



# Armenian National Committee of America

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## POLICY MEMO

### **Restricting Aid to Azerbaijan via Section 502B(c) of the Foreign Assistance Act**

The U.S. Congress has the ability to stop military and security aid to Azerbaijan through the enforcement of Section 502B(c) of the **Foreign Assistance Act of 1961**, a long-standing statute that prohibits U.S. security assistance to “any country the government of which engages in a consistent pattern of gross violation of internationally recognized human rights.”

#### **How does Section 502B(c) work?**

- 1) Congress can exercise its oversight authority over U.S. military assistance by requesting a report into Azerbaijan's human rights practices pursuant to Section 502B(c) of the Foreign Assistance Act through a **privileged resolution**.
- 2) The administration must deliver this report to Congress within 30 days detailing the human rights abuses of the target country, and an explanation as to whether extraordinary circumstances exist to justify the continuation of assistance. If this report isn't transmitted to Congress within the allotted time, security assistance is automatically suspended.
- 3) Any time after receiving a Section 502B(c) report, Congress may adopt a joint resolution terminating, restricting, or continuing security assistance for a country that was the subject of a Section 502B(c) report. The joint resolution would be privileged under section 601(b) of the International Security Assistance and Arms Export Control Act of 1976, allowing any Senator to discharge the resolution from committee after 10 days.

#### **Why Should 502B(c) be Used U.S. End Military Aid to Azerbaijan?**

In September, 2023, Azerbaijan launched a military assault on Artsakh (Nagorno Karabakh), resulting in the ethnic cleansing of the region's entire indigenous Armenian population. This was the culmination of a total humanitarian blockade imposed on the region by Azerbaijan that deprived 120,000 Armenians of food, fuel, medicine, and humanitarian access for 10 months.

Azerbaijan has received U.S. military assistance for decades, emboldening and enabling its authoritarian regime's genocidal aggression against Artsakh amid widely-documented human rights abuses including the ongoing torture and illegal detention of Armenian prisoners of war, the deliberate targeting of schools, churches, medical facilities and other civilian infrastructure with prohibited weapons, and the systematic destruction, desecration and appropriation of Armenian cultural heritage.

The dangerous precedent of continued military aid to countries like Azerbaijan extends beyond the South Caucasus – signaling to other recipients of U.S. security aid that American policymakers will turn a blind to their abuses.

Upholding statutory prohibitions on security assistance to Azerbaijan under 502B(c) would set a long-overdue precedent of enforcing human rights conditions and restoring Congressional oversight over U.S. security assistance.