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To protect and provide humanitarian assistance to Armenians in Armenia and Nagorno-Karabakh impacted by actions taken by the Government of Azerbaijan, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2023

Mr. MENENDEZ (for himself, Mr. CASSIDY, Mr. WHITEHOUSE, Mr. PADILLA, Mr. VAN HOLLEN, Mr. MARKEY, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To protect and provide humanitarian assistance to Armenians in Armenia and Nagorno-Karabakh impacted by actions taken by the Government of Azerbaijan, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Supporting Armenians
5 Against Azerbaijani Aggression Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) In September 2020, Azerbaijan invaded
2 Nagorno-Karabakh, resulting in conflict in which
3 more than 6,500 people in Armenia, Azerbaijan, and
4 Nagorno-Karabakh were killed.

5 (2) According to the United Nations High Com-
6 missioner for Refugees (UNHCR), Azerbaijan’s
7 2020 invasion resulted in the displacement of more
8 than 91,000 individuals from Nagorno-Karabakh,
9 with the vast majority, primarily women and chil-
10 dren, living in a “refugee-like” situation in the war’s
11 aftermath.

12 (3) People displaced by Azerbaijan’s invasion of
13 Nagorno-Karabakh continue to have acute humani-
14 tarian needs, including access to drinking water and
15 health care.

16 (4) The COVID–19 pandemic compounded
17 many of the challenges faced by Armenians dis-
18 placed from Nagorno-Karabakh.

19 (5) Human Rights Watch found that Azer-
20 baijani forces indiscriminately used cluster muni-
21 tions and artillery rockets against civilian targets
22 and destroyed civilian infrastructure, including hos-
23 pitals and schools during the 2020 war.

24 (6) In September 2022, Azerbaijan unleashed
25 another assault on Armenian territory, including the

1 cities of Vardenis, Sotk, Artanish, Ishkhanasar,
2 Goris, and Kapan, which killed almost 400 military
3 personnel.

4 (7) Azerbaijani forces shelled Armenian commu-
5 nities in September 2022, killing at least 4 civilians,
6 injuring 14, and displacing at least 7,600 people, in-
7 cluding almost 1,500 children and 100 people with
8 disabilities.

9 (8) In December 2022, Azerbaijan imposed a
10 blockade of the Lachin Corridor, a road by which 90
11 percent of food consumed by residents of Nagorno-
12 Karabakh previously entered the enclave.

13 (9) Representatives of Nagorno-Karabakh re-
14 port that shortages of electricity and gas have
15 caused 20 percent of the region's businesses to close,
16 led hospitals to ration power, prevented rural resi-
17 dents from traveling to hospitals in the capital city
18 of Stepanakert, and resulted in children missing
19 school.

20 (10) The International Committee of the Red
21 Cross (ICRC) has evacuated 196 patients from
22 Nagorno-Karabakh through the Lachin Corridor for
23 medical treatment since the blockade's beginning
24 and has helped 422 people to overcome family sepa-
25 rations resulting from the blockade.

1 (11) The International Court of Justice ordered
2 Azerbaijan in February 2023 to “ensure unimpeded
3 movement of persons, vehicles, and cargo along the
4 Lachin Corridor in both directions,” a ruling with
5 which it has failed to comply.

6 (12) Azerbaijan’s installation of a military
7 checkpoint in the Lachin Corridor in April 2023 fur-
8 ther threatens the supply of urgent humanitarian
9 goods to Nagorno-Karabakh.

10 (13) On August 6, 2023, the Armenian
11 Ombudsperson reported that no humanitarian aid
12 had entered Nagorno-Karabakh since June 15, and
13 that miscarriages had tripled.

14 (14) On August 7, 2023, a United Nations
15 group of experts stated that Azerbaijan’s ongoing
16 blockade of the Lachin Corridor “is a humanitarian
17 emergency that has created severe shortages of es-
18 sential food staples” and threatens medical reserves.
19 They further noted that Azerbaijan’s lifting of the
20 blockade could alleviate the suffering of thousands
21 and is “essential to ensure the safety, dignity, and
22 well-being of all individuals during this critical
23 time”.

24 (15) In certain instances, Azerbaijani authori-
25 ties have detained residents of Nagorno-Karabakh

1 traveling to Armenia through the Lachin Corridor,
2 leaving ethnic Armenians who choose to depart for
3 Armenia to avoid starvation to wonder if they can
4 depart safely.

5 (16) According to the International Committee
6 of the Red Cross, residents of Nagorno-Karabakh
7 lack life-saving medication, hygiene products, and
8 baby formula, and basic foodstuffs are increasingly
9 scarce.

10 (17) The United States Commission on Inter-
11 national Religious Freedom's 2023 Annual Report
12 noted the documented destruction of Armenian her-
13 itage sites in Nagorno-Karabakh, including St.
14 Sargis Church, while the European Parliament in
15 March 2023 condemned an Azerbaijani policy to
16 "erase and deny Armenian cultural heritage in and
17 around Nagorno-Karabakh".

18 (18) In a September 2022 report, the United
19 Nations Committee on the Elimination of Racial
20 Discrimination expressed deep concern in Azerbaijan
21 regarding "[i]ncitement to racial hatred and the
22 propagation of racist stereotypes against persons of
23 Armenian national or ethnic origin, including on the
24 Internet and social media, as well as by public fig-
25 ures and government officials, and the lack of de-

1 tailed information on investigations, prosecutions,
2 convictions, and sanctions for such acts”.

3 (19) Azerbaijan could open the Lachin Corridor
4 and allow lifesaving provisions to reach the popu-
5 lation inside, but is choosing not to.

6 (20) Any peace agreement between Armenia
7 and Azerbaijan will only be sustainable if its in-
8 cludes protections for the Armenian population of
9 Nagorno-Karabakh.

10 (21) On September 19, 2023 Azerbaijan
11 launched an assault on Nagorno-Karabakh, attack-
12 ing civilian infrastructure and killing numerous civil-
13 ians, including children.

14 **SEC. 3. SENSE OF CONGRESS.**

15 It is the sense of Congress that—

16 (1) Azerbaijan is conducting a campaign of eth-
17 nic cleansing against Armenians living in Nagorno-
18 Karabakh and the United States and the inter-
19 national community have a responsibility to provide
20 immediate humanitarian support;

21 (2) Azerbaijan’s blockade of the Lachin Cor-
22 ridor threatens the lives and wellbeing of all people
23 inside Nagorno-Karabakh, and the Government of
24 Azerbaijan must immediately open the humanitarian
25 corridor to allow for the flow of goods;

1 (3) the Government of Azerbaijan must imme-
2 diately cease actions that undermine the mission of
3 the International Committee of the Red Cross and
4 restore unfettered humanitarian access to the region,
5 including by facilitating the transfer of food, fuel,
6 medicine, and hygiene products; and

7 (4) the Government of Azerbaijan should imme-
8 diately release all Armenian prisoners of war.

9 **SEC. 4. HUMANITARIAN ASSISTANCE FOR ARMENIANS IN**
10 **ARMENIA AND NAGORNO-KARABAKH.**

11 There is authorized to be appropriated to the United
12 States Agency for International Development, for fiscal
13 year 2024, \$30,000,000 to provide humanitarian assist-
14 ance to groups in Armenia and Nagorno-Karabakh im-
15 pacted by the 2020 Nagorno-Karabakh War, Azerbaijan’s
16 September 2022 attack on Armenia, and Azerbaijan’s
17 blockade of the Lachin Corridor.

18 **SEC. 5. FREEDOM SUPPORT ACT SECTION 907 WAIVER RE-**
19 **PEAL.**

20 Title II of the Foreign Operations, Export Financing,
21 and Related Programs Appropriations Act, 2002 (Public
22 Law 107–115) (22 U.S.C. 5812 note) is amended, under
23 the heading “ASSISTANCE FOR THE INDEPENDENT
24 STATES OF THE FORMER SOVIET UNION”, by striking
25 paragraphs (2) through (6) of subsection (g).

1 **SEC. 6. FOREIGN MILITARY FINANCING.**

2 (a) AUTHORIZATION.—There is authorized to be ap-
3 propriated \$10,000,000 for the Department of State for
4 fiscal year 2024 for Foreign Military Financing program
5 assistance for the Republic of Armenia.

6 (b) PURPOSES.—The Foreign Military Financing
7 program assistance authorized by subsection (a) shall be
8 used to—

9 (1) support Armenia’s sovereign independence;

10 (2) support joint training and exercises with the
11 United States;

12 (3) enhance United States-Armenia interoper-
13 ability; and

14 (4) train Armenian forces for future inter-
15 national peacekeeping operations.

16 **SEC. 7. STRATEGY TO PROTECT THE RIGHTS OF PEOPLE IN**
17 **NAGORNO-KARABAKH.**

18 (a) STRATEGY REQUIRED.—Not later than 90 days
19 after the date of the enactment of this Act, the Secretary
20 of State shall submit to the appropriate congressional
21 committees a detailed strategy to ensure the durable secu-
22 rity for the people of Nagorno-Karabakh.

23 (b) ELEMENTS.—The strategy required by subsection
24 (a) shall include—

25 (1) incorporating the rights and security of the
26 people in Nagorno-Karabakh into any and all efforts

1 to facilitate peace talks between Armenia and Azer-
2 baijan; and

3 (2) a plan to work with leaders of Nagorno-
4 Karabakh and the international community to en-
5 sure—

6 (A) the establishment of accountability
7 measures to ensure the rights and security of
8 the population of Nagorno-Karabakh in the
9 event that the governments of Armenia and
10 Azerbaijan reach a peace agreement;

11 (B) support for the protection of Armenian
12 cultural heritage sites in Nagorno-Karabakh;
13 and

14 (C) Armenians in Nagorno-Karabakh are
15 able maintain their right to study according to
16 a curriculum designed by local representatives,
17 worship according to their chosen religious be-
18 liefs, and speak their preferred language.

19 **SEC. 8. ACCOUNTABILITY FOR ALLEGED AZERBAIJANI**
20 **ATROCITIES DURING SEPTEMBER 2022 AT-**
21 **TACK ON ARMENIA.**

22 (a) IN GENERAL.—Not later than 120 days after the
23 date of the enactment of this Act, the Secretary of State
24 shall submit to the appropriate congressional committees
25 a detailed report regarding alleged Azerbaijani atrocities

1 during its attacks on Armenia in September 2022 and on
2 Nagorno-Karabakh in September 2023.

3 (b) ELEMENTS.—The report required under sub-
4 section (a) shall include the following elements:

5 (1) A description of the status of efforts to in-
6 vestigate, verify, and promote accountability for al-
7 leged atrocities, including war crimes and crimes
8 against humanity that Azerbaijani forces committed
9 during the course of Azerbaijan’s attacks on Arme-
10 nia in September 2022 and on Nagorno-Karabakh in
11 September 2023, and a description any the docu-
12 mented atrocities to date.

13 (2) A description of United States support for
14 efforts to investigate, verify, and promote account-
15 ability for alleged atrocities, including war crimes
16 and crimes against humanity that Azerbaijani forces
17 committed during the course of Azerbaijan’s attacks
18 on Armenia in September 2022 and on Nagorno-
19 Karabakh in September 2023.

20 (3) A description of efforts to promote justice
21 for victims of alleged atrocities.

22 (4) A strategy for diplomatic engagement to
23 build support for widespread accountability for these
24 atrocities, including multilateral engagements, eco-
25 nomic sanctions, and visa restrictions.

1 (5) Plans to deter future Azerbaijani attacks
2 against Armenia.

3 **SEC. 9. ASSISTANCE TO SUPPORT THE ENERGY SECTOR OF**
4 **THE REPUBLIC OF ARMENIA.**

5 (a) **AUTHORITY.**—The Secretary of State and the Ad-
6 ministrator of the United States Agency for International
7 Development are authorized to implement activities identi-
8 fied in the January 2021 “Action Plan to Ensure Imple-
9 mentation of the Republic of Armenia Energy Sector De-
10 velopment Strategic Program—Market Liberalization and
11 Electricity Trade (MLET) program” produced by the
12 Government of the Republic of Armenia and USAID to
13 improve the Republic of Armenia’s energy security and en-
14 hance Armenia’s domestic energy production.

15 (b) **TECHNICAL SUPPORT FOR GRID SYNCHRONI-**
16 **ZATION.**—

17 (1) **COOPERATION.**—The Secretary and the Ad-
18 ministrator shall work with the Republic of Armenia
19 and the Republic of Georgia, as requested by the
20 governments of those countries, to cooperate on the
21 synchronization of electrical grids and broker ar-
22 rangements to allow for the purchase and trans-
23 mission of electricity between the Republic of Arme-
24 nia and the Republic of Georgia.

1 (2) TECHNICAL ASSISTANCE.—The Secretary
2 and the Administrator may provide technical assist-
3 ance to the Republic of Georgia and the Republic of
4 Armenia on energy sector regulatory reforms and
5 system modifications, including the development of
6 compatible cross-border transmission infrastructure
7 necessary to allow for the safe and secure operation
8 of an integrated power grid between the Republic of
9 Armenia and the Republic of Georgia.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated \$650,000,000 for each of
12 fiscal years 2024 through 2026 to carry out activities
13 under this section.

14 **SEC. 10. PARTNERSHIPS FOR UNITED STATES-ARMENIAN**
15 **COOPERATION ON SCIENCE AND TECH-**
16 **NOLOGY.**

17 (a) IN GENERAL.—The Secretary of State, in coordi-
18 nation with the heads of other relevant Federal agencies,
19 shall seek opportunities to facilitate partnerships between
20 various United States entities and appropriate entities in
21 Armenia to deepen collaboration and exchanges in science
22 and technology, including—

23 (1) an institution of higher education; or

24 (2) a United States national laboratory or rel-
25 evant federally operated research facility, including

1 research, innovation, or technology laboratories,
2 proving grounds, test facilities, or centers of excel-
3 lence operated by the Department of Agriculture,
4 the Department of Transportation, or the Depart-
5 ment of Commerce that specialize in facilitating col-
6 laboration on the development of new applied
7 science, research and technologies in the fields of
8 transportation, agriculture, and food production, or
9 telecommunications and information technology.

10 (b) IDENTIFICATION OF PARTNERS.—The Secretary
11 of State shall identify private sector entities that will con-
12 tribute resources to the initiatives and projects developed
13 through partnerships under this section.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated \$50,000,000 for each of fis-
16 cal years 2024 through 2028 for activities under this sec-
17 tion.

18 **SEC. 11. IMPOSITION OF SANCTIONS WITH RESPECT TO OF-**
19 **FICIALS OF THE GOVERNMENT OF AZER-**
20 **BAIJAN RELATED TO ETHNIC CLEANSING IN**
21 **NAGORNO-KARABAKH.**

22 (a) IN GENERAL.—Not later than 30 days after the
23 date of the enactment of this Act, and after making the
24 determination required by subsection (c), the President

1 shall impose sanctions described in subsection (d) with re-
2 spect to each official of the Government of Azerbaijan—

3 (1) specified in subsection (b); or

4 (2) determined by the President under sub-
5 section (c) to have directed an attack or the block-
6 ade described in that subsection.

7 (b) OFFICIALS SPECIFIED.—The officials specified in
8 this subsection are the following:

9 (1) The President of Azerbaijan.

10 (2) The Minister of Defense of Azerbaijan.

11 (3) The Minister of Defense Industry of Azer-
12 baijan.

13 (4) The Chief of the State Border Service of
14 Azerbaijan.

15 (5) The Chief of the State Security Service of
16 Azerbaijan.

17 (6) The Chief of the Foreign Intelligence Serv-
18 ice of Azerbaijan.

19 (c) IDENTIFICATION OF ADDITIONAL OFFICIALS.—
20 Not later than 30 days after the date of the enactment
21 of this Act, the President shall determine whether any offi-
22 cials of the Government of Azerbaijan, in addition to the
23 officials specified in subsection (b), directed—

24 (1) operations that instigated the 2020
25 Nagorno-Karabakh War;

1 (2) attacks on Armenia in September 2022;

2 (3) the blockade of the Lachin Corridor begin-
3 ning in December 2022; or

4 (4) attacks on Nagorno-Karabakh in September
5 2023.

6 (d) **SANCTIONS DESCRIBED.**—The sanctions to be
7 imposed under subsection (a) with respect to an official
8 described in that subsection include any of the sanctions
9 authorized under the International Emergency Economic
10 Powers Act (50 U.S.C. 1701 et seq.) or any other provi-
11 sion of law.

12 (e) **NATIONAL SECURITY WAIVER.**—The President
13 may waive the imposition of sanctions under this section
14 with respect to an official described in subsection (a) if
15 the President—

16 (1) determines that such a waiver is in the na-
17 tional security interests of the United States; and

18 (2) submits to the appropriate congressional
19 committees a notification of the waiver and the rea-
20 sons for the waiver.

21 **SEC. 12. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
22 **FINED.**

23 In this Act, the term “appropriate congressional com-
24 mittees” means—

1 (1) the Committee on Foreign Relations and
2 the Committee on Appropriations of the Senate; and

3 (2) the Committee on Foreign Affairs and the
4 Committee on Appropriations of the House of Rep-
5 resentatives.

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