

Tom Lantos Human Rights Commission

Hearing  
on  
Safeguarding the People of Nagorno-Karabakh

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Thank you, co-chairs Smith and McGovern, as well as other members of the Congressional Tom Lantos Human Rights Commission and its staff. In 1988, Congressman Lantos brought me to Washington, and I will always be grateful for his mentorship. Today I am also pleased to be testifying along with Senator Brownback whose work on religious freedom is so crucial and Michael Rubin who's in depth knowledge and honest research on Armenian Issues, in Iraq, and in other areas is free from the pernicious influence of Azeri and Turkish funding.

This Commission, Members of Congress and the Senate, all human rights advocates, and I, of course, are grateful to President Biden for annually recognizing the Armenian Genocide in his Remembrance Day statement. Most of you are familiar with the Turkish Armenian Reconciliation Commission (TARC) which I chaired from 2001-2004, and its historic contribution of the joint legal study confirming the application of the term "Genocide" to the WWI era Armenian Genocide. There is a Second Armenian Genocide underway in Artsakh and Armenia proper being committed by the Erodgan and Aliyev regimes. We are witnessing their crimes in real time with modern technology and their admissions of intent. The United States is not doing what it can to stop this clear pattern despite ample documentation by credible human rights organizations. I urge this Commission to do more, including visiting Artsakh to witness the situation for yourselves and to make clear that American values on human rights and genocide prevention are not to be traded for hydrocarbons or other concessions to authoritarian leaders. This would also be in the long-term interests of the Azeri and Turkish people. As we have learned so painfully in many places, deals with corrupt authoritarians end up harming us and our people over time, no matter the perceived short term, transactional benefits. The State Department's efforts to stop genocide are commendable, but too often we have seen tactical mistakes which only enable further aggression. I also want to commend the US Commission on International Religious Freedom (USCIRF) for exposing the horrible destruction of Armenian Christian churches and monuments, reminiscent of the Taliban's conduct.

The United States already has several tools it can use here. Section 907 of the Freedom Support Act is frequently cited and requires cutting off assistance to Azerbaijan for its blockades and aggressive military actions against both Armenia and Nagorno-Karabakh. Full waivers of Section 907 have only harmed US credibility in the region. Disproportionate arms transfers to

Baku at the end of the Trump Administration served to embolden Azerbaijan and Turkey's 2020 war.

Another US law on the books since the mid-1990s which appears to be completely ignored is the Humanitarian Aid Corridors Act (22 USC 2378-1). It provides that, "No assistance shall be furnished under this chapter or the Arms Export Control Act [22 U.S.C. 2751 et seq.] to any country when it is made known to the President that the government of such country prohibits or otherwise restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance." It was initiated by Van Krikorian of the Armenian Assembly, and I know Co-Chairman Smith took a proud and leading role in securing its passage. It is obviously applicable in more areas where human rights violations take place and US humanitarian efforts are frustrated. Global Magnitsky Act sanctions as well as other tools also exist for gruesome, and state sponsored terrorist activities which I will refer to next.

Azerbaijani forces attacked Artsakh on September 27, 2020. Using armed drones, heavy artillery, rockets, and special forces, they were backed by Turkish military and mercenaries including up to 2,000 Islamist jihadis from Syria and Libya who were promised a bounty for killing Armenians. Trophy videos by these jihadists show them boasting over Armenian bodies they had mutilated.

Within days of Azerbaijan's attack, Columbia University launched a research and documentation project on "Human Rights and Foreign Terrorist Activities in Artsakh (Nagorno-Karabakh)" <https://www.humanrightscolumbia.org/peace-building/atrocities-artsakh-nagorno-karabakh>, which is cited in pending House and Senate legislation. The project, launched in cooperation with the **Artsakh Human Rights Ombudsman** documents Azerbaijan's systematic effort to drive Armenians from their homeland through killings, ethnic cleansing and deportations. Specific perpetrators of gruesome atrocities intended to advance genocidal intent are identified and documented. Destruction of religious and cultural sites is also documented, and here I would also refer you to the Cornell University site which has used advanced satellite imagery to expose this conduct - <https://caucasusheritage.cornell.edu/>

The overall goal of Azerbaijan was -- and remains -- the cultural erasure of Armenians. On December 12, 2022, Azerbaijan blocked the Lachin Corridor, which connects Artsakh to Armenia and through the signed terms in November 2020 is under the sole control of Russian forces. Blocking the corridor left 120,000 Armenians without life-saving medication and health care. Azerbaijan also cut the gas, electricity, internet, and water supplies, and is engaged in well-documented daily attacks. Last week, President Erdogan visited Baku and urged further actions to send Armenia the message. Erdogan's new government includes a foreign minister whose hands are covered in Armenian blood that cannot be whitewashed.

Crimes against Armenians did not occur in the fog of war. It was the stated policy of Azerbaijan. In 2004, Azerbaijani Defense Minister Safar Abiyev stated, "Within the next 25 years there will be no state of Armenia in the South Caucasus. These people have no right to live in this region. Modern Armenia was built on historical Azerbaijani lands. I think that in

25-30 years its territory will again come under Azerbaijan's jurisdiction." In 2005, the mayor of Baku addressed a German delegation: "Our goal is the complete elimination of Armenians. You, Nazis, already eliminated the Jews in the 1930s and 1940s, right? You should be able to understand us."

Ilham Aliyev stated on December 24, 2022: "Work should focus on a single concept and policy...our return. Now the Great Return Program for Karabakh is being implemented. Inshallah, there will come a time when we develop a second Great Return Program (to greater Azerbaijan). We will drive them away like dogs!" It is clear from both Aliyev's actions and hate speech that "A second Armenian Genocide" is underway.

The Erdogan regime is a full partner. It has equipped and run the operation. Erdogan openly campaigned on that in Turkey's recent election. Erdogan's wife is on video urging Aliyev not to release 2020 prisoners of war (POWs) to maintain leverage despite his signed agreement. Aliyev has a record of not keeping his commitments. The POWs have not been accurately accounted for, which is a violation of International Humanitarian Law. This Commission and the Administration can do much more. With a National Security Policy prioritizing democracy, why are the democracies of Armenia and Artsakh being asked to capitulate to the terrorism of Aliyev and Erdogan?

George Berkeley, the Irish philosopher asked, "If a tree falls in a forest and no one is around to hear it, does it make a sound?" The sound of suffering in Artsakh is deafening. To bear witness, we compiled extensive documentation through the Artsakh Atrocities Project of crimes committed by Azerbaijani forces and Turkish-backed Islamist fighters. We document gruesome torture and beheadings. We provide evidence of Azerbaijan's targeting of Armenian culture, churches and khachags, part of wide-reaching state-organized program of cultural destruction aimed at eradicating every trace of Armenians. We published information on Armenian POWs held by Azerbaijan in violation of the ceasefire agreement. There are numerous verified cases of Azerbaijani soldiers treating Armenian war prisoners inhumanely, mutilating dead bodies, beheading and executing both combatants and civilians, as well as the proliferation of banned weapons such as cluster bombs.

In December 2021, the International Court of Justice ordered Azerbaijan to "take all necessary measures to prevent and punish acts of vandalism and desecration affecting Armenian cultural heritage." Azerbaijan ignored the Court's order. In the summer of 2022, the 18<sup>th</sup> century Armenian church of St. Sargis was completely razed. Subsequently, the ICJ ordered Azerbaijan to respect the November 2020 terms and allow free transport on the Lachin Corridor.

We hope that the documentation Project on Atrocities in Artsakh will preserve evidence to deter future crimes and hold perpetrators accountable. According to Erdogan, “Turkey stands with and will continue to stand with friendly and brotherly Azerbaijan with all our means and all our heart.” Aliyev and Tayyip Erdogan are blood brothers. They belong in the dock together.

US-Turkey relations have reached their lowest point in decades. In a hearing of the Senate Foreign Relations Committee on March 22, Chairman Menendez pressed Secretary Tony Blinken on Turkey’s conduct. Blinken called Erdogan a “challenging ally”.

Menendez pointed out Turkey’s record of betrayal, abuse, and warmongering, noting that Turkey occupies Cyprus, violates the airspace and territorial waters of Greece, and conducts military exercises in Greece’s exclusive economic zone. Turkey denies religious freedom to the Greek Orthodox Church. As a symbol of its contempt for Christianity, Turkey converted Hagia Sophia from a museum into a mosque. There are also plans to convert the 700-year-old Chora Church into a fully functioning mosque. In addition to cultural imperialism violating UNESCO commitments, Erdogan’s threat to cancel the Treaty of Lausanne is a naked territorial grab and security threat to the eastern Mediterranean.

F16s transferred by the US to Turkey supported Azerbaijan’s campaign in 2020. Furthermore, Turkey buys Russian military equipment in violation of US law. The US responded to Turkey’s acquisition of the S-400 missile system by suspending its participation in the F-35 stealth fighter program. As an alternative, the Biden administration proposed to provide Turkey with F-16 upgrade kits. This security assistance should also be blocked by Congress. I applaud Representative Gregory Meeks who has offered legislation preventing arms sales to any country that commits genocide or violates the sovereignty of another state. According to Meeks, “We only give weapons to those who don’t violate human rights.”

Erdogan has released his inner Stalin, turning Turkey into a giant gulag, jailing more lawyers and journalists than almost any other country. About 150,000 people were arrested following the so-called coup in July 2016. Tens of thousands were discharged from their jobs in the judiciary and security services. Erdogan has also jailed political opponents before the election on May 14. Elections may have been free, but they were not fair. Erdogan’s control over state-run media tilted the field in the AKP’s favor.

Turkey is a member of NATO, but Erdogan is more foe than friend. Turkey refuses to impose sanctions against Russia for its aggression in Ukraine. To the contrary, Turkey is a sanctuary for Russian oligarchs shielding their yachts and other assets from confiscation. Turkey-Russian relations are business as usual. Turkey buys Russian oil and gas, and it exports about \$800 million worth of goods to Russia.

Turkey has conducted airstrikes in Iraq and Syria, including against America's ally and partner in the fight against ISIS, the Syrian Democratic Forces (SDF). We must not forget their sacrifice. More than 11,000 Kurds have died and 24,000 were wounded fighting ISIS at our behest.

Turkey has attacked Americans. On April 8, a Turkish drone bombed a convoy near Suleimani in Iraqi Kurdistan. The convoy included US personnel and SDF leadership.

NATO is more than a security alliance. It is a coalition of countries with shared values. Simply put, if Turkey applied today, it would not even be considered for membership because it is Islamist, anti-American and hostile to human rights.

The White House should permanently shelve the sale of F-16s to Turkey. The Pentagon should refuse to provide spare parts, and the US should cease all intelligence sharing with Turkey.

The State Department should impose Magnitsky Act sanctions against Turkish Defense Minister Hulusi Akar, who has overseen the displacement of Yezidis and Kurds in three countries. The Treasury Department should label Turkey's new foreign minister, Hakan Fidan, a Specially Designated National. Not only is Fidan complicit in Turkey's logistical and military support for the Islamic State. He leaks actionable intelligence to Iran.

I wrote a book titled *An Uncertain Ally: Turkey Under Erdogan's Dictatorship*. There's nothing uncertain about Turkey. It is certainly anti-American and an antagonist of NATO. Ankara continues to block NATO enlargement to include Sweden.

The Turkey-Armenia Reconciliation Commission (TARC) fostered dialogue aimed at advancing Genocide recognition. I tried at first to be even-handed, but abandoned even-handedness lest it be construed as moral equivalency. The International Center for Transitional Justice was emphatic: The events of the early 20<sup>th</sup> century meet the definition of genocide and historians should use the term Genocide to characterize them. [https://www.armenian-genocide.org/Affirmation.244/current\\_category.5/affirmation\\_detail.html](https://www.armenian-genocide.org/Affirmation.244/current_category.5/affirmation_detail.html)

Turkey can only be a member in good standing of the international community once it acknowledges its crimes, calls them "Genocide", and provides reparations to its victims. I look forward to the day when anyone can travel freely from Ankara, to Ani, to Ararat, and Artsakh.

I worked with Congressman Lantos on genocide prevention of Tibetans displaced by China's expansionist and chauvinist policies. The Dalai Lama told me that perpetrators should be judged by what they do, not what they say. Turkey's record on of Genocide denial is clear.

It's my honor to testify about the Second Armenian Genocide underway today by Azerbaijan. And I am happy to answer questions or provide further assistance to this Commission.

Thank you.