

117TH CONGRESS
2D SESSION

S. RES. 797

Expressing the sense of the Senate condemning Azerbaijani forces' illegal and unprovoked assault on Armenian territory and insisting upon the cessation of security assistance to Azerbaijan in accordance with Federal law.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2022

Mr. MENENDEZ (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Expressing the sense of the Senate condemning Azerbaijani forces' illegal and unprovoked assault on Armenian territory and insisting upon the cessation of security assistance to Azerbaijan in accordance with Federal law.

Whereas, on September 13, 2022, Azerbaijani forces mounted an illegal and unprovoked assault on Armenian territory, including the cities of Vardenis, Sotk, Artanish, Ishkhanasar, Goris, and Kapan;

Whereas, by September 14, 2022, Armenian Prime Minister Nikol Pashinyan announced a preliminary death toll of more than 100 Armenians;

Whereas the Azerbaijani military fired artillery at Armenian villages along the border, forcing more than 2,750 civil-

ians, including 370 children and 55 people with disabilities, to evacuate their homes and take shelter;

Whereas, according to Armenia's Ministry of Territorial Administration and Infrastructure, the Azerbaijani attack damaged 192 residential buildings in Gegharkunik, Syunik, and Vayots Dzor Provinces;

Whereas, according to the Armenian Ombudsman, Azerbaijani shelling set fire to a forest in Jermuk, with artillery fire preventing Armenian firefighters from immediate access to the blaze;

Whereas, according to Prime Minister Pashinyan, Azerbaijani forces illegally advanced into at least 10 square kilometers of Armenian territory;

Whereas, on the evening of September 14, 2022, Secretary of the Security Council of Armenia, Armen Grigoryan, announced that a ceasefire took hold;

Whereas Azerbaijan's latest attack on Armenian territory and the Armenian people follows a long pattern of aggression, including during the 2020 Nagorno Karabakh War, when an attack by Azerbaijani forces ignited a conflict that killed more than 6,500 people and displaced almost 100,000 ethnic Armenians;

Whereas Azerbaijan continues to hold at least 35 prisoners of war and 3 civilian prisoners from the Nagorno Karabakh War and Azerbaijan's recent attack on Armenia;

Whereas Azerbaijan's attack on Armenia, which was launched on September 13, 2022, is a flagrant violation of Armenia's sovereignty and territorial integrity, and a violation of international law;

Whereas section 907 of the FREEDOM Support Act (22 U.S.C. 5812 note) prohibits United States assistance to Azerbaijan “until the President determines, and so reports to 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”;

Whereas title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 2002 (Public Law 107–115) allows the President to waive section 907 of the FREEDOM Support Act under certain statutorily defined conditions, including if doing so “will not undermine or hamper ongoing efforts to negotiate a peaceful settlement between Armenia or Azerbaijan or be used for any offensive purposes against Armenia”;

Whereas upon exercising such waiver, the President must submit a report to appropriate congressional committees outlining—

(1) “the nature and quantity of all training and assistance provided to the Government of Azerbaijan pursuant to [the waiver],”;

(2) “the status of the military balance between Azerbaijan and Armenia and the impact of United States assistance on that balance”; and

(3) “the status of negotiations for a peaceful settlement between Armenia and Azerbaijan and the impact of United States assistance on those negotiations”;

Whereas, on March 2, 2022, the Government Accountability Office released a report, which found that the Department of State and the Department of Defense failed to meet certain statutory reporting requirements to Con-

gress, including the impact of proposed assistance on the military balance between Azerbaijan and Armenia;

Whereas the Government Accountability Office found that the Department of State and the Department of Defense did not document their consideration of waiver requirements from fiscal year 2014 through fiscal year 2020, including how the departments determined that assistance would not be used for offensive purposes against Armenia; and

Whereas despite agreeing with the Government Accountability Office's recommendations, the Department of State has not demonstrated how it will adequately report to Congress on statutorily required considerations for aid to Azerbaijan: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) condemns Azerbaijan's illegal and
3 unprovoked attack on Armenian territory;

4 (2) urges Azerbaijan to fully adhere to the
5 ceasefire agreed to on September 14, 2022;

6 (3) demands that Azerbaijan respect the terri-
7 torial integrity of Armenia;

8 (4) calls for the release of all Armenian pris-
9 oners of war and civilian prisoners held in Azer-
10 baijan;

11 (5) insists that the Department of State meet
12 all statutorily required reporting requirements for
13 consideration of United States assistance to Azer-
14 baijan;

1 (6) urges the Secretary of State to immediately
2 halt all security assistance to Azerbaijan;

3 (7) urges the President to evaluate whether of-
4 ficials of the Government of Azerbaijan should be
5 subject to sanctions under the Global Magnitsky
6 Human Rights Accountability Act (subtitle F of title
7 XII of Public Law 114–328) for human rights
8 abuses against ethnic Armenians; and

9 (8) supports the robust provision of humani-
10 tarian assistance to the people of Armenia and
11 Nagorno Karabakh affected by Azerbaijan’s war of
12 aggression.

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