

July 28, 2021

**U.S. Commission on International Religious Freedom (USCIRF) and the Tom Lantos
Human Rights Commission (TLHRC) Hearing On
Ending Genocide: Accountability for Perpetrators**

**Submitted by Bryan Ardouny, Executive Director
The Armenian Assembly of America**

Nadine Maenza, USCIRF Chair; Nury Turkel, USCIRF Vice Chair; Representative James McGovern, TLHRC Co-Chair; Representative Chris Smith, TLHRC Co-Chair; Commissioners and Members of Congress, the Armenian Assembly of America (Assembly) commends you for holding today’s hearing on “Ending Genocide: Accountability for Perpetrators,” as the scourge of genocide across the globe demands action, including a renewed threat against the Armenian people. In a July 25th article in the *New York Times* entitled “In Nagorno-Karabakh, Land Mines, Bulldozers and Lingering Tensions” Azerbaijan says “Armenians there must accept its rule if they want to remain long-term.” This follows a statement earlier this month as reported by RFE/RL by Azerbaijan’s president that Azerbaijan will take Armenian lands, including Armenia’s Syunik province. “We will return there... Nobody can stop us. We will definitely return there because there is no other way.” Azerbaijan’s autocratic president also stated that “our native land is Goycha (Sevan) and Irevan (Yerevan).” Yerevan, of course is the capital of Armenia, not Azerbaijan and Sevan is also part of Armenia. These implicit threats have a chilling effect and are reminiscent of the Armenian Genocide and other crimes against humanity wherein the survivors remain in a perpetual victim state.

The Assembly also remains deeply troubled by the ongoing destruction of historic, religious and Armenian cultural heritage sites by Azerbaijan, which has been documented by the Caucasus Heritage Watch, and urges USCIRF and TLHRC to explore avenues to safeguard and protect cultural heritage.

Established in 1972, the Armenian Assembly of America (Assembly) is the largest Washington-based organization promoting public understanding and awareness of Armenian issues. Working closely with its sister organization, the Armenian National Institute (ANI),

the Assembly strives to educate the public about the Armenian Genocide through research, analysis, publications, and forums. The Armenian National Institute also continues its important work in collecting and organizing documentation attesting to the historical record and ensuring that the Armenian Genocide is never forgotten. We also appreciate the work of human rights and educational organizations, such as Facing History and Ourselves, the USC Shoah Foundation, and the Promise Institute for Human Rights at UCLA School of Law in providing teaching resources about the Armenian Genocide and welcome collaborative efforts and partnerships to further the cause of genocide awareness, education and prevention.

I would also like to take this opportunity to thank USCIRF for commemorating the centennial anniversary of the Armenian Genocide in 1915. At that time, then-USCIRF Chair, Dr. Katrina Lantos Swett stated: “Our hope is that on this day individuals, religious and ethnic communities, and governments around the world will reflect deeply on this dark chapter in world history. Without open acknowledgement that these events took place and their significance, a new sense of mutual reconciliation and collaboration will not emerge,” and then USCIRF Vice Chair, Robert P. George stated “Remembering and acknowledging the terrible evil that took place 100 years ago is especially important given the crimes against humanity – including acts of genocide, ethnic cleansing and religiously-motivated violence – that are taking place today in many parts of the world, especially in Syria and Iraq. On this day, the United States government and all like-minded countries that believe in the fundamental importance of human rights and religious freedom should state publicly and clearly that perpetrators of such heinous crimes will be held accountable.”

The Assembly is also deeply grateful for the historic and overwhelming passage of Armenian Genocide resolutions in the House (H. Res. 296) and Senate (S. Res. 150) in 2019, which USCIRF supported, as well as President Biden’s affirmation of the Armenian Genocide this April 24, 2021. President Biden’s affirmation of the Armenian Genocide, along with that of the United States Congress, marks a pivotal milestone in the arc of history in defense of human rights. By standing firmly against a century of denial, the President and Congress have charted a new course. Affirmation of the Armenian Genocide enhances America’s credibility, recommits the United States to the worldwide cause of genocide prevention and represents America at its best. USCIRF Commissioner Anurima Bhargava said this after

passage of H. Res. 296 in the House of Representatives, “This recognition also serves as an important reminder that such atrocities are not limited to the distant past. In recent years we have seen the dehumanization of entire peoples in the ISIS genocide in Iraq and Syria; the genocide against Rohingya Muslims in Burma; and the forced displacement of religious and ethnic minorities in Afrin, Syria. The United States and its international partners must take every opportunity to unflinchingly stand against such atrocities wherever and whenever they occur and seek to ensure justice for their victims.”

During consideration of H.Res. 296 on the floor of the House, TLHRC Co-Chair and House Rules Committee Chairman James McGovern stated: “The United States should stand foursquare for human rights. Anything short of that sends exactly the wrong message to abusers around the globe... Standing up for human rights is not a Democratic or Republican issue; it is an American issue. Even in an age of heightened partisanship, this Congress must still be capable of speaking with one voice against genocide and crimes against humanity, no matter when they took place.”

In addition, TLHRC Co-Chair and senior member of the House Foreign Affairs Committee Chris Smith said this on the House floor: “the Armenian genocide is the only genocide of the 20th century where survivors, family, and all those who care about this important issue, have been subjected to the ongoing outrage of a massive, well-funded, aggressive campaign of genocide denial, openly sustained and lavishly funded by the State authority, in this case, the Government of Turkey. The Turkish Government underwrites a disgraceful disinformation campaign to confuse the historical record. It often employs lobbyists in this town to carry that message forward.” “Let me remind my colleagues that the Genocide Convention of 1950, which the Turkish Government has ratified, makes clear--here is what the Genocide Convention says, and the Armenian genocide fits this to a T. The definition says this: ‘Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such: Killing members of the group; Causing serious bodily or mental harm to members of that group; Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part...’” He concluded: “In the case of the Armenians, it wasn't in part. It was in whole. They wanted the Armenians eviscerated from the face of the Earth.”

As we reflect on the continuing challenge of ending genocide and holding perpetrators accountable, certainly the 20th and early 21st centuries stand out as being marred by mass atrocities on a scale never before seen in history. From the Armenian Genocide at the turn of the century, which Adolf Hitler, infamously stated: “Who, after all, speaks today of the annihilation of the Armenians?” as he unleashed the horrors of World War II and the Holocaust – to the crimes of the Khmer Rouge in Cambodia, the genocide of the Tutsi in Rwanda, and, in the 21st century, the decimation of the people of Darfur by the Sudanese government and the Janjaweed, the mass murder and deportation of the Rohingya people by the Myanmar military, and the detention and forced labor of Uyghurs and other ethnic and religious minorities by the government of China, the trail of crimes against humanity painfully continues.

The absence of international law to hold the perpetrators of the Armenian Genocide accountable was dishearteningly evident at the end of World War I. But for a brief series of domestic trials in Turkey, which were too soon discontinued, the organizers of the atrocities against Armenians avoided responsibility and escaped judgment. This very lack of accountability to one’s own nation and to the international community for having committed mass atrocities propelled a true giant in the defense of human rights, Raphael Lemkin, to ask why a murderer may be charged for a single crime, while a mass murderer is excused. It would take one more genocide – the Holocaust of European Jewry – to find the sense of outrage that is now embodied in the U.N. Convention on the Prevention and Punishment of the Crime of Genocide, of which the United States is a signatory. In fact, the Armenian Assembly of America was part of a coalition of organizations, headed by the American Bar Association, advocating for the U.S. adoption of the U.N. Genocide Convention. From the time of its founding nearly a half century ago, the Armenian Assembly supported Senator William Proxmire’s unremitting campaign to persuade the United States Senate to approve implementing legislation enabling the U.S. adoption of the Convention. The Armenian Assembly had the honor then of providing testimony in committee and in writing, as part of the commitment of the Armenian American community towards doing its share in creating greater awareness of the dangers of genocide.

While Armenians faced an existential threat a century ago at the hands of the Ottoman Turkish Empire, barely 70 years after the genocide, the Armenian minority in Soviet Azerbaijan was subjected to pogroms in Sumgait, Kirovabad, and Baku, which not only resulted in hundreds of deaths but precipitated the forcible displacement of over 300,000 Armenians from Soviet Azerbaijan. Yet mass atrocity crimes against Armenians did not end there. They continued during the First Karabakh War between 1991 and 1994, when the over [78% majority and indigenous Armenian population](#) in Nagorno-Karabakh (Republic of Artsakh) rose up to defend their freedom and dignity from wanton Azerbaijani bombardment of civilian-populated centers in Artsakh. The war ended in 1994 with a ceasefire agreement signed between government representatives of Armenia, Azerbaijan, and Nagorno-Karabakh.

Despite undertaking an obligation to resolve the Nagorno-Karabakh conflict peacefully through the mediation efforts of the U.S., French, and Russian Co-Chairs of the OSCE Minsk Group, Azerbaijan launched an unprecedented war against the Armenian people in the Fall of 2020. For six weeks (44 days), the Azerbaijani military, with the full and open support of Turkey – and with the use of over 2,500 jihadist mercenaries transported to and deployed in Azerbaijan by a Turkish private security firm known as SADAT – attacked and targeted the Armenian people in Artsakh and Armenia. Having already faced a genocide in the 20th century, Armenians were forced, yet again, to rebuild in the wake of serious human and structural devastation, especially in Artsakh. Upwards of 100,000 people - mainly children, women, and the elderly - were forcibly displaced from their homes in Artsakh, while hospitals, schools, and churches were destroyed by missiles, cluster and white phosphorus munitions, and drone strikes. Over 4,000 Armenian soldiers and over 100 civilians were killed, in the 44-day war, with dozens falling victim to Azerbaijani [extrajudicial executions](#), including beheadings (according to Human Rights Watch and as documented by Columbia University’s Institute for the Study of Human Rights and its “Project on Atrocities in Artsakh”: <https://humanrightscolumbia.org/peace-building/atrocities-artsakh-nagorno-karabakh>) and bodily mutilations. In addition, Azerbaijan is holding an estimated 200 Armenian [POWs](#) and civilian captives – with reports of [prisoner abuse](#) – by Azerbaijan’s military. In addition, over the past month, as a result of sham trials held in Azerbaijan’s capital, Baku, a court has unjustly sentenced 26 Armenian POWs and 2 civilians to significant prison terms. The Armenian Assembly of America urges the swift passage H. Res. 240, which calls upon

Azerbaijan to immediately release and repatriate Armenian POWs and captured civilians per the November 9, 2020 ceasefire statement signed by Azerbaijan and Armenia. Moreover, the Assembly urges Congress and the Administration to utilize the tools at its disposal to hold the perpetrators accountable for their crimes, including the application of the Leahy Law and the Global Magnitsky Act. Finally, the Assembly urges that the letter and spirit of Section 907 of the FREEDOM Support Act, restricting assistance to Azerbaijan, be upheld.

Additionally, it is our hope that this hearing generates and introduces new mechanisms to hold perpetrators of genocide, ethnic cleansing and atrocities accountable under the full weight of existing international human rights law, to help prevent future crimes and human rights abuses, to safeguard and protect vulnerable populations, and to assert America's leadership in the regard for the betterment of humanity. The Armenian Assembly of America and the entire Armenian American community stand ready to help the U.S. Commission on International Religious Freedom and the Tom Lantos Human Rights Commission in these efforts.