

DECLARATION OF "THE GROUP OF RETIRED AMBASSADORS"

25 March 2005

According to the UN Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, genocide is a crime under International Law. This crime can only be committed by real persons. Only a competent tribunal can determine whether this crime is committed or not. The tribunal in charge, is either the tribunal of the State in the territories of which the act was committed or an international penal tribunal as may have jurisdiction with respect to those Contracting Parties which have accepted its jurisdiction. The tribunal in charge should recognize the defendant's right to defend himself or herself and examine the case whether the crime has

been committed or not, and thereby decides accordingly as it sees fit. Without the existence of such a decision of the tribunal in charge, the crime of genocide cannot be established 'de jure' and a genocide claim cannot be put forward or defended on legal grounds.

No national parliament, no national senate, local or municipal council, no individual or association, none of the organs of an international or regional organisations or an undesignated court, 'in lieu' of a competent court, can have the power to decide on a genocide claim, on whether the crime has been committed or not. The above mentioned the UN Genocide Convention is the indivisible part and parcel of the Turkish legal system. No party or persons should expect the Turkish Government to disregard this international convention and without resort to a competent court decision, to label certain persons with the crime of genocide, many of whom may not be alive any longer. Today not only the Turkish Government but also the Government of the UK has already declared publicly through their government spokesman that the events of 1915 cannot be described as 'genocide'.

Those people who realize that their genocide claims about the 1915 tragedy are devoid of any legal base, are now trying to substantiate their claims from a political point and as a 'political genocide'. Political views of political organs or politicians and their political reasons are of interest only to them. But it is categorically

unacceptable to allow political prejudices to purport such a crime.

The purpose of such a behavior is explicit. The leaders of the Republic of Armenia, in addition to the occupied territories of Azerbaijan, openly designate Eastern Anatolia of Turkey as 'Western Armenia' and make no secret of their national goal 'that one day when conditions are more propitious these lands will become part of the dream of greater Armenia'.

Much has been written about the tragic events of 1915, before and after the decision to relocate Ottoman Armenians to the South East of the State. The historic documents denote that Armenian militant units lead by the Armenian members of the Ottoman Parliament rushed to the province of Van, slaughtering the local Muslim population, provoking a large scale rebellion in the Eastern part of the Ottoman State.

In the peace negotiations at the Sevres Conference which took place in 1920, participating Armenians demanded that they should be accorded officially 'a belligerent party status' during the First World War. While these realities stand, those who support the Armenian demands cannot be allowed to read and interpret certain pages of history partially at their own discretion, and at the expense of other pages of history cannot be claimed against neither the Turkish nationals nor against the Turkish government.

The best proof on this subject is the fact that the Allies of the First World War, which occupied the capital of the defeated Ottoman Empire, exiled to the Island of Malta, a group of purported Ottoman offenders against the Armenians. In spite of their access to all the sources they had in their hands, they could not find any clue to condemn but declared them innocent of any wrongdoing. Nevertheless, the Ottoman State punished some of the Ottoman officials as perpetrators against the Armenians and found them guilty of crimes because of improper execution of the rules, during the forced relocations.

There are thousands and thousands of historic documents, full of contradictions about these tragic events, eye witness accounts, analysis and interpretations. To analyse the question in an objective manner is unfortunately obstructed or prevented by Armenian politicians, historians and their supporters. They are not even ready to talk over the existing historic documents. What they demand is the undisputed recognition of their own claims and dogma by others.

It is not realistic to expect from the surviving relatives of the tragedy of 1915 or what has taken place in the beginning of the XXth century, to accept that nothing has happened. These events can in no way be defended. However it would be impious to forego some while mourning others. We believe that these deep wounds created by these sad events should not be rubbed in and deepen the wounds by acts of terror and be provoked by feelings of revenge.

What has to be done now is to take lesson from these sad events in history and not to provoke again the feelings of hate which prevent peace between the Turks and the Armenians, but to start with steps forward, to strengthen the friendship between the Armenian and Turkish nations, which have so many common cultural traits that they share. There is no doubt that Turkish Armenians can play a part in the building and strengthening of this bridge of friendship. In a period when serious efforts are being made to keep the cultural ties alive between the Turks and the Armenians, certain parliamentarians and other personalities abroad, who are alien to the issue and burdened with political bias or act with racial instincts, devoid of any in dept analysis or legal base of the crime of genocide, to purport one sided claims of crime, is in no way conducive to the desired rapprochement between the Turks and the Armenians.

We, sincerely invite international public opinion, to think and rethink, with all the aspects of the issue, and not to be partial, on the assumption of responsibility of this tragedy, bearing also in mind the beloved memory of the innocent victims, including 34 Turkish diplomats and the members of their families, so mercilessly assassinated.