

118TH CONGRESS
2D SESSION

H. R. 8141

To provide for a review of sanctions with respect to Azerbaijan.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2024

Ms. TITUS (for herself, Mr. BILIRAKIS, Mr. PALLONE, Ms. NORTON, Mr. McCLINTOCK, Ms. SCHAKOWSKY, Mr. GOTTHEIMER, Mrs. BEATTY, Mr. CÁRDENAS, Mr. VALADAO, Mr. HORSFORD, Ms. MALLIOTAKIS, Mr. COSTA, Mr. AUCHINCLOSS, Ms. MENG, Mr. SCHIFF, Ms. STEVENS, Mr. PAPPAS, Ms. LEE of California, Mr. LAWLER, Mr. SARBANES, Ms. LEE of Nevada, Mr. AMO, Mr. MENENDEZ, and Mr. SHERMAN) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for a review of sanctions with respect to
Azerbaijan.

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 “Azerbaijan Sanctions
5 Review Act of 2024”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) On September 19, 2023, Azerbaijan
4 launched a military assault on Nagorno-Karabakh,
5 resulting in the forced displacement of the region's
6 entire Armenian population following a 10-month
7 blockade of the Lachin Corridor, which deprived Ar-
8 menian civilians access to food, fuel, medicine and
9 other essential goods.

10 (2) Azerbaijan's blockade and forced displace-
11 ment of Nagorno-Karabakh's Armenians followed a
12 major escalation of the conflict during the 2020
13 Nagorno-Karabakh War, during which Azerbaijani
14 military and government officials named in section
15 2(b) have committed war crimes and serious human
16 rights violations, including the extrajudicial killing of
17 Armenian civilians and prisoners of war; the arbi-
18 trary detention, forced disappearances, and torture
19 of Armenian civilians and prisoners of war and other
20 captives; and the deliberate targeting of civilian pop-
21 ulations.

22 (3) Azerbaijan's continued detainment, torture,
23 extrajudicial execution, and other serious human
24 rights violations against prisoners of war and cap-
25 tured civilians calls into serious question their com-

1 mitment to human rights and ability to negotiate an
2 equitable, lasting peace settlement.

3 (4) Reporting conducted in September 2022 by
4 the United Nations Committee on the Elimination of
5 Racial Discrimination expressed deep concern over
6 “[a]llegations of severe and grave human rights vio-
7 lations committed during the 2020 hostilities and
8 beyond by Azerbaijani military forces against pris-
9 oners of war and other protected persons of Arme-
10 nian ethnic or national origin—including
11 extrajudicial killings, torture and other ill-treatment
12 and arbitrary detention”.

13 (5) The Department of State’s Country Reports
14 on Human Rights Practices released in April 2024
15 documented “credible reports of: unlawful or arbi-
16 trary killing; torture and cruel, inhuman, or degrad-
17 ing treatment or punishment by members of the se-
18 curity forces; harsh and sometimes life-threatening
19 prison conditions; arbitrary detention;” and other
20 concerns regarding the lack of due process in Azer-
21 baijani trials of Armenian civilians and
22 servicemembers.

23 (6) Human rights organizations have consist-
24 ently reported on Azerbaijan’s abuse of prisoners of
25 war and other human rights violations, including a

1 report by Human Rights Watch in March 2021 that
2 found Azerbaijani forces had abused ethnic Arme-
3 nian prisoners of war and subjected them to “cruel
4 and degrading treatment and torture either when
5 they were captured, during their transfer, or while
6 in custody at various detention facilities”.

7 (7) In December 2021, an International Court
8 of Justice ruling ordered Azerbaijan to protect from
9 violence and bodily harm Armenians detained during
10 and since the 2020 Nagorno-Karabakh War.

11 (8) At least 90 prisoners of war and hostages
12 are still detained illegally by Azerbaijan as of No-
13 vember 2023 according to the Armenian Govern-
14 ment, with independent observers noting that the
15 true number of detainees is likely much higher given
16 the many individuals still missing, and the limited
17 information available due to Azerbaijan’s misrepre-
18 sentation of their status in an attempt to justify
19 their continued captivity.

20 (9) Following Azerbaijan’s offensive in 2023,
21 numerous high-ranking Armenian officials in
22 Nagorno-Karabakh were arrested and detained by
23 Azerbaijan, including Ruben Vardanyan, Davit
24 Manukyan, Davit Babayan, Levon Mnatsakanyan,

1 Arkadi Ghukasyan, Bako Sahakyan, Arayik
2 Harutyunyan, and Davit Ishkhanyan.

3 (10) International humanitarian law requires
4 parties to an international armed conflict to treat
5 prisoners of war humanely in all circumstances.

6 (11) It is a war crime to willfully kill, mistreat,
7 or torture prisoners of war, or to willfully cause
8 great suffering or serious injury to body or health.

9 (12) In addition to being bound by customary
10 international law, Azerbaijan is a party to the Gene-
11 va Conventions, the International Covenant on Civil
12 and Political Rights (ICCPR), and the European
13 Convention on Human Rights (ECHR) which strict-
14 ly forbid extrajudicial killings.

15 (13) Despite its international legal obligations
16 under the Geneva Conventions and repeated calls by
17 the United States Government, Azerbaijan has not
18 released all relevant persons and instead continues
19 to detain new prisoners of war, hostages, and cap-
20 tured civilians, nor have those responsible for serious
21 human rights violations and war crimes faced legal
22 consequences.

23 (14) Azerbaijan's brutal repression of domestic
24 political opposition is of grave concern for the
25 human rights of Azerbaijanis.

1 (15) The detention and subsequent torture and
2 ill-treatment of opposition leaders, activists, and crit-
3 ics of the Aliyev government like Dr. Gubad
4 Ibadoghlu, a prominent scholar who taught in the
5 United States and was recently released to house ar-
6 rest, raises fundamental concerns about due process
7 and the integrity of the legal proceedings against
8 him and others who express political dissent in Azer-
9 baijan.

10 (16) On March 6, 2024, Azerbaijani authorities
11 detained six journalists in Baku and accused them
12 of unfounded smuggling charges as part of an ongo-
13 ing crackdown on independent media in Azerbaijan.

14 (17) Azerbaijan is designated as “Not Free” by
15 Freedom House due to the absence of political
16 rights, civil liberties, and rule of law.

17 **SEC. 3. REVIEW OF SANCTIONS WITH RESPECT TO AZER-**
18 **BAIJAN.**

19 (a) DETERMINATION.—Not later than 180 days after
20 the date of the enactment of this Act, the President shall
21 submit to the appropriate congressional committees a de-
22 termination, including a detailed justification, of whether
23 any person listed in subsection (b) meets the criteria for
24 the imposition of sanctions pursuant to—

1 (1) section 1263(b) of the Global Magnitsky
2 Human Rights Accountability Act (22 U.S.C. 2656
3 note); or

4 (2) section 7031(c) of the Department of State,
5 Foreign Operations, and Related Programs Appro-
6 priations Act.

7 (b) PERSONS LISTED.—The persons listed in this
8 subsection, which includes officials of Republic of Azer-
9 baijan, are the following:

10 (1) Lieutenant General Hikmat Izzat oglu
11 Mirzayev, Commander of the Special Forces.

12 (2) Lieutenant Colonel Elgun Aliyev, Chief of
13 the Military Police.

14 (3) Colonel Elshan Sanaev, Commander of Az-
15 erbaijani Military 218th Commando Brigade.

16 (4) Lieutenant General Anvar Afandiyev, Com-
17 mander of Azerbaijani Ground Forces.

18 (5) Major General Jeyhun Hasanov, Peniten-
19 tiary Service of the Ministry of Justice.

20 (6) Ali Naghiyev, Chief of State Security.

21 (7) Samir Nuriyev, Chief of Staff to President
22 Aliyev.

23 (8) Fuad Alasgarov, Assistant to the President
24 for Law Enforcement and Military Affairs.

1 (9) Orhan Samadov, Office of the General Pros-
2 ecutor.

3 (10) Vugar Guliyev, Office of the General Pros-
4 ecutor.

5 (11) Ziya Masurov, Office of the General Pros-
6 ecutor.

7 (12) Parviz Mirhashimov, Office of the General
8 Prosecutor.

9 (13) Babakhan Hasanaliyev, Office of the Gen-
10 eral Prosecutor.

11 (14) Hamza Eldar Akbar oglu, Office of the
12 General Prosecutor.

13 (15) Alakbarov Valeh Hasan oglu, Office of the
14 General Prosecutor.

15 (16) Faiq Qaniyev, Judge at Baku Court on
16 Grave Crimes.

17 (17) Mirza Khankishiyev, Judge at Baku Court
18 on Grave Crimes.

19 (18) Ilham Mahmudov, Judge at Baku Court
20 on Grave Crimes.

21 (19) Eldar Ismayilov, Judge at Baku Court on
22 Grave Crimes.

23 (20) Javid Huseynov, Judge at Baku Court on
24 Grave Crimes.

1 (21) Samir Aliyev, Judge at Baku Court on
2 Grave Crimes.

3 (22) Azad Madjidov, Judge at Baku Court on
4 Grave Crimes.

5 (23) Zeynal Agayev, Judge at Baku Court on
6 Grave Crimes.

7 (24) Sabuhi Huseynov, Judge at Baku Court
8 on Grave Crimes.

9 (25) Afgan Hajiyev, Judge at Baku Court on
10 Grave Crimes.

11 (26) Telman Huseynov, Judge at Baku Court
12 on Grave Crimes.

13 (27) Ali Mammadov, Judge at Baku Court on
14 Grave Crimes.

15 (28) Vusal Gurbanov, Narimanov District
16 Court Judge.

17 (29) Kamranov Hafiz, Narimanov District
18 Court Judge.

19 (30) Yusif Yusifov, Chief Investigator of the In-
20 vestigation Department for Combating Organized
21 Crime, Ministry of Internal Affairs.

22 (31) Abbasov Mirzali Abdulali oglu, Baku Court
23 of Appeals.

1 (32) Major General Abulfat Rzayev, Main Or-
2 ganized Crime Department, Ministry of Internal Af-
3 fairs.

4 (33) Mammadov Elchin, First Deputy Pros-
5 ecutor General.

6 (34) Lieutenant Fuad Rafael oglu Nabiyeu,
7 Azerbaijan Ministry of Defence.

8 (35) Elchin Guliyev, State Border Service of
9 Azerbaijan.

10 (36) Ilham Mehdiyev, State Border Service of
11 Azerbaijan.

12 (37) Vusal Sultanov, State Border Service of
13 Azerbaijan.

14 (38) Azad Alakbarov, State Border Service of
15 Azerbaijan.

16 (39) Ismayil Akbarov, State Border Service of
17 Azerbaijan.

18 (40) Ramin Bagirov, State Border Service of
19 Azerbaijan.

20 (41) Lieutenant Colonel Elgün Aliyev, Military
21 Police Department of the Ministry of Defence.

22 (42) Karim Valiyev, Chief of the General Staff
23 of the Azerbaijani Armed Forces.

24 (43) Nemat Avazov, Director of the Investiga-
25 tion Department, Office of the Prosecutor General.

1 (44) Tagiyev Azer Heydar oglu, Nasimi District
2 Court Judge.

3 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
4 FINED.—In this Act, the term “appropriate congressional
5 committees” means—

6 (1) the Committee on Foreign Relations, Com-
7 mittee on Appropriations, and the Committee on
8 Banking, Housing, and Urban Affairs of the Senate;
9 and

10 (2) the Committee on Foreign Affairs, Com-
11 mittee on Appropriations, and the Committee on Fi-
12 nancial Services of the House of Representatives.

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