



PROF. HANNAH R. GARRY  
EXECUTIVE DIRECTOR

SCHOOL OF LAW  
BOX 951476  
LOS ANGELES, CALIFORNIA 90095-1476  
Email: [garry@law.ucla.edu](mailto:garry@law.ucla.edu)

December 2023

President Joseph R. Biden  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, DC 20500

The Honorable Antony J. Blinken  
Secretary of State  
U.S. Department of State  
2201 C Street, N.W.  
Washington, DC 20520

Dear President Biden and Secretary Blinken:

We, the undersigned, call upon the United States government to take urgent action to intervene and take justice and accountability measures to prevent any further ethnic cleansing and potential genocide of Armenians from Nagorno-Karabakh and parts of Armenia by Azerbaijan.

Over the past three years, [Azerbaijani forces have perpetrated atrocities against ethnic Armenians in the South Caucasus](#); during the 44-Day Nagorno-Karabakh War in 2020; in the months after the 2020 ceasefire; during the 2022 attacks on sovereign Armenia; and throughout the unilateral blockade of the sole road connecting Armenia and Nagorno-Karabakh for over nine months, causing extensive deprivation of food and medicine. The blockade eventually culminated in Azerbaijan's September 19, 2023, military offensive against the remaining areas of Nagorno-Karabakh inhabited by ethnic Armenians.<sup>1</sup> Since 2020, [Azerbaijan has increasingly used military force to take control over Nagorno-Karabakh and parts of sovereign Armenia](#) despite public criticisms by the UN Security Council and General Assembly, emboldened by the international community's failure to intervene. In addition to Azerbaijan's territorial expansion, its state-sponsored anti-Armenian rhetoric and [the grave atrocities it has committed against ethnic Armenians](#) evidence risk of genocidal intent to cleanse the region of its indigenous Armenian population.

On September 10, 2023, [a press statement by Secretary Blinken](#) on the blockade and humanitarian crisis in Nagorno-Karabakh noted, “[T]he use of force to resolve disputes is unacceptable[.]” Further, on September 14, during a hearing of the Senate Foreign Relations Committee to assess the crisis in Nagorno-Karabakh,

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<sup>1</sup> See *also* <https://www.crisisgroup.org/content/nagorno-karabakh-conflict-visual-explainer>.

[Principal Deputy Assistant Secretary of State for Europe and Eurasian Affairs Yuri Kim](#) stated, “**The United States will not countenance any effort or action, short term or long term, to ethnically cleanse or commit other atrocities against the Armenian people of Nagorno-Karabakh.**” Ambassador Kim [also said](#), “**We will not tolerate any military action. We will not tolerate any attack on the people of Nagorno-Karabakh. That’s very clear.**”

In spite of these statements, less than ten days later, the United States did in fact tolerate Azerbaijan’s attacks on Nagorno-Karabakh and forced displacement of over 100,000 ethnic Armenians. Ultimately, the failure of the United States and the international community to hold Azerbaijan accountable for the atrocities it has committed since 2020 paved the way for the tragedy unfolding before us today. Impunity shapes future behavior.

As outlined in the annex to this letter, Azerbaijan’s full takeover of Nagorno-Karabakh following three years of aggression towards Armenia and Nagorno-Karabakh has effectively ensured the erasure of its historic Armenian roots. One cannot reasonably expect that ethnic Armenians can now return and safely live in the region under Azerbaijani control without an international presence on the ground to guarantee security and protection of fundamental rights.

The United States must intervene to protect Armenians in the region from suffering further international crimes by ensuring that there is justice and accountability for what has already taken place. We call upon the United States to take action as follows:

- **Immediately support deployment of a UN peacekeeping force to Nagorno-Karabakh** to ensure the security and right of return of ethnic Armenians. 100,000 Armenians have already been [forcibly displaced and have fled Nagorno-Karabakh](#) based on credible fear that their [rights and security will not be protected](#) if they continue living on their ancestral lands. [Ethnic cleansing is in its final stages](#), and we fear all traces of Nagorno-Karabakh’s 4,000-year-old indigenous Armenian community [will be removed](#) from the region if action is not taken to protect it. There must be assurances provided by the international community that Armenians can continue living in the region with fundamental rights protected, including rights to education according to [a curriculum designed by local representatives](#); worship according to their chosen religious beliefs; and speak in their preferred language. While nearly all of Nagorno-Karabakh’s population [fled as an immediate response to Azerbaijan’s takeover this year](#), with strong international guarantees, ethnic Armenians must have the option to exercise the right to [return to their homes](#). Notably, the International Court of Justice recently [ordered](#) Azerbaijan to [ensure the safety of those who wish to return](#) to Nagorno-Karabakh.
- **Provide further urgent humanitarian assistance to Nagorno-Karabakh refugees in Armenia.** On September 26, 2023, U.S. Agency for International Development chief Samantha Power announced that the U.S. would provide [\\$11.5 million in humanitarian assistance](#) to the region. While this is a welcome step in the right direction, far more is necessary to adequately assist the nearly 120,000 people in need.
- **Demand that Azerbaijan immediately release all ethnic Armenians, [including civilians as well as Nagorno-Karabakh’s former leaders such as Ruben Vardanyan](#), currently in Azerbaijani captivity.** To the extent that anyone, from any ethnic or national background, is credibly suspected of committing international crimes throughout Nagorno-Karabakh’s turbulent history, these individuals should be investigated and tried by a neutral international mechanism. One cannot assume that Azerbaijan, a country whose leadership has [sponsored anti-Armenian hate speech for decades](#) and has

recently [tortured and killed numerous Armenian POWs](#), would provide Nagorno-Karabakh leaders or civilians with security in detention or fair trial rights. [Detention, killing, and disappearance of elites and/or men qualify as acts of genocide](#). Further, [Azerbaijan has an alarming human rights record](#), particularly when it comes to [arrest procedures, treatment of detainees, and fair trial rights](#). [The U.S. Department of State's 2022 country report](#) on human rights practices in Azerbaijan concluded, "In all cases deemed to be politically motivated, due process was not respected, and accused individuals were frequently detained under a variety of spurious criminal charges." [The report further added](#), "The judiciary remained largely corrupt and inefficient, and lacked independence. Many verdicts were legally unsupportable and largely unrelated to the evidence presented during a trial, with outcomes frequently appearing predetermined." This larger context illuminates why the international community cannot allow for ethnic Armenians held as political prisoners to remain in Azerbaijani captivity.

- **Ensure the protection and preservation of Armenian cultural heritage sites now under Azerbaijani control.** Over the past several years, Azerbaijan has intentionally [destroyed Armenian cultural and religious sites](#) both during times of war ([through drone strikes, for example](#)) as well as in times of relative peace. In some cases, Azerbaijani soldiers have placed Azerbaijani flags on destroyed Armenian cultural sites and posted pictures and videos of the [destruction on social media](#). Azerbaijan is now in control of [hundreds of Armenian churches, monuments, museums, and cross-stones](#) in and around Nagorno-Karabakh, some of which date to the earliest centuries of Christianity. Azerbaijan's [goal of cleansing the region of its historic Armenian roots](#) has included the destruction of Armenian cultural and religious sites. It is imperative that the U.S. work with the international community to ensure that this destruction ceases and that these sites are protected.
- **Halt all security and military assistance to Azerbaijan.** Section 907 of the FREEDOM Support Act [restricts assistance to the Government of Azerbaijan](#), but gives the President [authority to waive this restriction](#) if he determines and certifies to Congress that waiving Section 907 "will not undermine or hamper ongoing efforts to negotiate a peaceful settlement between Armenia and Azerbaijan or be used for offensive purposes against Armenia." So far, the President has waived Section 907 every single year it has been considered (except this year, [for which the decision has yet to be made](#)), in spite of [Azerbaijan's continued unlawful use of force](#) against both Armenia and Nagorno-Karabakh. This suggests that Section 907 is not being enforced as Congress intended, which is further evidenced by the Senate's recent adoption of [S.3000, the "Armenian Protection Act of 2023,"](#) repealing Section 907's presidential waiver authority for 2024 and 2025. The United States cannot credibly aid Azerbaijan, especially given recent events. Cessation of any such assistance is long overdue.
- **Impose targeted sanctions on Azerbaijan,** including under the [Global Magnitsky Human Rights Accountability Act](#) and [Section 7031\(c\) of the Department of State, Foreign Operations, and Related Programs Appropriations Act](#), for its attacks on Nagorno-Karabakh and Armenia which have resulted in the most serious human rights abuses. [The United States has said it would not tolerate such attacks and that the use of force was "unacceptable."](#)
- **Facilitate the creation of a United Nations fact-finding mission** to document serious [human rights abuses](#) and [atrocities](#) perpetrated in and around Nagorno-Karabakh and Armenia. This is crucial for

justice and accountability in national and international courts, including the International Criminal Court, as well as for the prevention of any future atrocities.

In addition, we ask that you please support two bills currently pending before Congress, [S. 2900](#) and [H.R. 5683](#), the “Supporting Armenians Against Azerbaijani Aggression Act.” These bills reinforce many of the recommendations presented above.

During this year marking the 75<sup>th</sup> anniversary of the Genocide Convention, you were the first United States administration to [officially recognize the Armenian genocide](#) that began a century ago. On April 24<sup>th</sup>, Armenian Genocide Remembrance Day, [you said](#),

“As we join nations around the world in remembering this painful history, we also reflect on the resilience and resolve of the Armenian people ... **to remember and to ensure that genocide like the one that happened 108 years ago is never again repeated. Today, let us renew this pledge. Let us recommit to speaking out against hate, standing up for human rights, and preventing atrocities...**” (emphasis added).

We urge you to stand by these words and act **now** to demonstrate your commitment to “never again.” Words have fallen short of preventing the unfolding tragedy in Nagorno-Karabakh and must be translated into action without delay.

Sincerely,

Professor Hannah Garry, Executive Director, The Promise Institute for Human Rights at UCLA School of Law  
Salpi Ghazarian, Director, Special Initiatives, USC Institute of Armenian Studies  
USC Institute of Armenian Studies  
Professor Ann Karagozian, Director, UCLA Promise Armenian Institute  
UCLA Promise Armenian Institute  
Sheila Paylan, International Human Rights Lawyer  
Dr. Elisa von Joeden-Forgey, Lemkin Institute for Genocide Prevention  
Dr. Thiago Alves Pinto, University of Oxford  
Thomas Becker, Legal & Policy Director, University Network for Human Rights  
Kate Mackintosh, Executive Director, UCLA Law Promise Institute Europe  
Dr. Taner Akcam, Inaugural Director, Armenian Genocide Research Program of The Promise Armenian Institute at UCLA  
Dr. Gregory Stanton, Founding President, Genocide Watch  
Genocide Watch

cc:

Representative Jake Auchincloss

Senator Tammy Baldwin

Representative Donald S. Beyer Jr.  
Representative Gus M. Bilirakis  
Senator Richard Blumenthal  
Senator Cory A. Booker  
Senator Sherrod Brown  
Representative Julia Brownley  
Representative Cori Bush  
Representative Salud Carbajal  
Representative Tony Cárdenas  
Senator Robert P. Casey, Jr.  
Senator Bill Cassidy, M.D.  
Representative Joaquin Castro  
Representative Bonnie Watson Coleman  
Representative Jim Costa  
Representative Danny K. Davis  
Representative Madeleine Dean  
Representative Lloyd Doggett  
Senator Richard J. Durbin  
Representative Anna G. Eshoo  
Representative Adriano Espaillat  
Representative Dwight Evans  
Senator John Fetterman  
Representative Charles J. "Chuck" Fleischmann  
Representative Jesús G. "Chuy" García

Representative Dan Goldman  
Representative Jimmy Gomez  
Representative Josh Gottheimer  
Representative Val Hoyle  
Representative Jonathan L. Jackson  
Senator Tim Kaine  
Representative Ro Khanna  
Representative Daniel T. Kildee  
Representative Andy Kim  
Representative Raja Krishnamoorthi  
Representative Greg Landsman  
Representative Barbara Lee  
Representative Susie Lee  
Representative Ted W. Lieu  
Representative Stephen F. Lynch  
Representative Seth Magaziner  
Representative Nicole Malliotakis  
Senator Edward J. Markey  
Senator Catherine Cortez Masto  
Representative Robert J. Menendez  
Senator Jeffrey A. Merkley  
Representative Tom McClintock  
Representative James P. McGovern  
Representative Grace Meng

Representative Jared Moskowitz  
Senator Christopher S. Murphy  
Representative Grace F. Napolitano  
Representative Donald Norcross  
Representative Eleanor Holmes Norton  
Senator Alex Padilla  
Representative Frank Pallone, Jr.  
Senator Gary C. Peters  
Representative Chellie Pingree  
Representative Katie Porter  
Representative Mike Quigley  
Representative Jamie Raskin  
Senator Jack Reed  
Representative Lisa Blunt Rochester  
Senator Jacky Rosen  
Representative Deborah K. Ross  
Senator Marco Rubio  
Representative C. A. Dutch Ruppersberger  
Representative Linda T. Sánchez  
Representative John P. Sarbanes  
Representative Jan Schakowsky  
Representative Adam B. Schiff  
Representative Bradley Scott Schneider  
Representative Brad Sherman

Representative Mikie Sherrill  
Representative Christopher H. Smith  
Representative Abigail Davis Spanberger  
Senator Debbie Stabenow  
Representative Haley M. Stevens  
Representative Eric Swalwell  
Representative Shri Thanedar  
Representative Dina Titus  
Representative Rashida Tlaib  
Representative Paul D. Tonko  
Representative Norma J. Torres  
Representative Lori Trahan  
Representative David J. Trone  
Representative David G. Valadao  
Senator Elizabeth Warren  
Representative Maxine Waters  
Senator Peter Welch  
Senator Sheldon Whitehouse  
Representative Susan Wild  
Representative Nikema Williams  
Senator Ron Wyden



## ANNEX

### **2020-2022: War and Subsequent Azerbaijani Attacks**

The [2020 Nagorno-Karabakh War](#), also known as the 44-Day War, began with Azerbaijan launching a large-scale military attack on the Nagorno-Karabakh region and ultimately extending its offensive into the territory of the Republic of Armenia. Over the span of 44 days, the [Azerbaijani Armed Forces shelled civilians](#) through the use of drones, rockets, artillery, cluster munitions, and combat aircraft, leading to casualties, displacement, and death of thousands of ethnic Armenians living in Nagorno-Karabakh. The war continued until [the parties ultimately signed a Russia-brokered ceasefire agreement](#) that granted over half of Nagorno-Karabakh, in addition to all of its surrounding regions, to Azerbaijan. No Armenians remain in those areas; [if they had not fled before their villages fell, Azerbaijani forces captured or executed them](#). Despite provisions of the ceasefire agreement requiring suspension of military activity, [Azerbaijan took advantage of its expanded power to commit grave abuses](#) against the residents of Nagorno-Karabakh and Armenian border towns, Armenian troops stationed close to the line of contact, and prisoners of war in Azerbaijan's custody.

After the initial transfer of some areas in accordance with the terms of the 44-Day War ceasefire agreement, [Azerbaijani forces moved in on sovereign Armenian territory](#) on several occasions throughout 2021. These operations culminated in the September 2022 attacks [across four distinct civilian and touristic areas in the southeast of Armenia](#). The September 2022 attacks brought with them [another round of arbitrary detentions, torture of Armenian captives, and summary executions](#).

### **December-August 2023: Blockade of Nagorno-Karabakh**

A few months later, in December 2022, [Azerbaijan imposed a blockade on the Lachin Corridor](#), the only road connecting Nagorno-Karabakh with Armenia, effectively cutting off the region from essential food, medicine, and fuel supplies. This inevitably created an extreme humanitarian crisis; [before the blockade, 90% of Nagorno-Karabakh's food was imported from Armenia](#). Further, for months, [Azerbaijan also repeatedly turned off the supply of natural gas and electricity](#) to Nagorno-Karabakh, subjecting its people to freezing temperatures.

In February 2023, [Genocide Watch issued a Genocide Emergency for Azerbaijan's blockade](#), explaining that it had created a dire humanitarian crisis among around 120,000 people living in the region and was “a clear attempt by the Azerbaijani government to starve, freeze, and ultimately expel Armenians from Nagorno-Karabakh.” Also in February 2023, [the International Court of Justice ordered Azerbaijan to open the Lachin Corridor](#). Instead, [Azerbaijan proceeded to install a military checkpoint](#) in the Lachin Corridor, sealing off what Armenians refer to as the “Road of Life” and further solidifying the blockade of Nagorno-Karabakh. As the humanitarian crisis worsened, [voices from the international community](#), including the U.S. Secretary of State, European Union's High Representative for Foreign Affairs and Security Policy, United Nations Secretary General, and [a group of United Nations Special Rapporteurs](#) called on Azerbaijan to comply with the ICJ's order and to lift the blockade. However, these calls were ignored by Azerbaijan without any serious repercussions from the international community for its actions.

### **September 2023: Attack and Takeover of Nagorno-Karabakh**

On September 19, 2023, [after nine months of severely weakening](#) the people of Nagorno-Karabakh by depriving them of basic necessities including food, medication, hygiene products, and other essential supplies, [Azerbaijan launched another military assault on Nagorno-Karabakh to gain full control](#) over the region. Just as it did [during](#)

[the 44-Day War](#) in 2020, [Azerbaijan again targeted](#) Nagorno-Karabakh's civilian population and infrastructure as it fired into Stepanakert, the region's densely-populated capital city. However, this time, within a day, [Azerbaijani forces quickly overwhelmed Nagorno-Karabakh's local defenses](#), killing more than 200 people including [civilians and, specifically, children](#). Azerbaijani officials proclaimed that the [fighting would continue until Nagorno-Karabakh's government surrendered](#) and disarmed all of its armed forces. Vastly outnumbered and outgunned, Nagorno-Karabakh authorities [surrendered](#) on [September 20, 2023](#).

Finding themselves at the mercy of the Azerbaijani government, the ethnic Armenian population of Nagorno-Karabakh began fleeing the region as soon as physically possible. Many had only minutes to pack before abandoning their homes and joining [an exodus driven by fears of ethnic cleansing by Azerbaijan](#). They took with them little but the most basic necessities, [leaving behind their homes and possessions with little prospects of return](#). Many said they had [no choice but to flee their ancestral lands](#) due to fear of being killed, tortured, or imprisoned given that [many Armenian prisoners of war suffered this fate](#) during and after the 2020 war. Further enhancing fear and chaos, [unverified reports of mass killings and rape flooded social media and were exchanged by refugees in flight, stirring fears](#) of a repeat of the 1915 Armenian genocide by the Ottoman Empire. Those [fleeing from Nagorno-Karabakh](#) to Armenia traveled along a [narrow mountain road controlled by Azerbaijani troops](#) and, on the way, some reported seeing the soldiers seize Armenian men and take them away.

Over the course of about a week, around [100,000 Armenians from Nagorno-Karabakh \(over 80% of its population\)](#) were forcibly displaced from their homes and fled to Armenia as refugees. After living in a [blockaded Nagorno-Karabakh for nine months](#) and then surviving another overwhelming military assault, many arrived in Armenia suffering from [severe malnutrition](#). All signs indicate that the deportation of Nagorno-Karabakh's ethnic Armenian population has occurred: deportation is a [crime against humanity under international law](#), and is [defined by the Rome Statute](#) of the International Criminal Court as “forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law.”

While the Azerbaijani government has promised to protect the rights of any ethnic Armenians remaining in Nagorno-Karabakh, [most Armenians cannot take these assurances seriously](#) after the [commission of atrocities](#), months of humanitarian blockade, and decades of state-sponsored genocidal rhetoric. Recently, Armenia's Human Rights Defender reported that many bodies of those killed during the September 2023 attack, which had been evacuated from Nagorno-Karabakh to Armenia, [exhibited signs of torture and mutilation](#). Among these bodies were those of civilians, including women and children. In context, since 2020, Azerbaijani soldiers have [tortured and dehumanized](#) ethnic Armenian soldiers and civilians, as they have [committed, filmed, and celebrated war crimes against them](#). This [abhorrent behavior has been encouraged and perpetuated on a State level](#), as [hatred towards Armenians](#) has been promoted by the highest levels of Azerbaijan's government. Azerbaijani President Aliyev has repeatedly referred to Armenians as “[dogs](#)” and stated that Azerbaijan's “[main enemies are Armenians of the world](#).” Aliyev has also referred to ethnic Armenians as “[barbarians and vandals](#)” who are infected by a “[virus](#)” for which they “need to be treated.” Elnur Aslanov, head of the Political Analysis and Information Department of the Presidential Administration, referred to Armenia as a “[cancerous tumor](#),” while Ziyafat Asgarov, First Deputy of Parliament called Armenians a “[disease](#).” Further, just a few weeks after its takeover of Nagorno-Karabakh, Azerbaijan re-issued a map of the region's capital with [one of its streets now named after Enver Pasha](#), an Ottoman general who was one of the main perpetrators of the Armenian genocide of 1915. Azerbaijan's decades-long governmental policy of inciting Armenophobia and anti-Armenian hatred makes clear why the international community cannot leave the fate of ethnic Armenians in the hands of the Azerbaijan government.

Since Azerbaijan's takeover of Nagorno-Karabakh, Azerbaijan has captured and detained a number of former Nagorno-Karabakh government officials. At least [eight top political and military officials have been arrested](#), including former Artsakh presidents Arkady Ghukasyan, Baho Sahakyan, and Arayik Hartyunyan. Azerbaijani Prosecutor General Kamran Aliyev has announced a list of [300 "wanted" Armenians](#), many of whom were leaders of Nagorno-Karabakh throughout its nearly [30 years](#) of de-facto independence. [Nagorno-Karabakh refugees crossing the border into Armenia were subject to rigorous checks](#) from Azerbaijani border control; while Azerbaijani authorities claimed to be looking for ["war crimes" suspects](#), there is serious concern that detentions may be arbitrary and politically motivated. [Those arrested](#) could suffer the [same treatment that Armenian POWs have received in Azerbaijani captivity since 2020](#) who [have been tortured, humiliated, murdered, disappeared, and subjected to show trials](#).

For example, on September 27, 2023, Azerbaijani authorities [arrested Ruben Vardanyan](#), an Armenian businessman and philanthropist who previously served as State Minister of Artsakh (Nagorno-Karabakh), as he was [attempting to cross the border into Armenia](#). After the arrest, [video footage](#) of Vardanyan being led by two heavily armed and masked Azerbaijani soldiers through hallways with barred doors and into an interrogation room, was broadcasted on Azerbaijani television. Vardanyan subsequently was sentenced to four months of ["preventive detention"](#) in Azerbaijan, after which he is scheduled to stand trial for trumped up charges carrying a possible sentence of 14 years in prison. The other former Nagorno-Karabakh leaders in Azerbaijani captivity have also been subjected to similar fate. [As explained by the Lemkin Institute for Genocide Prevention](#), "the attempted humiliation of symbols of communal strength and social organization, particularly the humiliation of powerful political leaders and male elites, is a common act of genocide. We expect that, unless the international community puts heavy pressure on Azerbaijan, which it so far has refused to do, the Azerbaijani state will continue to instrumentalize these leaders to humiliate and demoralize the Armenian people."

Further, by Azerbaijan's own admission, [its ambitions in the region](#) extend [beyond Nagorno-Karabakh](#). Since 2010, Aliyev has regularly referred to [sovereign Armenia as "Western Azerbaijan,"](#) echoing long-standing Azerbaijani claims that Armenia as a whole is an illegitimate state. In 2018, [Aliyev claimed](#), "[Armenia's capital] Yerevan is our historic land and we, Azerbaijanis, must return to these Azerbaijani lands....This is our political and strategic goal." In December 2022, he said, ["present-day Armenia is our land,"](#) and in April 2023, he stated, ["one day \[Armenians\] may wake up to see the Azerbaijan Flag above their heads."](#) These statements foreshadow full-scale invasion of sovereign Armenia and must be taken seriously. As Azerbaijan's recent actions have demonstrated, it cannot be trusted to respect Armenia's sovereignty nor the rights of ethnic Armenians living in the region.