

United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

February 1, 2023

The Honorable Gina M. Raimondo
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Dear Secretary Raimondo:

I understand that the Department of Commerce may be considering granting a license to permit the export of rifles to Azerbaijan, possibly also including assault-style or sniper semiautomatic rifles. I write to express my deep concern and strong opposition to such a decision, and I urge you to ensure that no lethal weapons of any kind are sent to any persons or entities in Azerbaijan.

I trust that you are aware of the credible allegations of atrocities that Azerbaijan has perpetrated for years against the people of Armenia, which have been well-documented. In September of 2022, Azerbaijan launched its latest of invasion of Armenia killing more than 100 Armenians and forcing almost 3,000 civilians from their homes. In 2020, Azerbaijan's war uprooted close to 100,000 Armenians from their homes in Nagorno-Karabakh. Azerbaijan's hostilities resulted in the deaths of 6,500 people. Today, Armenians in Nagorno-Karabakh face an acute humanitarian crisis, threats of ethnic cleansing, and chronic shortages of water, energy, healthcare, and food. Most recently, since December 12, 2022, Azerbaijanis backed by the government have imposed a blockade of the Lachin Corridor, the sole road connecting Nagorno-Karabakh to Armenia, threatening famine amid a quickly worsening humanitarian crisis.

According to the Department of State's recent 2021 Country Report on Human Rights, there were credible reports that Azerbaijani government forces have participated in extrajudicial killings, torture, and other unlawful treatment of Armenians both during and after the 2020 Nagorno Karabakh War. Since the war, at least 41 Armenians, both civilians and soldiers, remain in detention in Azerbaijan without access to counsel of their choice, being denied due process. Only two of the Armenian soldiers known to be detained by Azerbaijan are charged with crimes. Some of those Armenians held prior to the 2020 Nagorno Karabakh War are believed to have been executed. Armenian sources report that Azerbaijani forces imprisoned or killed ethnic Armenian civilians in captured territory, "including elderly civilians who had no weapons."

I am strongly opposed to sending any deadly weapons to Azerbaijan. In the event you are considering granting an export license of any kind to Azerbaijan, I request that you immediately respond to the following questions.

- (1) What guarantees is the Department of Commerce requiring of the Azerbaijanis to ensure that these weapons are not used to commit further atrocities against Armenians?

- (2) What mechanisms will the Department of Commerce have in place to ensure that such misuse will not occur? Will there be monitoring or other end-use verification?
- (3) If these are for private sale to individual Azerbaijani citizens, how can the Department be sure that they will not be diverted to Azerbaijani government military, security, or paramilitary forces?
- (4) Have you consulted with the Department of State, and does the Department concur in granting an export license?

The export of weapons to an authoritarian country that wages war against a neighbor, blockades a vulnerable population, and commits rampant human rights violations at home is not consistent with the Administration's commitment to democracy and human rights. Further, the consideration of this export license further compounds my dismay that the Administration continues to allow the export of assault-style and sniper rifles abroad – even while supporting an assault-style rifle ban domestically – and deepens my reservations about the Department of Commerce having jurisdiction over such exports. As you know, it remains my firm belief that such jurisdiction should be returned to the State Department to ensure the appropriate foreign policy considerations integral to such decisions are taken into account.

I appreciate your prompt attention to this matter and look forward to your response.

Sincerely,



Robert Menendez
Chairman

cc: The Honorable Antony J. Blinken, Secretary of State
U.S. Department of State