

ARMENIAN ASSEMBLY OF AMERICA

TESTIMONY BY MARIAM KHALOYAN, CONGRESSIONAL RELATIONS DIRECTOR

HOUSE APPROPRIATIONS SUBCOMMITTEE ON STATE, FOREIGN OPERATIONS AND RELATED PROGRAMS

Chairman Diaz-Balart, Ranking Member Lee, and distinguished Members of the Subcommittee, the Armenian Assembly of America (Assembly) welcomes the opportunity to provide the following testimony regarding U.S. assistance and policy for the South Caucasus region generally and to Armenia and Artsakh (also known as Nagorno-Karabakh) specifically for Fiscal Year 2024. The Assembly is making these requests in the face of an impending genocide, and given the overwhelming passage of the Armenian Genocide resolution in the House in 2019 followed by the Senate the same year, we hope Congress will do its part to prevent a second Armenian Genocide.

ASSISTANCE TO ARTSAKH – Artsakh is a de facto independent country. It declared its independence from Soviet Azerbaijan via referendum in 1991 under the terms of the Soviet constitution before the dissolution of the Soviet Union. Artsakh is a representative democracy, and has held successive free, fair, and transparent elections with a population of 120,000 indigenous, Christian Armenians. Since the 1994 ceasefire agreed upon by Azerbaijan, Armenia, and Nagorno-Karabakh, the final status of Nagorno-Karabakh has been the subject of international mediation by the co-chairs of the Organization for Security and Cooperation in Europe’s Minsk Group (the United States, France, and Russia).

Defying the peace process and discarding years of careful negotiations, and utilizing over 2,500 jihadist mercenaries, Azerbaijan ignited a full-scale war against Artsakh and the Armenian people in September 2020. As a result, Armenians, having already faced a genocide in the 20th century, were forced yet again to rebuild in the wake of serious human and structural devastation. Upwards of 100,000 people - mainly children, women, and the elderly - were forcibly displaced from their homes, while hospitals, schools, and churches were destroyed by missiles, cluster and white phosphorus munitions, and drone strikes during the 2020 War on Artsakh. The U.S. Agency for International Development (USAID) has acknowledged that an “acute humanitarian crisis” continues for many of these families, including those who returned to Artsakh.

In November of 2020, a ceasefire was established and signed by Azerbaijan, Armenia, and Russia. Under its terms, pursuant to Article 6, Azerbaijan assumed the obligation to “guarantee the security of persons, vehicles and cargo moving along the Lachin Corridor in both directions.” The Lachin Corridor is the only roadway connecting Armenia and Artsakh and thus a vital link with hundreds of tons of supplies crossing daily. Instead of upholding its obligations, since December 12, 2022, Azerbaijan has blockaded the Lachin Corridor utilizing special forces personnel masquerading as “environmental activists.” Azerbaijan has denied any responsibility regarding the blockade while the U.S. Administration has repeatedly called for it to be reopened. Given that Azerbaijan is consistently ranked as one of the most corrupt countries in the world and according to Human Rights Watch “the space for independent activism, critical journalism, and opposition political activity has been virtually extinguished...” it is inconceivable that this “protest” is anything other than sanctioned by Aliyev’s autocratic regime. In addition to depriving the Armenian

people of the basic necessities through this blockade, Azerbaijan also disrupted the electrical grid and the gas line as well as the internet to Artsakh.

The Assembly urges not less than \$50 million in assistance to Artsakh, and commends the important life-and-limb-saving work of The Halo Trust. The Assembly also calls for at least \$2 million in demining assistance and strongly urges USAID to oversee all U.S. assistance directly from Stepanakert. This will help protect a vulnerable Christian people as well as empower them to reconstruct their communities, rebuild their lives, and resettle in their homes. It also serves as an opportunity for the U.S. to have a presence in the region and sends an important message about America's commitment to democratic governance in the face of autocrats that would like nothing more than to see democratic nations fall.

ASSISTANCE TO ARMENIA – The United States is in a unique position to help Armenia as it continues to face existential threats from its autocratic neighbor Azerbaijan. On Christmas Eve, 2022 for example, Azerbaijan's President during a meeting with self-proclaimed representatives of so-called "Western Azerbaijan," an expansionist term for the Republic of Armenia stated: "I am sure that there will come a time when our compatriots from Western Azerbaijan, their relatives, children and grandchildren will return to our historical land, to Western Azerbaijan [Armenia]...Western Azerbaijan is our historical land, which is confirmed by a number of historical documents, historical maps and our history itself. Work should be done focused and based on a single concept and policy... And the primary objective is our return. Now the Great Return Program for Karabakh is being implemented. Inshallah, there will come a time when we will develop a second Great Return Program."

To this day, Azerbaijan continues its ruthless war, with ongoing border incursions in violation of Armenia's sovereignty and boasting that "We have destroyed Armenia." **Given these unprecedented developments, we urge not less than \$100 million in FY 2024 funding to bolster Armenia's security, democratic reforms, and economic development.**

SECTION 907 OF THE FREEDOM SUPPORT ACT – Congress took a principled stand against Azerbaijani aggression with the adoption of Section 907 of the FREEDOM Support Act in 1992, and needs to do so again. Section 907 of the FREEDOM Support Act states that U.S. funds "may not be provided to the Government of Azerbaijan until the President determines and so reports to the Congress, that the Government of Azerbaijan is taking demonstrable steps to cease all blockades and other offensive uses of force against Armenia and Nagorno-Karabakh." In the aftermath of the September 11, 2001 terrorist attack on American soil, a national security waiver was added to Section 907. The exercise of the waiver is valid so long as it "will not undermine or hamper ongoing efforts to negotiate a peaceful settlement between Armenia and Azerbaijan or be used for offensive purposes against Armenia." A 2022 U.S. Government Accountability Office Report found that the State Department did not "provide Congress with all required information – such as the impact of aid on the military balance between Azerbaijan and Armenia."

The 44-day War on Artsakh in 2020 resulted in a death toll of over 4,000 soldiers and civilians, some brutally beheaded according to Human Rights Watch, and as documented by Columbia University's Institute for the Study of Human Rights and its "Project on Atrocities in Artsakh." The ramifications of the war are stark. The targeting of Armenian cultural and religious heritage sites by Azerbaijan is ongoing, and was recently condemned by the European Parliament. The opening of a "Military Trophy Park" in Azerbaijan's capital, Baku, replete with Armenian mannequins and an entrance made with helmets of killed and captured Armenian soldiers depicts Armenians in a dehumanizing manner. The Assembly, therefore, urges that no U.S. taxpayer dollars be used to support Azerbaijan, and that starts with upholding the letter and spirit of Section 907 of the FREEDOM Support Act. In addition, based on credible reports that Azerbaijani forces committed gross human rights violations during and after the 44-day war, the application of the Leahy Law should be seriously considered. Azerbaijan should not be rewarded for its blatant and ongoing violations against the Armenian people, including the holding of prisoners of war (POWs) and captured civilians. In this regard, the Assembly strongly supports the inclusion of report language calling for the immediate release and repatriation of all POWs and captured civilians held by Azerbaijan.

THE PEACE PROCESS - The United States, as a Co-Chair of the OSCE Minsk Group, has a vested interest in advancing peace in and bringing stability to the South Caucasus region. In fact during the U.S.-Armenia Strategic Dialogue last year, the United States' role as a Co-Chair of the OSCE Minsk Group was noted and its "mandate to facilitate a peaceful resolution of the Nagorno-Karabakh conflict" was highlighted. The governments of Armenia and Artsakh have consistently indicated their desire to peacefully resolve the conflict and have offered confidence-building measures to help reduce tensions and build trust. Azerbaijan, however, chose a different path – one of blockade, bellicose rhetoric, and ceasefire violations, leading to the deadly war it launched in the Fall of 2020. In the absence of U.S. leadership, the Armenian people found themselves in a dire situation and its democratic government was pressured into a one-sided, Russian-brokered arrangement with the signing of a trilateral (Armenia, Azerbaijan and Russia) ceasefire statement on November 9, 2020, which negates America's long-standing role as Co-Chair of the OSCE Minsk Group. The Assembly urges Congress and the U.S. Co-Chair to the OSCE Minsk Group to uphold the fundamental principles of democracy, the right to self-determination, and the universal human rights of the people of Artsakh.

CONCLUSION – On behalf of the Armenian American community, the Assembly would like to express its sincere gratitude to Congress for its longstanding assistance to Armenia and Artsakh. Armenian Americans gratefully remember the support that the U.S. provided after the 1988 earthquake in Armenia, as Armenia moved boldly toward independence in 1991, during Artsakh's struggle for freedom and democracy, and through America's proud record of humanitarian intervention during the 1915 Armenian Genocide. The Armenian Assembly of America greatly appreciates your attention to these policy matters and looks forward to working with you.