

AMENDMENT TO RULES COMMITTEE PRINT 117–

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OFFERED BY MR. SCHIFF OF CALIFORNIA

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

1 **SEC. 12___. SENSE OF CONGRESS ON AZERBAIJAN’S ILLE-**
2 **GAL DETENTION OF ARMENIAN PRISONERS**
3 **OF WAR.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

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

12 (2) On November 9, 2020, Azerbaijan, Arme-
13 nia, and Russia signed a tripartite statement to end
14 the conflict.

15 (3) In signing the November 9 statement, all
16 parties agreed that the “exchange of prisoners of
17 war, hostages and other detainees as well as the re-
18 mains of the fatalities shall be carried out.”.

1 (4) The Third Geneva Convention, of which
2 Azerbaijan is a signatory, and customary inter-
3 national law require the release of prisoners of war
4 and captured civilians upon the cessation of hos-
5 tilities and require that all detainees be treated hu-
6 manely.

7 (5) Despite Azerbaijan’s obligations under the
8 Geneva Conventions and their commitments in sign-
9 ing the November 9 statement, long after the end of
10 the conflict, the Government of Azerbaijan continues
11 to detain an estimated 200 Armenian prisoners of
12 war, hostages, and detained persons, misrepres-
13 enting their status in an attempt to justify their
14 continued captivity.

15 (6) Human Rights Watch reported in December
16 2020, that Azerbaijani military forces had mis-
17 treated ethnic Armenian prisoners of war and sub-
18 jected them to “physical abuse and humiliation”.

19 (7) Columbia University’s Institute for the
20 Study of Human Rights issued a report on the con-
21 flict that “document[s] crimes against humanity and
22 other atrocities committed by Azerbaijani armed
23 forces and Turkish-backed Islamist fighters against
24 Armenians”, including beheadings, summary execu-
25 tions, and the desecration of human remains.

1 (8) There is limited reliable information about
2 the condition or treatment of prisoners of war and
3 captured civilians, and there is significant concern
4 that female detainees in particular could be subject
5 to sexual assaults and other mistreatment.

6 (9) The continued detainment of prisoners of
7 war and captured civilians by Azerbaijan calls into
8 serious question their commitment to human rights
9 and negotiating an equitable, lasting peace settle-
10 ment.

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

14 (11) The United States is a co-chair, along with
15 France and Russia, of the Organization for Security
16 and Co-operation in Europe Minsk Group, which
17 was created to seek a durable and peaceful solution
18 to the Nagorno-Karabakh conflict.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

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

24 (2) the Biden Administration should engage at
25 all levels with Azerbaijani authorities, including

1 through the Organization for Security and Co-oper-
2 ation in Europe Minsk Group process, to make clear
3 the importance of adhering to their obligations,
4 under the November 9 statement and international
5 law, to immediately release all prisoners of war and
6 captured civilians.

