subject to sexual assaults and other
mistreatment.

(I) The continued detainment of prisoners
of war and captured civilians by Azerbaijan
calls into serious question their commitment to
human rights and negotiating an equitable,
lasting peace settlement.

(J) Armenia has fulfilled its obligations
under the November 9 statement and inter-
national law by returning Azerbaijani prisoners
of war.

(K) The United States is a co-chair, along
with France and Russia, of the Organization
for Security and Co-operation in Europe Minsk
Group, which was created to seek a durable and
peaceful solution to the Nagorno-Karabakh con-

flict.
(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) Azerbaijan must immediately and unconditionally return all Armenian prisoners of war and captured civilians; and

(B) the Biden Administration should engage at all levels with Azerbaijani authorities, including through the Organization for Security and Co-operation in Europe Minsk Group process, to make clear the importance of adhering to their obligations, under the November 9 statement and international law, to immediately release all prisoners of war and captured civilians.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the relevant congressional committees a report on the following:

(1) United States-origin parts and technology discovered in Turkish Bayraktar unmanned aerial vehicles deployed by Azerbaijan against Nagorno Karabakh between September 27, 2020 and November 9, 2020, including an assessment of any potential violations of violations of the Arms Export Con-
trol Act or other applicable laws, sanctions policies, or other provisions of United States law related to the discovery of such parts and technology.

(2) Azerbaijan’s use of white phosphorous, cluster bombs, and prohibited munitions deployed by Azerbaijan against civilians and civilian infrastructure in Nagorno Karabakh between September 27, 2020, and November 9, 2020, including an assessment of any potential violations of United States or international law related to the use of such munitions.

(3) Turkey’s and Azerbaijan’s recruitment of foreign terrorist fighters to participate in Azerbaijan’s offensive military operations against Nagorno Karabakh between September 27, 2020, and November 9, 2020, including an assessment of any related potential violations of United States law, the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, or other international or multilateral treaties.

(c) RELEVANT CONGRESSIONAL COMMITTEES.—In this section, the term “relevant congressional committees” means the Committee on Foreign Affairs and Committee on Armed Services of the House of Representatives and
the Committee on Foreign Relations and Committee on
Armed Services of the Senate.

(1) Azerbaijan must immediately and uncondi-
tionally return all Armenian prisoners of war and
captured civilians; and

(2) the Biden Administration should engage at
all levels with Azerbaijani authorities, including
through the Organization for Security and Co-oper-
ation in Europe Minsk Group process, to make clear
the importance of adhering to their obligations,
under the November 9 statement and international
law, to immediately release all prisoners of war and
captured civilians.