



# Armenian National Committee of America

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## Armenian National Committee of America Testimony

Submitted to the  
**Senate Foreign Relations Committee**  
**Nomination Hearing for**  
**The Hon. Marco Rubio, to be Secretary of State**

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The Armenian National Committee of America (ANCA) welcomes the nomination of Senator Marco Rubio as Secretary of State – a longstanding friend of the Armenian American community, and Senate champion of efforts to hold Azerbaijan accountable for its war crimes and genocidal ethnic cleansing of the Armenian population of Nagorno-Karabakh (Artsakh).

### **Senator Rubio's Legislative Record:**

Over his years of legislative leadership, Senator Rubio has supported critical efforts to reassess U.S.-Azerbaijan relations in light of its blockade and subsequent ethnic cleansing of Nagorno-Karabakh's entire Armenian population in 2023. This includes his crucial leadership on S.3000 – the Armenian Protection Act – to prohibit the president from waiving statutory restrictions on military assistance to Azerbaijan pursuant to Section 907 of the FREEDOM Support Act; support for bipartisan and bicameral efforts to assess the applicability of Global Magnitsky Act Sanctions against Azerbaijani officials responsible for grave human rights abuses; and co-sponsorship of S.Res.540 – to investigate Azerbaijan's human rights practices pursuant to Section 502B(c) of the Foreign Assistance Act.

### **Background on Azerbaijani Aggression**

Over a year since the ethnic cleansing of Nagorno-Karabakh, Azerbaijan has faced no material consequences for its egregious violations of international law – emboldening its authoritarian regime with impunity, and enabling its continued aggression and belligerency against Armenia. To this day, Azerbaijan continues to occupy portions of sovereign Armenian territory captured following a military incursion in May 2022, and illegally detain at least 23 known Armenian prisoners of war (POWs), civilian captives, and former Artsakh officials who have been subject to torture and psychological abuse in custody and, beginning this week, are facing sham trials. Since its military assault on Nagorno-Karabakh in September 2023, Azerbaijan has engaged in the systematic destruction and desecration of Armenian Christian heritage sites, including centuries-old churches, monasteries and other cultural sites. Furthermore, reports have indicated the widespread ransacking of formerly-Armenian populated towns and villages – including the destruction of homes and private property, businesses, agricultural land and public infrastructure with the intent of denying displaced Armenians the ability to return to their homes.

Since the ethnic cleansing of Artsakh, the United States has been involved in facilitating peace talks between Armenia and Azerbaijan. Despite this, Azerbaijan has consistently sought to delay and derail talks by imposing increasingly unreasonable and unfair demands on Armenia at the barrel of a gun. Azerbaijan's continued occupation of sovereign Armenian territory, its recourse to hostage diplomacy, its demands for Armenia to change its constitution, and its increasingly hostile and belligerent rhetoric demonstrates Baku has little interest in a just, dignified and durable peace as long as it continues to face no meaningful consequences for its genocidal aggression.

As Armenia seeks to strengthen ties with the West – diversifying its economic and security partnerships – the United States has an unprecedented opportunity to strengthen its position in the South Caucasus and facilitate lasting peace in the region. For decades, Russia has served as Armenia's sole security guarantor – and was responsible for maintaining a tenuous ceasefire following the 2020 Nagorno-Karabakh War. Russia's failure to uphold its security obligations to Armenia amid Azerbaijan's assault on Artsakh and Armenia has seen Yerevan undertake meaningful efforts to distance itself from Moscow. This has come at considerable risk to Armenia, which now lacks any guarantees for its security amid Azerbaijan's continued regional aggression. Absent U.S. strategic engagement with Armenia, Washington risks allowing Moscow to forcefully reassert its position in the region – as evidenced by Azerbaijan's deepening security and energy ties with Russia. In recent years, Azerbaijan has signed an allied partnership agreement with Russia while its energy industry has increased cooperation with Russian and Iranian oil and gas companies to circumvent international sanctions, undermining U.S. strategic objectives in the region.

As the Armenian people continue to face a fundamental threat to their existence at the hands of Azerbaijan's unrepentant and belligerent regime, it is imperative that the incoming Administration ensures accountability for ethnic cleansing, the release of Armenian POWs in illegal detention, the right of return for forcibly displaced Artsakh Armenians, and the protection of Armenian cultural heritage are prioritized in ongoing peace talks.

### **Armenian American Policy Priorities:**

If confirmed, the ANCA urges the Senate Foreign Relations Committee (SFRC) to engage with Senator Rubio and the incoming Administration to reset U.S. foreign policy towards the South Caucasus – prioritizing accountability for war crimes perpetrated by Azerbaijan during and prior to the ethnic cleansing of Nagorno-Karabakh, ensuring Armenia's security and sovereignty amid ongoing threats posed by Azerbaijan, and guaranteeing the right of indigenous Armenians to return to their homes under international protections as a precondition for a just, durable and dignified peace in the region.

#### **1. Hold Azerbaijan Accountable for Ethnic Cleansing:**

Under Section 907 of the FREEDOM Support Act, the U.S. is prohibited from providing military assistance to Azerbaijan. This measure was adopted by Congress in response to Azerbaijan's military assault and blockade against Armenia and Artsakh during the first Nagorno-Karabakh war following the collapse of the Soviet Union. In 2002, Congress amended this provision, granting the President the authority to waive Section 907 on an annual basis, citing national security interests and the need for regional cooperation in the Global War on Terror. Since then, every successive administration has exercised this waiver authority until 2023, allowing military and other forms of assistance to Azerbaijan in the absence of Congressional oversight. In November 2023, the Senate adopted by unanimous consent S.3000 – the Armenian Protection Act – which would have prohibited the President from waiving Section 907 of the FREEDOM Support Act for a 2-year period.

In 2018 and 2019, the Trump Administration provided an unprecedented volume of U.S. military assistance to Azerbaijan, emboldening Baku's assault on Nagorno-Karabakh in 2020. In turn, President Biden exercised the waiver of Section 907 in 2021 and 2022 – enabling Azerbaijan's incursion into sovereign Armenian territory in May 2022, and subsequent blockade and ethnic cleansing of Artsakh. In response to considerable bipartisan and public pressure, the Biden Administration enforced statutory prohibitions on U.S. military assistance to Azerbaijan in 2023 and 2024. In light of Azerbaijan's ongoing aggression, the ANCA urges the incoming Administration to uphold the enforcement of Section 907 of the FREEDOM Support Act, and commit to ensuring no further U.S. military aid is sent to Azerbaijan.

## **2. Impose Sanctions on Azerbaijani Officials Responsible for War Crimes:**

During and since the 2020 Nagorno-Karabakh War, Azerbaijan perpetrated grave human rights violations – including the arbitrary detention and torture of prisoners of war and civilian captives, the extrajudicial killing of civilians, the summary execution of unarmed Armenian service members, and the deliberate targeting of civilian infrastructure. To this day, Azerbaijan continues to illegally detain at least 23 known Armenian POWs, civilian captives, and Artsakh officials subjected to torture and abuse in custody.

The ANCA urges the incoming Administration to conduct an assessment into the applicability of Global Magnitsky Act Sanctions against Azerbaijani officials responsible for the perpetration of grave war crimes against Armenian civilians, POWs and political leaders from Nagorno-Karabakh. Furthermore, the ANCA urges the Administration to prioritize securing the release of all unjustly detained Armenians in any future engagements with the government of Azerbaijan.

## **3. Guarantee the Right of Return for Artsakh's Armenians:**

Under international law, the 150,000 Armenians forcibly displaced from Artsakh by Azerbaijan during the 2020 Nagorno-Karabakh War and the genocidal ethnic cleansing of the region in September 2023 have the right to return to their homes under safe and secure conditions free from the threat of persecution. Several U.S. government officials and foreign governments have publicly affirmed the right of Armenians to return to Nagorno-Karabakh. The failure to facilitate a secure right of return not only risks legitimizing Azerbaijan's act of ethnic cleansing, but creates a long-term refugee and statelessness crisis for the 150,000 Nagorno-Karabakh residents displaced and living in Armenia who are in dire need of humanitarian aid and currently face severe challenges when it comes to housing, employment, social services, healthcare, and other basic needs.

Amid Azerbaijan's ongoing destruction and expropriation of civilian property, agricultural land, public infrastructure, and desecration of Armenian Christian heritage sites, the ANCA urges the incoming Administration to prioritize the right of return as a central pillar of any peace process in the region – and to impose sanctions on individuals and entities engaged in efforts to deny the right of return of Artsakh's Armenian population.

## **4. Safeguarding the Rights of Vulnerable Minority Communities in Syria:**

Following the fall of the Assad regime at the hands of Hay'at Tahrir al-Sham (HTS) – and amid the ongoing assault on northern Syria's Kurdish community by Turkey-backed extremists – it is imperative the U.S. takes measures to safeguard the rights of vulnerable minority groups in Syria. This includes Armenians, Alawites, Druze, Yezidis, Kurds, and historic Christian communities (including Chaldean, Syriac, Assyrian, and Melkite peoples) among others, integral to the cultural lineage of Syria.

The United States Commission on International Religious Freedom (USCIRF) has reported that HTS – a designated terrorist organization led by former Al Qaeda and ISIS militants – committed grave and widespread violations of religious freedom and human rights against religious minorities during the Syrian Civil War, including arbitrary arrests, torture, and executions. Given the credible threat posed to Syria’s religious and cultural minorities, the ANCA urges the incoming Administration to guarantee the rights of Syria’s vulnerable communities – including demanding the removal of Turkish forces occupying Northern Syria, and holding Turkey accountable for financing and harboring designated terrorist organizations that pose a threat to the region’s significant Kurdish population.

## **Conclusion:**

Azerbaijan’s ethnic cleansing of Artsakh is the tragic yet predictable result of decades of policy failures toward the region. Like the Armenian Genocide over a century ago - and the international community’s refusal to hold Turkey accountable - the failure to sanction Azerbaijan for the Artsakh genocide has rewarded the Aliyev regime, out of the same misguided belief that appeasing authoritarian dictators at the expense of human rights is in Washington’s interests.

Facing deepening instability and the escalating threat to religious freedoms and human rights across the region, the U.S. cannot afford to ignore Azerbaijan’s genocidal ethnic cleansing of Artsakh and ongoing aggression toward Armenia. The failure to hold Azerbaijan accountable not only emboldens Baku amid its ongoing threats toward sovereign Armenia – it also undermines the credibility of Washington’s leadership in the region, sending a clear message to allies and adversaries alike.

The Trump Administration’s decision to provide military assistance to Azerbaijan and the Biden Administration’s failure to prevent Azerbaijan’s blockade and ethnic cleansing of Nagorno-Karabakh has enabled the humanitarian and security crisis Armenia faces today. Furthermore, in abandoning Armenia in its time of need and abrogating its responsibility to ensure regional peace and stability, the Biden Administration has allowed Russia the opportunity to reassert its position in the South Caucasus to the detriment of U.S. regional security interests. As Azerbaijan deepens ties with U.S. rivals Russia and Iran, it is clear that Washington’s appeasement of Baku delivered a poor return on investment.

At this critical juncture for the region, the incoming Administration has the opportunity to rectify the last six years of failed policy. While the previous Trump-Pence and current Biden-Harris administrations failed to prevent Azerbaijan’s ethnic cleansing of Artsakh, the incoming Trump-Vance Administration has an unprecedented opportunity to reverse it – by promoting a just, durable and dignified peace in the region grounded in accountability for war crimes and aligned with the right of Artsakh’s Armenians to a collective and protected return to their homeland.

We thank the Senate Foreign Relations Committee for the opportunity to submit testimony on these issues of urgent concern to Armenian Americans, our community allies, and coalition partners – and welcome the opportunity to engage the incoming Administration on efforts to reset U.S. policy toward the region.

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