AMENDMENT TO RULES COMMITTEE PRINT 117–13
OFFERED BY MR. SCHIFF OF CALIFORNIA

At the end of subtitle D of title XII, add the following:

SEC. 12. SENSE OF CONGRESS ON AZERBAIJAN’S ILLEGAL DETENTION OF ARMENIAN PRISONERS OF WAR.

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

(1) 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.

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

(3) 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 carried out.”
(4) The Third Geneva Convention, of which Azerbaijan is a signatory, and customary international law require the release of prisoners of war and captured civilians upon the cessation of hostilities and require that all detainees be treated humanely.

(5) 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 Azerbaijan continues to detain an estimated 200 Armenian prisoners of war, hostages, and detained persons, misrepresenting their status in an attempt to justify their continued captivity.

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

(7) Columbia University’s Institute for the Study of Human Rights issued a report on the conflict that “document[s] crimes against humanity and other atrocities committed by Azerbaijani armed forces and Turkish-backed Islamist fighters against Armenians”, including beheadings, summary executions, and the desecration of human remains.
(8) There is limited reliable information about the condition or treatment of prisoners of war and captured civilians, and there is significant concern that female detainees in particular could be subject to sexual assaults and other mistreatment.

(9) 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.

(10) Armenia has fulfilled its obligations under the November 9 statement and international law by returning Azerbaijani prisoners of war.

(11) 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 conflict.

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

(1) Azerbaijan must immediately and unconditionally 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-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.