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Facts and Comments

Alev KILIÇ

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Regarding The Nagorno-Karabakh Conflict

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CONTENTS*(İÇİNDEKİLER)*

	Page
Contributors	5
<i>(Yazarlar)</i>	
Editorial Note	7
<i>(Editörün Notu)</i>	
ARTICLES	9
<i>(MAKALELER)</i>	
Facts and Comments	9
<i>(Olaylar ve Yorumlar)</i>	
Editorial / <i>Başyazı</i>	
Alev KILIÇ	
The Relativity of Self-Determination Conceptions Regarding the Nagorno- Karabakh Conflict	77
<i>(Dağlık Karabağ Uyuşmazlığında Self-Determinasyon Tezlerinin Göreceliği)</i>	
Translation / <i>Çeviri</i>	
Deniz AKÇAY	
Hungarian Turan Association, İmam Abdullatif Efendi And A Hungarian Pamphlet On The Armenian Question	107
<i>(Macar Turan Derneği, İmam Abdüllatif Efendi ve Ermeni Meselesine Dair Macarca Bir Broşür)</i>	
Translation / <i>Çeviri</i>	
Melek ÇOLAK	
The Ottoman Government's Policies Concerning The Armenian Soldiers In The Ottoman Army And Their Families In Wake Of The Provisional Law Of Relocation And Resettlement	125
<i>(Geçici Sevk ve İskân Kanunu Sonrası Osmanlı Hükümetinin Osmanlı Ordusunda Görevli Ermeni Asker ve Ailelerine Yönelik Uyguladığı Politikalar)</i>	
Translation / <i>Çeviri</i>	
Güzin ÇAYKIRAN	
BOOK REVIEW	145
<i>(KİTAP TAHLİLİ)</i>	
To Kill A Sultan - A Transnational History Of The Attempt On Abdülhamid II (1905)	145
<i>(Bir Sultanı Öldürmek - II. Abdülhamit'e Suikast Girişiminin Uluslararası Tarihi (1905))</i>	
Book Review / <i>Kitap Tahlili</i>	
Ahmet Can ÖKTEM	

Contributors

ALEV KILIÇ graduated from the Faculty of Political Sciences of Ankara University in 1968. The next year, he joined the Ministry of Foreign Affairs of Turkey. Kiliç served as Ambassador to F.R. of Yugoslavia between 1996 and 1998 and Ambassador/Permanent Representative to the Council of Europe in Strasbourg between 1998 and 2001. In 2001-2004, he served as the Deputy Undersecretary for Economic Affairs of the Ministry. He served as Ambassador to Switzerland (2004-2009) and Ambassador to Mexican United States (2009-2011). He retired from the Ministry in 2011. Ambassador (R) Kiliç has been the Director of Center for Eurasian Studies (AVİM) since 2013.



Deniz AKÇAY obtained her *Doctorat d'Etat en Droit Public* diploma at the Nancy University in 1982. She served as a legal counselor at the BNP-AK Bank between 1986-1988, and as a specialist jurist at the Permanent Representation of the Ministry of Foreign Affairs of the Republic of Turkey at the Council of Europe in 1988. In 1998, she was bestowed with the title of Co-Agent of the Turkish Government by the decision of the Council of Ministers. She was elected as the Vice Chair of the Council of Europe Steering Committee for Human Rights (CDDH) in 2005, and as the Chair of the same Committee in 2007. Deniz Akçay retired in 2010.



Dr. Güzin ÇAYKIRAN graduated from the Department of History of Erciyes University in 2004. Between 2004-2005, she received Armenian language education at the Department of the Armenian Language and Culture of Ankara University. In 2011, she completed her master's degree in History of the Republic of Turkey. Between 2016-2020, she pursued and completed her doctoral degree at the Department of History of the Republic of Turkey of Gazi University. She additionally graduated from the Department of Sociology. Since 2007, Dr. Çaykiran has been serving as an Ottoman Turkish Specialist in the public sector. She speaks Ottoman Turkish, English, and Armenian.



Prof. Dr. Melek ÇOLAK graduated from the Department of History Teaching from the Faculty of Education of Dokuz Eylül University in 1985. She completed her master's and doctoral degrees at Dokuz Eylül University's Institute of Principles of Atatürk and Turkish Revolution History. In 1994, she began serving as a Revolution History lecturer at Muğla University. She obtained her doctoral degree in 1997, and her associate professorship in History of the Republic of Turkey in 2005. For the 2005-2006 education year, she went to Hungary after having earned an 8-month research scholarship from the Ministry of Education of Hungary.



She conducted research on Turkish-Hungarian relations during her stay in Hungary and learned to speak Hungarian. In 2009 at her university, she ensured the initiation of courses on the Hungarian language and Turkish-Hungarian relations at the Department of History. These courses have been offered at the undergraduate, master's, and doctoral level at the Muğla Sıtkı Koçman University since 2010.

Prof. Dr. Melek Çolak advocated for long time for the establishment of a Turkish-Hungarian Research Center. As a result of her work, in 2013, she established the Implementation and Research Center for Turkish-Hungarian Academic and Scientific Cooperation (TÜMACAM) at the Muğla Sıtkı Koçman University. Continuing to serve as a faculty member at the Department of History of the Faculty of Letters and Humanities of Muğla Sıtkı Koçman University, Prof. Dr. Çolak has produced many works on the History of the Republic of Turkey and Turkish-Hungarian relations of this period. Carrying out research on Turkish-Hungarian relations and serving as the Director of TÜMACAM since 2000, Prof. Dr. Çolak is fluent in English and Hungarian, and speaks basic level Russian.

As always, the first article in the 41st issue of our journal is “**Facts and Comments**”. This article covers Turkey-Armenia relations as well as Armenia’s domestic and international developments between January and July of 2020. The government of Nikol Pashinyan has experienced difficulties in fulfilling its promises to the electorate. In retaliation, the government has targeted the bureaucracy since it has been accused of being a remnant of the previous administrations and standing in the way of the current government’s “progress”. The Nagorno-Karabakh conflict has continued to give ammunition for the political opposition in Armenia and has resulted in short but serious armed border clashes between Armenia and Azerbaijan. Armenia has continued its pursuit of a “multi-vector” approach in foreign policy, looking for new openings as relations with Russia show signs of strain and approach towards Turkey has become even more negative. Just like the rest of the world, the COVID-19 pandemic has taken a heavy economic toll on Armenia.

In her article titled “**The Relativity of Self-Determination Conceptions Regarding the Nagorno- Karabakh Conflict**”, Deniz Akçay evaluates the legal merits of the OSCE Minsk Group’s insistence on approaching the Nagorno-Karabakh from the angle of the self-determination formula. Nagorno-Karabakh is currently under the dominating influence of Armenia, meaning the region cannot exercise a will of its own. Meanwhile, the Minsk Groups seems to have veered away from principles of territorial integrity and inviolability of borders concerning this conflict. Analyzing international agreements, court rulings and advisory opinions, the UN resolutions concerning the conflict, and the conditions in which Armenia and Azerbaijan were accepted as members of the UN, Akçay concludes that self-determination cannot not be used as a realistic formula for the resolution of the Nagorno-Karabakh conflict.

In her article titled “**Hungarian Turan Association, İmam Abdullatif Efendi and a Hungarian Pamphlet on the Armenian Question**”, Melek Çolak analyzes a Hungarian-language pamphlet published in Hungary by İmam Abdüllatif Efendi in the early 1920s explaining the unfair disposition of the European public towards the Armenian Question and the Turkish National Struggle that led to the establishment of the Republic of Turkey. Using documentary evidence, the pamphlet sought to disprove the British smear campaign concerning these issues and to properly inform the Hungarian public

about these same issues. Çolak additionally shares information about Pan-Turanism in Hungary during that period, the activities of the Hungarian Turan Association, and the circumstances of İmam Abdüllatif Efendi presence in Hungary. It seems that Abdüllatif Efendi served as a bridge between the Hungarian Turanists and the Turkish government during the National Struggle, and the pamphlet was meant to function as a counter-propaganda tool against those who sought to turn the Hungarian public against the Turkish National Struggle.

In her article titled “**The Ottoman Government’s Policies Concerning the Armenian Soldiers in the Ottoman Army and their Families in the Wake of the Provisional Law of Relocation and Resettlement**”, Güzin Çaykırın delves into, on the one hand, the claims regarding the killing of Armenian soldiers in the Ottoman Army after the implementation of the Provisional Law of Relocation and Resettlement, and on the other hand, a decree issued by the Ottoman government on not subjecting Armenian soldiers and their families to relocation and resettlement. Çaykırın concludes that claims of the Ottoman Empire seeking to kill Armenian soldiers fail to make sense in light of the evidence at hand. Çaykırın indicates that not only did the Ottoman government implement the aforementioned decree and sent orders to the relevant local authorities in this regard, it also processed and responded to the applications made by Armenian soldiers who complained about bureaucratic errors made during the implementation of the Provisional Law of Relocation and Resettlement.

Lastly, Ahmet Can Öktem analyzes the book titled *To Kill A Sultan - A Transnational History of the Attempt on Abdülhamid II (1905)* edited by Houssine Alloul, Edhem Eldem, and Henk de Smaele. Öktem explains that each chapter of the book deals with various aspects of the 1905 Yıldız assassination attempt against Ottoman Sultan Abdülhamid II from several angles. In this respect, the authors narrate the interaction between the Ottoman Empire and its European counterparts, the domestic and international repercussions of the assassination attempt, and introduces the perpetrators of the attempt such as the ARF and the controversial Belgian anarchist Edward Joris. Öktem indicates that although the book makes for an interesting read, it may also confuse its readers due to the sheer amount of information and perspectives introduced during its narration. Öktem argues that the book is important in the sense that it goes into issues that resonate today, such as terrorism’s influence on international relations and law, and “how the perceptions towards terrorism can vary with different parties and conditions.”

Have a nice reading and best regards,

Editor

EDITORIAL / BAŞYAZI

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FACTS AND COMMENTS

(OLAYLAR VE YORUMLAR)

Alev KILIÇ*

Abstract: *This article covers Turkey-Armenia relations as well as the domestic and international developments of Armenia in the period of January to July of 2020. It has been a turbulent period for Armenia at home. Having difficulties in fulfilling promises and falling behind expectations, Prime of Minister of Armenia Nikol Pashinyan has targeted the bureaucracy, in particular the judiciary with the members of the Constitutional Court at the top, identified with the previous administrations. With the desire to shape the institutions in his own way in a legal manner, he called for a referendum for changes in the constitution but was forced to give up on this call. The Nagorno-Karabakh conflict has continued to be the dominating and vulnerable problem casting its shadow internationally, internally a trump card for exploitation by the opposition. The “Multi-vector” approach in formulating foreign policy has become fashionable again, leading to searches for new openings as relations with Russia experienced strains. The COVID-19 pandemic took a heavy toll on Armenia as well, with consequences on the internal situation. Attitudes against Turkey have sharpened, projecting the appearance of enmity.*

Keywords: *Nikol Pashinyan, Armenia-Turkey Relations, Nagorno-Karabakh, Zohrab Mnatsakanyan, COVID-19.*

Öz: *Bu incelemede Ermenistan'ın iç ve dış dinamiklerinde ve Türkiye-Ermenistan ilişkilerinde Ocak-Temmuz 2020 ayları arasındaki gelişmeler*

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ele alınmaktadır. İç politikada Ermenistan çalkantılı bir dönem geçirmiştir. Ermenistan Başbakanı Nikol Paşinyan yönetimi gerçekleştiremediği vaatlerin ve karşılayamadığı beklentilerin sorumlusu olarak eski yönetim döneminin halen görevde bulunan bürokratlarını, özellikle yargı erkini ve anayasa mahkemesi üyelerini hedef almış, arzuladığı değişiklikleri yapabilmek üzere, gereken anayasa değişikliği için referanduma gitme kararı almış, daha sonra bu karardan vaz geçmek zorunda kalmıştır. Uluslararası öncelikli bir sorun olmaya devam eden Dağlık Karabağ çatışması iç politikada da muhalefetin istismarına açık duyarlı niteliğini devam ettirmiştir. Dış ilişkilerde özellikle Rusya ile ilişkilerde karşılaşılan sıkıntıların ışığında, yeni açılımlar arayışını ifade eden “çok vektörlü” dış politika söylemi ve pratiği devam etmiştir. COVID-19 salgını Ermenistan’ı da ciddi biçimde sarsmış, iç politikada da yansımaları olmuştur. Türkiye ile ilişkilerde Türkiye karşıtlığı düşmanlık görüntüsü kazanmıştır.

Anahtar Sözcükler: *Nikol Paşinyan, Türkiye-Ermenistan İlişkileri, Dağlık Karabağ, Zohrab Mnatsakanyan, COVID-19.*

1. Domestic Developments in Armenia

2019 was a turbulent year for the Nikol Pashinyan administration of Armenia in terms of hardships and obstacles in the realization of the pledges that were made during the election campaign. In the report of the Armenian Statistical Committee published during late December 2019, it was calculated that the poverty rate was 23.5% in 2018, in other words, every fourth person lived below the poverty line.¹ This shed light on the economic-social situation of 2019 and heralded the hardships that would be faced in 2020. On the other hand, Prime Minister Pashinyan stated that Armenia had achieved the highest growth rate in Europe in 2019 by 8.2%.²

During a period in which the country was facing economic hardships, Pashinyan started facing accusations of denigrating government institutions, conducting activities that harm the state's reputation. His public statements on topics such as littering the streets with garbage and cigarette butts,³ the color of the yoghurt sold in the market, the increase in the export of cucumbers and radish, have been interpreted not as public relations and a communication strategy, but as lacking seriousness. In a press meeting on 4 April, the Minister of Economy stated that Armenia achieved a growth of 7.6% in 2019, but a maximum growth rate of 0.7% is predicted for 2020 due to the COVID-19 pandemic.⁴ This prediction naturally created a pessimistic picture for the country. The European Bank for Reconstruction and Development (EBRD) in its report projected Armenian economy to shrink by 3,5% in 2020.⁵ The Finance Minister on his part reported on 23 April that the aggregate public debt amounted to 7.3 billion US dollars. The minister did not specify the sources of extra borrowing planned by the government. One such source for 248 million dollars is the “stand-by arrangement” approved by the International Monetary Fund.⁶

1 Seda Hergnyan, “Armenia 2018: 23.5% Live,” *Hetq*, November 29, 2019, <https://hetq.am/en/article/110402>

2 “Independent experts predict Armenia’s economic growth in 2019 will reach 8.2% – PM Pashinyan,” *ArmenPress*, February 9, 2020, <https://armenpress.am/eng/news/1004220/>

3 “‘War is to be waged on garbage in Armenia’ – Government continues discussing Ministry of Territorial Administration and Infrastructure-proposed projects for 2020,” *Prime Ministry of the Republic of Armenia*, December 21, 2019, <https://www.primeminister.am/en/press-release/item/2019/12/21/Nikol-Pashinyan-meeting/>

4 “Armenia recorded 7.6% GDP growth in 2019,” *ArmenPress*, February 20, 2020, <https://armenpress.am/eng/news/1005606.html>

5 Siranush Ghazanchyan, “EBRD forecasts Armenia’s GDP to shrink by 3.5 per cent in 2020 before rebounding to 5.5% in 2021,” *Public Radio of Armenia*, May 13, 2020, <https://en.armradio.am/2020/05/13/ebird-forecasts-armenias-gdp-to-shrink-by-3-5-per-cent-in-2020-before-rebounding-to-5-5-in-2021/>

6 Siranush Ghazanchyan, “IMF allows an immediate release of US\$280 million for Armenia,” *Public Radio of Armenia*, May 19, 2020, <https://en.armradio.am/2020/05/19/imf-allows-an-immediate-release-of-us280-million-for-armenia/>

The efforts to cover up the issues facing the administration by diverting attention outside were continued. On 9 December, during a rare working meeting with the President of Armenia Armen Sarkissian on the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime, the Prime Minister made the following public statement to the press:

“The international recognition of the Armenian Genocide is not only a matter of historical fact and justice for us, but it is also our important contribution to the global effort for genocide prevention. And, of course, we have repeatedly noticed that we consider the international recognition of the Armenian Genocide as a key security element for Armenia and the Armenian people. We have talked about this in the past and today we will talk about coordinating the steps to take ahead”.⁷

The former chief of the Armenian National Security Service, who was at odds with the Prime Minister and was dismissed on 16 September⁸ stepped into political activity on the opposition front by creating a development fund on 11 December with the aim of strengthening democracy.⁹ During a press interview on 5 January, he stated that he decided to go into active politics and establish a party, that he does not miss the past, that he is not a man of the former administrations, and that he does not approve of Pashinyan’s policies.¹⁰

Pashinyan’s pledged reforms and economic recovery falling behind the expectations, the revival and consolidation of the internal opposition, the support rate in a confidential credible polling dropping to approximately 19.5%¹¹ has directed Pashinyan to search for scapegoats. At a cabinet meeting in late December, he stated that the “deep state” was opposing him, that the current bureaucratic structure and the public organizations were insufficient, that they were resisting change.¹² Accordingly, he primarily targeted the judiciary, starting with the highest organ, the Constitutional Court, which he

7 “Armenia Honors Genocide Victims on UN International Day Of Commemoration,” *Asbarez*, December 9, 2019, <http://asbarez.com/189202/armenia-honors-genocide-victims-on-un-international-day-of-commemoration/>

8 “Top Armenian security official resigns,” *Eurasia.net*, September 16, 2019, <https://eurasianet.org/top-armenian-security-official-resigns>

9 “Hraparak: Arthur Vanetsyan establishes a Fund,” *Aysor*, December 10, 2019, <https://www.aysor.am/en/news/2019/12/10/vanetsyan-fund/1638309>

10 Nane Sahakian, “Former Armenian Security Chief To Set Up Party,” *Azatutyun*, February 7, 2020, <https://www.azatutyun.am/a/30422495.html>

11 “168.am newspaper: Armenia National Security Service records low rating of PM,” *News.am*, December 27, 2019, <https://news.am/eng/news/552154.html>

12 Armen Grigoryan, “A Year in Review: Armenian Government Hampered by Path Dependence,” *The Jamestown Foundation*, February 5, 2020, <https://jamestown.org/program/a-year-in-review-armenian-government-hampered-by-path-dependence/>

considered as a hindrance to his policies. Firstly, he called on the Constitutional Court members to resign voluntarily, providing tangible advantages.¹³ When this did not work, he made attempts to force the Constitutional Court President to resign, initiated a judicial proceeding against him with charges of corruption. This yielded no results either, it even backfired. The Constitutional Court President proved the unlawfulness of this attempt and accused Pashinyan of becoming an irresponsible one-man ruler.¹⁴

During the period, Pashinyan also expanded his reckoning with the former administrations. He brought up once again the case regarding the assassination of the then Prime Minister, Parliament speaker and six prominent officials of the Parliament in an ambush in the Parliament of Armenia during a session on 27 October 1999. The target of reopening this case, accusing those for being behind and benefiting from this attack to eliminate powerful opponents, was the President of the time, Robert Kocharyan and the Minister of National Security of the period Serzh Sargsyan, who would go on to succeed Kocharyan following the end of his term as President.

The countering moves of the opposition became more visible especially following the initiation of a judicial process against former President S. Sargsyan on 4 December with accusations of corruption and acquisition of unlawful wealth.¹⁵ In addition to the Nagorno-Karabakh conflict, a persistent and effective leverage of exploitation, the opposition also assumed the role of “protector of national and cultural identity” and created a campaign occasion from the changes regarding Armenian language and history lessons in universities in the education reform Pashinyan was launching.¹⁶ The Armenian Revolutionary Federation (ARF - Dashnaktsutyun) announced its stance against the government to the point of threatening to conduct a “guerilla strike”, displaying a violent streak inherent in its historical past and its ideology.¹⁷

In a statement in January, Pashinyan expressed that the security services had thwarted a “hybrid” coup attempt by the former and current administration officials.¹⁸

13 “Armenian Constitutional Court judges offered early retirement,” *OC Media*, December 11, 2019, <https://oc-media.org/armenian-constitutional-court-judges-offered-early-retirement/>

14 Naira Nalbandian, “Armenian Authorities Deny Bullying High Court Judges,” *Azatutyun*, January 13, 2020, <https://www.azatutyun.am/a/30375105.html>

15 “Former Armenian President Serzh Sargsyan indicted for corruption,” *OC Media*, December 5, 2019, <https://oc-media.org/former-armenian-president-serzh-sargsyan-indicted-for-corruption/>

16 Grigoryan, “A Year in Review...”

17 Grigoryan, “A Year in Review...”

18 “Armenian PM: We broke backbone of hybrid coup,” *News.am*, January 25, 2020, <https://news.am/eng/news/556579.html>

The former National Security Service chief from the period of former President S. Sargsyan being found dead inside his home on 16 January¹⁹ was correlated with the Law Enforcement Agency chief being found dead inside his home four months prior prompted conspiracy theories. However, it was concluded that the death was suicide for personal reasons.

Regarding the continuing protests against the Amulsar gold mine operation, Pashinyan repeated his calls to the locals on 25 January to end the obstruction of the operations.²⁰ He was rebuffed and was unable to find a solution for the continuation of the gold mine excavation works. The Anglo-American Corporation founded in 2016 and was stated to have invested 500 million dollars, continues to be an unsettling topic for Armenia, as half of the exports of Armenia comes from the mining sector.²¹ The Anglo-American company with headquarters in Canada expressed in its statement that a thousand people were dismissed and 60 million dollars of losses were incurred due to this obstruction.²² An internal report of the EU delegation to Armenia asserted that the UK and the US had put pressure on the government.²³

A subject that raised concern with the public in February was the number of suicides and deaths in the army, particularly with the Armenian soldiers stationed in Nagorno-Karabakh.²⁴ The death of 13 soldiers in approximately one month forced the Prime Minister Pashinyan and President A. Sarkissian to make statements regarding the subject and to express their condolences. Armenia's Chief of General Staff stated that the deaths were due to sickness and accidents.²⁵ As a result of these developments, two top-level military and law enforcement authorities in Nagorno-Karabakh had to resign.²⁶

19 "Armenia's Former Security Chief Found Dead," *Asbarez*, January 17, 2020, <http://asbarez.com/190624/armenias-former-armenian-security-chief-found-dead/>

20 "PM again calls on demonstrators at Jermuk to open access to Amulsar mine," *ArmenPress*, January 25, 2020, <https://armenpress.am/eng/news/1002705.html>

21 Umberto Bacchi, "Gold of contention: Armenia land dispute in spotlight as government steps in," *Reuters*, June 6, 2019, <https://www.reuters.com/article/us-armenia-mine-protests/gold-of-contention-armenia-land-dispute-in-spotlight-as-government-steps-in-idUSKCN1T701D>

22 "Lydian International calls on Armenia to help end gold mine blockade," *Ottawa Citizen*, February 20, 2020, <https://ottawacitizen.com/pm/business-pmn/lydian-international-calls-on-armenia-to-help-end-gold-mine-blockade/wcm/8a1e1946-6983-4fb8-88fe-c104c69a0ba8/>

23 Thomas Rowley, "Armenia 'under pressure' from UK and US over mining dispute, says EU report," *Open Democracy*, May 5, 2020, <https://www.opendemocracy.net/en/odr/armenia-under-pressure-from-uk-and-us-over-mining-dispute-says-eu-report/>

24 "Armenian government backtracks after protests over soldier's death," *Eurasianet*, February 3, 2020, <https://eurasianet.org/armenian-government-backtracks-after-protests-over-soldiers-death>

25 "Armenia armed forces' general staff chief: I'm not going to resign," *News.am*, February 18, 2020, <https://news.am/eng/news/560959.html>

26 "Senior officers fired after spate of non-combat deaths in Armenian military," *Eurasianet*, February 19, 2020, <https://eurasianet.org/senior-officers-fired-after-spate-of-non-combat-deaths-in-armenian-military>

The most important development in domestic politics was Pashinyan's decision to take Constitutional amendment, which he envisaged for changing the members of the Constitutional Court, to a referendum- as Constitutional amendment legally requires a parliamentary resolution and the approval of the Constitutional Court. 5 April was designated as the date for the referendum. Pashinyan's six article justifications he made public on 11 March²⁷ regarding the Constitutional amendment referendum of 5 April are summarized below:

- None of the official results of the elections conducted between 1995-2018 reflected the people's free will. The 1999 parliament elections which expressed the people's will were reset by terrorists on 27 October 1999.
- The limitation of free will, in other words, the system of corruption that developed through illegal influence on the voters' will and the alteration of the election results has become systematic corruption in Armenia. This situation continued until the 2018 Velvet Revolution.
- In this system, the presidency, legislation, executive power and judicial bodies including the Constitutional Court served personal and group interests to a large extent. Many high-level state officials have acquired extensive illegal wealth as a result of this.
- The taking back of illegal wealth acquired this way is an indispensable right of the Republic of Armenia and its people. This is possible with an independent judicial organ and an independent and legitimate Constitutional Court.
- Armenia needs efficient mechanisms that will differentiate between power and commercial affairs. Power cannot be the way to acquire power.
- Only an election system that allows the people to freely express their will can provide this. With the 5 April 2020 referendum, the people will be able to end illegal government and local authority institutions and officials.

The referendum decision was met with suspicion and criticism internally and externally, especially by the Council of Europe and the European Union. How the domestic stability of Armenia and Pashinyan's future was to be affected was also an open ended subject of speculation if this attempt that would change the balance of power would not yield the result that Pashinyan wanted, which

27 “Փաշինյանը հանրաքվեի հռչակագրի նախագիծ է հրապարակում,” *Azattyun*, March 11, 2020, <https://www.azattyun.am/a/30481268.html>

needed to acquire approximately 680,000 yes votes. The COVID-19 pandemic emergency measures came to the rescue of the government, first to delay²⁸, then to rescind the referendum.²⁹ Yet the resolve to change the constitution to replace Constitutional Court judges persisted. On 30 June, at a special session of the National Assembly of Armenia, amid strong opposition objections, the Assembly approved constitutional changes calling for the immediate dismissal of three of the nine-member chamber.³⁰ Two other members would have to resign in 2022.³¹ The controversial chairman of the Court would have to vacate that post but remain as one of the nine judges.³² President A. Sarkissian informed the Speaker of the National Assembly that he would not be signing the law making amendments and additions to the Constitutional law on the Constitutional Court.³³ In this case, the law comes into force with the signing of the Speaker of the National Assembly.³⁴

A striking reaction came from Armenia's first President Levon Ter Petrosyan. Ter Petrosyan, who was Pashinyan's mentor in his years of youth and his supporter afterwards, reacted to Pashinyan characterizing the Constitutional Court judges as corruption partisans of the three former Presidents among the justifications of the constitution referendum. He emphatically rejected Pashinyan placing him in the same pot as Kocharyan and S. Sargsyan. He is reported to have stated to the press that "such ingratitude will not be forgotten" and that "the time will come and unpleasant compromising materials will be made public about Nikol".³⁵ During early April, probably also to soften those words, Ter Petrosyan made an out of the ordinary statement to the nation,³⁶ requesting from the Armenian people that, during a period of struggle against the COVID-19 pandemic, they put aside their domestic political disputes and differing political views and support the government as a single unit and as a necessity of war time.

28 "Constitutional referendum in Armenia will take place after state of emergency is over," *ArmenPress*, March 16, 2020, <https://armenpress.am/eng/news/1008847/>

29 "Armenian Constitutional Referendum Delayed Indefinitely," *MassisPost*, May 18, 2020, <https://massispost.com/2020/05/armenian-constitutional-referendum-delayed-indefinitely/>

30 "Parliament Passes More Amendments On Constitutional Court," *Azattyun*, June 30, 2020, <https://www.azattyun.am/a/30699018.html>

31 "Armenian Parliament Votes To Replace Constitutional Court Judges (UPDATED)," *Azattyun*, June 22, 2020, <https://www.azattyun.am/a/30684602.html>

32 "Armenian Parliament Votes To Replace Constitutional Court Judges."

33 "President Says Will Not Sign Amendments to Constitution," *Asbarez*, June 30, 2020, <http://asbarez.com/195066/president-says-will-not-sign-amendments-to-constitution/>

34 "President Says Will Not Sign Amendments to Constitution."

35 "Newspaper: Armenia 1st President clearly says to PM that such ingratitude will not be forgotten," *News.am*, March 13, 2020, <https://news.am/eng/news/565672.html>

36 "Լևոն Տեր-Պետրոսյան. Պատերազմական վիճակի թելադրանքով," *Azattyun*, April 7, 2020, <https://www.azattyun.am/a/30540341.html>

The ARF of the opposition celebrated the 130th anniversary of its foundation on 25 February in Azerbaijan's occupied historical city of Shusha.³⁷ Hence, the ARF has once again displayed its historical, traditional mode of agitation and subversion.

In order for him to be able to attend the EPP group meeting at the European Parliament, permission was granted to former President S. Sargsyan to travel to Brussels, despite the fact that a judicial proceeding against him had been initiated, barring his travel abroad. S. Sargsyan's cordial reception by the EPP group president in Brussels was reflected in the press.³⁸ The fact that Pashinyan was scheduled to visit Brussels and meet with the same circles a few days later led to comments that S. Sargsyan being granted permission constituted the precondition of Pashinyan's visit's success.

The COVID-19 pandemic, which has afflicted the whole world, has also affected Armenia extensively. Following the first outbreak in mid-March, state of emergency was declared from 16 March to 14 April.³⁹ Consequently, the referendum envisaged for 5 April was postponed to an uncertain date.⁴⁰ After a brief easing on lockdown restrictions, emergency rule has been extended on a monthly basis. Thus, on 14 April, the state of emergency was extended to 14 May.⁴¹ It was extended again until 13 June, then to 13 July and lastly until 12 August.⁴² Early in June, Prime Minister Pashinyan said that he and all members of his family tested positive for the virus.⁴³

Armenia's top religious authority, Armenian Catholicos of Etchmiadzin Karekin II got involved in the internal political feud when he expressed in public his opinion about necessity of changing Kocharyan's preventive measure of arrest.⁴⁴ On 20 April, Pashinyan retorted, putting into question the

37 "ARF Marks 130th Anniversary in Shushi," *Asbarez*, February 26, 2020, <http://asbarez.com/192270/arf-marks-130th-anniversary-in-shushi/>

38 Astghik Bedevian, "Serzh Sarkisian Again Visits Europe Despite Trial," *Azatutyun*, March 6, 2020, <https://www.azatutyun.am/a/30472601.html>

39 "Armenia declares state of emergency from March 16 to April 14," *Prime Ministry of the Republic of Armenia*, March 16, 2020, <https://www.primeminister.am/en/press-release/item/2020/03/16/Cabinet-meeting/>

40 "Constitutional Referendum Indefinitely Delayed," *Asbarez*, May 18, 2020, <http://asbarez.com/194217/constitutional-referendum-indefinitely-delayed/>

41 "Armenia extends coronavirus-related state of emergency until July 13," *ArmenPress*, June 12, 2020, <https://armenpress.am/eng/news/1018222/>

42 Siranush Ghazanchyan, "Armenia extends the state of emergency for another month," *Public Radio of Armenia*, July 13, 2020, <https://en.armradio.am/2020/07/13/armenia-extends-the-state-of-emergency-for-another-month-2/>

43 "Pashinyan and His Family Infected With Coronavirus," *Asbarez*, June 1, 2020, <http://asbarez.com/194468/pashinyan-and-his-family-infected-with-coronavirus/>

44 "Catholicos Karekin II Calls for Kocharian's Release," *Asbarez*, April 14, 2020, <http://asbarez.com/193621/catholicos-karekin-ii-calls-for-kocharians-release/>

qualifications of the clergy with an unfavorable assessment of their activities. He included the church among those groups, the former ruling regime, oligarchs, many media outlets, and some diaspora structures who he said are upset with his government. He asserted that the government's policies are causing very serious disappointment among the clergy because they are exposing a lack of spiritual life in Armenia. He further added that "more political intrigues are seen in the activities of spirituality than activities arising from the Bible".⁴⁵

The response from Etchmiadzin came the following day, while not agreeing with the assessments and views expressed, the Catholicos urged all to refrain from controversy and speculation.⁴⁶ The background to this clash goes deeper. Pashinyan, in his education reform, removed teaching the subject of the history of the Armenian Apostolic Church from the general education curriculum that was introduced, for the first time, in 2002 by the Kocharyan administration. This move has provided yet another opportunity for the political opponents, notably the ARF as well as religious circles to strike against Pashinyan with accusations of being anti-Armenian, atheist, unpatriotic etc.

A controversy with similar implications also erupted with the appointment of a new director to the "Armenian Genocide Museum-Institute" (AGMI). The new director and a member of the museum's Board of Trustees were accused of avoiding the using of the word "genocide" on purpose, preferring instead "*Medz Yegern*" (Great Calamity) so as to dilute, if not annihilate, Armenian legal claims and to encourage rapprochement with Turkey.⁴⁷ This has been cited as yet another example of Prime Minister "destroying Armenian values and statehood",⁴⁸ a claim much loved and abused by the ARF.

Pashinyan appeared on a live broadcast on public television on 20 April where he reiterated his resolve to purge Armenia's government, judiciary, and security department of "remnants" of the country's former leadership. He also asserted that many Armenian media outlets are also sympathetic to the former regime and keen to undercut him. It transpired that for at least 15 minutes preceding the broadcast, Public Television also recorded Pashinyan's preparation for the

45 "Armenian Church Rejects Fresh Criticism From Pashinian," *Azattyun*, April 21, 2020, <https://www.azattyun.am/a/30568063.html>

46 "Catholicos of All Armenians urges to refrain from controversy, speculation," *HyeTert*, April 21, 2020, <https://hyetert.org/2020/04/21/catholicos-of-all-armenians-urges-to-refrain-from-controversy-speculation/>.

47 Stephan Astourian, "Hybrid Warfare, a Pseudo-Scandal and the Armenian Genocide Museum-Institute," *EVNReport*, June 21, 2020, <https://www.evnreport.com/raw-unfiltered/hybrid-warfare-a-pseudo-scandal-and-the-armenian-genocide-museum-institute>

48 Astourian, "Hybrid Warfare..."

address. The footage was leaked to his detractors who circulated it on social media, to make a mockery out of it.⁴⁹

The traditional public commemoration events for the “Armenian Genocide” remembrance day on 24 April were cancelled due to COVID-19 lockdown.⁵⁰ The Tsitsernakaberd Memorial was also closed for all visitors except for a brief wreath lying ceremony by the state dignitaries.⁵¹ The Foreign Minister held a press conference on this occasion and said;

“The recognition and condemnation of the Armenian Genocide is the united work of several generations and all Armenians... Like in the previous years when we had difficulties, this year as well difficulties exist... 105 years later the Armenian people continue fighting for the restoration of justice. The recognition of the Armenian Genocide is an important step in terms of preventing the crimes against humanity”.⁵²

On another occasion, he added “The Armenian Genocide recognition was and remains a foreign policy priority for Armenia”.⁵³

Minister for Environment tendered in his resignation on 5 May without any explanation. It was promptly accepted by the Prime Minister.⁵⁴

On 8 May the National Assembly was the scene for bitter accusations against the Prime Minister and physical violence.

A controversial government bill allowing the confiscation of private properties and other assets deemed to have been acquired illegally, later endorsed by the National Assembly, was signed into law by the President on 12 May, without heeding the persistent calls from the opposition to seek for the opinion of the Constitutional Court.⁵⁵ The son in law of the former president S. Sargsyan was one of those subject to the application of the law. In turn, he has accused

49 “Pashinian Vows ‘Purge’ Of Armenian State Officials,” *Azatutyun*, April 20, 2020, <https://www.azatutyun.am/a/30566025.html>.

50 “Armenian Genocide commemoration events go remote amid coronavirus lockdown,” *ArmenPress*, April 21, 2020, <https://armenpress.am/eng/news/1012928>

51 Siranush Ghazanchyan, “Tsitsernakaberd Memorial to be closed to public on April 24,” *Public Radio of Armenia*, April 21, 2020, <https://en.armradio.am/2020/04/21/tsitsernakaberd-memorial-to-be-closed-to-public-on-april-24/>

52 “Armenian FM highlights recognition of Genocide in terms of preventing crimes against humanity,” *ArmenPress*, April 21, 2020, <https://armenpress.am/eng/news/1012920.html>

53 “Denied justice cannot be solution to the issue – FM Mnatsakanyan about Armenian Genocide,” *ArmenPress*, April 21, 2020, <https://armenpress.am/eng/news/1012939.html>

54 “Armenian Environment Minister Resigns,” *Azatutyun*, May 5, 2020, <https://www.azatutyun.am/a/30594469.html>

55 “New Law Allows Armenia to Confiscate Illegally Gained Property,” *Organized Crime and Corruption Reporting Project*, May 13, 2020, <https://www.occrp.org/ru/daily/12323-new-law-allows-armenia-to-confiscate-illegally-gained-property>

Pashinyan of entangling Armenia in international mafia system and filling his own pockets.⁵⁶ To substantiate his allegations, he cited Armenian imports of diamonds from India and of contraband cigarettes.⁵⁷ The wife of the Prime Minister and her brother filed a lawsuit against those allegations.⁵⁸

On 8 June, in a major reshuffle, Prime Minister Pashinyan appointed new names for the head of the National Security Service, the Chief of Police, and the Chief of General Staff of the Armed Forces.⁵⁹

Pasahinyan announced on 10 June the decision to reject the Russian credit and conditions for upgrading the Soviet-built Metsamor nuclear power plant and rather to finance it within Armenian state budget.⁶⁰ He said that the government would hence be free to select the equipment and service suppliers for the plant, located some 15 kilometers to the Turkish border generating roughly 40% of Armenia's electricity.⁶¹ It is on the records that the EU and US have long pressed for the closure of the nuclear plant on the grounds that it does not meet safety standards.⁶²

Armenia's major opposition party and its leader Gagik Tsarukyan, a wealthy businessman, came under heavy criticism and branded as "fifth column" by the ruling party when he started a campaign for the resignation of the government.⁶³ Shortly after he was interrogated by the security services and his house was searched.⁶⁴ Law enforcement authorities asked the National Assembly on 15 June for dissolving the immunity of Tsarukyan to allow his arrest.⁶⁵ On 16 June, the National Assembly cleared the way for this request.⁶⁶ However, the court rejected on 21 June the arrest warrant request.⁶⁷

56 "Ex-Ambassador: Pashinyan has entangled Armenia in international mafia system and is making Money," *News.am*, May 16, 2020, <https://news.am/eng/news/578963.html>

57 "Ex-Ambassador: Pashinyan has entangled Armenia..."

58 "Armenian PM's wife and her brother file lawsuit against ex-Ambassador Mikayel Minasyan," *ArmenPress*, June 3, 2020, <https://armenpress.am/eng/news/1017254/>

59 "Armenia PM announces names of new police, national security and army chiefs," *ArtsakhPress*, June 8, 2020, <https://artsakhpress.am/eng/news/127414/armenia-pm-announces-names-of-new-police-national-security-and-army-chiefs.html>

60 "Armenia Rejects Russian Funding For Nuclear Plant Upgrade," *Radio Free Europe/Radio Liberty*, June 12, 2020, <https://www.rferl.org/a/armenia-rejects-russian-funding-for-nuclear-plant-upgrade/30667786.html>.

61 "Armenia Rejects Russian Funding..."

62 "Armenia Rejects Russian Funding..."

63 Sargis Harutyunyan, "Armenian Opposition Party Branded 'Fifth Column'," *Azatoryun*, June 10, 2020, <https://www.azatoryun.am/a/30663599.html>

64 Ani Mejlumyan, "Armenian government moves against opposition figure," *EurasiaNet*, June 15, 2020, <https://eurasianet.org/armenian-government-moves-against-opposition-figure>

65 Mejlumyan, "Armenian government moves..."

66 Mejlumyan, "Armenian government moves..."

67 Naira Nalbandian, Artak Khulian, "Court Rejects Arrest Warrant Request For Armenian Opposition Leader," *Azatoryun*, June 21, 2020, <https://www.azatoryun.am/a/30682721.html>

On June 14, a meeting of the representatives of the five political parties of opposition took place in the premises of the ARF. A statement by the ARF said; “ the government is, once again, responding to the opposition’s political assessment with repressive methods. Especially now, when the country is facing serious domestic and foreign threats resulting from the leadership’s selfish governance, one person’s blatant aspirations to establish an authoritarian regime is becoming evident”.⁶⁸ The war of words between the ARF and Prime Minister had escalated when the Prime Minister, addressing criticism from the ARF recently, forecasted the 130- year-old party’s “political death”.⁶⁹

Pashinyan headed the meeting of the National Security Council on 10 July and made a long, comprehensive speech in the framework of approving the National Security Strategy.⁷⁰ He asserted that the Republic of Armenia is a pan-Armenian state and represents all Armenians around the world.⁷¹ Among the national goals of the Armenian people he cited international recognition of Nagorno-Karabakh’s right to self-determination without any restrictions and international recognition of the “Armenian Genocide”.⁷²

2. The Nagorno-Karabakh conflict

This issue, which can be defined as Armenia’s ongoing occupation of Azerbaijani territory for close to 30 years with a peaceful resolution still not in sight, continues to be Pashinyan administration’s dominant problem and the opposition’s main leverage against the government. Armenia has skillfully used its propaganda machine and also succeeded to bring about the delegation of the executive powers of the OSCE Minsk Group to three Powers historically and traditionally allies of Armenia with a view to converting its occupation to a lasting, de facto frozen conflict. Even the term “Nagorno-Karabakh conflict” is a minimizing misnomer as it connotes only the occupation of the Autonomous Region of Nagorno Karabagh within the Republic of Azerbaijan, whereas the occupation and purge of nearly one million local Azerbaijani population goes much beyond that to adjacent territories, extending to Iran in the South, comprising nearly 20% of Azerbaijani territory.

Pronouncements on part of Russia carry a substantial weight regarding the solution of the conflict. Russian Minister of Foreign Affairs Sergei Lavrov

68 “ARF of Armenia Warns of ‘Irreversible Losses’ in Armenia,” *Asbarez*, June 15, 2020, <http://asbarez.com/194711/arf-of-armenia-warns-of-irreversible-losses-in-armenia/>

69 “ARF of Armenia Warns...”

70 “PM Nikol Pashinyan Presents Armenia’s National Security Strategy,” *MassisPost*, July 10, 2020, <https://massispost.com/2020/07/pm-nikol-pashinyan-presents-armenias-national-security-strategy/>

71 “PM Nikol Pashinyan Presents...”

72 “PM Nikol Pashinyan Presents...”

made some groundbreaking statements during the period. During his visit to Azerbaijan on 3 December, he made two points: that contacts must be resumed between the Armenian and Azerbaijani communities of Nagorno-Karabakh and that there is room for compromise in the settlement of the Nagorno-Karabakh conflict.⁷³ These two points made headlines and were argued intensively in Armenia.

On the occasion of the OSCE Ministerial conference, on 4 December, the Ministers of Foreign Affairs of Azerbaijan and Armenia attended a 3.5-hour meeting in Bratislava, where the Minsk Group Co-chairs and the OSCE term president representative were also present. After this fifth meeting between the two ministers, an agreement could not be reached between the two sides regarding a joint declaration text. Both ministers of foreign affairs made their own statements after the meeting. Due to the principle of confidentiality, they did not refer to the content of the meeting. They only expressed their own viewpoints and stances. The Armenian Minister of Foreign Affairs Zohrab Mnatsakanyan underlined seven points in his statement to the press.⁷⁴

- There is no alternative to the peaceful settlement of the conflict within the OSCE Minsk Group Co-Chairmanship,
- The inalienable right of the people of Nagorno-Karabakh to self-determination represents a fundamental principle and foundation for the peaceful resolution. The recognition of this principle not to be limited in the scope of determination for the final status of Nagorno-Karabakh must be clearly and unequivocally accepted,
- The security of the people of Nagorno-Karabakh will not be compromised,
- The peaceful settlement should be inclusive by directly engaging all the parties to the conflict. Therefore, Nagorno-Karabakh through its elected representatives should be a direct party to the negotiating process,
- Peaceful settlement cannot take place in an environment of tensions and risks of escalation. Therefore the 1994 and 1995 ceasefire agreements concluded between Azerbaijan, Nagorno-Karabakh, and Armenia should be strictly adhered to and strengthened,

73 “Resuming dialogue between Azerbaijan, Armenia instrumental for Nagorno-Karabakh conflict settlement: Russian FM,” *Xinhua*, December 4, 2019, http://www.xinhuanet.com/english/2019-12/04/c_138604769.htm

74 “Statement by Zohrab Mnatsakanyan, Minister of Foreign Affairs of the Republic of Armenia at the 26th Meeting of the OSCE Ministerial Council in Bratislava,” *Ministry of Foreign Affairs of the Republic of Armenia*, December 5, 2019, https://www.mfa.am/en/speeches/2019/12/05/fm_remarks_osce_26/9996

- The basic principle of non-use of force or threat of use of force should be unconditionally adhered to. The policies of hatred, intolerance, xenophobia, Armenophobia, instigated and directed by the leadership of Azerbaijan should be denounced,
- The maximalist positions of Azerbaijan, which ignore the will and sensitivities of the people of Nagorno-Karabakh are fundamental obstacles to a meaningful progress in the peace process.

In his detailed statement, the Armenian Minister of Foreign Affairs also touched upon the official memorandum that was distributed at the meeting and contained Azerbaijan's views, expressing that Azerbaijan demanded "immediate, complete and unconditional withdrawal of the Armenian armed forces from the Nagorno-Karabakh region and other occupied territories of Azerbaijan", that Nagorno-Karabakh's predominantly Armenian population can only be granted "the status of self-rule within the territorial integrity and sovereignty of Azerbaijan".⁷⁵

The three Minsk Group Co-chairs also made a statement following the Bratislava meeting. Despite the invitation, Azerbaijan and Armenia chose not to be a party to the statement. In the statement, the three Co-chairs expressed that the status of Nagorno-Karabakh that would be recognized internationally must be done with a legal declaration of intention, as it is stated in the Madrid Principles, that a plebiscite can be made after Armenia withdraws its soldiers from the territories of Azerbaijan outside of Nagorno-Karabakh, underlined that the present status-quo is unacceptable and that the resolution of the issue cannot be military.⁷⁶ The news worthy information in the statement was that the two ministers agreed to meet once again early next year.⁷⁷

In the European Parliament, former EU High Representative for Foreign Affairs and Security Policy Federica Mogherini responded on 5 December to a question regarding the "parliament elections" held in Nagorno-Karabakh in September by stating "The EU doesn't recognize constitutional and legal framework within which so-called 'elections' are being held in Nagorno-Karabakh". The High Representative also invoked that the Eastern Partnership Summit declarations clearly state that the EU remains committed in its support to the territorial integrity, independence, and sovereignty of all its partners, including Azerbaijan. The High Representative expressed that such procedures cannot prejudice the determination of the future status of Nagorno-Karabakh

75 "Statement by Zohrab Mnatsakanyan..."

76 OSCE Minsk Group, "Joint Statement by the Heads of Delegation of the OSCE Minsk Group Co-Chair countries," *OSCE*, December 5, 2019, <https://www.osce.org/minsk-group/441242>

77 OSCE Minsk Group, "Joint Statement by the Heads of Delegation..."

or impact the negotiation process, that the EU continues to support the efforts of the OSCE Minsk Group Co-chairs toward the peaceful resolution of the Nagorno-Karabakh conflict, including through the EU Special Representative for the South Caucasus.⁷⁸

On 11 December, former President Kocharyan stated that the Nagorno-Karabakh talks are in deep deadlock and made critical accusations against the Pashinyan administration. Kocharyan asserted that the Nagorno-Karabakh administration must not act according to the Armenian Prime Minister's directive and Nagorno-Karabakh must fight for independence, that a new war is inevitable, that they must be prepared for this.⁷⁹

These statements of Kocharyan impacted his supporters in Nagorno-Karabakh, some of whom were candidates of the "presidential elections" to be held in March. The Nagorno-Karabakh former Security Council Secretary stated that Pashinyan's discourse and approach served the interests of Azerbaijan, that Pashinyan expressed in a speech of his that he looks favorably towards the Nagorno-Karabakh Azerbaijan community representatives to also attend the negotiation process, that this is unacceptable and is an offer that can jeopardize the future of Nagorno-Karabakh. He added that all reliable and realistic Armenian forces would be inclined to neutralize this situation.⁸⁰

The sixth meeting between the Ministers of Foreign Affairs of Azerbaijan and Armenia took place on 29-30 January in Geneva, as agreed in Bratislava. Following the meetings that lasted for two days and approximately seven hours, the statement below was published on the OSCE news page:⁸¹

"The co-chairs of the OSCE Minsk Group met separately and jointly with Armenian Foreign Minister and Azerbaijani Foreign Minister in Geneva on 28-30 January. They were joined in their meetings by the Personal Representative of the OSCE Chairperson-in-Office.

Over three days of intensive discussions, the Co-Chairs and the Ministers discussed the following agenda items: implementation of agreements and proposals discussed in 2019 and possible next steps to

78 "Mogherini: EU doesn't recognize constitutional framework within which so-called 'elections' held in Nagorno-Karabakh," *Trend News Agency*, December 6, 2019, <https://en.trend.az/azerbaijan/karabakh/3160136.html>

79 "Hraparak: Pashinyan's call for universally acceptable deal over Artsakh 'unpromising' – Robert Kocharyan," *Tert.am*, December 11, 2019, <https://www.tert.am/en/news/2019/12/11/hraparak/3162220>

80 "Karabakh ex-official: Armenia PM Pashinyan's approach to Artsakh issue serves Azerbaijan's interests," *News.am*, December 16, 2019, <https://news.am/eng/news/549983.html>

81 OSCE Minsk Group, "Joint Statement by the Foreign Ministers of Armenia and Azerbaijan and the Co-Chairs of the OSCE Minsk Group," *OSCE*, January 30, 2020, <https://www.osce.org/minsk-group/445114>

prepare the populations for peace; principles and elements forming the basis of a future settlement; and timing and agenda for advancing the settlement process.

The co-chairs reiterated their full commitment to helping the sides find a peaceful solution to the conflict and the principle of confidentiality in the settlement process, as well as the need for creativity and a spirit of compromise to achieve a fair and lasting peace.

The Ministers agreed to meet again in the near future under Co-Chair auspices.”

The President of France Emmanuel Macron joined the Coordination Council of Armenian Organizations of France’s (CCAF) meeting in Paris on 29 January, referred to the Nagorno-Karabakh conflict during his speech and stated that “France is one of the main guarantors for the continuation of peaceful negotiations on the Nagorno-Karabakh conflict”. He proclaimed that he is in contact with both the Prime Minister of Armenia Nikol Pashinyan and the President of Azerbaijan Ilham Aliyev to achieve this aim and that this channel remaining functional is one of the key steps to ease tension.⁸² During that meeting, the French President edged on the red lines concerning international status of Nagorno-Karabagh in his response to the Council’s co-chairs Ara Toranian and Murad Papazian as he responded to the criticism regarding memorandums concluded by some cities in France on friendship and solidarity between them and some cities in Nagorno-Karabakh being cancelled by the administrative courts acting by order of the ministries when he stated that “the application of the law does not exclude dialogue, we can move forward in a realistic and efficient way”. He even expressed that the Ministries of Foreign Affairs and Internal Affairs of France can find more effective facilities with the local authorities.⁸³

Following a bilateral meeting in Munich where the President of Azerbaijan and Prime Minister of Armenia attended the International Security Conference, they broke new ground on 15 January by holding a live television panel discussion face to face.⁸⁴ The panel discussion that lasted for about an hour was focused on the Nagorno-Karabakh conflict. In the discussion, Pashinyan’s command of language, image and grasp of the issue appeared to be amateurish whereas Aliyev gave the impression of a statesman who could relate with his

82 “France one of main guarantors of peaceful negotiations for NK conflict settlement – Macron,” *ArmenPress*, January 30, 2020, <https://armenpress.am/eng/news/1003071.html>

83 Karina Manukyan, “France-Artsakh Friendship Circle Members welcome French President’s proposal,” *Arminfo*, February 12, 2020, https://arminfo.info/full_news.php?id=49279&lang=3

84 “Nikol Pashinyan and Ilham Aliyev Hold Public Debate in Munich,” *YouTube*, February 16, 2020, https://www.youtube.com/watch?v=u_V2cafAhug

case to the audience. Pashinyan was heavily criticized domestically and by the Diaspora for accepting a TV panel discussion in such an unprepared manner. In terms of content, only asserting the security considerations as the justification for Nagorno-Karabakh's occupation, not emphasizing the self-determination principle was also a major point of criticism. Following a brief period of panic, a uniform pan-Armenian approach and response was formulated to undo the harm by asserting that both speakers were unsuccessful, that the discussion was unproductive. The interpretation of some of the Western observers was that the two leaders discussing such a subject in public and making mutual accusations did not contribute positively to the continuing negotiation process, which was carefully kept confidential, that it even put the process at risk.

Once again, Kocharyan took Pashinyan's performance and attitude on this subject as an opportunity to exploit. In his statement on 17 February, Kocharyan stated "Our people have already resolved the Karabakh issue. The negotiations today have one goal, to legitimize what we already have today on this land".⁸⁵

On 22 February, a joint security council meeting was held in Hankendi between Armenia and the Nagorno-Karabakh administration. In the meeting that was held for the third time and was attended by the Armenian Prime Minister, Ministers of Foreign Affairs and Defense, and the Chief of General Staff, subjects regarding the Armenia-Nagorno-Karabakh coordination were discussed. In his speech during the meeting, Pashinyan stated the importance of having a common understanding regarding the security of Nagorno-Karabakh, that he does not consider it possible to reach a conclusion if Nagorno-Karabakh is not represented as a participant, that he openly referred to the content of the negotiations at the Munich Security Conference, that security is one of the cornerstones of cooperation between Armenia and Nagorno-Karabakh, therefore this is now called the Munich Principles.⁸⁶ It is however obvious that the meeting focused on the various alternatives of the "presidential election" to be held in Nagorno-Karabakh on 31 March and its possible repercussions were assessed.

The Armenian Minister of Foreign Affairs Mnatsakanyan felt the need to make a statement on 24 February regarding the "Munich Principles". According to the Minister, the "Munich Principles" in essence reflected the meeting between

85 Ani Mshetsyan, "Robert Kocharyan: People have already resolved the Karabakh issue," *Arminfo*, February 17, 2020, https://arminfo.info/full_news.php?id=49379&lang=3

86 "Interaction between Armenia and Artsakh is the key to our people's security - The Security Councils of Armenia and Artsakh are holding a joint session in Stepanakert," *Prime Ministry of the Republic of Armenia*, February 22, 2020, <https://www.primeminister.am/en/statements-and-messages/item/2020/02/22/Nikol-Pashinyan-meeting-Security-Council/>

the Azerbaijani President and the Armenian Prime Minister in Munich. According to the Minister, there is nothing in the “Munich Principles” that transforms the Armenian side’s approaches to the Nagorno-Karabakh peace process. The Minister stated;

“As for the new approaches, Armenia has been and remains committed to a peaceful settlement of the issue within the Minsk Group co-chairmanship. Within this framework, we will continue to work for solutions that are acceptable to all parties and peoples. This means a compromise, which is a two-way road. There can be no talk of unilateral concessions. In this regard, the most pressing issue for us has been and remains the provision of a real security system for our compatriots in Nagorno Karabagh, which is the issue of status. Please do not interfere and do not assume that they are separated from each other”.⁸⁷

On 2 March, the Minsk Group Co-chairs and OSCE term president visited Ankara and met with the Turkish Minister of Foreign Affairs Mevlüt Çavuşoğlu. Following the meeting, Minister Çavuşoğlu stated to the press that the OSCE Minsk Group must participate more actively in the resolution of the conflict and that “the solution should be in full respect of sovereignty, territorial integrity and internationally recognized borders of Azerbaijan”.⁸⁸ The response to Minister Çavuşoğlu’s statement quickly came from Armenia; the Ministry of Foreign Affairs spokesperson stated “With an unfriendly policy towards Armenia and the Armenian people, which is also expressed in the context of the Karabakh conflict by unilateral military-political support of Azerbaijan, Turkey cannot play any role in the process of the peaceful settlement of the Karabakh conflict”.⁸⁹ The Armenian Minister of Foreign Affairs Mnatsakanyan also responded, by making a quote from the Bible, he stated “doctor, heal yourself”.⁹⁰

The fact that Armenia insists on ignoring here is that Turkey, beyond being a member of the Minsk Group, is one of the four countries that initiated this process. The efforts to find a peaceful resolution to the Nagorno-Karabakh war

87 “Pashinyan’s ‘Munich Principles’,” *MassisPost*, February 23, 2020, <https://massispost.com/2020/02/pashinyans-munich-principles/>

88 Tefik Durul, “Bakan Çavuşoğlu: AGİT Minsk Grubu Yukarı Karabağ’da çözüm için daha etkin çalışmalı,” *Anadolu Ajansı*, 2 Mart 2020, <https://www.aa.com.tr/tr/politika/bakan-cavusoglu-agit-minskgrubu-yukari-karabagda-cozum-icin-daha-etkin-calismali/1751517>

89 “Ermenistan Dışişleri Bakanlığı Sözcüsü: “Türkiye, Karabağ sorununun barış çözüm sürecinde bir rol oynayamaz,” *Ermeni Haber Ajansı*, 3 Mart 2020, https://www.ermenihaber.am/tr/news/2020/03/03/naghdalyan/177551?fb_comment_id=2800984773269983_2801300789905048

90 “Ermenistan Dışişleri Bakanından ‘Çavuşoğlu tweeti’: ‘Ey doktor, önce kendini iyileştir’,” *HyeTert*, 3 Mart 2020, <https://hyetert.org/2020/03/03/ermenistan-disisleri-bakanindan-cavusoglu-tweeti-ey-doktor-once-kendini-iyilestir/>

were initiated in late 1992, within the scope of the Conference on Security and Co-operation in Europe (CSCE) of the period, with a 5+1 format (Azerbaijan, Armenia, the US, Russia, Turkey and the CSCE term presidency), Turkey was always part of the process as the closest and most concerned country on the issue. Following several meetings held in 5+1 format, the first meeting being held in Geneva during late 1992, the 13 member Minsk Group of today, of which Turkey is also a part, was established.

“Elections” were held in Nagorno-Karabakh on 31 March 2020. The so-called parliament and presidential elections were monitored by observers from Armenia. The statement of Turkey’s Ministry of Foreign Affairs on 30 March is as follows:⁹¹

“The so-called Presidential and Parliamentary elections to be held on 31 March 2020 in Armenian occupied Nagorno-Karabakh region of Azerbaijan, is a manifestation of the efforts to unilaterally legitimize the current situation in Nagorno-Karabakh, which is contrary to international law. This step is a flagrant violation of international law, including the UN Security Council Resolutions and the OSCE principles.

At a stage when there are talks within the OSCE Minsk Process to find a peaceful settlement for the Nagorno-Karabakh conflict, holding the so-called elections in the occupied territories undermines the efforts towards a peaceful and lasting resolution. We call on the international community, including the OSCE Minsk Group, not to recognise these elections.

Turkey does not recognise these illegitimate elections, which will constitute yet another violation of the sovereignty and territorial integrity of Azerbaijan. As a member of the OSCE Minsk Group, Turkey will continue to support the efforts for finding a just and lasting solution to the Nagorno-Karabakh conflict.”

The EU also responded to the “elections”, the EU High Representative for Foreign Affairs and Security Policy spokesperson made the following statement:⁹²

91 “No: 82, 30 Mart 2020, Ermenistan İşgali Altındaki Azerbaycan Toprağı Yukarı Karabağ’da 31 Mart 2020 Tarihinde Düzenlenmesi Öngörülen Sözde Seçimler Hk.,” *Türkiye Cumhuriyeti Dışişleri Bakanlığı*, March 30, 2020, http://www.mfa.gov.tr/no_82_-_yukari-karabag-da-duzenlenmesi-ongorulen-sozde-secimler-hk.tr.mfa

92 “Nagorno-Karabakh: Statement by the Spokesperson on the so-called presidential and parliamentary elections,” *European External Action Service*, March 31, 2020, https://ecas.europa.eu/headquarters/headquarters-homepage/76801/nagorno-karabakh-statementspokesperson-%20so-called-presidential-and-parliamentary-elections_en

“In view of the so-called ‘presidential and parliamentary elections’ in Nagorno-Karabakh on 31 March 2020, the European Union reiterates that it does not recognise the constitutional and legal framework within which they are being held. This event cannot prejudice the determination of the future status of Nagorno-Karabakh or the outcome of the ongoing negotiation process. The EU recalls its firm support to the OSCE Minsk Group and, in particular, to its Co-Chairs’ efforts to bring about progress beyond the status quo and substantive negotiations towards comprehensive and sustainable peace. The EU stands ready to further support efforts, aimed at early, peaceful resolution of the Nagorno-Karabakh conflict.”

In the context of international organizations, one response to the so-called elections in Nagorno-Karabakh came from the Organisation of Islamic Cooperation (OIC). The statement expresses; “OIC views the holding of elections in the occupied region of the Republic of Azerbaijan on March 31, 2020 as a contravention to the relevant UN Security Council resolutions concerning the Nagorno-Karabakh conflict”, moreover it emphasizes “decisions of the OIC and the OSCE to encourage a peaceful solution to the conflict on the basis of sovereignty, territorial integrity and inviolability of the internationally recognized borders of Azerbaijan”.⁹³

On its part, Armenia could not but advocate the elections. It continued to claim that the OSCE member states used the expression “elected representatives of Nagorno-Karabakh” in a document in 1992 and that these representatives were parties in the Nagorno-Karabakh negotiations.⁹⁴ Thus, since the negotiations are continuing, the “elections” and “elected representatives” are necessary.

Armenia responded to the statement of the Turkish Ministry of Foreign Affairs with a statement that repeated the well-worn claims. The statement of the Armenian Minister of Foreign Affairs is as follows:⁹⁵

“The statement of the Foreign Ministry of Turkey on the elections being held in Nagorno-Karabakh is yet another expression of Turkey’s hostile policy towards the Armenian people. In line with its traditional method of selective interpretation of international documents, on one hand Turkey invokes the relevant UN Security Council’s resolutions and on

93 Zehra Nur Düz, “OIC rejects elections in ‘occupied’ Nagorno-Karabakh,” *Anadolu Agency*, April 1, 2020, <https://www.aa.com.tr/en/politics/oic-rejects-elections-in-occupied-nagorno-karabakh/1788243>

94 “ANCA: OSCE Response to Artsakh Elections Betrays America’s Commitment to Democracy,” *Armenian Weekly*, April 3, 2020, <https://armenianweekly.com/2020/04/03/anca-osce-response-to-artsakh-elections-betrays-americas-commitment-to-democracy/>

95 “Ermenistan Dışişleri’nden Türkiye’nin Karabağ seçimleriyle ilgili açıklamasına tepki,” *Ermeni Haber Ajansı*, 31 Mart 2020, <https://www.ermenihaber.am/tr/news/2020/03/31/Ermenistanı-Türkiye-Karabağ/179760>

the other hand ignores their call to refrain from any hostile actions in the context of Nagorno-Karabakh conflict explicitly addressed to the states in the region. Whereas it is Turkey itself that has been imposing land blockade on the Republic of Armenia for decades and supporting aggressive and atrocious actions unleashed against the people of Artsakh [Nagorno-Karabakh], including in April 2016.”

“The reference of Turkey’s Foreign Ministry to the OSCE principles and the Minsk Process is equally groundless. We recall that the OSCE/CSCE decision of March 24, 1992, which laid a foundation for the Minsk Process, refers to the elected representatives of Nagorno-Karabakh as a participant in the process. Elections must be held to have elected representatives, and from this viewpoint, elections conducted in Artsakh don’t contradict, but derive from the logic and fundamental documents of peaceful process.”

“Turkey’s attempts to act as an international guardian of human rights and its appeals to the international community are more than bankrupted in the light of its constant violations of the rights of peoples and territorial integrity of its neighbors and its aggressive policy which breaches the norms of international law and democracy.”

The Armenian Assembly of America (AAA), one of the radical Armenian organizations in the United States, was not late in congratulating the Nagorno-Karabakh elections. On this occasion, it also did not shy away from harshly criticizing primarily Turkey as well as the EU and OSCE statements which considered the elections as null and void.⁹⁶ It would certainly be prudent, especially for the US Congress, to put on record the attitude of such an organization operating with impunity in disregarding the policies of the US, countering globally acknowledged norms and universal legal principles. In this context, it is also worth noting that Head of the Azerbaijani Community of the Nagorno-Karabakh Region of Azerbaijan condemned the sending of a “congratulatory letter” to the illegal regime created by Armenia in the occupied territories of Azerbaijan by members of the Congress -Frank Pallone, Jackie Speier, Gus Bilirakis and Adam Schiff.⁹⁷ On the other hand, Germany took legal action against an impostor for claiming to be diplomatic representative of Nagorno-Karabakh regime.⁹⁸

96 “Armenian Assembly Applauds The People Of Artsakh As Presidential And Parliamentary Elections Are Held,” *Armenian Assembly of America*, March 31, 2020, <https://armenian-assembly.org/2020/03/31/armenian-assembly-applauds-the-people-of-artsakh-as-presidential-and-parliamentary-elections-are-held/>.

97 “Head of Azerbaijani community of Nagorno-Karabakh sends letter of protest to US congressmen,” *The Middle East North Africa Financial Network*, April 23, 2020, <https://menafn.com/1100071999/Head-of-Azerbaijani-community-of-Nagorno-Karabakh-sends-letter-of-protest-to-US-congressmen>

98 “Urgent: Germany banned activities of ‘NKR representation’ (Editorial),” *Azeri Daily*, May 22, 2020, <http://azeridaily.com/reality/56136>

As it can be seen, the so-called elections held in Nagorno-Karabakh, far from providing legitimacy for Armenia's policy of occupying Azerbaijan's territories, nor contributing to the Nagorno-Karabakh conflict resolution process, has sparked reactions from third parties and international organizations, to confirm once again that an independent identity of Nagorno-Karabakh is not acknowledged by international politics or law. Italy displayed a clear example in a joint declaration with Azerbaijan affirming support for the peaceful resolution of the Nagorno-Karabakh conflict based upon the principles of sovereignty, territorial integrity, and the inviolability of national borders.⁹⁹

While Armenia postponed its referendum for 5 April to an uncertain date due to the COVID-19 pandemic, when one looks for an explanation as to why it insisted on conducting these so-called elections on 31 March, the Pashinyan administration's dilemma regarding Nagorno-Karabakh becomes apparent. In the search for a resolution to the Nagorno-Karabakh conflict, which is an issue with the potential for the opposition to undermine the administration devastatingly, Pashinyan felt the need to quickly create a balance against the leverage of the two former Presidents of Nagorno-Karabakh origin, Kocharyan and S. Sargsyan who could command high level Nagorno-Karabakh Armenian administrators against him. As he could not find a powerful candidate in Nagorno-Karabakh close to him, he chose to neutralize one of the previous term's respected figures by drawing him to his side through promising support for a sure to win election. He had to act fast to achieve this. Contrary to expectations, this scenario did not materialize in the first round. It went into runoff between the two top polling candidates. However, the result was secure. The militant candidate that was supported by the opposition, who was known for harassing Pashinyan publicly, was disqualified, coming in third place. As such, the new administration would not be militant anti-Pashinyan but rather open to options. Therefore, this delay did not change the core of the calculated balance. The second round was held in 14 April. The turnout was very low. The reason was twofold: the COVID-19 pandemic precautions and the result being already certain. Indeed, there were no surprises. The expected result was achieved.

The OSCE Minsk Group Co-chair brought the two Ministers of Foreign Affairs of Azerbaijan and Armenia for yet another meeting on the Nagorno-Karabakh conflict in a video conference on 21 April. After the consultations, the following joint statement was announced:¹⁰⁰

99 "Almost an ally: Italy's new approach to Azerbaijan and the Nagorno-Karabakh conflict," *European Council on Foreign Relations*, April 16, 2020, https://www.ecfr.eu/article/commentary_almost_an_ally_italys_new_approach_to_azerbaijan_and_the_nagorno

100 "Joint Statement by the Foreign Ministers of Armenia and Azerbaijan and the Co-Chairs of the OSCE Minsk Group," *OSCE*, April 21, 2020, <https://www.osce.org/minsk-group/450508>.

“Armenian Foreign Minister, Azerbaijani Foreign Minister and OSCE Co-Chairs (Russia, France and the USA) have held regular consultations since mid-March, including April 21. Personal Representative of the OSCE Chairman-in-Office also took part in the consultations.

During the consultations, the participants discussed the impact of the global health crisis on the region and recent developments on the ground. They also touched upon further steps in the Nagorno-Karabakh peace process in line with a joint statement issued on January 30, 2020 in Geneva.

It was confirmed that due to the unusual situation with the COVID-19 virus, the implementation of previously acquired humanitarian measures has been postponed. The agreements reached in Geneva between the ministers on face-to-face meetings and the Co-Chairs’ visit to the region have also been postponed. However, the necessary work to prepare the above-mentioned actions continues.

The Co-Chairs stressed the need to maintain the ceasefire unconditionally, and in the current situation to refrain from provocative actions, and called on the parties to take further steps to reduce tensions. They also praised the continued work of the Personal Representative of the OSCE Chairman-in-Office in the current situation and stressed the need to resume monitoring as soon as possible.

Given the enormous challenges currently facing all peoples, regardless of political boundaries, which serve as a stark reminder of the value of every human life, the Foreign Ministers and Co-Chairs expressed hope that the determination to respond to the global contagion will give creative and constructive impetus to the peace process. The Co-Chairs drew attention to the UN Secretary-General’s March 23 message on ceasefire during the current health crisis and the March 19 statement of the Co-Chairs.

The Foreign Ministers and the Co-Chairs agreed to remain in close contact and to continue face-to-face talks as soon as possible”

A cursory read of the announcement shows that after umpteenth time consultations, no panacea to the conflict is provided and business as usual, that is continuation of occupation, is once again ordained.

Probably with a view to breaking the impasse and charting a way out of pessimism, Foreign Minister of Russia spoke at a public forum, at the Gorchakov Public Diplomacy Support Foundation in Moscow on 21 April. He noted that the decisions on the Karabakh settlement proposed at the meeting

of the Foreign Ministers of Russia.¹⁰¹ Azerbaijan and Armenia in Moscow last year were being actively discussed and their signing would be a significant step towards the implementation of UN Security Council resolutions.¹⁰²

He went on to say that the resolutions that have been adopted are well-known documents. They were adopted during the hot phase of hostilities, assuming, first of all, a complete cessation of hostilities and the transition to negotiations. Yes, the territorial integrity of the Republic of Azerbaijan has been confirmed in them. But they also called for an end to the war and negotiations.

He said that there are the Madrid Principles.¹⁰³ There are documents prepared by the Russian Federation in 2010-2011, the so-called Kazan document.¹⁰⁴

The Russian Minister clarified that those documents “mean reaching a settlement on the basis of a step-by-step approach, in the first stage assuming the solution of more urgent problems, the liberation of a number of territories around Nagorno-Karabakh and the unblocking of transport, economic and other communications”.¹⁰⁵ He also added that “the issue of the resolution should be considered in the process of the negotiations in the framework of the current format”.¹⁰⁶

This revelation of “phased approach” and “liberation of regions” as well as negotiations to continue with the “current format”, that is to say no representation from Nagorno-Karabakh, dropped like a bomb on the Armenian public and caused a great wave of indignation. The Foreign Minister of Armenia rejected the phased settlement idea in a statement, saying Armenia is not considering any compromise on the matter of liberating occupied Azerbaijani territories. On his part, the Armenian Prime Minister said “we negotiate within the authorities we have and we will not be afraid while heading to talks neither from insiders nor the outsiders. One very important resolution over the Karabakh issue: until everything is decided, nothing is decided”.¹⁰⁷

101 “Foreign Minister Sergey Lavrov’s remarks and answers to questions at a roundtable discussion with the participants of the Gorchakov Public Diplomacy Fund in the videoconference format,” *The Ministry of Foreign Affairs of the Russian Federation*, April 21, 2020, https://www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4103828.

102 “Foreign Minister Sergey Lavrov’s remarks...”

103 “Foreign Minister Sergey Lavrov’s remarks...”

104 “Foreign Minister Sergey Lavrov’s remarks...”

105 “Foreign Minister Sergey Lavrov’s remarks...”

106 Joshua Kucera, “Lavrov stirs the pot in Armenia and Azerbaijan,” *Eurasia.net*, April 24, 2020, <https://eurasianet.org/lavrov-stirs-the-pot-in-armenia-and-azerbaijan>

107 “Armenia negotiates over what it considers necessary: Armenia’s PM on talks over Karabakh conflict,” *Aysor.am*, May 6, 2020, <https://www.aysor.am/en/news/2020/05/06/pashinyan-karabakh/1693054>

Speaking at the Commonwealth of Independent States (CIS) meeting on 13 May, Armenian Foreign Minister however stated to his Azerbaijani counterpart that the settlement of the Karabakh conflict is based on the principle of compromise.¹⁰⁸ The Foreign Minister of Azerbaijan responded, saying;

“Recent statements by the Armenian leadership show that the Armenian side is doing its best to impede the activation of the process of peaceful settlement of the conflict, thereby creating new threats to regional stability and security... negotiations cannot last forever and should not serve for continuing and maintaining the situation that arose as a result of the use of force”.¹⁰⁹

Prime Minister Pashinyan criticized the President of Azerbaijan in unusually strong terms as he chaired a meeting of Armenia’s and Karabakh’s top security officials on 19 June. He said that Azerbaijan was sticking to maximalist demands rather than reciprocating his calls for a deal that would satisfy “all” parties to the conflict.¹¹⁰

OSCE Minsk Group Co-chairs issued a statement following a meeting of Azerbaijani and Armenian foreign ministers on 30 June. They praised the relative stability on the ground and expressed satisfaction that the parties continue to use the existing direct lines of communication to avoid escalating the conflict.¹¹¹ They reiterated that there is no military solution to the conflict. The Co-Chairs and ministers agreed to hold a joint video conference in July and meet in person as soon as possible.¹¹²

In an interview with Azerbaijani TV on 7 July, the President of Azerbaijan lambasted the Co-Chairs for their fruitless efforts, said that he would not negotiate for the sake of negotiating and asked for substantive negotiations without any change in their format.¹¹³

108 “The session of the Council of Foreign Ministers of the Commonwealth of Independent States was held in the video-conference format,” *Ministry of Foreign Affairs of the Republic of Armenia*, May 12, 2020, https://www.mfa.am/en/press-releases/2020/05/12/CIS_Council_of_FMs/10263

109 “No:103/20, Speech by the Mr. Elmar Mammadyarov, Minister of Foreign Affairs of the Republic of Azerbaijan at the meeting of the Council of Foreign Ministers of the CIS through videoconferencing on May 12, 2020,” *Republic of Azerbaijan Ministry of Foreign Affairs*, May 12, 2020, <https://mfa.gov.az/en/news/6672/n>

110 “Armenian, Azeri FMs Trade Accusations In Fresh Talks,” *Azatutyun*, June 30, 2020, <https://www.azatutyun.am/a/30699152.html>

111 “Press Statement by the Co-Chairs of the OSCE Minsk Group,” *OSCE*, June 30, 2020, <https://www.osce.org/minsk-group/455866>.

112 “Press Statement by the Co-Chairs of the OSCE Minsk Group” (June 30, 2020).

113 “Aliyev Slams Karabakh Peace Process Mediators,” *MassisPost*, July 7, 2020, <https://massispost.com/2020/07/aliyev-slams-karabakh-peace-process-mediators/>

On 12 July fighting erupted on the border with Azerbaijan in the Tavush region, with casualties on both sides and both sides accusing the other for starting it. The Minsk Group Co-Chairs called on the parties to cease fire and to resume substantive talks as soon as possible. Sporadic firing continued up to 16 July. The Collective Security Treaty Organisation (CSTO), of which Armenia is member, scheduled a meeting for 13 July that was later postponed. Russia called on the Minsk Group members to avoid making inflammatory statements.

The OSCE Minsk Group Co-Chairs later issued the following statement on the July 12-13 armed fighting on the Armenian-Azerbaijani border:¹¹⁴

“According to reports from the Ministries of Defence of Armenia and Azerbaijan, as well as other sources, on 12-13 July there was a serious breach of the ceasefire on the Armenian-Azerbaijani border, resulting in casualties. Artillery of various calibers reportedly was used by both forces.

The Co-Chairs and Personal Representative of the OSCE Chairperson-in-office (PRCIO) Andrzej Kasprzyk regret the loss of life and offer their condolences to the families of those who were killed and injured. The Co-Chairs and PRCiO have been in direct contact with Armenian and Azerbaijani officials since the beginning of the incident.

The sides have accused each other of initiating the fighting. The Minsk Group Co-Chairs condemn the recent ceasefire violations and call upon the sides to take all necessary measures to prevent any further escalation, including by use of the existing direct communication channels between them.

The Minsk Group Co-Chairs also call on the sides to resume substantive negotiations as soon as possible and emphasize the importance of returning OSCE monitors to the region as soon as circumstances allow.”

3. Armenia’s Foreign Relations

In 2019, after an active year on the occasion of the Eurasian Economic Cooperation Organization (EECO) term presidency, Armenia once again entered a relatively isolated year. The COVID-19 pandemic worsened this situation. Nevertheless, the statements of the Minister of Foreign Affairs, Prime Minister, and even the President highlight that Armenia will continue its multi directional-vector foreign policy line. That is to say, it will not remain

114 “Press Statement by the Co-Chairs of the OSCE Minsk Group,” *OSCE*, July 13, 2020, <https://www.osce.org/minsk-group/457225>

dependent on a single country or bloc, hence will be active in in a broad spectrum in foreign relations.

During late December, a statement of neighboring Georgia's President highlighting the border conflict with Armenia caused discomfort as it connoted another dimension of Armenia's expansionist policy. In her statement on 27 December, the Armenian Ministry of Foreign Affairs spokesperson expressed that meetings are being held on the designation of the Armenia-Georgia border since 1992, that the sides established a border designation committee with this aim in 1996, that the subject is also being discussed in the bilateral political consultations, that an agreement was reached for 147 km of the 247 km border, that the negotiations for 78 km part are continuing.¹¹⁵ As is known, Armenia's primary transit route with Russia and third countries passes through Georgia. Highway border crossings are realized through three gates. The EU had made a 60 million dollar aid for these roads and gates to be improved.

In a statement of the Russian Ambassador to the press, he said that Russia's extensive relations with its South Caucasian ally Armenia have deepened even more following the 2018 administration change, affirming: "for us Armenia is a reliable key partner that we can seek during difficult situations".¹¹⁶ As is known, Russia has a land base in Gyumri in Armenia, an air base close to Yerevan. Russia lastly reinforced its military force in Gyumri of around 5000 with combat helicopters and prolonged the duration of the agreement on its right to use this base until 2044. As it has been in the past, the Pashinyan administration considers the Russian military presence in the country as the basis of their national security strategy.

Russia's attitude towards the 2018 revolution and Pashinyan administration was an indicator of the flexibility in the new Russian foreign policy. After Kocharyan and S. Sargsyan, in whom Russia had no doubts regarding their loyalty, Russia approached Pashinyan cautiously, who came to power full of spite against them. Being aware of the risk of losing an ally it needs in South Caucasia by toppling a government that came to power with the support of the people, with a pragmatic approach, Russia looked for ways of accord with Pashinyan. In a way, both sides are bidding their time for opportunities. Pashinyan would be able to conduct a "multi directional-vector" foreign policy with some distance to Russia to the extent that he can build up a solid internal base and eliminate the opposition representing the vestiges of the past. Then he would be able to gradually open to the West. On the other hand, should internal struggles increase, he would become more dependent on Russia.

115 "225 կմ երկարությամբ հայ-վրացական պետական սահմանից համաձայնեցվել է 147 կմ-ն. Աննա Նաղդալյան," *168.am*, December 27, 2020, <https://168.am/2019/12/27/1230618.html>

116 "Armenia remains key, reliable partner for Russia – Ambassador Kopyrkin," *ArmenPress*, December 24, 2019, <https://armenpress.am/eng/news/999882.html>

The fluctuating relations of Russia with Turkey during the period were followed closely by Armenia with comments in the press of concerns and speculations.

In its 31 January broadcast, the Voice of America radio announced that the US-Armenia military cooperation is developing according to the US Department of Defense. The US Deputy Assistant Secretary of Defense for Russian, Ukrainian, and Eurasian Affairs said;

“The actively developing cooperation between the Armenian and the US Armed Forces is generating true excitement, and it is an honor to them to receive students from Armenia, and providing them with military education. This year we also plan to develop cooperation with the National Defense Research University of Armenia, as well as to continue to train current and future leaders of the Armenian Armed Forces. The ongoing program with Kansas allows increasing the capacity of Armenia and NATO, and facilitating defense reforms in Armenia”¹¹⁷

The news report also indicated that 120 Armenian military personnel are stationed in Mezar-ı Sharif in Afghanistan, that 41 Armenian soldiers are serving within the NATO forces in Kosovo.¹¹⁸

The Armenian President’s and Prime Minister’s interest in foreign visits continued during the period until the COVID-19 restrictions. During early January, the President visited Abu Dhabi and met with the UAE governors.¹¹⁹ On 20 January, the President, who visited Switzerland, also met with the Switzerland-Armenia Chamber of Commerce representatives and Swiss businesspeople there.¹²⁰ Afterwards, he attended the World Economic Forum in Davos.¹²¹ On 23 January, he visited Israel to attend the Holocaust remembrance ceremonies. On this occasion, he met with the Israeli Parliament Speaker and the President. He also crossed over to the West Bank and met with the President of Palestine. In his contacts with the Israeli officials and in a statement he gave to the Jerusalem Post newspaper afterwards, he continued his efforts to identify the narrative of “Armenian Genocide” with the

117 “Armenian-American military cooperation is actively developing,” *News.am*, January 31, 2020, <https://news.am/eng/news/557618.html>

118 “Պենտագոն. հայ-ամերիկյան ռազմական համագործակցությունն ակտիվորեն զարգանում է. VOA,” *Factor.am*, January 31, 2020, <https://factor.am/217983.html>

119 “Armenian President meets Chairman of Rotana Hotel Management Corporation in Abu Dhabi,” *ArmenPress*, January 16, 2020, <https://armenpress.am/eng/news/1001568.html>

120 “President Sarkissian meets with members of Swiss-Armenian Chamber of Commerce and businessmen,” *ArmenPress*, January 20, 2020, <https://armenpress.am/eng/news/1002005.html>

121 “President Armen Sarkissian participated at the opening of the World Economic Forum in Davos,” *The Presidency of the Republic of Armenia*, January 20, 2020, <https://www.president.am/en/press-release/item/2020/01/20/President-Armen-Sarkissian-attended-World-Economic-Forum-in-Davos/>

Holocaust.¹²² This attitude, which gave the impression that he attended a remembrance ceremony in order to find supporters for his own political discourse, has undoubtedly disturbed the hosts. When these claims and narrative, which demonstrated that he did not understand the Holocaust and served to water down the Holocaust reality itself, did not receive positive responses, he made a statement in a newspaper that the Armenian people do not understand why Israel does not support the Armenian discourse.¹²³

There was a scathing comment to that statement from an Israeli journalist which appeared in *Israel Hayom*. Some excerpts:

“The former Armenian authorities erected a monument, in the center of Yerevan, in honor of the fascist executioner and traitor Garegin Ter-Harutyunyan, who served with the German fascists under the nickname Garegin Nzdeh. Unfortunately, the new government of Armenia did not dismantle this monument. [...] How can we, Israelis, react to the monument erected three years ago in Yerevan to commemorate Nzdeh, an anti-Semite and apparent Nazi accomplice. [...] It is no longer a hushed secret, and the ideology of fascism, glorification of Armenian fascists and Nazis who worked closely with Nazi Germany, are being promoted at the state level in Armenia. [...] Really, the Armenians have no other heroes to commemorate except the fascist Nzdeh?”¹²⁴

A very appropriate question, but the answer is not one of compliment. There are other hero monuments in the center of Yerevan of acknowledged terrorists and murderers.

The Minister of Foreign Affairs of the Netherlands paid a working visit to Yerevan on 23 January. This was the first visit from the Netherlands to Armenia at this level.¹²⁵

Prime Minister Pashinyan, who went to Germany to attend the Munich Security Conference, first headed to Berlin for a working visit on 13 February and met with Chancellor Angela Merkel. This was the third meeting of the two leaders following those in August 2018 Yerevan and February 2019 Berlin. Merkel

122 “Armenian president to ‘Post’: Failure to recognize genocide will backfire,” *The Jerusalem Post*, January 31, 2020, <https://www.jpost.com/opinion/failure-to-recognize-our-genocide-will-backfire-616003>

123 “Israel can’t win the battle against antisemitism until it recognizes the Armenian Genocide,” *Mediamax*, January 31, 2020, <https://mediamax.am/en/news/foreignpolicy/36320/>

124 Arye Gut, “Glorifying fascism disrespects the memory of the Holocaust,” *Israel Hayom*, May 16, 2020, <https://www.israelhayom.com/opinions/glorifying-fascism-disrespects-the-memory-of-the-holocaust/>

125 “Pashinyan, Dutch Foreign Minister Discuss Expanding Bilateral Relations,” *Hetq.am*, January 23, 2020, <https://hetq.am/en/article/112456>

commended that much has changed in Armenia following the “Velvet Revolution”, that a major renewal process was initiated, and stated “Germany is a close friend and partner of Armenia and we feel the power of that friendship in both emotional and practical senses”. In the Armenian government memorandum published following the meeting, it was highlighted that Merkel promised to sustain her support for the “democratic reforms” in Armenia.¹²⁶ Economic issues were also high in the agenda of the meeting. Pashinyan called on German companies to invest in Armenia. Germany is the forerunner country in the EU that provides the most grants to and has the highest trade volume with Armenia. The bilateral trade volume in 2019 was 451 million dollars.¹²⁷

On 31 January, Pashinyan attended the OEEC heads of government meeting in Kazakhstan.¹²⁸ In this first meeting that Armenia attended after its term presidency, there were no new developments that would encourage Armenia’s expectations.

Other than Georgia, Iran is the only other country that Armenia can have an outlet to third countries. Approximately one third of Armenia’s foreign trade is conducted through this route. Despite the difficulties due to the international embargoes placed on Iran, aid of 21 million euros was supplied from the European Bank for Reconstruction and Development (EBRD) for the improvement of the bridge where a border crossing is being upgraded between Iran and the entry point Meghri.¹²⁹

On 10 February, the King of Jordan made an official visit to Armenia. The King’s abstention from visiting the “genocide” monument despite being included in the envisaged schedule overshadowed the visit for Armenia.¹³⁰

The Defense Minister of Georgia visited Armenia together with a delegation on 27 February. The Georgian Minister invited Armenia to attend the NATO “Noble Partner” military drills held in Georgia every year.¹³¹ It was stated by Georgia that this year Armenia would join these drills. Armenia is on record

126 “Germany’s Merkel Praises ‘Deepening’ Ties With Armenia,” *Azatutyun*, February 13, 2020, <https://www.azatutyun.am/a/30433090.html>

127 “Germany one of Armenia’s key partners: 2019 trade turnover grew by 4.2%,” *ArmenPress*, February 12, 2020, <https://armenpress.am/eng/news/1004527.html>

128 “PM Pashinyan attends Eurasian Intergovernmental Council Meeting in Almaty,” *ArmenPress*, January 31, 2020, <https://armenpress.am/eng/news/1003257.html>

129 “Armenia to Upgrade Meghri Area Border Crossing with Iran,” *MassisPost*, February 7, 2020, <https://massispost.com/2020/02/armenia-to-upgrade-meghri-area-border-crossing-with-iran/>

130 “Jordan’s King in ‘Historic’ Visit to Armenia,” *Center for Eurasian Affairs (AVİM)*, AVİM Bulletin, February 14, 2020, <https://avim.org.tr/en/Bulten/JORDAN-S-KING-IN-HISTORIC-VISIT-TO-ARMENIA>.

131 “Armenia To Join NATO Drills In Georgia,” *Azatutyun*, February 27, 2020, <https://www.azatutyun.am/a/30458402.html>

for having affirmed in the past that it would join those exercises, but it became unclear whether or not it materialized. This time also, a confirmation was not made regarding this subject by the Armenian minister.

On 3 March, Pashinyan paid an official visit to Georgia. The main subject that was taken up was Armenia's transit passage through Georgia. An agreement was signed between the two countries on the citizens' fairway through the borders.¹³² Pashinyan explained his proposal on the relations between the two countries to be raised to a level of strategic cooperation. The two countries still do not characterize each other as strategic partners. Georgia considers Armenia as a "close neighbor" whereas it considers its relations with Azerbaijan on a strategic level.

The Ministers of Foreign Affairs of Armenia and Greece came together in Geneva on 25 February. The two ministers reiterated their wishes to carry out joint initiatives in order to deepen cooperation in fields where there are mutual benefits. Within this scope, they emphasized that the bilateral preparations of the trilateral format of Armenia-Greece-Greek Administration of Southern Cyprus (GASC) they had decided to establish in 2019 was completed. The two ministers reached an agreement on the first summit meeting of this trilateral format to be held in Yerevan in April.¹³³

On 28 February, an Armenian Defense Ministry delegation discussed the defense cooperation programme between Armenia and Greece in Athens. At the end of the meeting, a bilateral cooperation programme was signed for 2020 between the ministries of defense of Armenia and Greece. The programme envisages 21 activities. Armenia-Greece-Greek Administration of Southern Cyprus (GASC) ministry of defense representatives gathered on the same day and signed a "tripartite action plan" for 2020.¹³⁴

On 24 February, the Minister of Foreign Affairs of Slovakia made an official visit to Armenia. The Slovak Minister made a promise to establish an embassy in Armenia.¹³⁵

On 9 March, Pashinyan visited Brussels to meet with the new EU officials. At his meeting with the Council President, the Eastern Partnership summit, which

132 "Georgian and Armenian citizens to cross the border via ID cards," *Agenda.ge*, March 5, 2020, <https://agenda.ge/en/news/2020/674>.

133 "Meeting of Foreign Minister Zohrab Mnatsakanyan with Nikos Dendias, Foreign Minister of Greece," *Ministry of Foreign Affairs of the Republic of Armenia*, February 25, 2020, <https://www.mfa.am/en/press-releases/2020/02/25/meeting-of-foreign-minister-zohrab-mnatsakanyan-with-nikos-dendias-foreign-minister-of-greece/10109>

134 "Greek, Armenian defense ministries sign cooperation plan," *News.am*, February 28, 2020, <https://news.am/eng/news/563042.html>

135 "Opening of Slovak Embassy in Armenia will enrich bilateral agenda – FM Mnatsakanyan," *ArmenPress*, February 24, 2020, <https://armenpress.am/eng/news/1005990.html>

is planned to be held in June, was discussed.¹³⁶ Another high-level official he met with was the EU High Representative for Foreign Affairs and Security Policy.¹³⁷ In addition, he held a cordial meeting with the president of the European Peoples Party (EPP) of the European Parliament.¹³⁸ As one may remember, a brief period earlier, on 5 March, the former President S. Sargsyan, who left the country with special permission as he was under judicial indictment, also had a cordial meeting with the EPP president. This permission was a pre-condition for Pashinyan's reception according to the speculations that were reflected in the Armenian press.

Armenia's relations with the EU, takes place in the frame of the Eastern Partnership Project. The legal framework is the "Comprehensive and Enhanced Cooperation Agreement (CEPA)" signed in 2017. The confirmation process of the agreement has not yet been completed by the EU. The EU supports the government that came to power in 2018 in an encouraging manner and provides financial aid, with the promise of increasing it more.

The article titled "EU Eastern Partnership" published on 27 March jointly by the EU High Representative for Foreign Affairs and Security Policy and Neighborhood and Enlargement Commissioner states the following regarding Armenia:¹³⁹

"In this challenging time, marked by the coronavirus outbreak, we can see how important international cooperation is. Over the last decade, the Eastern Partnership has brought concrete benefits for people in Armenia and across the European Union's eastern neighborhood... Since 2009, the European Union loaned the companies in Armenia €500 million, supported 25,000 enterprises and created 2,500 new jobs. The European Union also supports one of the most growing industries in the country – tourism... The Pilot Regional Development Programme Grant Scheme 'EU4Regions: support to Regional Development in Armenia' supported regional and local economic development and created 544 new jobs... Over the past 14 years, the European Union has supported Armenian colleges' educational reforms, renovation and upgrading... Under Erasmus+ (2014-2020), over 1,800 students and academic staff from Armenia have studied or taught in Europe, and 885 Europeans went to

136 "Armenia-EU Ties Discussed during Pashinyan Visit to Brussels," *Asbarez*, March 9, 2020, <http://asbarez.com/192746/armenia-eu-ties-discussed-during-pashinyan-visit-to-brussels/>

137 "Josep Borrell salutes developments in Armenia's judicial system in a meeting with Pashinyan," *ArmenPress*, March 9, 2020, <https://armenpress.am/eng/news/1007918/>

138 "You can rely on me in my new position - Donald Tusk to Prime Minister Pashinyan," *ArmenPress*, March 9, 2020, <https://armenpress.am/eng/news/1007900/>

139 "An Eastern Partnership That Delivers for All'," *MassisPost*, March 27, 2020, <https://massispost.com/2020/03/an-eastern-partnership-that-delivers-for-all/>

Armenia... Our proposals for the future are ambitious yet achievable. They build on existing cooperation but also identify areas where we need to go further... Concretely, we are proposing to our partners to work together on the following objectives: the rule of law... democracy, climate resilience... digital transformation... resilient fair and inclusive societies...”

There appeared to be an open divergence with Russia in April, stemming from gas prices. Gazprom had raised its wholesale price for Armenia from 150 to 165 dollars per thousand cubic meters¹⁴⁰, which in turn reached the Armenian households for 285 dollars.¹⁴¹ When the oil and gas prices came tumbling down globally and it was reported that the gas price to Europe was delivered as low as 60 dollars, the Armenian government is reported to have officially requested a price cut in a letter sent to Russia’s Gazprom. Prime Minister Pashinyan also sought to involve Belarus that is also heavily dependent on Russian gas. Following a telephone call, Pashinyan and President of Belarus agreed that the current gas prices set for their countries were inflated. Pashinyan conveyed the issue to Russian President Vladimir Putin in an April 6 phone call. Russian Minister of Foreign Affairs addressed the issue and dismissed such complaints. While acknowledging that the two ex-Soviet states allied to Russia are entitled to privileged treatment by Gazprom, Russian Minister of Foreign Affairs stressed that they must also honor their contractual obligations. The Russian Minister promised that Russia would continue to take into account allied relations in deciding the gas price for Armenia but that Armenia too should demonstrate its commitment to the Russian-Armenian alliance by dropping “inappropriate” criminal proceedings launched against major Russian corporations, one prominent being Armenia’s railway network managed by the Russia Railways (RZD).¹⁴²

The Russian Foreign Minister’s public statements also over the Nagorno-Karabakh conflict put the Armenian authorities in a difficult position. In an odd manner, the Minister of Foreign Affairs and then Ministry of Foreign Affairs spokesperson of Armenia were forced to publicly deny the Russian Foreign Minister’s “allegations”.

Speculations on the level of relations with Russia were raised again when it was reported in the press that on the 75th anniversary of the victory in the Second World War, the Russian President Putting had failed to call both the

140 “Armenian Gas Operator May Seek Price Rise,” *Azatutyun*, January 17, 2020, <https://www.azatutyun.am/a/30383219.html>

141 Arshaluys Mgderyan, “Armenia and Russia Argue Over Gas Deal,” *IWPR*, May 26, 2020, <https://iwpr.net/global-voices/armenia-and-russia-argue-over-gas-deal>

142 “Moscow Dismisses Complaints About Russian Gas Price For Armenia,” *Azatutyun*, April 2020, 2020, <https://www.azatutyun.am/a/30570510.html>

prime minister and the president of Armenia. Then came the cancellation of the visit of Pashinyan to attend the ceremonies in 24 June. The Armenian side's announced reason for the cancellation was the COVID-19 pandemic.¹⁴³ It fell on the Armenian Minister of Foreign Affairs Mnatsakanyan to explain that there was no crisis in Armenia-Russia relations. He said;

“Armenian-Russian relations are not based on a fundamental crisis, they are based on a strategic allied partnership. That is the foundation of our cooperation in its entirety, in every area. As for whether there are issues in these relations, the answer is as follows: if we have no issues, we have no relations. We have many issues but no fundamental problem or crisis”.¹⁴⁴

On 25 May, the Armenian Ministry of Foreign Affairs prepared a report for the Prime Minister about the priorities of the foreign policy.¹⁴⁵ Listed as major topics were the Nagorno-Karabakh peace process, international recognition and condemnation of “Armenian Genocide” and prevention of crimes against humanity, promotion of human rights protection, development of cooperation on bilateral and multilateral platforms. Steps aimed at developing relations with Georgia, the US, the EU, the European continent, including France and Germany, Iran, and others in different regions. The establishment of a trilateral format of Armenia-Greece-GRSC cooperation was particularly emphasized.

Pashinyan pointed to his April 28 phone call with the Iranian President Hassan Rouhani and said “our countries have very good relations. They are developing dynamically”. The Armenian government hopes that the ongoing construction of a third power transmission line connecting Armenia to Iran will be completed by the end of the year. The high voltage line is to stretch almost 280 kilometers from Yerevan to the Iranian border.¹⁴⁶

An interesting development in Armenia's foreign relations was the initiative to develop its ties with India.¹⁴⁷ The tension that occurred in India's relations

143 Siranush Ghazanchyan, “Pashinyan tells Putin he won't be able to attend Victory Parade on June 24,” *Public Radio of Armenia*, June 19, 2020, <https://en.armradio.am/2020/06/19/pashinyan-tells-putin-he-wont-be-able-to-attend-victory-parade-on-june-24/i>

144 “Zohrab Mnatsakanyan: There is no crisis in Armenia-Russia relations,” *Media Max*, June 11, 2020, <https://mediamax.am/en/news/foreignpolicy/38100/>

145 “Foreign Affairs Ministry submits annual performance report,” *Prime Ministry of the Republic of Armenia*, May 25, 2020, <https://www.primeminister.am/en/press-release/item/2020/05/25/Nikol-Pashinyan-meeting/>

146 “Armenia Hopes To Complete Energy Project With Iran In 2020,” *Azatutyun*, May 7, 2020, <https://www.azatutyun.am/a/30599554.html>

147 Shishir Upadhyaya, “India Wins Defense Deal With Armenia in Bid to Chasten Turkey,” *The Diplomat*, March 18, 2020, <https://thediplomat.com/2020/03/india-wins-defense-deal-with-armenia-in-bid-to-chasten-turkey/>.

with Turkey due to the Kashmir conflict created an opportunity for Armenia, which seeks such opportunities and considers ingraining itself against Turkey as political leverage for developing third party relations which was also witnessed in the cases of Syria, United Arab Emirates, and Egypt.

Another country that Armenia has been attentive to develop its relations with for some time is China. It is a welcome opening for China in its quest of expanding the OBOR Project, connecting with the Caucasus and the Black Sea. Chinese Ministry of Foreign Affairs Spokesperson's statement at a press conference on 14 April regarding China's position on the settlement of the Nagorno-Karabakh conflict was indicative of China's interest in the region.¹⁴⁸

4. Turkey-Armenia Relations

It is possible to say that the Turcophobia of the new administration in Armenia has become increasingly more assertive and has escalated into assuming an appearance of enmity. A novelty in this escalation has surfaced in the form of efforts to meddle in Turkey's internal affairs. In December 2019, a stance had been taken to openly criticize the rules, subject to Turkish law, regarding the election of the Armenian Patriarch of İstanbul.¹⁴⁹ What lay behind was the desire to put candidates of their choice. Not discouraged by the outcome, the Armenian Minister of Foreign Affairs sent a congratulatory message to the newly elected Patriarch, an unusual step without a precedent, signaling political interest. In his message, Minister Mnatsakanyan stated that he was certain that the Patriarch would not abstain from any effort to ensure the Armenian community's unity, safeguarding of its religious and cultural values.¹⁵⁰

During late February 2020, the "Kurdish community" in Armenia staged a demonstration in front of the UN Bureau in Yerevan protesting the imprisonment conditions of PKK leader Abdullah Öcalan.¹⁵¹

The genocide claims also maintained their intensity during the period. Greece also joined the choir and, during his speech at the international conference on

148 "Foreign Ministry Spokesperson Zhao Lijian's Regular Press Conference on April 14, 2020," *Ministry of Foreign Affairs of the People's Republic of China*, April 14, 2020, https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/t1769716.shtml.

149 "Patrik seçimi sürecine karşı yeni bir dava," *Agos*, 12 Aralık 2019, <http://www.agos.com.tr/tr/yazi/23193/patrik-secimi-surecine-karsi-yeni-bir-dava>.

150 "Ermenistan Dışişleri Bakanı Zohrap Mnatsakanyan'dan İstanbul Ermenileri Patriği Sahak Piskopos Maşalyan'a kutlama mesajı," *Ermenistan Kamu Radyosu*, 13 Aralık 2019, <https://tr.armradio.am/2019/12/13/ermenistan-disisleri-bakani-zohrap-mnatsakanyandan-istanbul-ermenileri-patrigi-sahak-piskopos-masalyana-kutlama-mesaji/>

151 "Kurdish Community of Armenia Rallies and Demands Turkey Allow Lawyers to Visit Imprisoned Öcalan," *Mirror Spectator*, March 5, 2020, <https://mirrorspectator.com/2020/03/05/kurdish-community-of-armenia-rallies-and-demands-turkey-allow-lawyers-to-visit-imprisoned-ocalan/>

the crime of genocide, the Greek Prime Minister accused Turkey of conducting a genocide against the Assyrians, Greeks and Armenians, the Christians in general, emphasizing the Pontian Greeks.¹⁵²

The US Senate's endorsement on 12 December of the same resolution text adopted earlier by the US House of Representatives against Turkey was jubilantly received by the Armenian circles. Prime Minister Pashinyan described the decision a "historic event", extended his appreciation to all the members of the Congress in the name of the Armenian people and alleged that this decision opened a new chapter in the "Armenian Genocide" being recognized internationally, that it represented the victory of truth and justice, that it will bring the process to a new level.¹⁵³

Within this context, Pashinyan claimed that Turkey's "denialist policies" remain a threat to the Armenian people and Armenia, that the decisions of the US Congress and some other parliaments prove that Turkey is running an aggressive and unconstructive policy in the region, that Turkey's aggressive policies against Syria, Iran, GASC, Greece, and embargo on Armenia are proof of this.¹⁵⁴

The Armenian Minister of Foreign Affairs Mnatsakanyan interpreted the US Senate's decision as commemorating the Armenian victims and their dignity.¹⁵⁵ Armenian religious functionaries, the Armenian Catholicos of Etchmiadzin and Cilicia (in Antelias/Lebanon) also celebrated the Senate's decision with joy. The Armenian press underlined that US Presidential candidate Joe Biden also approved and supported the Senate's decision.¹⁵⁶

The Grand National Assembly of Turkey made a joint declaration against the US Senate's resolution. The declaration is as follows:¹⁵⁷

152 Benjamin Weinthal, "Greek PM chides Turkey for genocide against Christians," *The Jerusalem Post*, December 8, 2019, <https://www.jpost.com/international/greek-pm-chides-turkey-for-genocide-against-christians-610242>

153 "US Senate's resolution is the victory of justice and truth – PM Pashinyan," *ArmenPress*, December 12, 2020, <https://armenpress.am/eng/news/998721.html>

154 "Turkey's policy remains threat for Armenia and its people – PM Pashinyan," *ArmenPress*, December 13, 2020, <https://armenpress.am/eng/news/998780.html>

155 "U.S. Senate Also Recognizes Armenian Genocide," *Azatoryun*, December 12, 2020, <https://www.azatoryun.am/a/30322637.html>

156 "Joe Biden pledges to support a resolution recognizing the Armenian Genocide if elected," *Public Radio of Armenia*, April 24, 2020, <https://en.armradio.am/2020/04/24/joe-biden-pledges-to-support-a-resolution-recognizing-the-armenian-genocide-if-elected/>

157 "Amerika Birleşik Devletleri Senatosu Kararının Kınanması Reddedilmesi Ve Yok Hükümünde Sayılmasına Dair Karar," *Türkiye Cumhuriyeti - Resmi Gazete*, 13 Aralık 2016, <https://www.resmigazete.gov.tr/eskiler/2019/12/20191214-8.pdf>

“As the Grand National Assembly of Turkey, we strongly condemn and reject the resolution regarding the Armenian genocide claims approved by the US Senate by means of distorting historical facts and disregarding the fundamental rules of international law.

This resolution, which has no legal significance and will not be binding to the Senate after the following election period, is clearly part of a dirty political machination. This constitutes a worthless posture on the interpretation of history based on the petty interests of arbitrary and daily politics.

The Grand National Assembly of Turkey reiterates the standpoint that delivering judgements on historical events is not the duty of parliaments. The so-called Armenian genocide draft resolution had previously been brought to the US Senate many times and had been rejected. It is worth noting that whenever the US’ interests come into conflict with Turkey’s politics, this subject is brought to the Senate’s agenda. Fundamentally, the issue here is not the 1915 events, and in truth, the US Senate does not in any way care about either the Armenians or historical events. If Turkey develops policies favorable to the US’ demands and not according to our Noble People’s will, neither the Armenians nor the 1915 events would be brought to the US Senate’s agenda.

Turkey’s stance regarding this subject is clear and obvious: If historical facts are earnestly of interest and deemed important, scholars can inform the world opinion on these facts with reliable research. Turkey has opened her rich archives to all researchers, including the Armenians; however, the archives of Armenia have not been opened, even to the most prominent researchers. Deferring to black propaganda and racist approaches by hiding information and documents is not befitting of any parliament, including the US Senate.

We feel great sorrow due to the strategic alliance and friendship between Turkey and the US of many years being harmed by and made into the subject of nefarious calculations. The US Senate must now live with the burden of this guilty conscience that it has added to its own history.

Paying no heed to this resolution of the US Senate or similar tools of pressure, Turkey will, with determination, continue to protect its national interests and security in its region.

This resolution of the US Senate, in terms of history and law, is deemed null and void by our Noble People and peoples of the world with reason, conscience, and fairness.

We announce to the public opinion that we express our people's common determination and solidarity against this resolution and that it a natural right for Turkey to give the necessary response within the framework of international reciprocity.

With these thoughts, it has been approved by the Grand National Assembly of Turkey General Assembly's 32nd Session dated 13 December 2019 that the US Senate's aforementioned resolution is fully condemned, rejected, and declared null and void and that this resolution of the Grand National Assembly of Turkey is to be published in the Official Gazette."

The Center for Eurasian Studies' (AVİM) evaluation of the resolution is as follows:¹⁵⁸

"After the tense period between Turkey and the U.S. that began with the purchasing of the S-400 missile defense system, resolutions concerning Turkey are continuing to come one after another. As is known, draft resolutions were presented to both sides of the U.S. Congress last April with the aim of recognizing the events of 1915 as genocide. These drafts, which are completely identical to each other, were brought to the Congress agenda after Turkey's Operation Peace Spring. In these drafts, it is slandered with the repeated clichés that Turkey did not only destroy Armenians but also attempted to destroy other Christian groups. Consequently, on October 29, a resolution titled "Affirming the United States record on the Armenian Genocide" was adopted in the US House of Representatives. Our perspective and assessment titled "America on The Wane: The House Of Representatives Disgraces Itself and Loses Credibility" about the House of Representative's resolution which was published on AVİM's website on 29 October is also valid for the resolution of the Senate on 12 December.

The first reason behind the decision that everyone can easily guess, was confirmed by the words of Steve Cohen, a member of the US House of Representatives:

I've always opposed the Armenian resolution, and I voted for it this week (...) because Turkey doesn't seem to respect the United States at all.

158 AVİM, "Resolutions On 1915 Came One After Another From U.S. Senate," *Center for Eurasian Studies (AVİM)*, Commentary No: 2019/67, December 19, 2019, <https://avim.org.tr/en/Yorum/RESOLUTIONS-ON-1915-CAME-ONE-AFTER-ANOTHER-FROM-U-S-SENATE>

Another reason behind the decision was the conflict in American internal politics.

Keeping these reasons in mind; we need to mention the S.Res 150 of the Senate on 12 December. In fact, the Senate determined its thoughts on an official recognition of the “Armenian Genocide” with this resolution. First of all, it should be noted that this resolution, referred as Simple Resolution in American law, is non-binding. These types of laws are defined as laws that do not require approval from the US President, that is to say they are not considered sanctions. The Senate may take such decisions about its internal functions or to demonstrate its non-binding stance. Therefore, this decision is not binding for the U.S. or Turkey. After the decision was taken, a U.S. State Department spokeswoman stated that the administration’s position has not changed, and their perspectives is still the same with the definition in the President’s statement during last April. However, the 24 April speeches mentioned by the Spokeswomen which have been repeated every year as a tradition are quite problematic as previously mentioned by AVİM many times. Using these events by the heads of states as an element of internal politics, which have to be evaluated in the light of objective history and science, prepares the ground for these kinds of parliament decisions. Thus, the Turkish Ministry of Foreign Affairs underlined how politicization of history can be made with its statement on the S.Res 150 the decision of the Senate.

On the other hand, the timing of the Senate’s Resolution is not a coincidence; since it was taken during a period of significant developments as a result of internal politics of the U.S. and the hydrocarbon resources of the Eastern Mediterranean, it is a reflection of the reprisal and image of ‘power’ that the Congress wants to emphasize. This taking place during same time of the signing of an agreement between Turkey and Libya on the jurisdiction area of the Eastern Mediterranean Sea cannot be considered as a coincidence. Just as in the decision of the House of Representatives, the U.S. Congress which seeks to prove its power in domestic and foreign policy through Turkey wanted to send a message through the Senate this time. By this way, it was revealed that the Congress could throw aside the long-standing alliance and friendship relations between the US and Turkey because of its ambitions.

Returning to the statement on the subject of respect expressed by Mr. Cohen, a member of the House of Representatives, it would be appropriate to mention that this issue is bilateral. Since decisions taken by the Senate on the sanctions against Turkey on the same day with the

Armenian resolution was assessed by the Turkish Foreign Ministry as disrespect for the sovereign decisions regarding national security by the Ministry. So, the point here is not about the Turkey's respect to U.S, it is about the Congress not respecting the decisions taken by a sovereign state regarding its own interests.

At this point, it would be appropriate to mention the impacts of the resolutions on the public opinion of Armenia and the Diaspora. Because following the resolution of the House of Representatives, it is seen that most of the evaluations in the Armenian press stated that the 1915 issue was used for other political purposes. The Senate decision is another sample of this situation. Therefore, it can not be said that the interest groups, who have engaged in lobbying activities and have attempted to take advantage of the tensions between Turkey and U.S., have achieved the desired results. The U.S. Congress used the "Armenian cause" in its own interests; however, many Armenians were not pleased because it was done in a very apparent manner. The results reached after long-term lobbying have left a bitter taste in the mouths.

The U.S. Congress, which wanted to retaliate against Turkey and display its power, adopted resolutions full of clichés and chose bad timing. These resolutions revealed to everyone, including Armenia and the Diaspora, that genocide allegations directed against Turkey are about political calculation rather than the seeking of historical justice. On the one hand, by taking this decision, the U.S. Congress has further strained relations with Turkey, which has key importance as an ally of the United States. As a result, the U.S. Congress has become a victim of its own ambitions; at the same time it hurts U.S. interests, weakened U.S.-Turkey relations, and has disappointed Armenian circles."

The US Department of State made a statement on 17 December regarding the Senate's decision. The statement expressed "The position of the Administration has not changed. Our views are reflected in the President's definitive statement on this issue from last April".¹⁵⁹

Armenian organizations in the US were encouraged by the US Congress resolutions to further press for action against Turkey. Armenian National Committee of America (ANCA), one such organization, was audacious enough to issue a message to that end on "Shushi Liberation Day", the occupation anniversary of the historical Azerbaijan town.¹⁶⁰

159 "Senate Resolution 150," *U.S. Department of State*, December 17, 2019, <https://www.state.gov/senate-resolution-150/>

160 "ANCA-Eastern Region Celebrates 28th Anniversary of the Liberation of Shushi," *Armenian Weekly*, May 12, 2020, <https://armenianweekly.com/2020/05/12/anca-eastern-region-celebrates-28th-anniversary-of-the-liberation-of-shushi/>

In the Armenian press, the announcement of the Ministry of Foreign Affairs of Turkey condemning the parole board's decision on 27 December for the conditional release of the terrorist who assassinated the Turkish Consul General in Los Angeles in 1982 was published without comment. The decision was subject to approval of the Governor of California. Had the Governor refrained from vetoing the decision, the terrorist murderer would have been released after 120 days. The Turkish organizations in the US initiated a campaign for the governor to veto. The Armenian organizations, spearheaded by the ARF, while doing their utmost behind-the-scenes lobbying, also connected their campaign with the general convict release decision, that was initiated due to COVID-19, as a justification for the release.

The Governor of California rejected the parole board's decision on 26 May. The Ministry of Foreign Affairs of Turkey welcomed this decision with the following statement:¹⁶¹

“The terrorist attack, in which Consul-General of the Republic of Turkey, Mr. Kemal Arıkan was martyred, was perpetrated by terrorists Hampig Sassounian and Krikor Saliba in the name of the Armenian terrorist organization. Hampig Sassounian was arrested and sentenced to life imprisonment without parole. The escapee terrorist Krikor Saliba allegedly died in the Lebanese civil war in 1982.

Terrorist Sassounian, with an intention to push the US laws, has once again applied to avail himself of the right to conditional parole. In the parole hearing on December 27, 2019, Sassounian was found suitable for parole.

Our expectation of non-implementation of this decision has been brought to the attention of the US authorities with its justifications. The Governor of California, with his final decision dated 26 May 2020, reversed the decision to parole.

The murder that terrorist Sassounian shamefully committed and for which has not shown any sign of remorse throughout his prison term, will never be forgotten as a crime demonstrating the appalling dimensions of an ill and a twisted ideology.

This decision is welcomed as it once again indicated that terrorist attacks, as the utmost point of hate speech and extremism in the world, will not go unpunished.

161 “No: 107, 27 May 2020, Press Release Regarding the Reversing of the Decision to Parole Hampig Sassounian, Who was Sentenced for the Terrorist Attack in Which Consul-General of the Republic of Turkey in Los Angeles, Mr. Kemal Arıkan was Martyred,” *Ministry of Foreign Affairs of the Republic of Turkey*, May 27, 2020, http://www.mfa.gov.tr/no_-107_-kemal-arikan-in-sehit-oldugu-teror-saldirisi-hukumulusunun-karari-hk.en.mfa

On this occasion, we once again remember with respect and gratitude our martyred diplomat Kemal Arıkan and all our martyrs who fell victim to terrorism.”

It was highlighted in the Armenian press that the President of Turkey Recep Tayyip Erdoğan accepted the new Armenian Patriarch of Istanbul, Sahak II Mashalyan, in the Presidential complex and met with him on 14 January.¹⁶²

The Armenian Minister of Foreign Affairs, who answered a question in the Armenian parliament, expressed the following on 22 January:

“This is a very serious issue in our foreign policy agenda. There is a special group of landlocked countries within the UN, and we are working also within this framework. Your question concretely relates to the Armenia-Turkey relations, and the absence of these relations today is a challenge for Armenia in broad terms, for Armenia’s security. We consider this issue as one of the most serious challenges of the national security. We need a more detailed calculation on how we should continue this process in the legal field”.¹⁶³

On 30 January, French President Macron, who spoke during a conference of the Co-ordination Council of Armenian Organizations of France (CCAF) in Paris, reiterated that they will ensure that those who reject that a genocide was committed during the period of the Ottoman Empire will receive legal action against them. He concluded saying “no great history is formed on lies, denial and revisionism”. He also showered praise on a notorious Turkish academic who was invited to the conference as he advocates the Armenian claims, distorting historical facts.¹⁶⁴

The newly elected Armenian Patriarch of Istanbul Sahak II made his first foreign visit, together with the prominent clergy of the Patriarchate, to Armenia, to the Catholicosate of Etchmiadzin on 28 February.¹⁶⁵

Turkish President Erdoğan, in a phone call to the Armenian Patriarch of Istanbul on 8 April, informed him that facilities were being provided to the Armenians working in Turkey if they should wish to return to their country

162 Siranush Ghazanchyan, “Turkish President receives Armenian Patriarch,” *Public Radio of Armenia*, January 14, 2020, <https://en.armradio.am/2020/01/14/turkish-president-receives-armenian-patriarch/>

163 “Absence of relations with Turkey is a challenge for Armenia – FM Mnatsakanyan,” *ArmenPress*, January 22, 2020, <https://armenpress.am/eng/news/1002255.html>

164 Marianna Mkrtychyan, “Macron: No great history is formed on lies, denial and revisionism,” *ArmInfo*, January 30, 2020, https://arminfo.info/full_news.php?id=48938&lang=3

165 “Newly Elected Armenian Patriarch of Constantinople Visits Etchmiadzin,” *Hetq.am*, February 28, 2020, <https://hetq.am/en/article/113881>

and that Turkey was ready to aid Armenia against the COVID-19 pandemic.¹⁶⁶ This was widely reflected in the Armenian media with mixed responses, supporting and opposing views and speculations. The Armenian Ministry of Foreign Affairs spokesperson made a statement on the subject, expressed that Armenia does not want aid from Turkey, that such a subject is not on their agenda. The spokesperson added “Unfortunately, some statements made by the Turkish side in the context of fighting against COVID-19 do not contribute toward creating a depoliticized and humanitarian environment of cooperation”.¹⁶⁷ The subject of Armenia’s discomfort from Turkey’s reaction against the inscription of Ağrı Mountain (Mount Ararat) being on some of the aid packages sent from China to Armenia was among the news reports.¹⁶⁸ These news reports-comments have tried to surrealistically justify this misnomer of a Turkish mountain, the highest of the country by being some 5500 meters, that Ağrı is on Armenia’s coat of arms as an official national symbol.

US President Donald Trump issued the following statement on 24 April on Armenian Remembrance Day:¹⁶⁹

“We join the global community in memorializing the lives lost during the Meds Yeghern, one of the worst mass atrocities of the 20th century. Beginning in 1915, One and a half million Armenians were deported, massacred or marched to their deaths in the final years of the Ottoman Empire. On this day of remembrance, we pay respect to those who suffered and lost their lives, while also renewing our commitment to fostering a more humane and peaceful world.

Every year on April 24, we reflect on the strong and enduring ties between the American and Armenian peoples. We are proud of the founders of the American Committee for Armenian and Syrian Relief, a ground-breaking effort established in 1915 that provided crucial humanitarian support to Armenian refugees, and grateful for the thousands of Americans who contributed or volunteered to help Armenians expelled from their homes.

On this day, we bear witness to the strength and resiliency of the Armenian people in the face of tragedy. We are fortunate that so many

166 “Erdogan phones Sahak II of Constantinople amid coronavirus outbreak,” *ArmenPress*, April 9, 2020, <https://armenpress.am/eng/news/1011625.html>

167 “The response by MFA Spokesperson to the statements of the Turkish side amid the fight against COVID19,” *Ministry of Foreign Affairs of the Republic of Armenia*, April 13, 2020, <https://www.mfa.am/en/interviews-articles-and-comments/2020/04/13/armresponse-turkey/10209>

168 Zuhail Demirci, “Turkey asks China to clarify aid packages to Armenia,” *Anadolu Agency*, April 12, 2020, <https://www.aa.com.tr/en/turkey/turkey-asks-china-to-clarify-aid-packages-to-armenia/1801444>

169 “Statement by the President on Armenian Remembrance Day,” *The US White House*, April 24, 2020, <https://www.whitehouse.gov/briefings-statements/statement-president-armenian-remembrance-day/>

Armenians have brought their rich culture to our shores and contributed so much to our country, including decorated soldiers, celebrated entertainers, renowned architects and successful businesspeople.

We welcome efforts by the Armenians and Turks to acknowledge and reckon with their painful history. On this day, we believe it is our obligation to remember those who suffered and perished and reaffirm our commitment to protecting vulnerable religious and ethnic minorities around the world.”

This statement, much biased in favor of the Armenian narrative, still did not satisfy the Armenian circles, complaining that the President followed the traditional line and refrained from describing the past events as “genocide”. So, the focus was given more to what the US House Speaker and presidential candidate Joe Biden had to say. Prime Minister of Canada was also cited favorably for adopting the Armenian narrative.

Turkish Ministry of Foreign Affairs responded to the message of President Trump with the following statement:¹⁷⁰

“US President Trump’s statement dated 24 April 2020 with regard to the events of 1915 is based on a subjective narrative which Armenians try to turn into a dogma.

This statement, made with domestic political considerations has no validity for us. We reject the claims put forward in this statement.

We observe that the suffering of more than 500 thousand Muslims who were massacred by Armenian rebels in the same period was insistently ignored in this statement. This understanding which is deprived of justice and equity needs to be changed from now on.

Our proposal to establish a Joint Historical Commission on the events of 1915 is still on the table. We believe that the truth will be unveiled if this Commission is established.

Those who try to take this proposal off the agenda are radical Armenians who want to make their responsibilities forgotten on the events of 1915. The US Administration should realize this fact and act accordingly.

170 “No: 90, 24 April 2020, Press Release Regarding the Statement by the U.S. President Donald Trump on the Events of 1915,” *Republic of Turkey Ministry of Foreign Affairs*, April 24, 2020, http://www.mfa.gov.tr/no_90_abd-baskaninin-bindokuzyuzonbes-olaylarina-iliskin-aciklamasi-hk.en.mfa

On this occasion, we commemorate with respect Muslim, Christian and Jewish civilians of the Ottoman communities who lost their lives during the collapse of the Ottoman Empire.”

Meticulous research was done for reporting all favorable messages. In that context, messages from the President of France, Prime Minister of France, Mayor of Paris, and President of Lebanon were highlighted. On the other hand, there were signs that the Armenian narrative was crumbling. One recent example was the official stance of Ukraine. Representatives of state bodies were asked not to take part in the commemoration events and not to use the term “Armenian Genocide”.¹⁷¹ There was also undisguised disappointment with the attitude of the EU. The EU mission in Armenia was criticized for avoiding using the term “Armenian Genocide” unlike in past years and instead, this time, referring to “tragic events”.

Prime Minister Pashinyan expressed gratitude to all states which recognized and condemned “Armenian Genocide”. He said: “the Armenian people not only suffered enormous human losses, but were subjected to deportation and a cultural genocide. The loss of the spiritual and religious heritage was irreparable; its material damage was enormous”.¹⁷²

The Armenian Minister of Foreign Affairs Mnatsakanyan was equally aggressive, saying: “Turkey’s consistent denial of Armenian Genocide and its justification, the land blockade imposed on Armenia and the overt anti-Armenian position in the context of the Nagorno Karabagh conflict threaten the security of the Republic of Armenia and the descendants of the victims of the ‘Armenian genocide’”.¹⁷³ He expanded on those views in an interview with public TV:

“Any step in politics should be the result of a cold-hearted and balanced calculation, and this is our guidelines for relations. Apart from the fact that we live under the conditions of denied justice, Turkey makes other steps that further deepen the issue – those steps include closed borders and unconditional support to Azerbaijan in Nagorno-Karabakh conflict. All these factors together are a threat for us and we answer this threat in a way a state has to – we ensure our national security based on cold-hearted and balanced calculations”.¹⁷⁴

171 “Ukraine bans all events related to so-called Armenian genocide,” *Trend News Agency*, April 24, 2020, <https://en.trend.az/world/other/3228543.html>

172 “PM Pashinyan expresses gratitude to all states which recognized Armenian Genocide,” *ArmenPress*, April 24, 2020, <https://armenpress.am/eng/news/1013265.html>

173 “Statement of the Foreign Ministry of Armenia on the 105th anniversary of the Armenian Genocide,” *Ministry of Foreign Affairs of the Republic of Armenia*, April 23, 2020, https://www.mfa.am/en/interviews-articles-and-comments/2020/04/23/genocide105_statement/10229

174 “FM Mnatsakanyan presents Armenia’s approaches in relations with Turkey,” *ArmenPress*, April 25, 2020, <https://armenpress.am/eng/news/1013430.html>

The notorious ARF, which has an active playing ground in the US, has also come up with an appeal to Armenian youth on this occasion. It targeted Turkey, stating;

“Turkey, the successor to the Ottoman Empire, has not escaped responsibility for the Armenian Genocide thanks to the tireless struggle of the Armenian people and specifically the sacrifice of the Armenian youth. [...] It remains the conviction of the youth of the ARF that Western Armenia is not only a historical homeland, but also an occupied territory that has yet to be liberated”.¹⁷⁵

In a 4 May TV address, President of Turkey Erdoğan also referred to the “Greek and Armenian lobbies” anti-Turkish collaboration. He said “Turkey will fully defend its interests in the Mediterranean, Cyprus and the Aegean. We will not give up before the forces of evil, either FETÖ, the PKK, the Armenian and Greek lobbies or centers of hostility in the Gulf.”¹⁷⁶ This was quoted and criticized widely in the Armenian press.

As if to justify the words of the Turkish President; Armenia, Greece and GASC put on a joint initiative at the UN to block the election of a Turkish diplomat for the post of President of the General Assembly, breaking the traditional procedure of silence. Nevertheless, to their chagrin, the Turkish candidate won unanimous support of the 178 UN members that were present and voting.¹⁷⁷

The High Advisory Board of the Turkish Presidency held a meeting on 16 June to discuss how to respond to baseless and anti-Turkish accusations and distortion of historical events by the radical Armenian circles.¹⁷⁸ The Armenian government took issue with that meeting. The Armenian Ministry of Foreign Affairs spokesperson had the following to say:

“The statements made by the Turkish president justifying the Armenian Genocide and insulting its victims are not new and are manifestations of hate speech, which have an impact on maintaining and strengthening the atmosphere of xenophobia against Armenians in that country. The

175 “An Appeal to Armenian Youth,” *The Armenian Weekly*, April 22, 2020, <https://armenianweekly.com/2020/04/22/an-appeal-to-armenian-youth/>

176 “Cumhurbaşkanı Erdoğan, Kabine Toplantısı’nın ardından konuştu,” *Haberler.com*, 11 Mayıs 2020, <https://www.haberler.com/cumhurbaskani-erdogan-kabine-toplantisi-nin-13212615-haberi/>

177 Tutku Dilaver, “The Opposition Against Turkey in The Election of The President of Un General Assembly,” *Center for Eurasian Studies (AVİM)*, Commentary No: 2020/18, June 26, 2020, <https://avim.org.tr/en/Yorum/THE-OPPOSITION-AGAINST-TURKEY-IN-THE-ELECTION-OF-THE-PRESIDENT-OF-UN-GENERAL-ASSEMBLY>

178 “Cumhurbaşkanlığı Yüksek İstişare Kurulu, Cumhurbaşkanlığı Erdoğan başkanlığında toplandı,” *Türkiye Cumhuriyeti Cumhurbaşkanlığı İletişim Başkanlığı*, 16 Haziran 2020, <https://www.iletisim.gov.tr/turkce/haberler/detay/cumhurbaskanligi-yukse-istisare-kurulu-cumhurbaskani-erdogan-baskanliginda-toplandi-16-06-2020>

issue of recognizing and condemning the Armenian Genocide is not an Armenian-Turkish issue. This is the problem of Turkey and the international community...”¹⁷⁹

Concerning this development, there were also hate mongering words and a blatant attempt to provoke Turkish citizens of Armenian origin in Turkey, who are not part of the Armenian diaspora, but indigenous and full-fledged citizens of Turkey.

The decision to change the status of Hagia Sophia back to a mosque was another topic Armenian and Greek organizations joined hands to protest. The Armenian Patriarch of Istanbul Sahak II endorsing the decision and calling for Hagia Sophia to become a place of worship¹⁸⁰ was also met with disparaging comments.

President A. Sarkissian visited the Armenian-Turkish border on 6 July and met with the Russian border troops, which according to the 1992 agreement between Armenia and Russia guards and controls the state border of Armenia with Turkey and Iran. President A. Sarkissian stated on this occasion that the state flags of Russia and Armenia hovering on the state border were “a symbol of our friendly and allied relations based on mutual trust”.

The Turkish Ministry of Foreign Affairs issued a statement on 12 July condemning the Armenian aggression against Azerbaijan. The text is as follows:¹⁸¹

“We strongly condemn the attack of the Armenian armed forces on Tovuz region of Azerbaijan. We convey our condolences to the friendly and brotherly Azerbaijani people and Government for the Azerbaijani martyrs who lost their lives and wish speedy recovery to the wounded.

The fact that this attack, which is yet another manifestation of Armenia’s aggressive nationalism, has been repelled by Azerbaijan, is a concrete indication that aggression will not be left unanswered.

179 “Comment by Foreign Ministry Spokesperson Anna Naghdalyan on the Session of Supreme Advisory Council Under the Turkish President’s Office,” *HyeTert*, June 18, 2020, <https://hyetert.org/2020/06/18/comment-by-foreign-ministry-spokesperson-anna-naghdalyan-on-the-session-of-supreme-advisory-council-under-the-turkish-presidents-office/>

180 Semra Orkan, “Türkiye Ermenileri Patriği Maşalyan’dan ‘Ayasofya’ açıklaması,” *Anadolu Ajansı*, 13 Haziran 2020, <https://www.aa.com.tr/tr/turkiye/turkiye-ermenileri-patrigi-masalyandan-ayasofya-aciklamasi/1875985>.

181 “No: 149, 12 July 2020, Press Release Regarding The Armenian Attack On Azerbaijan,” *Embassy of the Republic of Turkey in Washington*, July 12, 2020, <http://washington.emb.mfa.gov.tr/Mission/ShowAnnouncement/374425>.

These attempts, which Armenia has made to distract the attention of the international community from its continued illegal occupation of Azerbaijani territory Nagorno-Karabakh and its surrounding regions for many years and to add new dimensions to the conflict for blocking the political settlement, are bound to fail.

The Armenian side should give up on such dangerous tactics and choose the path of reason and law. Embarking on adventurism for aspirations beyond its own capacity reveals Armenia's failure of judgement and constitutes the biggest obstacle to peace and stability in our region.

We hope that Armenia's effort to cover up its own aggression will not be accepted by the international community in any way.

Turkey will continue, with all its capacity, to stand by Azerbaijan in its struggle to protect its territorial integrity.”

On 13 July, the Armenian Ministry of Foreign Affairs responded with the following statement:¹⁸²

“On July 12, the Foreign Ministry of Turkey issued a statement, in which the Turkish side not only expressed its unconditional support to Azerbaijan, in fact justifying the use of force by Azerbaijan on the Armenian-Azerbaijani border, but also disseminated utterly false and misleading information.

This provocative attitude by Turkey and its groundless accusations against Armenia attest to the fact that this country has not been acting as a member of the OSCE Minsk Group, but as a party, involved in the Nagorno-Karabakh conflict. This fact makes even more impossible for Turkey to play any role in the issues related to the Nagorno-Karabakh conflict, within international, and particularly the OSCE framework.

Turkey's attempts to intervene in the conflicts in its neighboring regions has already undermined the security and stability thereon.

We strongly condemn Turkey's attempts to instigate instability in our region, and affirm that Armenia will continue to consistently work towards maintaining and strengthening the international and regional security, while closely cooperating with international partners to this end.”

182 “Statement by the Foreign Ministry of Armenia on the statement of the Turkish Foreign Ministry,” *Ministry of Foreign Affairs of the Republic of Armenia*, July 13, 2020, https://www.mfa.am/en/interviews-articles-and-comments/2020/07/13/MFA_Statement_Turkey/10361

In the face of Turkey's staunch solidarity with Azerbaijan, Armenian Ministry of Foreign Affairs issued the following additional statement on 15 July:¹⁸³

“On July 12, following the attack by the Azerbaijani armed forces in the direction of the Tavush region of the Republic of Armenia, the leadership of Turkey, including the President, the Foreign Minister and the Minister of Defense issued a number of official statements.

These statements not only contain commitment of unconditional support to Azerbaijan, but also exhibit clear regional ambitions towards the South Caucasus, which the President of Turkey, along with other officials, attempt to substantiate by referring to Turkey's ‘historic mission’ in the region.

Invoking its historical mission and ethnic or religious affiliations, Turkey has already destabilized the situation in a number of neighboring regions: the Middle East, Eastern Mediterranean and North Africa causing immeasurable sufferings to the peoples of those regions.

It is noteworthy that in 21st century, Turkey builds its policy in our region on the traditions of kinship, justification of the Armenian Genocide and the impunity of that crime.

Turkey's provocative and biased stance seriously undermines the peaceful settlement of the Nagorno-Karabakh conflict and proves that Turkey cannot be involved in any international processes related to the conflict and first and foremost within the OSCE framework.

With its approaches, Turkey is a security threat for Armenia and the region, and broad regional and international cooperation is needed to counter it.”

The most recent development on this issue in the period under review has been the decision announced by the National Security Council of Turkey following in the meeting on 22 July.¹⁸⁴

“Armenia, which has maintained an illegitimate occupation in the territory of Azerbaijan for years, has been strongly condemned for its aggression that disrupts peace and disregards international law.

183 “Statement by the Foreign Ministry of Armenia on the recent statements by Turkey,” *Ministry of Foreign Affairs of the Republic of Armenia*, July 15, 2020, <https://www.mfa.am/en/interviews-articles-and-comments/2020/07/15/armmfa-statement/10373>

184 “22 Temmuz 2020 Tarihli Toplantı,” *Milli Güvenlik Kurulu Genel Sekreterliği*, 22 Temmuz 2020, <https://www.mgk.gov.tr/index.php/22-temmuz-2020-tarihli-toplantı>

Turkey has emphasized that Armenia must stop its aggression and withdraw from Azerbaijani lands and that Turkey will support any decision by brotherly Azerbaijan in pursuit of its just cause.”

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THE RELATIVITY OF SELF-DETERMINATION CONCEPTIONS REGARDING THE NAGORNO-KARABAKH CONFLICT*

(DAĞLIK KARABAĞ UYUŞMAZLIĞINDA
SELF-DETERMINASYON TEZLERİNİN GÖRECELİĞİ)

Deniz AKÇAY**

Abstract: *The fact that Nagorno-Karabakh is under the sovereignty of the Republic of Azerbaijan is accepted undisputedly not only in the framework of the Alma-Ata Declaration but was also accepted during the examination of the memberships of Azerbaijan and Armenia to the United Nations. In addition, the four resolutions of the UN Security Council adopted in 1993, embracing the same approach, highlighted that the Nagorno-Karabakh conflict shall be resolved in accordance with the principles of territorial integrity and inviolability of borders of Azerbaijan.*

The Minsk Group, which was established within the OSCE in 1996, has focused on the self-determination formula since 1998 to submit recommendations on this issue. However, the implementation of the Resolution 1514(XV) on the granting of independence to colonial countries and peoples is legally impossible in this case, since Nagorno-Karabakh is under the sovereignty and within the territorial integrity of a State and it is not considered as a “colonial country”.

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Moreover, it is also impossible to implement the articles of the UN General Assembly Resolution 2625(XXV) regarding the self-determination in case of the non-existence of widespread human rights violations and oppressions.

On the other hand, the Chiragov judgement of the ECHR established that self-determination cannot not be introduced as a realistic settlement formula with regards to Nagorno-Karabakh, which is under the military, political, and economic influence of Armenia.

Keywords: *Territorial Integrity, Self-determination, the UN Security Council, the Resolution 2625(XXV), the Resolution 1514(XXV), the Chiragov judgement*

Öz: *Dağlık Karabağ'ın Azerbaycan Cumhuriyeti'nin egemenliği altında bulunduğu gerek Alma Ata Bildirisi çerçevesinde, gerek Azerbaycan ile Ermenistan'ın Birleşmiş Milletler'e üyeliklerinin incelenmesi kapsamında itirazsız kabul edilmiştir. BM Güvenlik Konseyi'nin 1993 yılında kabul ettiği dört karar da aynı yaklaşımı benimseyerek, Dağlık Karabağ uyuşmazlığının Azerbaycan'ın ülke bütünlüğü ve sınırlarının dokunulmazlığı ilkelerine uygun biçimde çözümlenmesi gerektiğini vurgulamıştır.*

Bu konuda, önerilerde bulunmak üzere, 1996'da AGİT çerçevesinde oluşturulan Minsk Grubu, 1998'den itibaren self-determinasyon formülü üzerine odaklanmıştır. Ancak, bir devletin egemenliği ve ülke bütünlüğü ile bağlantılı olan ve ayrıca, sömürge statüsünde olmayan Dağlık Karabağ açısından bir uyuşmazlıkta, BM Genel Kurulu'nun sömürge rejimlerinin sona erdirilmesine ilişkin 1514(XV) sayılı Bildirisi'nin uygulanması hukuken mümkün değildir.

Ayrıca, yaygın insan hakları ihlalleri ve baskılarının söz konusu olmadığı durumlarda, BM Genel Kurulu'nun 2625(XXV) sayılı Bildirisi'ndeki self-determinasyonla ilgili maddelerinin de uygulanması mümkün değildir.

Öte yandan, AİHM'nin Chiragov kararı da self-determinasyonun Ermenistan'ın askerî, siyasi ve ekonomik nüfuzu altında bulunan Dağlık Karabağ açısından gerçekçi bir çözüm oluşturamayacağını ortaya koymuştur.

Anahtar Kelimeler: *Ülke Bütünlüğü, Self-determinasyon, BM Güvenlik Konseyi, 2625(XXV) sayılı Bildiri, 1514(XXV) sayılı Bildiri, Chiragov Kararı*

A) Khojaly Massacre, The United Nations Membership, The UN Security Council Resolutions

The representatives of 11 Soviet Socialist Republics convened in Almaty, the capital of Kazakhstan, in December 1991 and declared that the Union of Soviet Socialist Republics (USSR - the Soviet Union) had ceased to exist¹. Thus, the legal entity of the Soviet Union, which was established in 1921, came to an end in terms of international law.

The declaration published after the meeting did not include any statement, reservation, or limitation regarding the boundaries, rights, political and economic characteristics, or expectations of any former Soviet Republics in their new formation. On the contrary, it is explicitly underlined, in the third paragraph of the Preamble of the Declaration, that the 11 States would recognize and respect the territorial integrity and the inviolability of current boundaries of each other.²

With the disintegration of the Soviet Union in this way, the principle of *uti possidetis* of the classical international law was applied, and following a disintegration, the boundaries preceding the disintegration were meant to be preserved for each new state.³

Then, the process of recognition and membership to the United Nations (UN) of the countries, which gained their independence, was initiated.

In this respect, the membership applications of the Republic of Azerbaijan and the Republic of Armenia to the UN were examined in the first place by the UN Security Council in accordance with the established procedure. The Council accepted the applications of both countries without any reservation or condition and referred the UN General Assembly to make the final decision on the acceptance of membership applications.⁴

The UN General Assembly, in accordance with the established procedure, accepted the membership of both states without any reservation on 2 April 1992.⁵

1 The Alma-Ata Declaration, December 21, 1991.

2 "... recognizing and respecting each other's territorial integrity and the inviolability of the existing borders..."

3 The rule of *uti possidetis* was implemented mainly with regards to colonies in the past. In recent times, it was implemented by the Badinter Commission with regards to the countries established as a result of the disintegration of former Yugoslavia. "Commission Badinter", *Avis no.3 Revue Générale de Droit International Public*, 1992: 268-269.

4 UN Security Council Resolution 742 (February 14, 1992) with regards to Azerbaijan and UN Security Council Resolution 735 (January 29, 1992) with regards to Armenia.

5 UN General Assembly Resolution 46/230 (March 2, 1992) with regards to Azerbaijan and UN General Assembly Resolution 46/227 (March 2, 1992) with regards to Armenia. As is seen, the UN General Assembly, only one month after the Khojaly Massacre, and despite the ongoing war, accepted the membership of Armenia through a purely technical and procedural resolution.

On the other hand, the long-running military operations of Armenia towards the Nagorno Karabakh region of Azerbaijan intensified after two months of the disintegration of the Soviet Union and these aggressions turned into a massacre on 26-27 February 1992 in Khojaly. This massacre is described as genocide by certain states.⁶ Meanwhile, the first of the four resolutions of the UN Security Council with regards to on-going Nagorno-Karabakh war could only be adopted by April 1993.⁷

With regards to the Nagorno-Karabakh conflict, which constitutes an aggression against the territorial integrity of Azerbaijan and moreover reaches dimensions threatening the regional peace in a wider perspective, the UN Security Council adopted four resolutions in 1993 aiming, on one hand, at establishing the conditions for a peaceful resolution based on the territorial integrity and inviolability of borders of Azerbaijan and, on the other hand, aiming at identifying the requirements for the resolution methods that were to be achieved within this framework especially through the four resolutions adopted in 1993.⁸

Among these resolutions, the Resolution 884 dated 12 November 1993 in particular, going beyond the call to a solution through peaceful means, reaffirmed the territorial integrity of Azerbaijan within the framework of the Nagorno-Karabakh conflict, which threatens the sovereign rights and territorial integrity of Azerbaijan, and also emphasized "... the inviolability of international borders and the inadmissibility of the use of force for acquisition of territory...".⁹

Although the abovementioned resolutions did not solve the Nagorno-Karabakh conflict, they reaffirmed that there is no intention to deviate from the basic principles of the Alma-Ata Declaration, nor from those assumed during the accession of Azerbaijan and Armenia to the UN.

A.1) The Minsk Group: The Relativization of the UN Principles

Some developments were observed with regard to the resolution of the Nagorno-Karabakh conflict, in the following years, giving the impression that

6 The countries which have described the events in Khojaly as genocide are Azerbaijan, Mexico, Pakistan, Colombia, Czechia, Bosnia and Herzegovina, Peru, Honduras, Sudan. Moreover, in the United States of America, the states of Massachusetts, Texas, New Jersey, Arkansas, Oklahoma, Tennessee, Pennsylvania, West Virginia, Connecticut, Florida, Arizona, Utah have described the Khojaly as massacre. (Source: Wikipedia).

7 UN Security Council Resolution 822 (April 30, 1993).

8 UN Security Council Resolution 822 (April 30, 1993), Resolution 853 (July 29, 1993), Resolution 877 (October 14, 1993), and Resolution 884 (November 12, 1993).

9 UN Security Council Resolution 844 (November 12, 1993).

The Relativity Of Self-Determination Conceptions Regarding The Nagorno-Karabakh Conflict

the solution framework envisaged in the four resolutions of the UN Security Council (adopted in 1993) containing guarantees on the territorial integrity and inviolability of borders, might have dramatically lost its strictness and political actuality.

Within the scope of the Organization for Security and Cooperation in Europe (OSCE), a political dialogue platform was established in 1992, namely the Minsk Group, in order to create peaceful resolution methods and focus the dialogue between the two states on these resolution recommendations.

In the first version of this dialogue platform, which was formed at the Helsinki Meeting of the OSCE in 1992, there were three different membership categories consisting of the following countries:

- Parties of the conflict: Azerbaijan and Armenia,
- The United States, Russia, and France,
- Germany, Belarus, Italy, Finland, The Netherlands, Portugal, Sweden, Turkey.

However, the composition of the Group dramatically changed after the OSCE Budapest Summit held in 1994. From that date onwards, the US, Russia, and France were appointed as the Co-Chairs of the Group. This sub-group has assumed the role of making statements on behalf of the Minsk Group.

As is seen, a certain hierarchical order was established within the Group following the Budapest Summit and the sub-group of Co-Chairs has gained a more powerful hierarchical visibility through its political importance and weight. Ever since that time, the statements of the Group have been prepared by this sub-group.

In the establishment phase of the Minsk Group, generally, focus was given to the settlement of the Nagorno-Karabakh conflict through peaceful means, however, no particular scheme was envisaged to determine which principles and methods were to be followed in order to achieve this aim. As a matter of fact, beyond the call for the suspension of the hostilities and, generally, for settlement through negotiations, the Group does not have an explicit “mandate” of complying with the principles stipulated in the resolutions of the Security Council adopted in 1993.

Yet, having been established within the framework of the OSCE, the mandate of the Minsk Group would have been expected not to disregard, but rather to particularly stress the universal principles of the international law such as the territorial integrity and inviolability of borders (especially when the

preservation of the international peace is in question), and the resolutions of the UN bodies which developed concrete guidance in this field. The importance of such an approach, not only in the case of Nagorno-Karabakh conflict, but for the credibility of the UN system, should not be ignored.

In this framework, the statement of the European Council, dated 22 May 1992, condemns any action of a State against the territorial integrity of any other in order to achieve political objectives which are considered as a violation of the principles and commitments of the OSCE.¹⁰

It is observed that this tendency of distancing from the UN principles the Nagorno-Karabakh conflict is sought to be pursued in various documents issued by the OSCE as well.

Indeed, the OSCE Lisbon Summit Document adopted in 1996 radically drifted away from the basic UN principles defined by the resolutions of the Security Council adopted in 1993 regarding the settlement of the Nagorno-Karabakh conflict.

The main characteristics of the proposed “status” for the Nagorno-Karabakh were defined in the Document as follows:

“...legal status of Nagorno-Karabakh defined in an agreement based on self-determination which confers on Nagorno-Karabakh the highest degree of self-rule within Azerbaijan;”¹¹

Such a proposal, which would envisage *the highest degree of self-rule within Azerbaijan* for the “future” status of Nagorno-Karabakh, can be described as a misleading formula devoid of any legal ground in terms of international law for the following reasons:

1. First and foremost, “self-determination” and “self-rule” terms used in the text correspond, in international law, to a status that require different preconditions.
2. Moreover, there is no safeguard to the effect that, once the self-determination is granted, the self-rule will be formulated as an “administration” which would remain within the borders of Azerbaijan.
3. The “highest degree of self-rule” would inevitably bring a visibility to Nagorno-Karabakh that could be supported by other States. In such a

10 EC Press Statement, Brussels, 22 May 1992 ; Roland Rich, “Recognition of States: The Collapse of Yugoslavia and the Soviet Union”, *EJIL* 4, No. 1 (1993), p. 63.

11 OSCE Lisbon Document, 1996, Annex 1, p. 15.

circumstance, there is no guarantee that the region in question would not, in the future, purport to acquire international legal personality.

In addition to the Lisbon Summit Document of 1996, the statement of the Minsk Group following the Madrid Meeting in 2007 refers to the Helsinki Final Act and the principles within that document, as well as self-determination.¹²

The Helsinki Final Act, because of its legal nature and the principles it contains, cannot be considered as having a topicality and, in particular, a legal impact that would attribute to it any leading priority in the settlement of the Nagorno-Karabakh conflict, the requisite principles of which were previously determined in the UN resolutions.

Although the diplomatic importance of the Conference held in 1975 in Helsinki in the scope of softening the East-West polarization is undisputable, the binding nature of the Final Act is not certain.¹³ It should not be disregarded that every single principle stipulated in the Document might have different legal conditions for implementation and even different legal values. Nevertheless, the Group has continued to refer to this document in 2019 as well.¹⁴

It is accepted today that the Helsinki Final Act is not binding, therefore, in terms of normativity, the principles mentioned in the statements of Minsk Group with regards to this topic cannot acquire a binding nature on the grounds that they were mentioned in this document.¹⁵

As it is stated by an author, the Document in question is not an international treaty, but a “program” aiming at the to the construction of a consensus which was reached to establish peace between the East/West blocs or, at least, soften the polarization between the camps to a certain degree.¹⁶

Therefore, the disregard and relativization of the UN principles concerning the Nagorno-Karabakh issue on the basis of the mentioned documents in the studies of the Minsk Group precludes the parameters of the conflict from the established legal framework and does not contribute to the peaceful resolution of the conflict.

12 OSCE Minsk Group, Madrid Document (November 2007)

13 Peter van Dijk, “The implementation of the Final Act of Helsinki, The Creation of New Structures in the Involvement of Existing Ones,” *Michigan Journal of International Law*, vol. 10 (1989), p. 114. As is seen, the author mentions the new structures, not the new norms.

14 “Press Statement by the Co-Chairs of the OSCE Minsk Group on the Upcoming Meeting of President Aliyev and Prime Minister Pashinyan,” Moscow, Paris, Washington, March 9, 2019.

15 van Dijk, “The Implementation of the Final Act of Helsinki...,” p. 114.

16 Jean-François Prevost, “Observations sur la Nature Juridique de l’Acte Final d’Helsinki,” *AFDI*, 1975, especially p. 139 and 150.

A.2) The Minsk Group's Search for a Resolution: "Common State" Formula and Continuing Relativity

Two years after the OSCE Lisbon Summit of 1996 which had proposed the self-determination formula, the Minsk Group proposed a solution on Nagorno-Karabakh within the framework of a "Common State".¹⁷

As a matter of fact, it is thought that the "Common State" proposal should be evaluated as a variation of the self-determination formula which was put into the agenda of the Minsk Group through the Lisbon Document.

In our view, the following issues are of importance among the "principles" and "regulations" in the five-page formula of the "Common State":

- The Nagorno-Karabakh region which would be transformed into a "state" would exist within the borders of Azerbaijan.¹⁸
- Azerbaijan and Armenia would determine the respective areas of responsibility of Azerbaijan and Nagorno-Karabakh and decide the necessary transfer of authority in this respect through an agreement to be signed between them.
- Nagorno-Karabakh would have the rights to establish direct relations with third states and international organizations in the fields of trade, culture, science, sports, and humanitarian topics and to have representatives at them. Moreover, the political parties and social institutions in Nagorno-Karabakh could establish contacts with similar institutions in foreign countries.
- Nagorno-Karabakh would have the right to have representatives in the embassies and consulates of Azerbaijan in foreign countries.

In this proposal, which is tantamount to the creation of a state within a state rather than a real "Common State", there is no guarantee providing that in the future, the administration of Nagorno-Karabakh directly or indirectly using various occasions would not purport to join Armenia by organizing a referendum.

Since the Minsk Group no longer refers to this "proposal" that envisages the establishment of a state within a state, it must have been noticed somehow that it is not based on any known principle of international law and that this kind

17 Minsk Group Proposal ("common state deal", November 1998 (Unofficial Translation)).

18 The new entity proposed to be created is defined as "a state territorial formation in the form of a Republic".

of a “territorial assembly” would not be sustainable in the absence of “supportive initiatives of a national, international or regional will.”

However, the principle of self-determination, which is insistently emphasized and framed by some other side principles, remains as an indispensable resolution parameter of the Minsk Group. Indeed, in the report of the United States Institute of Peace dated 1998, the notion of self-determination as supported by various side principles was also presented as an immutable tool and objective regarding the resolution of the conflict: “This matter of territorial integrity must be brought together with national self-determination and self-government”.¹⁹

In other words, according to this proposal, securing the territorial integrity of Azerbaijan would only be possible if it is considered together with the national self-determination of Nagorno-Karabakh. Naturally, it can be stated that such an approach would relativize not only the resolutions of the UN Security Council adopted in 1993 but also the general principles of international law.

In addition, the term “national self-determination”, which is the reference point of this approach, necessitates considering the population of Nagorno-Karabakh as a separate “nation”. However, it is obvious that such a course would also be incorrect in terms of historical, political, and legal realities. As a matter of fact, neither the UN institutions, nor the related States, nor the Minsk Group has brought forward this kind of a definition.

A.3) The Framework Established by the UN General Assembly for the Settlement of the Nagorno Karabakh Issue: The Resolution 62/243 Dated 14 March 2008

The UN General Assembly, which evaluated these negative developments regarding the process of seeking a solution to the Nagorno-Karabakh conflict, adopted in 2008 a comprehensive resolution, mainly repeating to a great extent the principles contained in the Security Council resolutions of 1993, and enumerating the principles to be observed.

However, still not content, the General Assembly called attention to the negative developments and urged the immediate taking of certain measures²⁰. In this framework, the following issues were especially emphasized:

19 Patricia Carley, “Nagorno-Karabakh, Searching for a Solution,” *A United States Institute of Peace, Roundtable Report, No. 34* (1998), p. 27.

20 UN General Assembly Resolution 62/243 (March 14, 2008).

- **In the second operative paragraph of the resolution**, the General Assembly demands Armenia to “immediately”, “completely”, and “unconditionally” withdraw its troops from the occupied territories of Azerbaijan.
- **In the fifth operative paragraph**, the resolution instructs that member states “shall not recognize” the occupation of the territories of Azerbaijan.
- **In the sixth operative paragraph** of the resolution, while expressing support for the international mediation of the Minsk Group, it is, however, underlined that the solution to be proposed by the Group shall be in compliance with the norms and principles of international law “stipulated above”.

It is of decisive importance that, despite the inclination of the Minsk Group towards resolving the conflict through the implementation of self-determination principle since 1996, the self-determination principle is not mentioned in the resolution of the General Assembly.

Moreover, the demand of the General Assembly from Armenia to withdraw its forces from Nagorno-Karabakh should be seen as an instruction of a concrete and urgent measure.

On the other hand, the request of the General Assembly that no State recognize the occupation should also be seen as an instruction addressed not only to the related States but to all member States of the UN.

This resolution of the General Assembly puts forth that there exist no legitimate circumstances justifying the application of the principle of self-determination in the Nagorno-Karabakh conflict.

The issue is of great importance in terms of the conditions for the use of the right to self-determination as developed by the UN organs and the International Court of Justice (ICJ), which will be discussed below.

However, there is no official statement or evaluation of the Minsk Group regarding the Resolution 62/243 of the General Assembly dated 14 March 2008 and which identifies the framework for the settlement of the Nagorno-Karabakh conflict.

A.4) The Current Tendency of the Minsk Group Towards Settlement: The Statement Dated 9 March 2019

The statement of the Co-Chairs of the Minsk Group dated 9 March 2019, while mentioning the territorial integrity, contains certain remarks which raise doubts on how and under which process the said principle shall be implemented.²¹

It can be understood from the expressions used in the Group's statement that the principle of territorial integrity mentioned in the text, in the fact, is expected to be only partially implemented. According to the text, the territory to be returned to Azerbaijani control is not Nagorno-Karabakh, but the territories surrounding this region.

In addition, the text gives the impression that the mentioned act of "return" would not be a full adherence to the principle of territorial integrity, but a mere "temporary" revision of borders.

In the following parts of the text, an interim status is envisaged to ensure self-governance and security for Nagorno-Karabakh until the final resolution is achieved.

While the "interim status" projected in the statement of the Co-Chairs of the Minsk Group envisages "self-governance", the final settlement is tantamount to a self-determination of a dubious content and is not compatible with the vision of return to Azerbaijani control in the light of the Security Council resolutions.

Moreover, it is understood from the following parts of the same paragraph that the self-governance would not constitute final resolution, and the final status of Nagorno-Karabakh would be determined through a referendum.²² In other words, it is obvious that both the resolutions of the Security Council dated 1993 and the resolution of the UN General Assembly dated 2008, which demands the return of occupied territories and also the non-recognition of territorial adjustments in Nagorno-Karabakh, are once again disregarded.

Through the statement of the Co-Chairs, it can be concluded that the Minsk Group is aiming at developing a conciliatory discourse for the prevention of conflict in the short term and inclining towards a resolution based on self-determination principle in Nagorno-Karabakh in the long term.

21 "Press Statement by the Co-Chairs of the OSCE Minsk Group on Upcoming Meeting..."

22 "...future determination of the legal status of Nagorno-Karabakh through a legally binding expression of will..." ("Press Statement by the Co-Chairs of the OSCE Minsk Group on Upcoming Meeting...")

On the other hand, it is also interesting that the statement once again refers to the principles contained in the Helsinki Final Act. Even though it is accepted that the Act had a high political importance and great value during the mid-1970s when the antagonism between East and West was intense, it is evident that the said document has never acquired the authority of a binding “treaty”.²³

An undisputable understanding has been reached as to the legal clarity and applicability of the principle of self-determination in the light of the extensively comprehensive and detailed declarations and resolutions of the UN organs, as well as the jurisprudence of the International Court of Justice (ICJ). As such, taking into account the norms of the international law and the methods of interpretation, it is impossible to accept the claim that the “principles” of the Helsinki Final Act, which constitute a mere “catalogue”, could become applicable through a simple reference.

Despite efforts of over more than twenty years to seek a peaceful solution, the Minsk Group, having deviated from the fundamental UN principles related to the matter and having focused its efforts on self-determination, can certainly not be praised for having established peace in the region. In fact, the Group was unable to prevent Armenia from instigating armed clashes known as the “Four Days War” on 2-5 April 2016.²⁴

The statement issued by the Minsk Group two months after the aggression merely reiterated the Group’s commitments for the resolution of the conflict through peaceful means.²⁵

B) The Applicability of the Principle of Self-Determination to the Nagorno-Karabakh Conflict

Both the resolutions of the UN organs and the examinations and analyses of the ICJ in the framework of certain cases have transformed the principle of

23 Prevost, “Observations sur la Nature Juridique...,” p. 152. The Act should be interpreted as the test of political will according to the author. Jordan Paust, “Legal Aspects of the Final Act of Helsinki.” *Law and Contemporary Problems* 45 No: 1, p. 56, <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=3646&context=lcp>; Peter van Dijk, “The Final Act of Helsinki, basis for a Pan-European system?” *the Netherlands Yearbook of International Law*, 2009, p. 53-70.

24 Also see: Turgut Kerem Tuncel, “A Short Assessment Of The ‘4-Day War’ in Karabakh.” *Center for Eurasian Studies (AVİM)*, Commentary No: 2016/21, April 20, 2016. <https://avim.org.tr/en/Yorum/A-SHORT-ASSESSMENT-OF-THE-4-DAY-WAR-IN-KARABAKH>

25 Press Statement by the Minsk Group, June 3, 2016: “The Ministers reaffirmed their commitment to a peaceful resolution of the Nagorno-Karabakh conflict.”

self-determination, which could previously be perceived as a term for political message or propaganda, into a term that can be applicable in certain and, especially, limited political and judicial situations.

The question of whether self-determination could be applicable to Nagorno-Karabakh should be evaluated in two stages:

1. Can the application of self-determination principle be imposed in terms of international law in a framework that has the characteristics of the Nagorno-Karabakh conflict?
2. Can it be argued that Nagorno-Karabakh has an independent and genuine will to sustain the self-determination to be granted to this region, in view of its inherent military, political, and economic conditions?

The answers would require, for the first question, to examine the principles developed in the field of international law for the application of the self-determination principle, and, for the second, to study the applicability of these conditions to the Nagorno- Karabakh conflict.

B.1) Requirements for the Applicability of the Self-Determination Principle in the International Law

In order to ascertain the conditions for the applicability of the self-determination principle, on the one hand, declarations of the UN organs related to the matter, and on the other, the relevant rulings of the ICJ should be analyzed.

B.1.1) Conditions and Limitations for the Applicability of the Declaration 1514(XV) of the General Assembly of the United Nations

The UN Declaration 1514(XV) dated 8 December 1960, which aims at putting an end to colonialism in the practice of international law, is still valid over sixty years after its adoption.

Thus, the advisory opinion of the ICJ dated 25 February 2019 sets forth that the article 73 of the UN Charter regarding the Non-Self-Governing Territories and, consequently, the Declaration 1514(XV) of the UN General Assembly can also have scope of application today.²⁶

26 Legal Consequences of the separation of the Chagos Archipelago From Mauritius in 1965, ICJ, Advisory Opinion of 25 February 2019.

In this ruling, the ICJ indicated that the United Kingdom was under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible.²⁷

In addition, taking into account the UN Charter and resolution 1514(XV) of 14 December 1960 entitled “Declaration on the Granting of Independence to Colonial Countries and Peoples”, the ICJ found that the continued administration of the UK on the Chagos Archipelago constituted a “wrongful act”.²⁸

Moreover, three months after the ruling of the ICJ, the UN General Assembly demanded that the UK unconditionally end its colonial administration on Chagos Islands within six months through a resolution adopted in 22 May 2019.²⁹

The Chagos Islands ruling of the ICJ related to the colonialism period cannot set a precedent for the application of self-determination principle in the framework of the resolution of the UN General Assembly issued 1514(XV) with regards to Nagorno-Karabakh, which has never been subjected to a colonial status.

Moreover, it should not be ignored that the sixth paragraph of the Declaration 1514(XV) introduces an explicit ban on the exploitation of actions taken in the framework of ending colonial rules for other purposes. According to this paragraph:

“Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.”

In addition, not content with this stipulation, the Declaration, in its seventh and last paragraph, introduces a further instruction:

27 Legal Consequences of the separation of the Chagos..., par. 182: “In response to Question b) of the General Assembly, relating to the consequences under international law that arise from the continued administration by the United Kingdom of the Chagos Archipelago, the Court concludes that the United Kingdom, has an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible, and that Mauritius State must co-operate with the United Nations to complete the decolonization.”

28 Legal Consequences of the separation of the Chagos..., par. 177.

29 UN General Assembly Resolution 73/295 (May 17, 2019): “Demands that the United Kingdom... withdraw its colonial administration from the Chagos Archipelago unconditionally within a period of no more than six months from the adoption of this resolution, thereby enabling Mauritius to complete the decolonization of its territory as rapidly as possible.” This Resolution of the General Assembly was adopted through 116 votes in favor and six abstention votes. The votes of abstention were the US, Australia, Israel, Hungary, the Maldives, and the UK.

The Relativity Of Self-Determination Conceptions Regarding The Nagorno-Karabakh Conflict

“All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity.”

It is also significant that the ICJ applied, in its advisory opinion, not any broad self-determination principle, but directly the Article 73 of the UN Charter and the UN Resolution 1514 (XV).

The ICJ has also previously adopted a similar approach in its advisory opinion dated 18 October 1975 upon the request from the UN General Assembly regarding the dispute between the Kingdom of Morocco and Mauritania on Western Sahara region.³⁰

The ICJ conceded that both States had some connections and relations with Western Sahara region, however, it concluded that neither Morocco nor Mauritania had ties with the region in terms of territorial sovereignty. In this circumstance according to the ICJ, the colonial status of the Western Sahara region would not affect the application of the principle of self-determination.³¹

The principles enunciated in these two rulings of the ICJ were also emphasized in the advisory opinion dated 1971 in the case related to the continued presence of South Africa in Namibia in disregard of the UN General Assembly Resolution 2145 dated 1966 terminating the mandate of South Africa over Namibia. In its advisory opinion, the Court concluded that South Africa was under an obligation to immediately withdraw its administration from Namibia.³²

The ruling of the ICJ can be considered to be decisively important for having been based on the necessity of implementing the UN General Assembly resolution.

B.1.2) Self-Determination and the UN General Assembly Resolution 2625(XXV)

The second important text on the applicability of the self-determination principle is the UN General Assembly Resolution 2625 titled “The Declaration

30 Western Sahara, Advisory Opinion, ICJ Reports, 1975, p. 12.

31 “Thus the Court has not found legal ties of such a nature as might affect the application of resolution 1514(XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the people of the Territory.” Western Sahara, Advisory Opinion, par. 162.

32 Legal Consequences for States of the Continued Presence of South Africa in Namibia Notwithstanding the Security Council (276)1970, par. 173.

on Principles of International Law concerning Friendly Relations and Co-operation among States” that was adopted on 14 October 1970.

The Resolution aimed at identifying in a comprehensive manner the necessary principles that shall be followed by all members of the UN in a period when the former colonies were transformed into independent states.

The mentioned Resolution calls for the progressive development and codification of the principles that shall be complied by states in international arena, the refrainment from the use of force against the territorial integrity and political independence of States, the settlement of disputes by peaceful means, the cooperation of States in line with the UN Charter, equal rights and self-determination of peoples, the sovereign equality rights, the principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter.

The Resolution 2625(XXV) is not a treaty in classical terms, however, it is accepted as encompassing the principles which should be implemented and complied within the international relations between sovereign States. According to an author, even though the principles in question are not binding, they can be accepted as having a “hortatory” nature in terms of their compliance.³³

The part of the Declaration titled “The principle of equal rights and self-determination of peoples”, which is one of the longest parts, despite its dramatic discourse, is quite narrow in scope when its actual content is considered.

Above all, the right to “self-determination of peoples” is limited by two preconditions in Resolution 2625(XXV):

- a) To promote friendly relations and cooperation among States,
- b) To bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned

It is understood through these remarks in the Declaration that the main ideology of the right to self-determination is based on friendly relations and cooperation.

On the other hand, the main historical subject of the right to self-determination are peoples under colonies. Therefore, since no other category of people is singularized in the text of the Declaration, the right to self-determination of

33 Gaetano Arangio Ruiz, “The United Nations Declaration on Friendly Relations and the System of the Sources of International Law,” *Sijthoff and Noordhoff*, 1979, p. 71.

the peoples who are not subjected to colonialism can be applicable only in certain exceptional circumstances.

In other words, the subject of the self-determination principle in the context and in the meaning of the Declaration is not just any people but, a certain people who can claim this right against a State only in the case of certain exceptional circumstances.³⁴

Furthermore, detailed and specific limitations are introduced in the Resolution even in circumstances where the application of the right to self-determination may be considered. For instance:

“Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour.

Every State shall refrain from any action aimed at the partial or total disruption of the national unity and territorial integrity of any other State or country.”

As it can be observed, the Declaration introduces two limitations through a negative connotation on self-determination claims: On one hand the Declaration prevents the interpretation which might mean an approval of disintegration of an independent State through a “movement” claiming self-determination and on the other hand it imposes another obligation by underlining that the States shall not use the self-determination claims against each other to disrupt their national unity and territorial integrity.

These detailed preconditions and reservations reveal that the self-determination claims, other than those arising from disputes related to decolonization in the framework of the Resolution 1514(XV), can be taken into consideration only when there is severe and widespread violation of human rights and especially when the claims are not **brought forward** to disrupt one State’s unity and territorial integrity.

34 Ethnic minorities do not have right to self-determination contrary to “peoples”, see: Dilaver Gassimov, “Le conflit arméno-azerbaïdjanais: L’impuissance ou l’indifférence de la communauté internationale?,” *Guerres Mondiales et Conflits Contemporains* 2014/no. 24, p. 12 ; Félicien Lemaire, “La libre détermination des peuples, la vision du constitutionnaliste,” *Civitas Europa* 2014/1 No. 32, p. 113-138.

The doctrine also describes the type of self-determination deemed applicable in “extreme cases of oppression” as “remedial self-determination”.³⁵

In one of her articles, Heidi Krüger calls attention to the necessity for the illegalities and oppressions to be “severe, massive and systematic” to give right to the claims of remedial self-determination.³⁶

On the other hand Marc Weller, apart from disputes related to former colonies, proposes self-determination to be almost systematically applied in the separatist disputes.³⁷ This opinion of Weller can only be considered in the circumstances elaborated in the seventh paragraph regarding the right to self-determination of peoples of the Resolution 2625(XXV).

B.1.3) The Advisory Opinion of the ICJ on Kosovo dated 22 July 2010

The advisory opinion of the ICJ regarding the declaration of Provisional Institution of Self-Government of Kosovo from Serbia on 17 February 2008 can be described as “interesting” both in terms of judicial methodology and the conclusion it reaches, in view of the discussion on self-determination.³⁸

The advisory opinion of the ICJ dated 22 July 2010 regarding the “unilateral” declaration of independence of Kosovo from Serbia can cause hesitations in terms of the interpretation method of the ICJ, as well as from the perspective of implementation of self-determination as specified in the UN General Assembly Resolution 2625(XXV).³⁹

Although the UN General Assembly asked whether the declaration of “independence” by Kosovo had been “in accordance” with the international law, the ICJ, rather than listing concrete facts and legal rationale, came to a conclusion that the declaration of independence of Kosovo from Serbia was not in contravention to the international law, and merely stated that the international law does not contain any prohibiting rule on this matter.⁴⁰

35 James Crawford, *The Creation of States in International Law* (Oxford University Press, 2007), p. 119 ; Heiko Krüger, “Nagorno–Karabakh, in Self-Determination and Secession in International Law,” Ed. Christian Walter, Antje von Ungern-Stenberg, and Kaavus Abushov (Oxford University Press 2014), p. 422.

36 Krüger, “Nagorno–Karabakh, in Self-Determination and Secession...,” p. 223.

37 Marc Weller, “Settling Self-Determination Conflicts: Recent Developments,” *EJIL* Vol. 20, No.1 (2009), p. 163.

38 Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo, Advisory Opinion, ICJ Reports 2010, p. 403.

39 “...the Court considers that general international law contains no applicable prohibition of declaration on of independence in respect of declaration of independence.” Accordance with International Law of the Unilateral Declaration..., par. 84.

40 “... the Court considers that general international law contains no applicable prohibition of declaration of independence.” Accordance with International Law of the Unilateral Declaration..., par. 84.

Instead, the ICJ could have come to a different conclusion by, at least, considering the UN Security Council Resolution 1244(1999) dated 10 June 1999 which listed the serious difficulties and critical problems faced by Kosovo.⁴¹

On the other hand, in the face of such a critical declaration of independence, which can be perceived as a precedent in the future, the ICJ should have considered especially the important and detailed stipulations on separatist movement contained in the UN General Assembly Resolution 2625 (XXV).

The Security Council Resolution 1244(1999) underlined that a “grave humanitarian situation” emerged and “acts of violence against the Kosovo population took place” in Kosovo, and recalled the statement made by the Secretary-General on 9 April 1999, expressing concern at the “humanitarian tragedy” taking place in Kosovo.⁴²

The Resolution 1244(1999) does not, neither in its preamble nor in its operative paragraphs, contain such terms as “self-determination” or “independence” and the remarks which might be associated with the “political solution” mentioned in the text do not go beyond “self-governing” and “self-administration”. Each one of these terms has different content and conditions of application, but none of them contain the declaration of independence. On the contrary, it should be conceded that the Resolution has limited the options among the settlement alternatives and it clearly enumerated and excluded the alternative of independence. In other words, the fact that the self-determination formula in the form of a declaration of independence has never been brought forward during the consideration of the Resolution 1244(1999) which is of great importance concerning the future of Kosovo, has definitely not been examined in the ruling of the ICJ.

Moreover, Stefan Oeter emphasized that on the date Kosovo declared its independence, the Security Council Resolution 1244(1999), which determined the continuation of the sovereignty of the Federal Republic of Yugoslavia on Kosovo, was still in force and drew attention to the need for the Security Council to declare, explicitly or through interpretation, that the mentioned resolution has become obsolete.⁴³

However, in the absence of such a statement and considering that the declaration of independence of Kosovo would constitute a “secession”, the ICJ should have evaluated the declaration of independence in terms of its

41 UN Security Council Resolution 1244 (June 10, 1999).

42 UN Security Council Resolution 1244 (June 10, 1999).

43 Stefan Oeter, “Secession and the Role of the Security Council,” *The ICJ*, 2012, p.124.

conformity with the conditions stipulated in the UN General Assembly Resolution 2625(XXV).

The ICJ, instead, registered the conformity of the unilateral declaration of independence with the international law, thus deviating from the criteria mentioned in the Resolution 1244(1999) and without analyzing the political and social situation in Kosovo.

According to Claire Crépet-Daigremont, who criticizes the superficial and mechanic approach of the ICJ, the ICJ should have examined the status of “action” on the declaration of independence in terms of international law.⁴⁴

However, from a different point of view, it can also be stated that the decision of the ICJ does not totally exclude the Resolution 2625(XXV) mentioned above on the date of independence. According to the ICJ, it is acknowledged that the territorial integrity of the States would not be affected by the declaration of independence of Kosovo. The Court also indicates, making a reference to the Helsinki Final Act, that the scope of the principle of territorial integrity is confined to the sphere of relations between States.⁴⁵

It is obvious that this argument leaves States defenseless vis-a-vis the separatist movements within their countries. However, the seventh paragraph of the Resolution 2625(XXV) related to self-determination does certainly not contain such limitation. The first paragraph of this part, which has two paragraphs, mentions “any action” which would dismember or impair the territorial integrity or political unity, **however, the second paragraph** stipulates that the States shall refrain from any action aimed at the partial or total disruption of the national unity and territorial integrity of any other State or country. Therefore, this writing reveals that the territorial integrity of the State might be threatened in two different cases.

This approach of the ICJ creates an impression that in the cases where the right to self-determination is used, the States would not benefit from the prohibition stipulated in the seventh paragraph of the part relating to self-determination of the Resolution. In other words, in such a situation, the principle of territorial integrity of the State could not be claimed by the suffering State against the separatist movement but it could only be invoked **against a State supporting this movement**. This approach would violate not only the Declaration but also the Article 2 of the UN Charter regulating the protection of territorial integrity of States.

44 Claire Crépet-Daigremont, “Conformité au droit international de la déclaration unilatérale d’indépendance relative au Kosovo,” *CJL*, avis consultatif du 22 juillet 2010, *Annuaire français du droit international*, vol. 56 (2010), p. 241.

45 Crépet-Daigremont, “Conformité au droit international...,” p. 80.

In conclusion, it can be said that, in a serious matter like a declaration of independence, which might lead to severe consequences, the ICJ, rather than analyzing the case in detail, pursued a minimalist approach by arguing that “if it is not prohibited, it is in conformity with the law” and, thus, did not adequately examine the relevant articles of the Resolution 2625(XXV) with regards to the principle of self-determination.

On the other hand, it can also be presumed that the ICJ did not find the implementation of the Resolution 2625(XXV) politically convenient with an apprehensiveness to bring into the fore, once more through judicial decision, the tragic incidents that took place in former Yugoslavia during the 1990s. Moreover, the ICJ might have confined itself to making a simple and mechanic interpretation with concerns over once more bringing up the fact that Serbia, which is a member of the Council of Europe since 2003 and also initiated its accession process to the EU, has committed in the past ethnic cleansing and, as determined with another decision of the ICJ, genocide in Srebrenica.⁴⁶

B.2) The Validity of Self-Determination concerning Nagorno-Karabakh

B.2.1) Requirements Regarding Self-Determination

The self-determination principle is being proposed as the essential solution regarding the settlement of the Nagorno-Karabakh conflict in the periodical statements of the Minsk Group since its Lisbon meeting held in 1996. Although these statements include other solution proposals as well, these proposals are certainly not meant to be alternatives for self-determination and they only remain at the level of supplementary and supportive side clauses for self-determination.

Moreover, the statements in question do not contain any reference or evaluation which would suggest that the four resolutions of the Security Council adopted in 1993 which identified the territorial integrity and inviolability of the borders of Azerbaijan as the main resolution parameters have been taken into account.

However, no deviation or retreat was registered at the level of UN organs indicating that the outline of 1993 resolutions has been abandoned.

On the contrary, the abovementioned Resolution A/RES/62/243 of the UN General Assembly dated 14 March 2008 reveals that the principles enumerated

⁴⁶ Hence, the European Commission started to examine the membership application of Serbia on 26 September 2010 two months after the decision of the ICJ and Serbia was officially recognized as a candidate country on 12 October 2011. The European Council also officially recognized the candidacy of Serbia on 1 March 2012 by considering a report issued by France, Italy, and Austria. However, had the ICJ given the Resolution 2625(XXV) as a rationale, then the human rights violations committed by Serbia in 1990's would have been introduced as a justification for the declaration of independence.

in the resolutions of the Security Council are not abandoned. In addition to its principal approach, as it is mentioned above, the General Assembly called upon the member States of the UN not to recognize the occupation of Nagorno-Karabakh and demanded the immediate, complete, and unconditional withdrawal of all Armenian forces from all the occupied territories of the Republic of Azerbaijan.

However, there is no statement of the Minsk Group that would suggest that the Group has been influenced by or at least has taken note of the UN resolutions.

Yet, for such a radical solution like the self-determination to be suggested as a solution framework, the presence of three conditions, in particular, should be confirmed:

First Condition: Nagorno-Karabakh is not a region that falls in the scope of the article 73 of the UN Charter on non-sovereign states and has never been in that category in the past. Therefore, the region would not come in the scope of implementation of the UN General Assembly Resolution 1514 (XV) on decolonization.

The abovementioned advisory opinions of the ICJ concerning Chagos Islands and Western Sahara are not applicable in Nagorno-Karabakh.

Second Condition: It cannot be claimed either that Nagorno-Karabakh would fall in the scope of implementation of the UN General Assembly Resolution 2625(XXV). There are no claims arguing that Azerbaijan committed severe and widespread human rights violations in this region. Similarly, the statements of the Minsk Group do not include either any finding or claim in this regard. Consequently, the abovementioned “remedial secession” claim could not be brought forward either.

Moreover, no similar claims were brought forward at the level of UN organs.

Third Condition: Self-determination demands or claims must be in accordance with the international law and especially with the principles stipulated in the UN Resolution 2625(XXV). They should be based on the grounds of real, unique, and independent will of people of the country or the region in question. It would be appropriate to examine the Chiragov judgement dated 2015 of the Grand Chamber of the European Court of Human Rights to identify whether these conditions are fulfilled with regards to Nagorno-Karabakh.⁴⁷

47 Chiragov v. Armenia, (GC) Application no. 13216, 16 June 2015; for detailed examination of the opinion, see: Turgut Kerem Tuncel, “The Nagorno-Karabakh Issue From A Juridical Point of View: The Case of Chiragov and Others v. Armenia,” *Center for Eurasian Studies (AVİM)*, Analysis No: 2015/13, June 26, 2015. <https://avim.org.tr/en/Analiz/THE-NAGORNO-KARABAKH-ISSUE-FROM-A-JURIDICAL-POINT-OF-VIEW-THE-CASE-OF-CHIRAGOV-AND-OTHERS-V-ARMENIA>

B.2.2) The “Veracity” of Self-Determination Arguments on Nagorno Karabakh in The Light of Chiragov Judgement

It would be appropriate to examine the self-determination formula, which is being focused on by the Minsk Group since 1996, regarding the resolution of the Nagorno-Karabakh conflict in the light of the Chiragov judgement of the Grand Chamber of the ECHR.

The application of Chiragov, which is an individual application, is related to the case of the applicants who were among the 750,000 to 800,000 Azerbaijani nationals who, according to Human Rights Watch, have been forced, during the military offensive of Armenia in the years 1988 to 1992, to leave the region, complaining that they were prevented from returning to their properties and unable to find access to an effective remedy to compensate the losses they had to suffer.

The ECHR, before investigating the merits of the application, pointed out that the incidents started before the start in 1992 of the full-scale war, upon the Joint Declaration of Supreme Soviet of the Armenian SSR and the Nagorno-Karabakh Regional Council adopted in 1989 that Armenia and Nagorno-Karabakh are “reunified”.⁴⁸

The judgement also indicated that the UN Security Council, in its resolutions adopted in 1993, described the military operation of Armenia in Nagorno-Karabakh as an “invasion” and “occupation”.⁴⁹

With regards to the merits of the application, the ECHR, first of all, meticulously investigated the competence of its jurisdiction “*ratione loci*” in terms of Article 1 of the European Convention of Human Rights regarding the incidents and violations claimed to have taken place in a region outside the borders of Armenia.

In this framework, the ECHR evaluated the military, political, and economic relations between Armenia and Nagorno-Karabakh.

The Military Influence of Armenia on Nagorno-Karabakh

The Chiragov judgement contains detailed explanations regarding the fact that Nagorno-Karabakh, which declared its “independence” on 2 September 1991, is under the influence of Armenia in the military field. Having dedicated three pages on this issue, the ECHR points out that the “military cooperation”

48 Chiragov v. Armenia, (GC) Application..., par. 172.

49 Chiragov v. Armenia, (GC) Application..., par. 173.

between the “Nagorno-Karabakh Republic” and Armenia is based on the “Agreement on Military Cooperation between the Government of the Republic of Armenia and the Republic of Nagorno-Karabakh”.⁵⁰

The preamble of the mentioned agreement, which is quoted in the ECHR, indicates that both “parties” have “mutual interest” to improve cooperation in the military field. In the framework of this “cooperation”, the agreement envisages the establishment of the “army” military legislation, the logistic problems of armed forces, assignment of Armenian military personnel in the “army” of Nagorno-Karabakh, as well as developing military cooperation in other areas in this direction.⁵¹

The reference to this cooperation, which is examined in detail in the Chiragov judgement of the ECHR, in fact, originally had a procedural objective to identify whether the claims of applicants could be directed to Armenia or not, however, it shows also as an indication that the mentioned military rapprochement doctrine has attracted the attention of the Court.

For instance, Mathieu Petithomme underlines that Armenia is making the effort to present an appearance of a “state” and “nation” in Nagorno-Karabakh region, however, he also points out that this presentation, which is in truth a clientelist approach, aims at ensuring assertion of legitimacy in the international community.⁵²

The Political Influence of Armenia on Nagorno-Karabakh

Under this title, the ECHR lists especially the presidents of the State of Armenia who were of Nagorno-Karabakh origin. The ECHR also attracts attention to the affirmations of the applicants stressing that the Armenian law is being implemented in Nagorno-Karabakh.⁵³

The Economic Influence of Armenia on Nagorno-Karabakh

As it can be understood from data enumerated in the ECHR decision, the economic existence of Nagorno-Karabakh completely depends on Armenia

50 Chiragov v. Armenia, (GC) Application..., par. 74.

51 Chiragov v. Armenia, (GC) Application..., par. 74-78.

52 Mathieu Petithomme, “Etatisation et nationalisation du territoire contesté du Haut-Karabakh - Vivre et évoluer sans reconnaissance internationale,” *Revue d’Etudes Comparatives Est-Ouest* 14, No.42 (2011): 23.

53 Chiragov v. Armenia, (GC) Application..., par. 78-79.

and on the assistance provided by the third countries, the Armenians living in those countries, and especially the funds based in the US.⁵⁴

At the end, the ECHR concluded that Armenia has been violating the right to protection of property of the applicants. However, the importance of the Chiragov judgement goes beyond the determination of the violation of property rights; the judgement of the ECHR reveals that Armenia has been engaged in political, economic, and especially grand scale military operations, which is considered as “intervention” in terms of international law in the region belonging to Azerbaijan.⁵⁵

The Importance of the Chiragov Judgement in terms of Self-Determination Arguments

The Chiragov judgement underlines that the military, political, and economic activities of Armenia in Nagorno-Karabakh prove that the region is not in a position to “determine its own future by its own free will” or to practice self-determination. It is clear that assertion of self-determination would not be plausible in the face of the omnipresence of the interventions of a foreign state, especially in the military field, covering almost the totality of the public domain in that region.

The multi-faceted activities of Armenia in the region prove that Nagorno-Karabakh is unable to assume and execute a real self-determination. In other words, “the region” is deprived of a strong and authentic willpower that would enable the region to become the subject of self-determination.

On the other hand, the opinion of Pinto de Albuquerque (the Portuguese member of the ECHR) claiming, with a view to support the self-determination assertions, that widespread human rights violations were committed by Azerbaijan and thus the “remedial” self-determination should be granted to the region, did not have any reflection in the judgment of the ECHR.⁵⁶

The Chiragov judgement proves that the organization and implementation of self-determination, which has been advocated for many years by the Minsk Group, in addition to being illegitimate from a legal point of view, is also inapplicable in the region for factual reasons due to the military, political, and economic influence of Armenia that dominates the region.

54 Chiragov v. Armenia, (GC) Application..., par. 80-86.

55 “Illegal Economic and Other Activities in the Occupied Territories of Azerbaijan,” Report by the Ministry of Foreign Affairs of the Republic of Azerbaijan, 2016.

56 Chiragov v. Armenia, (GC) Application..., Dissenting Opinion of Judge Pinto de Albuquerque, especially paragraphs 39 and 59.

The other important legal contribution of the Chiragov judgement is that the ECHR did not endorse the views of the Portuguese judge claiming that widespread human rights violations relating to Nagorno-Karabakh were committed.

Therefore, it can also be stated that the judgement of the ECHR, which does not share the allegations of widespread human rights violations relating to Nagorno-Karabakh, has thus prevented this region to be included within the scope of application of the UN Resolution 2625 (XV) and has forestalled the formation of self-determination claims in the future.

CONCLUSION

A researcher, an “optimist” at the first glance, released an article in 2010 titled “Nagorno-Karabakh: Ever Closer to Settlement, Step by Step”.⁵⁷ However, it is pointed out in the article that Armenia would not withdraw from the region until the status of Nagorno-Karabakh was identified.⁵⁸

On the other hand, the Minsk Group has been focusing on the formula based on self-determination regarding the resolution of Nagorno-Karabakh conflict since 1998. However, this formula is not defensible in the case of the Nagorno-Karabakh conflict because of four reasons.

Firstly, the Almaty Declaration on the disintegration of the USSR (which gradually approved that Nagorno-Karabakh -which is the main reason of the conflict- belongs to Azerbaijan), evaluations made during the process of UN membership of Azerbaijan and later the four resolutions of the UN Security Council adopted in 1993 (requiring the settlement of the dispute on the basis of territorial integrity and inviolability of the borders of Azerbaijan), and the Resolution of the UN General Assembly (which reiterates and approves the same principles) reaffirmed in an absolute manner that the region is located in the area of the sovereignty and the territorial integrity of Azerbaijan.

Secondly, since Nagorno-Karabakh is not a country under colonial regime, it cannot be subjected to self-determination in the terms of the UN Resolution 1514(XVI) that was adopted to be applied to colonies.

Thirdly, the claims for Nagorno-Karabakh to be subjected to the self-determination in terms of the UN Resolution 2625(XXV) on Friendly Relations

57 Tim Potier, “Nagorno-Karabakh: Ever Closer to Settlement, Step by Step,” *OSCE Yearbook 2009* (Baden: 2010).

58 Potier, “Nagorno-Karabakh...,” p. 206: “The Armenian side would never agree to withdraw without the status question being resolved.”

The Relativity Of Self-Determination Conceptions Regarding The Nagorno-Karabakh Conflict

on the grounds that widespread human rights violations were committed did not find any reflection in the UN Resolutions, nor in the Chiragov judgement of the ECHR. Therefore, any “remedial” self- determination cannot be applicable in this region.

Fourthly, the Chiragov judgement of the ECHR also pointed out in a detailed manner that is not possible either for Nagorno-Karabakh to demand and implement self-determination as an independent subject in practice.

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TRANSLATION / ÇEVİRİ

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HUNGARIAN TURAN ASSOCIATION, İMAM ABDULLATİF EFENDİ AND A HUNGARIAN PAMPHLET ON THE ARMENIAN QUESTION*

(MACAR TURAN DERNEĞİ, İMAM ABDÜLLATİF EFENDİ VE ERMENİ MESELESİNE DAİR MACARCA BİR BROŞÜR)

Melek ÇOLAK**

Abstract: *Pan-Turanism, which gained intellectual relevance due to Turcology research and emerged for the first time in Hungary as an alternative movement against the Pan-Slavism and Pan-Germanism movements, became a basis for the Hungarians to communicate effectively with the Turkish world from the late 19th century to the early 20th century. In 1910, the Hungarian Turanists founded the Turan Association (Magyar Turani Társaság) and began publishing a journal titled Turán. This intellectual movement served as a cultural bridge that brought the two communities closer on the path from the Ottoman Empire to the Republic of Turkey.*

Hungarian Turanists supported the war of liberation against imperialism in Anatolia. They founded the Turan News Agency and carried out intensive propaganda regarding the rightfulness of the Turkish National Struggle. During and after the National Struggle period, during which discussions

* This is the English translation of a research article in Turkish that was originally published in the *Ermeni Araştırmaları* journal. For the original Turkish article, please see: Çolak, Melek. “Macar Turan Derneği, İmam Abdüllatif Efendi ve Ermeni Meselesine Dair Macarca Bir Broşür.” *Ermeni Araştırmaları*, Sayı 64 (2019): 43-59.

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were conducted about migrations taking place during the First World War and the alleged intentional victimization of Armenians during these migrations, the Turan Association stood against these claims and tried to prove that these were part of a campaign of slander against Turkey.

İmam Abdüllatif Efendi, who was sent to Hungary by the Ottoman Government in 1910 at the request of the Hungarian Government in order to deal with the religious affairs of the Muslims there due to the annexation of Bosnia and Herzegovina by the Austro-Hungarian Empire, also actively took part in the activities of the Turan Association. He became the voice of Mustafa Kemal Pasha (Atatürk) and the Turks in Hungary during the National Struggle period. He conducted an effective press campaign to explain the unfair disposition of the European public towards the Armenian Question. In 1923, a Hungarian pamphlet containing evidence was published by the Abdüllatif Publishing House in Budapest to disprove the British slander campaign.

On the basis of this pamphlet with the original title of “Bizonyíték az Angol Rágalmak Cáfolatához” (“Evidence on Disproving the British Slander”) that has not yet been translated to Turkish, and by making use of the Turán journal and Hungarian archival documents, the current study will discuss the importance of this pamphlet within the context of the activities of İmam Abdüllatif Efendi related to the Turan Association and within the framework of Turkish-Hungarian relationships.

Keywords: Abdüllatif Efendi, pamphlet, Armenian, National Struggle, Turan Association

Öz: Türkoloji araştırmaları nedeniyle fikri anlamda güç kazanan ve Panslavizm ile Pangermenizm akımlarına karşı alternatif bir akım olarak ilk kez Macaristan’da ortaya çıkan Turancılık akımı, 19’uncu Yüzyılın sonlarından 20’nci Yüzyılın başlarına giden süreçte etkili olarak Macarların Türk dünyası ile iletişime geçebileceği bir dayanak oldu. Macar Turancıları 1910 yılında Turan Derneği’ni (Magyar Turáni Társaság) kurarak Turán adlı bir dergi yayınlamaya başladılar. Bu fikir akımı Osmanlı İmparatorluğu’ndan Türkiye Cumhuriyeti’ne giden yolda her iki toplumu yakınlaştıran kültürel bir köprü vazifesi gördü.

Macar Turancıları Anadolu’da emperyalizme karşı verilen bağımsızlık savaşını desteklediler. Turan Haber Ajansı’nu kurarak Türklerin Millî Mücadelesinin haklılığı konusunda yoğun bir propaganda yaptılar. Turan Derneği ise Birinci Dünya savaşı yıllarında yaşanan göçler ve Ermenilerin bu göçlerde kasıtlı bir şekilde mağdur edildikleri iddialarının Macar kamuoyunda da tartışıldığı Millî Mücadele dönemi ve sonrasında, bu iddiaların karşısında tavır alarak bunların Türkiye’ye karşı bir iftira kampanyasının parçası olduğu yönünde çalıştı.

Bosna Hersek'in Avusturya Macaristan tarafından ilhakı nedeni ile buradaki Müslümanların dini görevleri ile ilgilenmek üzere Macar Hükümetinin talebi doğrultusunda 1910 yılında Osmanlı Hükümeti tarafından Macaristan'a gönderilen İmam Abdullatif Efendi de Turan Derneği'nin faaliyetleri içinde aktif olarak yer aldı. Millî Mücadele döneminde Mustafa Kemal Paşa ve Türklerin Macaristan'daki sesi oldu. Avrupa kamuoyunun Ermeni meselesine dair izlediği haksız tutumu açıklamak için etkili bir basın kampanyası yürüttü. Abdullatif Yayınevi tarafından 1923 yılında Budapeşte'de İngilizlerin iftira kampanyasını yalanlamaya yönelik kanıtlar içeren Macarca bir broşür yayınlandı.

Bu çalışmada orijinal adı "Bizonyiték az Angol Rágalmak Cáfolatához" ("İngiliz İftiralarının Yalanlanması Üzerine Kanıtlar") başlığını taşıyan ve henüz Türkçeye çevrilmemiş olan bu eserden hareketle, Turan dergisi ve Macar arşiv belgeleri kullanılarak bu broşürün önemi, Macar Turan Derneği ile bağlantılı olan İmam Abdullatif Efendi'nin faaliyetleri bağlamında ele alınarak, dönemin Türk-Macar ilişkileri çerçevesinde değerlendirilecektir.

Anahtar Kelimeler: *Abdullatif Efendi, broşür, Ermeni, Millî Mücadele, Turan Derneği*

INTRODUCTION

The Hungarian people's long-standing connection to the Turkish world based on lineage and language resulted in intense research in this area and brought about the field of Turcology in Hungary. At the same time, the effect on social memory created by the tradition of being Easterners brought about the Turanism movement as an alternative to the Pan-Slavism and Pan-Germanism.¹ Amidst a period when the effects of Europe's imperialistic policies were strongly felt, having used the concept of "Turan" in 1839 to describe the Turkish communities of Central and Southeastern Asia, Hungarians -as a result of their lineage and linguistic research- named their faraway homeland as "Turan". The distrust felt towards the West with the spread of Pan-Slavism and Pan-Germanism, resulting from the weakening of the monarchic structure of the Austro-Hungarian Empire, matured the idea of Turanism.² In the path towards the First World War during the 20th Century, during a process when the Austro-Hungarian Empire and the Ottoman Empire began to join in a union of fate, the Turanist movement first emerged in Hungary as a result of the findings of the Hungarian Turcology and became an important factor in the formation of Turkish nationalism in the Ottoman Empire.³

In this context, the Hungarian-language pamphlet titled "Bizonyíték az Angol Rágalmak Cáfolatához" ("Evidence on Disproving the British Slander") by İmam Abdüllatif Efendi, who was in Hungary to give support to the National Struggle in the final period of the Ottoman Empire, can be considered as a concrete example. It can be said that, alongside being an effective member of the Hungarian Turan Association, this pamphlet that he authored rejects the alleged systemic massacres against Armenians (which is today claimed to be the "Armenian Genocide") based on documentary evidence, and as such it contributed to the Turkish National Struggle being properly understood in the Hungarian public opinion. In order to expand the limited amount of information on what is known about this pamphlet, its author, and the ramifications of the National Struggle in Hungary, it is important that this work (which is yet to be translated to Turkish) is analyzed in light of Hungarian archival documents.

1 Melek Çolak, "Macaristan'da Türk Dünyasına İlgili Tarihi Arka Plan ve Avrasya Gerçeği," *Uluslararası Sosyal Bilimler Kongresi: Türkistan Forumu III, Küreselleşme Sürecinde Türk Dünyasının Geleceği*, bildiri kitabı, 26-28 Nisan 2017, Türkistan/Kazakistan, 148-150.

2 Melek Çolak, "Macar Türkolog Vámbéry'nin Türkistan Seyahatinde 'Büyük Oyun'un' İzleri: Orijinal Fotoğraflarla Birlikte," *Selçuk Üniversitesi Türkiyat Araştırmaları Dergisi* 45 (Nisan 2019), 15.

3 Melek Çolak, "Macar Turancıları ve Atatürk (Macar Kaynaklarına Göre)," *Türk Yurdu* 31, Sayı 290 (Ekim 2011), 94.

1. Hungarian Turan Association and İmam Abdüllatif Efendi

Hungarian Turanists established the Hungarian Turan Association (*Magyar Turáni Társaság*) in Budapest in 1910 to research the culture, history, and economic relations of the European and Asian nations who are relatives of the Hungarians. The said association began to publish a journal titled *Turan* (Turan) beginning from 1913. From then onwards, the association ensured that many young Turkish people acquired their education in Hungary. Taking the initiative for the organization of many scientific expeditions, it served as a bridge for the development of Turkish-Hungarian relations.⁴ For this association that engaged in intense cooperation with the Turkish world,⁵ the person that connected it from Hungary to the Anatolian geography was İmam Abdüllatif Efendi.⁶

Abdüllatif Efendi (1886-1946) was sent to Hungary by the Ottoman Empire in 1909 upon the request of the Austro-Hungarian Empire after its annexation of Bosnia-Herzegovina. The annexation had brought the need to win the sympathy of the Muslims in Bosnia through someone who could attend to the affairs of the Muslims. Said to have hailed from the city of Erzurum, and characterized as being quiet and kind but a hard working person at the same time, Abdüllatif Efendi (Tanrısever) was awarded by the Ottoman Government with the silver award of merit for his loyalty and diligence. Quickly learning to speak Hungarian while in Budapest, he succeeded in establishing close ties between Hungarian intellectuals (especially Turcologists) and those who were committed to the Turanist ideology. From 1910 onwards, he actively took part in the Turan Association.⁷ That his name is mentioned alongside well-known names such as Gyula Németh, Gyula Pekár, and Árpád Zempléni in the *Turan* journal's issue of 1913 is an indication of this fact.⁸ It is seen that, having assumed the position of Turkish language lecturer in 1912 in Budapest at the Péter Pázmány University, Abdüllatif Efendi also became the pivotal member for the Turan Association's connection to Turkey.⁹

Béla Horváth, a Turanist who had analyzed Turkish-Hungarian relations in the framework of the Turan conception in the article titled "A turáni eszme és a török-magyar kapcsolatok az utolsó évszázadban",¹⁰ utilized the references

4 Çolak, "Macar Turancıları ve Atatürk (Macar Kaynaklarına Göre)," 94.

5 Çolak, "Macaristan'da Türk Dünyasına İlgisi, Tarihi Arka Plan ve Avrasya Gerçeği," 151.

6 For the story of Abdullatif Efendi's time spent in Hungary, please see; Melek Çolak, "Macaristan'da Müslümanlık ve İmam Abdüllatif Efendi (1909-1946)," 38. *ICANAS (Uluslararası Asya ve Kuzey Afrika Çalışmaları Kongresi), 10-15.09.2007 Ankara, Bildiriler III*. Cilt, Ankara (2012), 1021-1040.

7 Çolak, "Macaristan'da Müslümanlık ve İmam Abdüllatif Efendi (1909-1946)," 1027-1028.

8 Please see; the 1st, 2nd, and 3rd issues of the *Turan* journal. *Turan* I. Évfolyam, 1. Szám, 2. Szám, 3. Szám, 1913. Only the issues of the journal have been indicated.

9 Çolak, "Macaristan'da Müslümanlık ve İmam Abdüllatif Efendi (1909-1946)," 1028.

10 Béla Horváth, "A turáni eszme és a török-magyar kapcsolatok az utolsó évszázadban", *Turan*, XXII. Évfolyam, VI. Szám (1939), 119-122.

given by Abdülatif Efendi for his research trip to Anatolia. It was Abdülatif Efendi who took care of the many Turkish students who had started coming for education to Hungary from the Ottoman Empire from 1916 onwards because of the arrangements made by the Turan Association. The connection between the students and the association was established by Abdülatif Efendi. It was because of the work carried out by him that Hungary became a country of choice for pursuing education rather than the Western European countries. Abdülatif Efendi not only took care of Turkish students, but also other Muslim students such as Bosnians and Albanians who had come to Hungary and helped the Turkish soldiers who had been wounded in the war. By bringing together the graves of martyrs in various places across Hungary, he established the Turkish Martyrs Cemetery in Budapest. Upon Abdülatif Efendi's conservation efforts, the Tomb of Gül Baba became a place of communal gathering.¹¹ (See Appx. 1)

Based on the letters he wrote, it is possible to determine that not only did Abdülatif Efendi fulfill his duties related to the Muslims in Hungary, he also engaged in such important activities with regards to the Islamic world and Turkish-Hungarian friendship.¹²

2. İmam Abdülatif Efendi and a Pamphlet Concerning the Armenian Question

Just like the Hungarian people who sympathized with the Turkish War for Liberation after the First World War and who closely followed the war, the Hungarian Turanists too followed Atatürk and the Turkish War for Liberation with keen interest. The articles that were published in the *Turan* journal carry the traces of this interest and admiration.

According to the Hungarian Turanists: “Mustafa Kemal Pasha understood the spirit of the Turkish nation, the Turanian ingenuity passed down from their ancestors, and acted according to it. For the Turanists of Hungary who have suffered from the damages of the First World War, Mustafa Kemal Pasha gives them strength and shows them the way with his successes.”¹³

The activities of Abdülatif Efendi in Hungary during the Turkish War for Liberation focused on explaining the legitimacy of this war to the Hungarian public opinion. He served in the activities that were organized in line with this.¹⁴ He partook in the press movement of the Hungarian Turanists, which

11 Çolak, “Macaristan’da Müslümanlık ve İmam Abdülatif Efendi (1909-1946),” 1028-1029.

12 *MOL (Magyar Országos Levéltár): Hungarian National Archive*, K 28, 54. Tétel, 14. Csomó, the letters of Abdülatif Efendi dated 23 February 1922 and 24 November 1927.

13 Çolak, “Macar Turancıları ve Atatürk (Macar Kaynaklarına Göre),” 94-95.

14 Çolak, “Macaristan’da Müslümanlık ve İmam Abdülatif Efendi (1909-1946),” 1030-1031.

was their greatest support for the resistance in Anatolia. He played an important role for the carrying out of propaganda in support for the establishment of the Turan News Agency in August 1921 and for the expansion of its operations. He also gave important support for the Turkish section of the Turan News Agency becoming operational in a short amount of time.¹⁵

The crucial part of this important support was the publication of a Hungarian pamphlet (see Appx. 2) by the “Abdul Latif publishing house” bearing the name of Abdüllatif Efendi.¹⁶ It is interesting that the publisher only bears the name “Abdüllatif”¹⁷ and that there is no further information about this publisher.¹⁸ This pamphlet, the full title of which is “Evidence on Disproving the British Slander, The Reasons and Objectives of Mr. Yowell’s Slander”, as is indicated in the pamphlet under the main heading, was “translated from its French original upon the permission of the Ankara Press Bureau”.¹⁹ During the 1920s, the Hungarian public opinion was aware of the allegations concerning the migrations that took place in Turkey during the last years of the war and that Armenians were intentionally victimized by these migrations. The Turan Association adamantly opposed these allegations and indicated that they were part of a campaign of slander against Turkey.²⁰ In this context, bearing the original title of “Bizonyítékok az angol rágalmaik cáfolatához, Mr. Yowell rágalmainak okai és céljai”, the pamphlet seeks to prove using documents that these attacks were mere slander.²¹ As indicated in the pamphlet’s foreword penned by Abdüllatif Efendi in April 1923 in Budapest (see Appx. 3), it can be gathered that the pamphlet was published because “the Turkish Government attached special importance to the refutation of the slander by Colonel Yowell, who had come to Turkey as a member of the American Committee for Relief in the Near East and who had been deported due to engaging in hostile activities and slander in violation of his mandate.” In his foreword, Abdüllatif Efendi emphasizes that; “they seek to impede the Turkish people, who have come back to life from a situation that was considered hopeless, from carrying out their great work. This little pamphlet aims to shine a light on this situation. Every day in the press organs of various countries around the world, news articles are published by the enemies of the Turkish people that they are

15 Tarık Demirkan, *Macar Turancıları* (İstanbul: Tarih Vakfı Yurt Yayınları, 2000), 49-50.

16 *Bizonyítékok az angol rágalmaik cáfolatához, Mr. Yowell rágalmainak okai és céljai*, Eredeti franciából az angorai sajtó iroda meghagyásából készült fordítás 1338 (1922) (Kiadó: Abdul Latif, Budapest 1923): 23. This brochure can be found in the archives of the Library of the Hungarian Parliament. (*Országgyűlés Könyvtára: Library of the Hungarian Parliament*, Budapest/Hungary)

17 Please see; *Bizonyítékok az angol rágalmaik cáfolatához, Mr. Yowell rágalmainak okai és céljai*, cover page.

18 Demirkan, *Macar Turancıları*, 52.

19 Please see; *Bizonyítékok az angol rágalmaik cáfolatához, Mr. Yowell rágalmainak okai és céljai*.

20 Demirkan, *Macar Turancıları*, 52.

21 For detailed information, please see; *Bizonyítékok az angol rágalmaik cáfolatához, Mr. Yowell rágalmainak okai és céljai*, 3-23.

slaughtering and oppressing the Christians.” He calls upon the Hungarians and states the following:

“Our Hungarian siblings know very well why they must protect themselves against smear campaigns. People still recall Scotus Viator’s hostile conduct against Hungary, this beautiful country.

The Turkish people have their own Scotus Viators as well. For that matter, they also had their Janku Havrams, Hora and Kloskas. During its advance in Anatolia, the Greek army mercilessly massacred the region’s elderly, woman, and child inhabitants. His eminence the Patriarch sent a survey delegation to Anatolia upon the news of Christians being massacred. The reports prepared by the commission proved that the news of Christians being massacred were slander.

The terrible fires that erupted in İzmir and some other cities were sought to be blamed on the Turks. However, as can be understood from the statements by the missionaries and some of the books that they have published, these fires were the implementation of the infernal plans of the Greek and Armenian traitors.

History will vindicate the Turkish nation when pleasant days arrive, days when nations will value each other again.”²²

In this pamphlet made up of seven parts, the statements made by Anadolu Agency on various issues are validated with documents.²³ In the first part titled “Az Ígazság az angol rágalmakról” (“The Truth about the British Slanders”), “the reasons and objectives of Yowell’s slanders” are explained via the information provided by Anadolu Agency on 20 May 1922 (see Appx. 4). According to this, the Turkish National Government arrested and deported Yowell and his friends upon determining that they were propagating fake news. To take revenge on the National Government, Yowell and his friends published in the 6 May 1922 issue of *Times* newspaper slanders and stories of supposedly atrocities being committed in some parts of Anatolia.²⁴ However, the following evidence are provided that these were slander: “the US’ trade delegate (representative) Gillespie [telling] the Anadolu Agency journalist that” the entirety of the article is baseless and harmful, the telegram sent by the American Committee for Relief in the Near East Representative Ms. Billing to Admiral M.L. Bristol in İstanbul indicating that the rumors were untrue, and the statement of “the American Committee for Relief in the Near East’s

22 *Bizonyítékok az angol...*, 3-4.

23 *Bizonyítékok az angol...*, 5-23.

24 *Bizonyítékok az angol...*, 5.

Director in Ankara Jaquith giving assurance that the purpose of his arrival to Ankara was to [ensure] friendly cooperation with the National Government”.²⁵

In the explanation provided in the second part of the pamphlet dated 22 May, space is given to the article titled “Britain and Us” (“Anglia és mi”), which was published in the *Hâkimiyet-i Milliye* newspaper in connection with the investigation launched by Lord G. Curzon that explains at great length Britain’s and Lord Curzon’s unfavorable policy against the Turks and Muslims.²⁶ In the article, “launching an investigation about the cruelty against the Muslims who have been complaining under British rule” is recommended as a form of counterattack, and it is recommended that the “Government should suggest to the major countries that an international committee should be formed to examine the system of retaliation and persecution used by the British against the Muslim world.”²⁷

The third part is comprised of the “explanations provided by the Ministry of Interior” to the questions posed to the Ministry by Anadolu Agency upon the statements made by Yowell in the 9 May 1922 issue of the *Times* newspaper. Explaining in detail that the legal rights of the Armenians and Greeks were under the guarantee of the Government, the Ministry of Interior brings clarity to “Yowell and his colleagues’ allegations based on lies” and states that “we [the Ministry] are sure that our American friends who have arrived to the shores of Anatolia and who have analyzed the Turkish people’s character, morals, and life based on freedom and humanism will uncover this truth.”²⁸

Anadolu Agency informs the reader that those who attended the congress of the Anatolian Orthodox Church organized in Kayseri sent the decisions adopted there to Patriarch Eftim Efendi. In the “proclamation of the Anatolian Orthodox Christians” sent by Patrik Eftim Efendi to the Anadolu Agency, it is emphasized that “to start with, the [National Government] is a true government of the people and does not sanction anybody without the legal rulings of the National Assembly,” and states “that the honorable Turkish people would never do what is in question, that they will continue to administer their homeland with the people’s government from now on, and that there is no minority issue - there is only one people.”²⁹

The fifth part, under the heading “The Americans Disclaim” (see Appx. 5) that was relayed from Ankara on 24 May, informs the reader that the Director of

25 *Bizonyítékok az angol...*, 5-8.

26 *Bizonyítékok az angol...*, 9-13.

27 *Bizonyítékok az angol...*, 12-13.

28 *Bizonyítékok az angol...*, 14-17.

29 *Bizonyítékok az angol...*, 18-20.

the American Committee for Relief in the Near East Jaquith disclaims the statements by Yowell. The part gives space to the explanation by the Minister of Foreign Affairs in Ankara informing that Jaquith was “invited to personally make an onsite assessment concerning the transgressions being allegedly made against the Armenian population of the city and to go to [the town of] Harput” and that “they gave consent to an investigative commission being sent to Anatolia on the condition that there were no Greek subjects amongst its members because the country was in a state of war.”³⁰

In the sixth part, there is an explanation from the radio in Ankara on 24 May about “the Christian people disclaiming the news about tyranny perpetrated by the Turks.”

Lastly, in the seventh part, there is the explanation requested to be made by the Embassy of the Bulgarian Kingdom in Budapest under the heading of “Crisis in the Near East, The Situation in Western Thrace.” According to this, “The news published in a daily newspaper in Budapest about the Greek army and Greek terror groups tormenting the Bulgarian and Turkish people in Western Thrace are a sad truth. This truth is more terrible than all that has been reported by Europe up until this point.” The Bulgarian Embassy in Budapest informs in this statement that “the Greek Forces and the Greek refugees who are withdrawing from Anatolia are perpetrating inhumane incidents.”

In regard to this statement, the pamphlet states that “the Turks are suffering more in Anatolia, a thousand times worse than what the Greeks are doing to the Bulgarians in Thrace,” and evaluates “the burning of İzmir, the slaughter of the defenseless elderly and women there [are the] eruption of the defeated Greek armies’ cowardly revenge.”³¹

3. Evaluation and Conclusion

Turanism surfaced from the Hungarians’ sense of affinity to the East due to the research carried out by them in Hungary to study their national identity and formed as an alternative movement against Pan-Germanism and Pan-Slavism. It gradually developed from the end of the 19th century to the beginning of the 20th century. The Hungarian Turanists organized themselves by establishing the Turan Association and established ties with the Turkish world. In this context, they also took interest in Anatolia with the transition process from the Ottoman Empire to the national state, the Republic of Turkey. They viewed Atatürk and the Turkish National Struggle as a beacon of hope and thus supported them. They conducted an effective press campaign in this regard.

30 *Bizonyítékok az angol...*, 20-21.

31 *Bizonyítékok az angol...*, 22-23.

**Hungarian Turan Association, Imam Abdullatif Efendi
And A Hungarian Pamphlet On The Armenian Question**

İmam Abdüllatif Efendi, who was in the position of being the head of the Muslims in Hungary, was active in the Turan Association right from its establishment. He served as an effective person in the Turan Association's ties to Turkey and became the voice of Atatürk and the National Struggle in Hungary.

As the National Struggle was continuing, American Committee for Relief in the Near East's member Yowell and his colleagues worked to negatively affect world public opinion concerning the Turks' National Struggle by alleging that massacres were being perpetrated in Anatolia against the Armenians and the Greeks. The Ankara Government took a stand against this smear campaign, and Abdüllatif Efendi was effective in the publication of a Hungarian pamphlet in Budapest in support of this stand and its promotion to the Hungarian public opinion.

The pamphlet rests on the desire to change the negative outlook on Turkey amongst European countries by presenting evidence and on the understanding that the allegations of Turks using migration to intentionally victimize Armenians was a slander by Western states intending for the failure of the Turkish National Struggle.

The fact that the pamphlet was published, and the intense work carried out by Hungarian Turanists and Abdüllatif Efendi in support of the National Struggle are indications that they were in close relations with the Turkish National Government. It can be gathered that as the Hungarian Turanists were opening to Anatolia through Abdüllatif Efendi, the National Government in Anatolia had tasked Abdüllatif Efendi with carrying out counter-propaganda activities in Hungary.

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APPENDICES

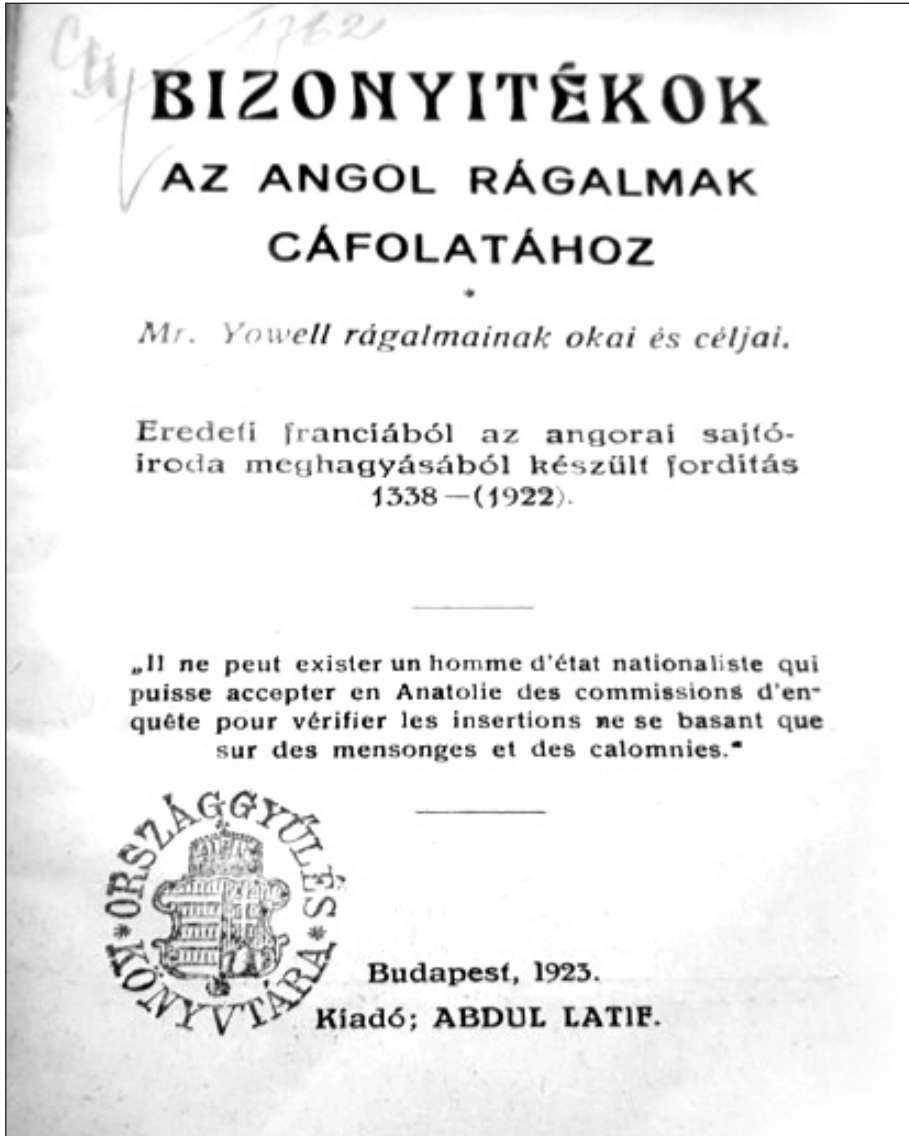
APPENDIX 1



İmam Abdullatif Efendi delivering a speech at the Tomb of Gül Baba

Source: Melek Çolak, "Macaristan'da Müslümanlık ve İmam Abdullatif Efendi (1909-1946)." In 38. *Uluslararası Asya ve Kuzey Afrika Çalışmaları Kongresi (ICANAS) Bildiriler III* (Ankara 2012): p. 1044.

APPENDIX 2



The cover page of the pamphlet published by the publisher carrying the name of Abdüllatif Efendi

APPENDIX 3

amivel a Scotus Viator-ok Magyarországnak ellen vétkeztek.

A török népnek is vannak Scotus Viator-ai, de voltak Janku-Avram-jai, voltak Hora és Kloskái. A görög hadsereg előnyomulása alatt a görög benszülöttek állati kegyetlenkedéssel gyilkoltak le öregeket, nőket, gyermekeket. A Pápa Öszentsége fülébe is jutottak ilyen kereszténymészárlásról szóló hírek, Öszentsége bizottságot is küldött ki Anatóliába a helyzet megvizsgálására. A bizottság jelentése szerint, a keresztény méészárlásról szóló hírek aljas rágalmaknak bizonyultak, amit a szenicuai keresztény papok és szerzetesek saját maguk is igazoltak. A Pápa Öszentsége a jelentés felett teljes meglegedését fejezte ki.

Szmirna és más városok felgyújtását és borzasztó tűzkatasztrófáját a török nép rovására akarják írni, holott a missziók jelentéseiből és kiadott könyveiből kétségtelenül kitűnik, hogy a görög és örmény hazaárulók előre kikondolt pokoli műve volt.

A történelem igazolni fogja a török nemzetet, ha egyszer már eljön ama szebb idő, amikor a különböző nemzetek egymás iránt újra megbecsülést és őszinte jóindulatot lesznek képesek tanusítani.

Budapest, 1923. évi április havában.

Abdul Latif.

A page from the foreword penned by Abdüllatif Efendi

Bizonyítékok az angol rágalmak cáfolatához, Mr. Yowell rágalmainak okai és céljai, Eredeti franciából az angorai sajtó iroda meghagyásából készült fordítás 1338-(1922). Kiadó: Abdul Latif, Budapest 1923, p. 4.

APPENDIX 4

I.

Az igazság az angol rágalmakról.

Mr. Yowell rágalmainak okai és céljai.

„Nem akadhat olyan nacionalista államférfiu, aki elfogadhatná Anatóliában a vizsgálóbizottságokat oly ügyek megállapítására, amelyek hazugságokon és rágalmakon alapulnak“.

Angora, 1922. május hó 20 án.
(Anatóliai ügynökség.)

A nemzeti kormány, miután megállapította, hogy Yowell, a Közel Keleti Amerikai Segítőbizottság volt tagja, valamint társai, Anatóliában hamis hírek terjesztésében és mindenféle cselszövésekben mesterkedtek, jónak látta őket letartóztatni és kiutasítani. Emiatt ezek az emberek, hogy bosszút álljanak a nemzeti kormányon, kitalálták Anatólia egyes részeiben állítólag elkövetett kegyetlenkedésekről szóló meséket és egyéb rágalmakat, melyeket a Times 1922. május hó 6-iki számában közzétéve, még egyszer szerepeltették személyüket a világ nyilvánossága előtt.

Gillespie ur, az Egyesült Államok konstantinápolyi missiójának kereskedelmi kiküldöttje, az Anatóliai Ügynökség levelező-

The part titled “The Truth about the British Slander”

Bizonyítékok az angol rágalmak cáfolatához, Mr. Yowell rágalmainak okai és céljai, p. 5.

APPENDIX 5

20

protestálunk Mr. Yowell és Méléti's rágalmai ellen. Ti is, akik az anatóliai török keresztények bizalmát birjátok, tiltakoztatok ezen rágalmak ellen a szövetséges hatalmaknál, cselekedjete a körülményekhez képest, semmiképen sem hallgassátok el az igazságot. Az egész nép veletek van; mindenkinek mondjátok meg, hogy mi nyugodtak és megelégedettek vagyunk olyan kormányval, amelyik erejét népéből meríti.

Itt kisebbségi kérdés nem létezik, itt csak egy nép van, amely mindegyiknek szabadságát elismeri vallási és kulturális ügyekben. Mi továbbra is fogjuk szeretett hazánkat népkormányzattal igazgatni.

Ez ez, amit az európai demokratikus államok civilizációjától kérünk.

Papa Eftim,

az anatóliai orthodox-török
egyház és hitközség képviselője
és főmegbízottja.

V.

Az amerikaiak cáfolnak.

A törökök által elkövetett kegyetlenkedésekre vonatkozó tudósítások.

Angora, május 24. (Rádió.)

Mr. Jackvit, a Közel Kelet Amerikai Segítőbizottság igazgatója, az őt meginterjuvoló újságíróknak a következőket jelentette ki:
„Mecáfolom azoknak a közléseknek sza-

The part titled "The Americans Disclaim"

Bizonyítékok az angol rágalmak cáfolatához, Mr. Yowell rágalmainak okai és céljai, p. 20.

TRANSLATION / ÇEVİRİ

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THE OTTOMAN GOVERNMENT’S POLICIES CONCERNING THE ARMENIAN SOLDIERS IN THE OTTOMAN ARMY AND THEIR FAMILIES IN THE WAKE OF THE PROVISIONAL LAW OF RELOCATION AND RESETTLEMENT*

(GEÇİCİ SEVK VE İSKÂN KANUNU SONRASI OSMANLI HÜKÜMETİNİN OSMANLI ORDUSUNDA GÖREVLİ ERMENİ ASKER VE AİLELERİNE YÖNELİK UYGULADIĞI POLİTİKALAR)

Güzin ÇAYKIRAN**

Abstract: *This article aims to evaluate the conflicting situation that arises from the allegations regarding the killing of Armenian soldiers in the Ottoman Army with the enactment of the Provisional Law of Relocation and Resettlement and the existence of a decree issued by the Ottoman State pertaining to not subjecting Armenian soldiers and their families to relocation.*

The Events of 1915 is among the topical issues of both the Turkish and Armenian people’s agenda. Armenians persistently attribute the crime of genocide to Turkey and the Turkish people. What lies behind the effort to keep this problem in the agenda is the Turkish people’s rejection of these accusations of genocide. This rejection does not stem from the “denial of the truth” as alleged by the Armenians, but from the fact that Armenians

* This is the English translation by Ahmet Can Öktem of a research article in Turkish by Güzin Çaykiran that was originally published in the *Ermeni Araştırmaları* journal. For the original article, please see: Çaykiran, Güzin. “Geçici Sevk Ve İskân Kanunu Sonrası Osmanlı Hükümetinin Osmanlı Ordusunda Görevli Ermeni Asker Ve Ailelerine Yönelik Uyguladığı Politikalar.” *Ermeni Araştırmaları*, Sayı 63 (2019): 115-132.

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ignore the necessity of scrutinizing the events of the period according to the prevailing circumstances of that period. In connection to this, the Hermeneutic evaluation of historical documents according to the circumstances of a given period is one of the fundamental principles in historiography. This approach, which prevents false notions of past periods, is accepted as one of the prerequisites for the field of history in becoming a scientific discipline. Within the framework of the Events of 1915, Armenia/Armenians, attributing the crime of genocide to Turkey, claim that men of Armenian descent were killed after having been enlisted during the First World War. However, the Ottoman State, two months after the implementation of the Provisional Law of Relocation and Resettlement, had issued orders to not relocate soldiers of Armenian descent and their families.

Keywords: *Events of 1915, Provisional Law of Relocation and Resettlement, Labor Battalions, Armenian Soldiers*

Öz: *Bu makale, Geçici Sevk ve İskân Kanunu ile Osmanlı Ordusunda görevli Ermeni askerlerin katledildikleri yönündeki ithamlardan ve Osmanlı Devleti tarafından Ermeni asker ve onların ailelerinin sevk edilmeyeceği hakkında alınan kararnamenin mevcudiyetinden doğan çelişkili durumu değerlendirmeyi hedeflemektedir.*

1915 Olayları hem Türklerin hem de Ermenilerin gündeminde olan konular arasındadır. Ermeniler 1915 Olayları ile ilgili Türklere/Türkiye'ye sürekli soykırım suçu isnat etmektedir. Ermenilerin bu sorunu gündemde tutma çabasının arkasında, soykırım suçlamalarının Türkler tarafından kabul görmemesi yatmaktadır. Oysaki bu kabul etmeme Ermenilerin iddia ettiği gibi "gerçeğin inkârından" değil, Ermenilerin dönemin olaylarını, dönemin koşullarına göre değerlendirilmesi gerekliliğini görmezden gelmelerinden kaynaklanmaktadır. Bu minvalde Hermeneutik bir bakış açısıyla tarihi metinlerin dönemin koşullarına göre yorumlanması, tarih yazıcılığının temel ilkelerinden biridir. Tarihi yanılısımların önüne geçecek olan bu yaklaşım tarih ilminin bir bilim dalı olarak temellenmesinin koşullarından biri sayılmaktadır. 1915 Olayları çerçevesinde Türkiye'ye karşı soykırım suçu isnat eden Ermenistan/Ermeniler Birinci Dünya Savaşı'nda Ermeni kökenli erkeklerin askere alındıktan sonra katledildiklerini iddia etmektedir. Oysaki Osmanlı Devleti, Geçici Sevk ve İskân Kanunu'nun yürürlüğe girmesinden iki ay sonra Ermeni asker ve onların ailelerinin sevk edilmemesi hakkında karar almıştır.

Anahtar Kelimeler: *1915 Olayları, Geçici Sevk ve İskân Kanunu, Amale Taburları, Ermeni Askerler*

The most important factor in historiography is evaluating every historical document according to the conditions of their periods. This approach, which will avert historical misconceptions, is without doubt a prerequisite of history being established as a scientific discipline. Historical methodology does not accept the attempts to understand or evaluate any given event by isolating it from the internal and external conditions of its period, or from the decisions and resolve of the significant actors of that event so as to strip them of their agency.¹ This historical understanding, referred to as Hermeneutics, indicates that trying to understand, explain, and interpret texts without paying regard to the conditions of the period in question will be meaningless. For instance, an article written in 1916 on the treatment of “camel teeth” may not mean anything today, but if one considers that camels met the transportation needs of the time, the article probably put forth remedies for a very important issue of that time.²

Therefore, the “Provisional Law Concerning the Measures to be Taken by the Military Authorities against those Who Oppose the Operations of the Government during Wartime” [*Vakti Seferde İcraât-ı Hükümete Karşı Gelenler için Cihet-i Askeriyyece İttihaz Olunacak Tedâbir Hakkında Kanun-ı Muvakkat*] of 27 May 1915³ that the Ottoman Government issued during the First World War, shortly referred to as the “Provisional Law of Relocation and Resettlement”, was a historical fact that should be evaluated within the conditions of the era.⁴ However, accusations of genocide attributed to Turkey are tried to be considered within the context of “1948 UN Convention on the Prevention and Punishment of the Crime of Genocide” as a “conscious and systematic” practice, with the aim of undermining the just scope of the actual law.⁵

1 Mehmet Akif Tural, “İkinci Dünya Savaşı Sırasında ve Bitişinde Türkiye'nin Ekonomisi,” *Prof. Dr. Abdurrahman Güzel Armağanı* (Ankara: Akçağ, Aralık 2013), 154.

2 Baytar Müfettişliği Umumiliği, *Deve Dişleri* (İstanbul: Matbaa-i Askeriye, 1332 (1916)).

3 *Osmanlı Belgelerinde Ermeniler (1915–1920)* (Ankara: Devlet Arşivleri Yayınları, 1995), 8.

4 The “Provisional Law of Relocation and Resettlement” being widely referred to as the “Deportation Law” leads to misconceptions about the law’s content (as the word “deportation” has a different meaning from “relocation”) and causes the “resettlement measures” taken by the Ottoman Empire regarding the relocated Armenians to be overlooked. For this reason, putting the effort into referring to the law as the “Relocation and Resettlement Law” will be a correct approach in relation to narrating it to future generations. Güzin Çaykiran, “Osmanlı Ordusunda Hizmet Eden Ermeni Asker ve Ailelerinin Sevk Edilmeyeceğine Dair Mukarrerat,” *Yeni Türkiye Dergisi Ermeni Özel Sayısı* 4, Sayı 64 (Eylül 2014): 2996.

5 On 9 December 1948, the United Nations General Assembly approved the “Convention on the Prevention and Punishment of the Crime of Genocide”. The relevant part of the Convention (Article II): In the present Convention, 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: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group. Pulat Tacar, “Ermenilerin Soykırımını Savını Yadsıyanları Cezalandırmak Veya Türkiye’den Tazminat Almak Amacı İle Yaptıkları Yargı Mücadeleleri,” *Ermeni Araştırmaları* 50 (2015): 405.

However, the 3rd Army Commander Mahmut Kamil Pasha requested from the Ministry of War the removal of the Armenians from the “war fronts” [*harekât-ı harbiye*] region (Erzurum, Trabzon, Van, Bitlis, Mamuratülaziz, Diyarbakır, Sivas) as some Armenians had begun to revolt after the Russians’ invasion of Van in order to ease the Russian advance (19 April 1915).⁶ Therefore, the relocation of some the Ottoman Armenians was not carried out due to a “conscious and systematic” practice of annihilation, but due to a necessity that emerged during the Van Rebellion.

Ultimately, attempting to understand the *Provisional Law of Relocation and Resettlement* by viewing it from the year 1948 or from today will not go beyond a relative effort. As one diverges from the time of the genesis of historical events, the degree of relativity concerning the events will increase by that amount. This increase signifies a divergence from the conditions of the period. Meanwhile, a counter viewpoint will increase the objectivity towards the said events.

Governments subjecting elements of their population whom they perceive as threats to the country’s territorial integrity to *Provisional Relocation and Resettlement* until the states of emergency ends, and within this scope, securing their safety and property is not limited to Turkish history. For example, the period in American history that began with the Pearl Harbor attack and led to American citizens of Japanese descent being interned in camps is also related to this. On 7 December 1941, after the Japanese aerial attack on Pearl Harbor, the US President Franklin D. Roosevelt decided on 19 February 1942 for 120,000 American citizens of Japanese descent to be interned in camps inside military areas for two years.⁷ The decision was taken under circumstances of war and state security was expressed as the most fundamental reason. The Ottoman Empire also enacted the *Provisional Law of Relocation and Resettlement* under conditions of war, hence when one examines the reason for the law’s enactment, it can be seen that state security was under threat. Interestingly, while heavy accusations are being directed at the Ottoman Empire for its decision taken in conditions of war, no comparable criticism is directed at the United States regarding this subject. Many Ottoman Armenians unfortunately perished during the implementation of the *Provisional Law of Relocation and Resettlement*, while very few Japanese Americans perished during their internment. However, this does not change the fact that both the Ottoman and the American governments conceived their relocation and resettlement plans based on security concerns under conditions of war. There is no authentic evidence suggesting that either of the governments sought a policy of annihilation against their subjects.

6 ATASE, BDH-401-50-1-21(22).

7 Özer Zeytinoğlu, “İkinci Dünya Savaşı Sırasında ABD’de Yaşayan Japon Asıllıların Enterne Edilmesi,” *Avrasya İncelemeleri Merkezi (AVİM), Blog No: 2014/17, 11 Haziran 2014,* <https://avim.org.tr/Blog/IKINCI-DUNYA-SAVASI-SIRASINDA-ABD-DE-YASAYAN-JAPON-ASILLILARIN-ENTERNE-EDILMESI>

As mentioned above, the genocide accusations directed at the results of the *Provisional Law of Relocation and Resettlement* within the framework of the 1915 Events are sought here to be analyzed from a wide perspective. For instance, there have been claims that Armenian men of military age were disarmed and massacred after they were enlisted into the Ottoman Army. However, the Ottoman Government, after the *Provisional Law of Relocation and Resettlement* was enacted, issued a decree regarding the Armenian soldiers serving in the Ottoman Army and their families to not be relocated. This decree stated that “Armenian soldiers, officers [and] medical officers and their families should not be relocated and should be left in the districts they reside in.”

The aim of this work is to contribute to the disproving of the Armenian genocide allegations by comparing the claims that that Armenian men were murdered after being enlisted into the Ottoman Army (the claims start with the *Provisional Law of Relocation and Resettlement* and include the period afterwards), with the Ottoman Government's decree in question. A literature review ascertained that no work was conducted in such a manner regarding this subject. The aforementioned two situations will be analyzed by a comparative method, primarily using a qualitative approach.

Before moving on to the primary subject, it is necessary to state that after the *Provisional Law of Relocation and Resettlement* went into effect, it is seen that words such as *dispatch, banish, expulsion, transfer, change of location, change of settlement, send, expulsion, deportation, and evacuation* are used in various documents sent to and received from the relevant authorities within the scope of the Armenians' relocation and resettlement.⁸ Within the scope of this work, on condition that the meaning of the texts' written language of that period is considered with the Hermeneutic viewpoint,⁹ the word *relocation* will be used instead of the words that were mentioned by referencing the name of the law involving the relocation and resettlement of the Armenians.

Comparison of the Decree on the Armenian Soldiers Serving in the Ottoman Army and Their Families not Being Relocated with the Armenian Claims that Armenian Men were Massacred After Being Enlisted into the Ottoman Army

The war conditions that occurred after the beginning of the First World War One also brought with them certain precautions. One of these precautions was the *Provisional Law of Relocation and Resettlement*. The law, enacted on 27

8 The corresponding Turkish words: *sevk, tebid, ihraç, nakil, tebdil-i mekân, tebdil-i iskân, izam, tard, tahliye ve tehcir*. Çaykiran, “Osmanlı Ordusunda Hizmet Eden...” 2991.

9 Doğan Özlem, *Tarih Felsefesi* (İstanbul: Notos Kitap, 2016), 262.

May 1915, went into effect with its publishing in the period's official newspaper *Takvim-i Vekai* on 1 June 1915.¹⁰ After the law went into effect, a Ministerial Cabinet Decision regarding the reasons necessitating the relocation of some Armenian citizens was published on 10 June 1915. In this decision, the aforementioned citizens' "hindering the operation of the army" was given as a reason for the stipulated migration. Again, in the decision, protecting the state's existence and security, the definitive elimination of the harmful activities aimed at damaging the state order were given as further reasons. Additionally, precautions such as providing provisions and security to the lives and property of the Armenians who were to be subjected to relocation and resettlement, the construction of homes in the locations they were to be sent to, supplying seeds to farmers, and supplying tools to employed people were present in the decree.¹¹

As stated previously, one of the claims of the Armenians regarding the crime of genocide is that the Armenian soldiers serving in the Ottoman Army were disarmed and massacred.¹² In response to these accusations, it is necessary to state that the Armenian men had been transferred to unarmed troops for reasons such as deserting with their weapons after being enlisted into the army as a necessity of the war effort, joining the enemy armies, spying against the government, joining the gangs, and raiding Muslim villages.¹³ Unarmed troops in question were the Labor Battalions [*Amele Taburları*]. Since the Labor Battalions were rear service troops, it was not possible for the Armenian soldiers to be disarmed. It is also necessary to express that it has been proven with archive documents that militants of Armenian descent who were Ottoman citizens and who crossed over from Russia specifically enrolled into the Labor Battalions with the intention of forming gangs inside Ottoman territories.¹⁴

10 Kamuran Gürün, *The Armenian File* (Ankara: Bilgi, 2012), 300.

11 It is possible to list reasons for the Ottoman Armenian relocation as follows: it was determined that some Armenians were hampering the transport of provisions and military equipment, cooperating with the enemy and aiming to act with them, and moreover, joining enemy ranks, conducting armed attacks against the military forces in the country and innocent people, providing equipment to the enemy's naval forces, and were willing to show fortified positions to the enemy. *Arşiv Belgeleriyle Ermeni Faaliyetleri 1914-1918*, Cilt I (Ankara: ATASE Yayınları, 2005), 131-132.

12 Amongst the other accusations are Armenian intellectuals being arrested in the "second phase". On 24 April 1915, more than 650 Armenian intellectuals -scientists, priests, lawyers, journalists, doctors and writers- were arrested and allegedly ruthlessly murdered in Central Anatolia. In the last phase, the Armenians, starting from June 1915, were expelled to Ras al-Ayn and Deir ez-Zor towards the Syrian deserts and all the Armenians were allegedly ruthlessly exterminated within several months. Ս.Պողոսյան, Ա.Ասրյան, Խ.Ստեփանյան, Է.Հովհաննիսյան, *Հայոց Պատմություն* (Երեվան: Արմյանի անվան Հայկական պետական, 2009), 229. [S. Pogosyan, A. Asryan, H. Stepanyan, E. Hovhannesyan, *Armenian History* (Yerevan: Abovyan State University, 2009), 229.], Աշոտ Մելքոյան, *Հայոց Պատմություն* (Երեվան: Հայագիտական, 1998), 180-182 [Ashot Melkoyan, *Armenian History* (Yerevan: Hayagitak, 1998), 180-182].

13 *Arşiv Belgeleriyle Ermeni Faaliyetleri 1914-1918*, 102. *Ermeniler Tarafından Yapılan Katliamın Belgeleri 1914-1919*, Cilt II (Ankara: Devlet Arşivleri Genel Müdürlüğü Yayınları, 2001), 86. *Ermeni Komitelerinin Amaçları ve İhtilal Hareketleri* (Ankara: ATASE Yayınları, 2003), 170.

14 ATASE, BDH-2825-90-25-2.

The Ottoman Government's Policies Concerning The Armenian Soldiers In The Ottoman Army And Their Families In Wake Of The Provisional Law Of Relocation And Resettlement

Before the First World War, the Ottoman Government enacted the “Mandatory Military Service Law” [*Mükellefiyet-i Askeriye Kanunu*] on 22 May 1914, bringing mandatory military service to all citizens living in the Ottoman geography.¹⁵ After the war began, the Ottoman Government declared mobilization on 2 August 1914 and began taking measures to prepare its military troops for war. The forming of the Labor Battalions also took place during this process. The soldiers serving in the Labor Battalions comprised of various groups such as Muslims, Armenians, Greeks, Jews, and Assyrians.¹⁶ Labor Battalions were used for procuring supplies and infrastructure maintenance, such as road repair behind the front lines, transportation, communication, grain, weapons, ammunition, shoe, and clothes production. The soldiers in these battalions were unarmed as they were used for logistical work. The reason these battalions were unarmed was due to their line work, but also to prevent them from joining the enemy.¹⁷ In addition to these, high-ranking Armenian officers also served in these battalions. Moreover, as it will be exemplified below, it is seen that many high-ranking Armenian soldiers also served in combat units apart from medical duties.¹⁸ Ayhan Aktar’s article titled “*Birinci Dünya Savaşı’nda Osmanlı Ordusunda Ermeni Askerler*” [Armenian Soldiers in the Ottoman Army in the First World War] draws attention to the presence of many high-ranking Armenian soldiers in the Ottoman infantry and cavalry.¹⁹

Exactly at this point, it is necessary to underline a decree that was enacted after the *Provisional Law of Relocation and Resettlement*. This decree constitutes an important resource regarding whether the claims directed against Turkey on the Armenian soldiers in the Ottoman Army being “disarmed and massacred” during the First World War reflect the truth.

15 Zekeriya Özdemir, “Birinci Dünya Savaşı’nda Amale Taburları” (Yüksek Lisans Tezi, Gazi Üniversitesi Sosyal Bilimler Enstitüsü), 1994, 25.

16 Özdemir, “Birinci Dünya Savaşı’nda Amale Taburları,” 56.

17 Süleyman Beyoğlu, “Ermeniler Amale Taburlarında”, *Yeni Türkiye Dergisi Ermeni Meselesi Özel Sayısı*, Sayı 60 (2014): 5.

18 Within the Armenian allegations, the killing of Armenian soldiers through their disarmament is said to have been carried out in the Labor Battalions. However, the Labor Battalions were unarmed forces. It is being alleged that the Ottoman State perpetrated a systemic genocide against the Armenians. According to this, the first phase of this was to enlist 300,000 Armenian men, disarm them, and then execute them by firing squad after having placed them in small units. Ս.Պողոսյան, Ա.Ասրյան, Խ.Ստեփանյան, Է.Հովհաննիսյան, *Հայոց Պատմություն*, 229 [S. Poğosyan, A. Asryan, H. Stepanyan, E. Hovhannesian, *Ermeni Tarihi*]. Likewise, according to Svazlyan, under the pretext of mobilization, Armenians were executed by firing squad and starved to death in prisons. Svazlyan additionally alleges that the Ottoman State issued a special decree against Christians and massacred the Christians in the army through this decree. Verjine Svazlyan, *Ermeni Soykırımı ve Toplumsal Hafıza*, Çev. Emine Demir (İstanbul: Belge Yayınları, 2005), 43-44. Yet, the Yezidis, a people whose religious doctrines are related to Christianity, were exempted from military service. Özdemir, “Birinci Dünya Savaşı’nda Amale Taburları,” 27.

19 Ayhan Aktar, “I. Dünya Savaşı’nda Osmanlı Ordusunda Ermeni Askerler,” *Toplumsal Tarih*, Sayı 225 (Mart 2015): 30-39, <http://www.ayhanaktar.com.tr/wp-content/uploads/2015/07/Osmanli-ordusunda-Ermeni-Askerler-Toplumsal-Tarih-no255-Mart-2015.pdf>

According to the decree, “amongst the Armenians that will be relocated, those whose parents are soldiers or who are civil servant families will remain in their places of residence” (19 August 1915).²⁰ The decree was sent to the Under-secretariat of War [*Harbiye Müsteşarlığı*] by the Headquarters of the General Intelligence Department [*Karargâh-ı Umumi İstihbarat Şubesi*]. In encrypted message, the Ministry of Interior requested from the provinces that lists of military families be prepared and delivered to local civil servants. Moreover, it was informed in the encrypted message that the decree was circulated from the Supreme Military Command to the 3rd and 4th Army Commands as well as to the Deputy Command of the 3rd and 5th Corps. It is seen that the Directorate General of Security Affairs [*Emniyeti Umumiye Müdüriyeti*] was informed before the decree in question was signed (16 August 1915).²¹ The scope of the decree was limited to Armenian soldiers, Armenian civil servants, Armenian military and medical officers, and their families. The decree was not implemented towards other Armenian families.²²

Therefore, it is not just to claim that Armenian soldiers in the Ottoman Army were “disarmed and massacred”. The question that should be answered first to prove otherwise is; why did the Ottoman Government feel the need to enact such a decree for Armenian soldiers that it supposedly wanted to massacre? As it will be exemplified below, why were individual applications evaluated and officially processed and why were some errors quickly sought to be remedied? Why did the Armenian soldiers in question write applications to benefit from this decree? It is possible to state the following regarding the reasons for enacting this decree:

1. Preventing Armenian soldiers and civil servants, who may have alleged that their families were being subjected to relocation by the *Provisional Law of Relocation and Resettlement*, from fleeing government service,
2. Ensuring that Armenian soldiers and civil servants would not be concerned with any issues while performing their duties and would concentrate on their tasks,

20 ATASE, BDH-2288-14-4-1. (The rest of the document states that: “... should the number of those families exceed five households in the towns and villages, the additional families will be asked to move to the Muslim villages, within their residential sub-provinces [*kazas*] and districts [*sanjaks*], of their own choice; but, still not to exceed the stated number of families, in other words, they will be relocated to those villages not to exceed five percent of the total Muslim population. That means there can only be a single Armenian family in a village of 20 Muslim families. Hence, there can be no more than 5 families in crowded towns and villages. The Ministry of Interior circulated the issue to all the provinces [*vilayets*] as is. The lists of the families of the military personnel should be urgently prepared and forwarded to the local administrators. Seyfi, Director of the Headquarters of the General Intelligence Department. 16 August 1915.”)

21 BOA, DH-EUM-VRK-15-49-1.

22 BOA, DH-ŞFR-55-A-160-1-1.

The Ottoman Government's Policies Concerning The Armenian Soldiers In The Ottoman Army And Their Families In Wake Of The Provisional Law Of Relocation And Resettlement

3. Discouraging Armenian soldiers and civil servants from engaging in espionage against the Ottoman State,
4. Considering Armenian soldier's tasks, obviating problems such as how to fill the void that may occur if they desert their stations,
5. It is also within the realm of possibility that this decision may have been taken as a necessity of the duties of the Armenians who were regarded as "faithful subjects" of the Ottoman State.

It is seen that the decree was implemented shortly after its declaration. For instance, the Eskişehir Governorate halted the relocation of military families that came from İzmit and informed the Ministry of Interior that they would be resettled in the district that they resided in Eskişehir (24 August 1915).²³ Furthermore, there are applications made by Armenian soldiers serving in the Ottoman Army in order to benefit from the decree in question. These are some of the applications made to the relevant offices and the procedures conducted in line with the applications: Dentist [*Diş Tabibi*] Karnik Karakoç, who was serving in the 5th Army, made an application for four military families in Bursa and ensured their transfer to İstanbul.²⁴ The family of Captain Doctor [*Tabip Yüzbaşı*] Dülbendciyan benefitted from the decree in the same way.²⁵ On 20 November 1915, upon Talat Pasha's personal order, Hovseb Kendirciyan's family, because his brother was in the military, was exempted from the relocation and their residence and accommodation was ensured in the Aleppo Province.²⁶ Artillery Third-Lieutenant Mıgırdiç Karabetoğlu's family in İzmit (his mother, four sisters and two brothers-in-law), having been relocated to Konya, were returned to İzmit as part of the decree in question.²⁷ Third-Lieutenant Artin Galustoğlu's family who were relocated to Konya were returned to Eskişehir.²⁸ Third-Lieutenant Asadur Artinoğlu's family who was sent to Konya Ereğli were returned to İzmit.²⁹ In the same way, the family of Captain Simpat Bacanyan serving in the 77th Regiment 3rd Battalion was exempted from relocation.³⁰ Another example was Specialist Dentist Lieutenant Baruyir's,³¹ Specialist Dentist at the Maltepe Barracks, request for his family's transfer to İstanbul in accordance with the decree:

23 BOA, DH-ŞFR-485-36-1-1.

24 ATASE, BDH-2288-14-1-111.

25 ATASE, BDH-2288-14-1-46.

26 ATASE, BDH-1806-341-1-9.

27 ATASE, BDH-2288-14-1-36.

28 ATASE, BDH-2288-14-1-58.

29 ATASE, BDH-2288-14-1-66.

30 ATASE, BDH-2288-14-1-94.

31 Written as "Baruyir" in the Ottoman document. However, amongst Armenian names, this name corresponds to Paruyr/Baruyr (Բարունյր). A copy of the request is in Appx. 1.

“I have been serving in the Ottoman army as a doctor since the declaration of mobilization. My father, Doctor Cerrahyan, and my mother, who resided in İstanbul, have been relocated to Konya Ereğli while they were in İzmit as guests. In response to the event, an order was given that my father Dr. Cerrahyan and my mother be transferred to İstanbul to my home. I have heard that my elderly father and mother had reached all the way to Konya. However, their inability to come here since one and a half months, and my mother’s illness upsets me very much both physically and emotionally. As you are the only official that I can fall back on, it would please me very much if the necessary orders are given via telegraph to those who are concerned in order for my father Doctor Cerrahyan and my mother, who are waiting in Konya, to return to me. I beg once again that this favor is done. The order regarding this subject is yours. 23 September 1915.”³²

After the request, on 1 October 1915, the Governor of Konya [*Konya Valisi*] informed that the family of Lieutenant Baruyir was about to reach İstanbul.³³ In the work of Ohannes Aram Kondayan titled *Sandıktaki Hatıralar* [Memories In A Chest], it is mentioned that upon the request of Cerrahyan’s son, he returned to İstanbul and served as a staff doctor in the İstanbul Armenian Hospital after the war.³⁴

It is seen that in some cases, the decree was given as a justification for requests outside the scope of the decree. For example, Agop Kaşıkçıyan, who was a Captain Doctor at the War Hospital No. 4 of 5th Army Field Inspectorate [*5. Ordu Menzil Müfettişliği 4 numaralı Harp Hastanesi*] in Kırkkilise, sent a request to the Ministry of Interior that he wanted his sisters in Bursa to be transferred to him as there was no one to look after them.³⁵ The Ministry of Interior informed the Ministry of War of the situation and asked whether it could be permitted (7 July 1916).³⁶ However, the Minister of War Enver Pasha considered Agop Kaşıkçıyan’s request to be impossible due to military considerations (19 August 1916).³⁷ Considering that “Armenian soldiers and their families would not be relocated” in accordance with the decree, Agop Kaşıkçıyan’s sisters were exempted from the relocation and stayed in Bursa, however, it was not permitted for them to go to Kırkkilise.

32 ATASE, BDH-2288-14-1-30.

33 ATASE, BDH-2288-14-1-35 (The response text is in Appx. 2).

34 Ohannes Aram Kondayan, *Sandıktaki Hatıralar*, Çev. Karın Karakaşlı (İstanbul: Boğaziçi Üniversitesi Yayınları, 2013), 46.

35 BOA, DH-EUM-2.ŞB-26-39-12.

36 BOA, DH-EUM-2.ŞB-26-39-6, BOA, DH.EUM.2.ŞB-26-39-17.

37 BOA, DH-EUM-2.ŞB-26-39-3.

In another example, it is seen that when the case of whether to relocate Armenian soldiers and their families residing in İzmit and the neighboring areas, who were determined to have engaged in espionage and aided Armenian gangs, became an issue, some regulations were made to the decree in the order to *avoid violating* the said decree.³⁸ It was considered inadvisable for the Armenian soldiers and their families in İzmit and the neighboring regions to stay there, yet it was politically improper for them to be relocated. Accordingly, it was decided for them to be relocated to far-away villages in Adapazarı and İznik where there was no Armenian population. Amongst them was Armenian Captain Dr. Armenak Hancıyan from İzmit working at the İzmit Gendarmerie Battalion Command, who was confirmed to be a spy and a revolutionary committee member.³⁹

Conclusion

The relocation of Armenians during the 1915 Events within the scope of the *Provisional Law on Relocation and Resettlement* is a subject that should be evaluated in terms of the prevailing conditions of the time and accordingly go through various examinations. Examining historical texts with a certain method and according to the period's conditions will contribute to historical facts being presented without misconceptions. Ultimately, it has been revealed that the claims of Armenian men (the ones with military service obligation) being “disarmed and massacred” after being enlisted are in contradiction with the existence of the decree enacted by the Ottoman Government on “Armenian soldiers and their families not being relocated”.

With the implementation of the decree, the relocation of the Armenian soldiers and their families as part of the *Provisional Law of Relocation and Resettlement* was halted. It is seen that some of the Armenian soldiers and their families were nevertheless relocated because of errors that occurred after the implementation of the decree. However, the personal applications that were made were taken into consideration, even during war conditions, and efforts were made to obviate the errors in question. Moreover, it is apparent that some regulations were made to the aforementioned decree in order to avoid violating it and allowing Armenian soldiers who were confirmed to be spies or committee members and their families to nevertheless benefit from the decree.

Lastly, it has been realized during this work that no research has been conducted on how many Armenian soldiers were enlisted in the Ottoman

38 BOA, DH-EUM-2.ŞB-53-52-36.

39 BOA, DH-EUM-2.ŞB-53-52-26-27-29(30).

Army during the war effort. Furthermore, it has been noticed that there is a need for comparison between the number of Armenian soldiers assigned to the Labor Battalions as stated in the Armenian resources and the number of Armenian soldiers indicated in Ottoman archive resources. Based on this, it is clear that researchers who want to conduct studies in this area would definitely fill a large void with their work.

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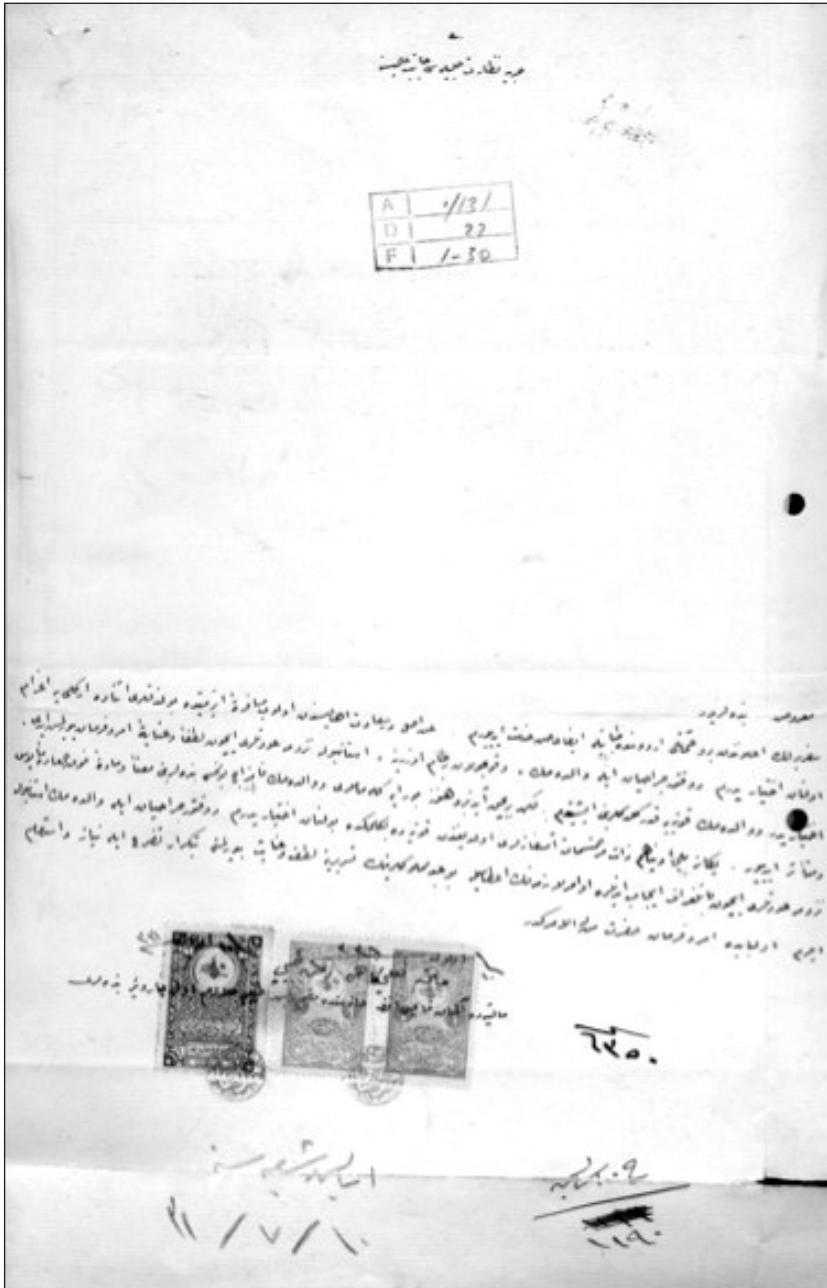
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APPENDICES



Appendix 1: Lieutenant Dentist Baruyir’s Application

Appendix 1 (continued): The Latin Transliteration of Lieutenant Dentist Baruyir's Application (in Turkish)

Hârbiye Nezâret-i Celîlesi Cânib-i Âliyesine

Mâ'r'uz-ı bendeleridir.

Seferberlik i'lânından berü Osmânlı Ordusunda tabâbetle ifâ-yi hüsn-i hizmet ediyorum. An-asl Der-saâdet ahâlisinden olup misâfireten İzmit'te buldukları esnâda Ereğli'ye i'zâm olunan ihtiyâr pederim Doktor Cerrahyan ile vâlidemin vuku'bulan ricâm üzerine İstanbul'a nezdime avdetleri için lütfen ve inâyeten emr ü fermân buyurulmuş idi. İhtiyâr peder ve vâlidemin Konya'ya kadar geldiklerini işitdim lâkin bir buçuk aydan berü henüz buraya gelmemeleri ve vâlidemin nâ-mizâc bulunması bendelerini ma'nen ve mâddeten fevk-al-âde me'yûs ve müte'essir ediyor. Yegâne melce'ü penâhîm zât-ı merhametsimât âsaf-âneleri olduğundan Konya'da beklemekte bulunan ihtiyâr pederim Doktor Cerrahyan ile vâlidemin İstanbul'a nezdime avdetleri için bit-telgraf îcâb edenlere avâmir-i lâzîmenin i'tâsıyla abd-i memlûkların tesrîrine lütfü inâyet buyrulmasını bi-tekrâr teferru' ile niyâz ve istirhâm eylerim. Ol-bâbda emr ü fermân hazret-i men lehül emrindir.

10 Eylül 1331/23 Eylül 1915

Maltepe T'alîm-gâhı Dış Tabibi

Maltepe'de Alman Kalpi Efendi hanesinde mukim Dış Tabibi Mülazım-ı Evvel Baruyr bendeleridir.

Appendix 2 (continued): Response given to Lieutenant Dentist Baruyir's Application

Hârbiye Nezâret-i Celîlesine,

10 Eylül 1331 tarihli telgrafname-i ali nezaret penahilerinden Diş Tabibi Mülazımı Evvel Baruyir efendinin pederi Cerrahyan ile validesi Serpuhi'nin Dersaadet'e gitmek üzere vizelerinin verilmiş olduğu arz olunur efendim. 18 Eylül 1331 (1 Ekim 1915).

Konya Valisi

(İmza)

BOOK REVIEW / KİTAP TAHLİLİ

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Ahmet Can ÖKTEM*

TO KILL A SULTAN - A TRANSNATIONAL HISTORY OF THE ATTEMPT ON ABDÜLHAMİD II (1905)

*(BİR SULTANI ÖLDÜRMEK -
II. ABDÜLHAMİT'E SUİKAST GİRİŞİMİNİN
ULUSLARARASI TARİHİ (1905))*

Main Editors: Houssine Alloul, Edhem Eldem, Henk de Smaele

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The 1905 Yıldız assassination attempt has been described as “one of the greatest and most sensational political conspiracies of modern times” (p. 30). In each chapter of this book, the subjects regarding the Yıldız attempt are approached from various aspects. The numerous variables, the parties of the attempt’s background, the actualization and aftermath are evaluated together with the developments peculiar to the geographies and the time

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period. It is understood that many of the variables and developments were interrelated. Among these variables and developments were contemporary capitalism, nationalism, socialism, mass media, internationalism, interstate collaboration, humanitarianism, international law, and orientalist beliefs. It is stated that one of this book's objectives is to better understand the intersections between ideology and application, states, and nationalist movements. The authors add their own evaluations to various subjects and refer to the evaluations of others, including those of historians. Moreover, flawed opinions are mentioned and the errors and deficiencies in these common opinions are explained. In the introduction, it is expressed that this book, which analyzes the conspiracy that resulted in the assassination attempt and the subsequent developments in depth, provides a unique opportunity to re-evaluate in which ways the histories of the Ottoman Empire, Europe, and the rest of the World were interrelated and to contemplate on many unanswered questions.

The widespread tradition of revolutionary violence has a long history for the people of Armenia and the Armenian diaspora. To readers who are familiar with the Armenian Revolutionary Federation (ARF-Dashnaktsutyun), the Armenian Secret Army for the Liberation of Armenia (ASALA), or the Justice Commandos of the Armenian Genocide (JCAG), the book may serve as a reminder of this affinity for violent methods. The book indicates that the Armenian revolutionaries were well-aware that previous terror attacks, such as the ARF's terror attack on the Ottoman Bank in 1896, could have led to violent reprisals against ordinary Armenian citizens and even considered reprisals to be beneficial for their cause. A statement which was made by the ARF leader of the attack on the Ottoman Bank, Armen Garo (Karekin Pastermadjian), and reflects the mindset of the ARF is included in the book: "The more the victims, the better it will be for our cause" (p. 28). The first concrete plans for the assassination of Abdülhamid II were prepared during an ARF meeting in 1901. Additionally, it is expressed that as the ARF's plans to create a general uprising in Sasun had to be realized in 1905 at the latest, the Yıldız assassination attempt had to be carried out in 1905 as well. For the ARF, the resolution of the Armenian Question was also based on the success of the Bulgarian revolutionaries.

It is indicated that there was a consensus of opposition against the autocratic rule of Abdülhamid II's regime both domestically and externally. In this regard, an interesting detail was that the Austrian, French and Russian embassies in the Empire received an ARF declaration mailed on the day of the attack. These mails, which covertly expressed the ARF's responsibility in the attack, hardly received attention; Abdülhamid II "had so many enemies inside and outside the Empire, and the attack was so violent, that no one dared to attribute it to an Armenian conspiracy" (p. 53).

One of the focal points of the Yıldız assassination attempt was the Belgian anarchist Edward Joris, who had an interesting and controversial role in the preparation and aftermath of this plot. Joris' character, life in Belgium and İstanbul, inconsistent beliefs and actions, disputable relationship with anarchism and the ARF, arrest and trial are amongst the primary factors that raises the interest of the reader. Joris' meeting with the ARF is described as a two-fold encounter. Firstly, it was the "meeting of European anarchism and Russian-inspired Armenian populism" (p. 44). Secondly, it was the encounter between two types of internationalism. In addition, the author of the chapter expresses that, contrary to popular belief, the ARF was not a nationalist organization, but a synthesis of nationalism and internationalism which also involves a constructivist type of socialism (pp. 44-45).

Contrary to the popular opinion and the exaggerated statements in his own memoirs, it is explained that Joris had a small scale role in the terror plot, such as translating and his ARF co-conspirators using his home as a place to stay, hold meetings, and store explosives. However, Joris wanted a more heroic role and, in time, he cast himself a leading role after the attack and his arrest. This unexpected shift in Joris' role constituted an abrupt twist for the ARF. Additionally, a sudden twist that occurred only months before the Yıldız attack was the deaths of two ARF members in an explosion in Bulgaria, the cause of which is subject to dispute. These deaths had a deep impact on the ARF and Joris as one of the two individuals who died, Christapor Mikaelian, was one of the ARF's founders, and the other, Vramshabouh Kendirian, had become Joris' best friend and was the one who connected Joris to the plot. The death of Kendirian, who was interestingly enough carrying Joris' passport before the explosion, may have played an important role in Joris' radicalization in İstanbul.

As the many aspects of the Yıldız assassination attempt's background and aftermath are analyzed from different aspects, this book may be interesting as well as confusing for the average reader. Furthermore, it is explained to the reader that the information should not be considered as absolute truths, even those that are expressed together with first-hand sources. For instance, right after a reference to one of Joris' letters, the reader is cautioned not to immediately accept views that such sources may create, as it will be demonstrated with Joris' portrayal in the third chapter. Moreover, it is written that the violence-prone statements in one of Joris' letters may be momentary exaggerations and not actual beliefs (pp. 70-71).

How the public of the Ottoman Empire, Belgium, and Europe in general perceived and responded to the attack is another striking aspect in the book. While the public opinions and media organs generally condemned the violence

of the attack, there was widespread consensus on opposition against Abdülhamid II and his way of ruling. On the other hand, there were some parties who argued that this attack was understandable or even necessary. As an example of this case, Tevfik Fikret's poem titled "An Instant of Delay" (Tr. "*Bir Lâhza-i Teahhur/Bir Anlık Gecikme*") is included in the book's epilogue. In the poem, the perpetrator of the terror attack is characterized as a "glorious hunter" (pp. 265-266). Similarly, the *Şura-yı Ümmet* of the Committee of Union and Progress (CUP) in exile were among those who believed that the Yıldız attack symbolized an act of retaliation against the 20 years of Abdülhamid II's rule. According to an oppositional article by the CUP, the bombing was a selfless act aimed to end the bloodshed. An equally surprising for detail for many readers would be that there was a period of cooperation between the CUP and the ARF against Abdülhamid II's regime (p. 257).

One of the authors of the book expresses the importance of understanding the precise contexts of the period and the main points behind the contentions and arguments of Belgium. Economic concerns, Belgium's sentiment of embarrassment and harmed prestige after the arrest of and verdict on Joris, the high number of attempted political assassinations that had taken place in Belgium between 1874 and 1914 were among the main reasons behind the responses of Belgium.

The "Joris affair" represents "the most contentious" case in the relations between the two states, although it was never fundamentally jeopardizing in the long term (p. 129). It also revealed negative Orientalist perceptions and faulty Belgian diplomacy. As the combative interactions continued, the different interpretations of bilateral agreements and the capitulations between the Ottoman Empire and Belgium also led to a diplomatic incident between the two states. This diplomatic incident caused attention to shift from the legitimacy of the Armenian/anarchist terrorism to international law and human rights. Joris was viewed as "a victim of autocracy" by the Belgian and European public opinion (p. 32). This is a case that reminds the readers of how the views and priorities of the parties can vary according to their geopolitical conditions and the context. Interestingly, Joris is presently remembered mostly as a supporter of the Flemish movement and not a co-conspirator of a terror attack.

The European press coverage displayed insufficient interest and a significant degree of bias towards Joris and the Yıldız attack. It reflected and was shaped by European feelings of Western superiority along with Turcophobia, Islamophobia, and racism. Many journalists were convinced that Joris was innocent or had been manipulated, despite of the evidence. Furthermore, even when the terrorist intentions of the ARF became certain, it barely led to attention or comments from the European press. Most journalists avoided

deeper research of the ARF's political motives. On one side, the notoriously autocratic rule of Abdülhamid II fueled the negative prejudice of Belgium and the West against the Ottoman judicial sovereignty. On the other side, important examples of previous assassination attempts in Belgium reflected the unfairness in Belgium's response regarding Joris. In 1900, Belgian Jean-Baptiste Sipido attempted to kill the Prince of Wales in Brussels, but his subsequent acquittal led to problems in the relations with Britain. In 1902, Italian Gennaro Rubino, who tried to kill King Leopold II of Belgium, was sentenced to lifelong forced labor (pp. 143-144). In addition, a British satirical drawing of Abdülhamid II and Leopold II (p. 131) conversing on their impunity published on 31 May 1905 can be considered as a manifestation of the negative perceptions towards the Ottoman Empire and as a reminder that autocracy did not pertain only to the Eastern World.

An author explains that the Joris affair has historical value as it exemplifies and exposes the "power hierarchies and ideologies that were responsible for the preservation of unequal treaty laws, but also the extent and implications of Western extraterritoriality" (p. 160). Such phenomena continue one way or another in today's world. Presently, the US, using its superpower status, has been claiming extra-territorial powers and disregarding international law, which has been widely criticized.

This book can be an interesting read and raise curiosity for various topics. It may feel like a historical, crime, or political intrigue novel. The reader will have an idea on the inner workings of a terror organization, how terror activities influence interstate relations, and international law in various aspects, how the perceptions towards terrorism can vary with different parties and conditions. When considering its overall presence in the book, the reader may think that the ARF has a secondary place in comparison to the subjects of Joris and Belgium, Abdülhamid II's regime, and the West's responses to the attack. This can be regarded as a reflection of the reality of that period, in which the plot's primary perpetrator was not paid sufficient attention.

Lastly, the book makes several references to the genocide thesis concerning the Armenians (pp. 260-262, 269). It should be kept in mind that the downplayed perpetrator of the Yıldız attack, the ARF, with its revolutionary violence and agitation, consciously played a key role in the breakdown of the relations between the Ottoman Empire and its Armenian subjects. In other words, the excesses of the ARF are an integral part of the chain of events that led to the Ottoman government's decision to enact the Armenian Relocation and Resettlement in 1915-16 and the turmoil that ensued.

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