

**Questions for the Record Submitted to
Ambassador – Designate Matthew J. Bryza by
Senator Barbara Boxer (#1)
Senate Foreign Relations Committee
July 22, 2010**

Question:

Based on answers provided during your July 22, 2010 appearance before the Foreign Relations Committee and in your subsequent written responses to QFRs, it is apparent that you waited nearly three full months before making your first public comment, on March 7, 2006, regarding the desecration of an ancient Armenian cemetery in Djulfa.

Is it accurate that you only made the public statement on March 7 in response to a question from a journalist?

Was your failure to speak out based on the poor quality of the footage of the attack? Who is responsible for the destruction at Djulfa?

Was your long delay in speaking publicly about the Djulfa desecration motivated by your effort to handle this matter quietly?

Was your long delay in speaking out based on your concern that it would be unwise for the U.S. government to vocally condemn Azerbaijan's actions at a crucial phase of the Nagorno Karabakh peace process?

Answer:

I made my public statement condemning the attack on March 7 at a press conference in Yerevan. I did so during my first visit to the region following the initial reports of the desecration of the Armenian cemetery in Djulfa in December.

I also used the visit to raise serious concerns about this incident in person with Azerbaijan's top leaders. These conversations constituted my face-to-face follow-up of the phone call I made to Azerbaijan's Foreign Minister to register U.S.

concern immediately upon receiving the December 2005 report of the desecration at Djulfa. It appears that Azerbaijani authorities were responsible for the destruction at Djulfa. The response to the Djulfa desecration was unrelated to the conduct of the Nagorno Karabakh peace process.

**Questions for the Record Submitted to
Ambassador – Designate Matthew J. Bryza by
Senator Barbara Boxer (#2)
Senate Foreign Relations Committee
July 22, 2010**

Question:

During your July 22, 2010 confirmation hearing before the Senate Foreign Relations Committee, you stated that the tragic events of June 18, 2010 resulted from “Azerbaijani movement across the line of contact.” Yet in response to a written question asking why the U.S. government hasn’t been more forceful in condemning Azerbaijan for the attack, you moved away from naming Azerbaijan as the responsible party, and only condemned violence generally.

Why do your spoken and written responses regarding the June 18, 2010 incident differ on the matter of who is responsible for the loss of life and the destabilizing impact of this act of aggression?

Do you believe that the June 18, 2010 clash was initiated by Azerbaijan?

Do you unequivocally condemn the repeated threats of renewed war by Azerbaijan's leaders?

Can you provide an accounting of your public statements condemning past threats of renewed war by Azerbaijan's leaders?

Answer:

While I said that the Azerbaijanis moved across the line of contact (LOC), the full details of what triggered the June 18 incident are unknown. Unfortunately, there are a number of LOC violations each year by both sides.

The United States condemns the use of force or the threat of force in resolving the N-K conflict. In my previous capacity as Minsk Group Co-Chair and Deputy

Assistant Secretary of State for European Affairs, I repeatedly condemned all threats of renewed war, consistently stressing there is no military solution to the Nagorno-Karabakh conflict. If confirmed, I would continue to strongly enforce this message. A sampling of such statements is attached.

Attachment to Senator Boxer Question for the Record #2

OSCE Minsk Group Co-Chair excerpts (For Full Texts, see <http://osce.usmission.gov/group-statements.html>) December 2006 - July 2009

- Dec. 11, 2006:

Any future legal status of Nagorno-Karabakh should be determined without the threat or use of force and only as the result of political negotiations between all parties in the framework of the Minsk Process.

- Jan. 29, 2007

It is the responsibility of the presidents of Armenia and Azerbaijan, with the assistance of the Co-Chairs, to find a lasting, peaceful resolution of the Nagorno-Karabakh conflict.

- July 13, 2007

The Co-Chairs observe with concern several current developments that, in their view, do not contribute to preparation of the populations for peace. Among these are militaristic statements threatening use of force and creating the dangerous illusion that war is an option for resolution of the conflict.

- March 7, 2008

The Co-chairs deeply regret the tragic loss of life on March 4 along the LOC. They call on the parties to restore confidence along the LOC and desist from any further confrontations, escalation of violence or warmongering rhetoric. The U.S. Co-chair and the PR CiO are currently in the region, where they have met on behalf of the three mediators with both sides to defuse the crisis. As of today, the ceasefire has been restored and the situation on the LOC is calm. The Co-chairs call on both sides to strictly abide by the arrangement on strengthening the

ceasefire in the NK conflict of February 4, 1995. The Co-chairs reiterate that there is no military solution to the NK conflict. The outbreak of hostilities would destabilize the entire region, with calamitous consequences for all involved.

- March 14, 2008

At a time when serious clashes have occurred along the Line of Contact with loss of life, both sides must refrain from unilateral and maximalist actions either at the negotiating table or in the field.

- July 22, 2008

At this important juncture, the Co-Chairs call on all parties to refrain from maximalist initiatives on the ground, at the negotiating table, and in their public statements, and to avoid all belligerent rhetoric, as we work together in pursuit of a peaceful settlement. There is no military solution to the Nagorno-Karabakh conflict.

- Dec. 4, 2008:

We reiterate our firm view that there is no military solution to the conflict and call on the parties to recommit to a peaceful resolution.

- February 19, 2009

The Co-Chairs of the OSCE Minsk Group stress that, despite two reports circulated at the request of the Permanent Representative of Azerbaijan to the United Nations on December 24 and 29, 2008, there is no military solution to the Nagorno-Karabakh conflict. The Co-Chairs further underscore the non-use of force as a core element of any just and lasting settlement of the conflict.

- August 10, 2009 (Speaking as Deputy Assistant Secretary of State)

There simply is no military solution to that (Nagorno – Karabakh) conflict.

**Questions for the Record Submitted to
Ambassador – Designate Matthew J. Bryza by
Senator Barbara Boxer (#3)
Senate Foreign Relations Committee
July 22, 2010**

Question:

In a written question, you were asked whether the Government of Azerbaijan is currently meeting the conditions of Section 907 of the Freedom Support Act, which prohibits U.S. assistance to Azerbaijan until it meets a number of conditions, including taking demonstrable steps to cease all blockades and “offensive uses of force against Armenia and Nagorno-Karabakh.”

Is the Government of Azerbaijan meeting the conditions of Section 907? Why or why not?

Do you believe that U.S. military aid to Azerbaijan should be conditioned on Azerbaijan's leaders publicly committing to a negotiated settlement of Nagorno-Karabakh and ceasing all threats to use military force to resolve this conflict?

Answer:

Since 2002, the U.S. President has waived Section 907 on an annual basis. Deputy Secretary Steinberg signed the 2010 waiver on behalf of President Obama again this year. Extension of the waiver requires a determination that to do so:

- (A) is necessary to support United States efforts to counter terrorism; or
- (B) is necessary to support the operational readiness of United States Armed Forces or coalition partners to counter terrorism; or
- (C) is important to Azerbaijan’s border security; and
- (D) will not undermine or hamper ongoing efforts to negotiate a peaceful settlement between Armenia and Azerbaijan, or be used for offensive purposes against Armenia.

If confirmed, I will support the correct application of any and all statutory requirements that dictate the conditions of U.S. assistance to Azerbaijan, including Section 907.

**Questions for the Record Submitted to
Ambassador – Designate Matthew J. Bryza by
Senator Barbara Boxer (#4)
Senate Foreign Relations Committee
July 22, 2010**

Question:

Why was only \$2 million of the \$8 million appropriated by Congress in each of the last two fiscal years actually spent by the State Department for Nagorno-Karabakh?

What do you see as the obligation of the State Department to honor the intent expressed by Congress in allocating \$8 million for Nagorno-Karabakh during the last two fiscal years?

How much funding remains from each fiscal year of the Nagorno-Karabakh aid program and what are the State Department's plans for the expenditure of these unspent funds?

What restrictions does the State Department have, in either policy or practice, on U.S. officials traveling to Nagorno-Karabakh or communicating and interacting with Nagorno-Karabakh officials?

What limitations are there, in either policy or practice, on the implementation of U.S. assistance to Nagorno-Karabakh?

Answer:

The Administration shares Congress' view on the importance of aiding those who have been affected by the conflict over Nagorno-Karabakh (NK). Since 1998, the United States has provided over \$35 million in humanitarian assistance to victims of the NK conflict, including food, shelter, emergency and medical supplies, access

to quality healthcare and water, and demining projects. In addition to continuing the ongoing demining project which has thus far cleared 85% of anti-personnel and anti-tank mines and 73% of the battle area, a new potable water project will begin this fall, helping to meet the basic water needs of approximately 25,000 people in Stepanakert, roughly half of the city's population.

The level and focus of the Administration's annual assistance to the people of NK balances several factors, including the results of needs assessments conducted by USAID personnel, evaluations of the absorptive capacity within NK, and competing obligations for Eurasia Regional funds. As a result, for the past nine years U.S. assistance to NK has been funded at approximately \$2 million annually. The exact timing of obligation and expenditure may vary by program, but all funding for NK is obligated within two years of appropriation. The views of the Karabakhi Armenians are taken into account by the Minsk Group Co-Chairs through regular visits to Nagorno-Karabakh, including by the U.S. co-chair, and meetings with the de facto authorities, among others.

**Questions for the Record Submitted to
Ambassador – Designate Matthew J. Bryza by
Senator Barbara Boxer (#5)
Senate Foreign Relations Committee
July 22, 2010**

Question:

In the “Media Review” section of the U.S. Embassy in Yerevan’s website (dated September 8, 2008), you are quoted as saying that the settlement of the Nagorno-Karabakh conflict “must proceed from the principle of respect for Azerbaijan’s territorial integrity and evolve into a political compromise that incorporates other principles of international law and diplomatic practice?”

Did you make this comment?

Does it accurately reflect your view today?

Answer:

Yes. The United States, along with its fellow Minsk Group Co-Chairs, has long insisted that in addition to territorial integrity, a negotiated settlement for Nagorno-Karabakh must incorporate other principles of international law and diplomatic practice, namely, the principles of non-use or threat of force and the equal rights and self-determination of peoples. Only a resolution that incorporates all three of these key principles of the Helsinki Final Act can lead to a settlement that is mutually acceptable to Armenia and Azerbaijan. This was the case when I made that statement, and remains the case today. Support for this approach, as embodied in the Minsk Group’s efforts, has been underscored by the Presidents of

Armenia and Azerbaijan, as well as Presidents Obama, Sarkozy, and Medvedev in July 2009 and June 2010.