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## **BELGIUM DIVIDED ON RECOGNITION OF ARMENIAN GENOCIDE**

- 12.12.2019

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The Brussels Times (10 December 2019)

In a vote in October, the American House of Representatives formally recognized the Armenian genocide, following the example of the European Parliament and thirty other countries. In Belgium the issue is still divisive. In April, the Belgian parliament transposed an EU decision on combatting racism and xenophobia, including denials of genocide crimes, but excluding the Armenian genocide.

According to estimates, between 1.2 million and 1.5 million Armenian civilians were killed during the First World War by troops of the Ottoman Empire, then allied with Germany and Austria-Hungary. Turkey today refuses to use the term genocide, claiming that reciprocal massacres in the midst of civil war took place and that famine left hundreds of thousands of dead on both sides.

At a conference yesterday in the Belgian federal parliament, lawyers and MPs from different political parties gathered to take stock of the Belgian legislation on denials of genocides. The conference was organised by the Belgian Collective for the Prevention of the Crimes of Genocide and Against Negationism, in partnership with the Armenian General Benevolent Union (AGBU), an Armenian diaspora charity organisation.

Symbolically, the conference took place on the 71st anniversary of the adoption on 9 December 1948 by the United Nations of The Convention on the Prevention and Punishment of the Crime of Genocide.

According to the organisers, the new Belgian law was rushed through parliament and adopted on 25 April, on the very last day of the previous legislature. The EU Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law dates back to 2008 and the Belgian transposition of the decision was long overdue.

The EU Framework Decision states among others that publicly condoning, denying or grossly trivialising crimes of genocide, crimes against humanity and war crimes are punishable as criminal offences, provided that they have been defined by an international criminal court and are likely to incite violence or hatred.

Already in 2015, the Belgian parliament passed a resolution calling for the recognition of the Armenian genocide. Asked by The Brussels Times why the new Belgian law did not include the Armenian genocide, the director of AGBU Europe, Nicolas Tavitian, replied that it did not meet the condition of having been defined by an international court.

Belgium chose to limit the criminalisation of denial to mass killings that have been recognized by an international court, such as in the Nuremberg trials after WWII and in the special international tribunals for ex-Yugoslavia and Rwanda, he says. But there was never an international tribunal for the Armenian genocide. Such tribunals didnt exist at the time.

As a result, it is not covered by the new Belgian law. The April 2019 decision does not un-recognize the genocide but renders the previous decision in 2015 on recognition meaningless, according to Tavitian.

Are there political parties that oppose the recognition of the Armenian genocide because of concerns for the Turkish voters in Belgium?

None explicitly, he replies. But some parties tried to avoid the subject in the past because of its sensitivity among the Turkish electorate. It seems that the Belgian ministers who played a key role in drafting this years law wanted to placate the Turkish government.

However, the opinion in the Belgian parliament has changed since then. Tavitian adds that today many parties are willing to amend or change the April 2019 law and have already submitted new proposals regarding the repression of negationism, which would include the Armenian genocide.

The vast majority of genocide denials in Belgium relate to the Holocaust and some are prosecuted according to a law from 1995 which criminalises denial of the Holocaust.

M. Apelblat

The Brussels Times

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