

THE ARMENIAN QUESTION

**BASIC KNOWLEDGE
AND DOCUMENTATION**

Ömer Engin LÜTEM
(Editor)

ANKARA - 2009



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*Dedicated to the memory of
Ambassador Gündüz Aktan*

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Ömer Engin LÜTEM*

The Armenians were one of many people which composed the Ottoman Empire to which they served faithfully during several centuries. With the spread of nationalistic ideas and the emergence of the Russian Empire as a major power, after the defeat of the Ottomans in the war of 1877–1878, about forty Armenian rebellions took place in Eastern Anatolia. Ottoman governments suppressed them while most of the great powers interfered in favor of the Armenians, thus the Armenian Question was born.

During the first months of the First World War, Armenian bands helped the invading Russian troops in Eastern Anatolia by attacking Ottoman troops. On the other hand, their raids to the Muslim villages constituted a real danger for the civilian population. The Ottoman government, for security reasons, decided to relocate most of the Armenians to another province of the Ottoman Empire, situated in today's Northern Syria.

Following the collapse of the Russian Empire, an independent Armenia was created in the Caucasus. After the First World War, Ottoman possessions were dismembered by the Treaty of Sèvres, Armenia receiving about 120,000 km² of the land inhabited by Turks. This treaty was never ratified, consequently never implemented. In a short war at the end of 1920, the Armenian forces were defeated by Turkish troops. Few days later, Armenia surrendered to Soviet Army and Armenia became a Soviet Socialist Republic.

The Turkish-Armenian borders, which were demarcated by the Treaties of Moscow and Kars in 1921, are still valid today, therefore making it impossible for the Republic of Armenia to make any legal territorial claims against Turkey. Furthermore, the Lausanne Treaty, signed in 1923, settled all personal claims of the Ottoman subjects, including Armenians, resulting from the First World War damages. Consequently, the Armenian Question legally ended in 1923.

Soviet territorial demands from Turkey in the aftermath of World War II resulted in the revitalization of nationalism in Armenia. Meanwhile, the assimilation process of the Diaspora Armenians in the countries to which they migrated weakened the Armenian identity, thus threatening the existence of local Armenian churches, political parties and charity organizations. To remedy this, inspired from the Jewish Holocaust, it has been argued that Armenians were victims of a genocide perpetrated in 1915 during the relocation to Northern Syria.

* Retired Ambassador

INTRODUCTION

The propaganda efforts aimed to substantiate this claim caused the revitalization of nationalism within the Diaspora Armenian communities and at the same time aided in the preservation of Armenian identity.

The hate for Turks and Turkey, which was continuously fed by nationalistic feelings, led to the beginning of a new wave Armenian terror in 1973, which targeted mainly Turkish diplomats, killing 70 persons (31 of whom were Turkish diplomats and their family members) and wounding 524 in 699 acts of aggression. This terror ended in 1986 when it began affecting non-Turkish people, thus losing sympathy in Europe and in the United States. However, the terror served the propagation of genocide allegations and prompted adoption by some parliaments, such as the European Parliament, of resolutions recognizing the Armenian genocide allegations. Thus, for Turkey, a new Armenian Question was raised.

According to some Armenian circles, the recognition of the “genocide” should lead to reparations to be paid to the relocated Armenians of the Ottoman Empire (in fact to their inheritors) and cession of some Turkish territory to Armenia.

Re-establishment of the Armenian state in 1991 aggravated the Armenian Question, especially since Armenia openly refrained from recognizing the territorial integrity of Turkey while adopting genocide recognition as a state policy.

Finally, the process of Turkish accession to the European Union resulted in the intensification of discussion in Europe of Armenian allegations. This subject has become an excuse used by those who are against Turkey’s membership to the European Union.

As one can see, the Armenian Question, which with some intervals exists for more than 120 years, is very complex and has many aspects; therefore, it should be studied in a multidisciplinary way. The Armenian Question has not sufficiently been problematized and the additional issues that it could create in the future are not properly understood. For instance, in Turkey and in many other countries, the study of the Armenian Question is generally done through narration of historical events. It is true that knowing relevant history is of foremost importance, especially when considering that except for the Ottoman Archives, documents in the archives of other countries are often “hearsay.” Some of them are openly biased since they belong to the states which were at war with the Ottoman Empire. Even when they were allies of the Ottomans, due to religious reasons, they favored Armenians forgetting or minimizing, for instance, the fact that the Armenians rebelled and openly collaborated and even fought with the Russian Army against the Ottoman forces.

Today, the problem Turkey faces is not merely the study of historical events that happened nearly a century ago. The problem resides in the allegations of genocide which would lead, as militant Armenians hope, to the payments of reparations and to cession of some territory to Armenia. Therefore, it is necessary to go beyond the historical perspective and also study the Armenian Question from the vantage points of international relations, law, sociology and

psychology. Furthermore, Turkey's and Azerbaijan's relations with Armenia are significant components of the Armenian Question. In sum, an interdisciplinary approach is required for the proper analysis of the Armenian Question.

This book intends to give an overall analysis of the Armenian Question by utilizing all these disciplines and is the first book (at least in Turkey) which uses that method.

The first part of the book, "The Armenian Question in a Historical Context," contains three articles. The first one is by Mustafa Serdar Palabıyık, entitled "An Introduction to the Armenian Question until the Treaty of Lausanne"; the second one is written by the late Ambassador Gündüz Aktan with the title of "The Lausanne Peace Treaty and the Armenian Problem"; and the third one is authored by myself with the title of "The Armenian Question from Lausanne to the Present." The text of two conferences of Professor Justin McCarthy given in recent years in Turkey is also included.

In the second part of the book entitled "The Armenian Question in the Context of International Relations," there are two articles written by myself. The first, entitled "The Armenian Question Today," examines the resolutions adopted by European Parliament and by parliaments of some countries which recognize genocide allegations. The texts of these resolutions as well as the list of states and city councils which adopted similar resolutions and the 24 April statements of the American Presidents in recent years are given in the Appendix. The second article of this part, "Potential Developments on the Armenian Question," examines the future developments regarding this question for Turkey, Armenia and other interested states and international institutions.

The title of the third part of the book is "The Armenian Question in the Legal Context." This part is significant because since genocide is a legal concept, Armenian allegations have to be first examined in the light of international law. Within this framework, the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide, to which both Turkey and Armenia are parties, should be first taken into consideration. Although having a very significant importance for the Armenian Question, genocide law has been dealt with rarely in Turkey. In order to bridge this gap, the book contains two articles on the subject. The first one, written by the late Ambassador Gündüz Aktan, is entitled "The Armenian Problem and International Law" and the second one, by Associate Professor Sadi Çaycı, is entitled "The Armenian Question from the Standpoint of International Law." This part also includes several legal documents including the Genocide Convention of 1948.

The fourth part of the book is devoted to the psychological and sociological dimensions of the Armenian Question. In order to understand the extremist behavior which dominates the Diaspora, it is necessary to have recourse to the psychological methods. There are three articles regarding this subject. The article entitled "The Psychological Dimension of the Armenian Question (The Underexplored Perspective)" is written by Associate Professor Erol Göka and "The Turkish-Armenian Issue from the Perspective of Psychology and

INTRODUCTION

Psychoanalysis: Victimization and Large Group Identity” is written by clinical psychologist F. Sevinç Göral Alkan.

There is racial hatred on the basis of the crime of genocide and if there is no such hate, it is difficult to speak about genocidal intention. Additionally, racism is a phenomenon born and developed in Europe. The late Ambassador Gündüz Aktan examines this phenomenon in his article entitled “Etiology of Racism in Europe.”

The fifth and last part of the book, “Problems of Turkey and Azerbaijan with Armenia,” contains two articles. In the article entitled “Turkish-Armenian Relations (1918-2008),” Mustafa Serdar Palabıyık and Yıldız Deveci Bozkuş examine the 90-year-long relations between the two countries in four eras, namely, the Soviet Union, Levon Ter Petrosyan, Kocharian and Sarkisyan Eras. The Karabakh Question, which is also important for Turkey due to its close relation with and its support to Azerbaijan, is covered with an article written by myself. In this part, the United Nations Security Council decisions on the Karabakh Question, the resolutions adopted by the Parliamentary Assembly of the Council of Europe and the Islamic Conference Organisation as well as maps showing Armenian occupation of Azeri territories and the Karabakh region are added.

We give in the Appendix the texts of key documents (75 items) concerning the Armenian Question and six maps on the subject.

We hope that this book will be a source of consultation for those who are interested in the Armenian Question.

I
**THE ARMENIAN QUESTION IN A
HISTORICAL CONTEXT**

AN INTRODUCTION TO THE ARMENIAN QUESTION UNTIL THE TREATY OF LAUSANNE

M. Serdar PALABIYIK*

Introduction

The Armenian Question has been one of the most significant themes not only in Turkish history but also in the history of the Near East, particularly because of its attachment to the “Eastern Question.” Therefore, it is necessary to examine this question in detail in order to understand the current developments. Thus, this article aims to present the reader with the background of the Armenian Question from the very beginning up until the Treaty of Lausanne with which it had been legally resolved. In doing that, fundamental aspects of Armenian history will be referred to, and then the condition of the Armenians in the Ottoman Empire will be evaluated. Following that, the emergence of Armenian Question will be analyzed with special reference to its regional and international implications. Finally, the relocation of Armenians and subsequent developments after World War I will be examined.

1. From Ancient Times to Ottoman Rule: Two Millennia of Armenian People (13th century BC – 15th century AD)

Being one of the ancient peoples of Anatolia and the Caucasus, Armenians have had a history of three millennia, although they tend to exaggerate the existence of their past up to five millennia or so. It is assumed that they came to Eastern Anatolia and the Caucasus from Trachea in approximately 1200 BC. There is no proven relation between the Urartu civilization that had dominated the region between the 9th and 6th centuries BC as claimed by the Armenians.

According to their folk traditions, Armenians consider themselves direct descendants of Noah, survivor of the Biblical flood. According to monotheist religions, the boat designed by Noah to survive the flood came to rest on a

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mountain in the Ararat range. Thus, the territory of the Armenian Plateau is regarded by the Armenians as the cradle of civilization, the initial point for the further spreading of mankind all around the world.

Moses Khorenatsi, Armenian historian of the 5th century, presents a detailed genealogy of the Armenian forefather, Haik from Japheth, Noah's son.¹ Due to these legends, even now, Armenians call themselves Hai, and their country – Haik or Haiastan, in honor of Haik. However, it should be noted that these claims are not scientific but only legendary. According to Western sources, “Armen,” the root of the word “Armenia/Armenian,” means “upper country” in ancient Persian. Thus, historians and anthropologists argue that Armenians were named in accordance to the geographical region in which they had been living.

Generally, Armenians lived under foreign rule and were divided among several regional kingdoms. In the 7th century BC, Medes destroyed the Assyrian Empire. Within this turbulence, Armenia emerged as an independent kingdom under Tigran the First. However, the era of peace ended as a number of weak and insignificant kings ruled Armenia over the following years, and finally the country became a tributary to Persia. The dynasty of Hayk ended and the kings of Armenia were henceforward appointed by the Persian kings.

Persian hegemony survived until the period of Tigran the Great, who was perceived by Armenians as the most glorious among all Armenian kings. He succeeded his father in 95 BC, gaining full control over the vast territories.² Tigran's expansion ended with the Roman and Parthian advances. In 69 BC, the troops of the Roman general Lucullus invaded Armenia and besieged Tigranakert. As a result of these mutual assaults, Armenia lost its independence once more, divided and accepted Roman and Parthian domination.

By the late 3rd century AD, many Armenians were converted to Christianity and numerous secret Christian communities were established. Some Armenian historians argued that in 301 AD, Armenian King Tiridates (Dirtad III) established Christianity as the sole religion of Armenia after his baptism by St. Gregory the Illuminator, who was the first patriarch of Armenia;³ whereas many European historians argued that Christianization of Armenia must be later in time since it was only after 313 that Christianity turned out to be an accepted religion in the Roman Empire. However still, the term “Gregorian” that has been used to define the Christian sect of Armenians came from St. Gregory.

A century later, the first Armenian alphabet was designed by St. Mesrob, who would later translate the Bible into Armenian in 434.⁴

With the split of the Roman Empire, Armenia was partitioned between the Byzantine and Persian Empires once more. This mutual domination was ended in the 7th century with the defeat of Sassanid rule in Persia by the Arabs.

¹ Genelkurmay Askeri Tarih ve Stratejik Etüt Başkanlığı, *Belgelerle Ermeni Sorunu*, Ankara: Başbakanlık Basımevi, 1992, p. 3.

² Pars Tuğlacı, *Tarih Boyunca Batı Ermenileri: Cilt I (287-1851)*, İstanbul: Pars Yayın, 2004, p. 1.

³ Ibid.

⁴ Ibid, p. 9.

The Arabs first invaded Armenia in 640.⁵ In 652, a peace agreement was made, allowing Armenians freedom of religion. Arab domination lasted until 882, when Ashot I was solemnly crowned as the King of Armenia, but he had to recognize the suzerainty of the Caliph.⁶ Therefore, Arabs still dominated the region and Armenians could not establish an independent kingdom due to inter-tribal rivalries.

Just after the beginning of the new millennium, Seljuk armies reached Armenian lands in their quest towards the West. Starting from 1047 onwards, one after another, Armenian cities fell under Turkish control. However, it was only after the Battle of Manzikert (Malazgirt) in 1071 that Seljuks took control of the whole of Armenia.⁷ Two centuries later, with the decline of the Seljuk Empire in Anatolia and particularly with the Mongol invasion, starting from 1231 onwards, Armenia fell under Mongolian rule.⁸ From the beginning of the 14th century, the Mongol dominance in the region receded. From then on, numerous Turkoman nomadic tribes invaded the Armenian lands.

It seems that the raids of the Seljuks resulted in movement of some Armenians toward Cilicia, the region situated between the Taurus and Amanos Mountains close to the Mediterranean coast. However, the majority of Armenians remained in Eastern Anatolia and the Caucasus. In 1080, Armenian Prince Ruben asserted authority over the local Armenian and Greek princes. Ruben became founder of a new royal house called Rubenids that ruled over Cilicia for more than 300 years. Indeed, this Cilician Kingdom was not Armenian in essence, rather its dynasty was presumed to be Armenian, and thus the Kingdom was generally named as the Cilician Armenian Kingdom. This state became quite active during the Crusades and turned out to be a significant base for the crusading armies. With the rise of the Mamluk Empire in the region, this kingdom gradually declined and finally fell under Mamluk domination in 1393.

2. Armenians in the Ottoman Empire (15th century – 19th century)

Although Ottoman-Armenian relations are generally thought to have started with the Conquest of Constantinople in 1453 and the subsequent installation of the Armenian Patriarchate, it might better to locate the start with the Ottoman conquest of Bursa in 1326, since in Bursa there was an Armenian community. Many of these Armenians were craftsman, and their talent was welcomed by the Ottoman sultans. When Edirne became the new capital of the Ottoman Empire, many Armenians were installed there.⁹

⁵ Ibid, p. 17.

⁶ Ibid, p. 24.

⁷ For a detailed account of Seljuk-Armenian relations, see Ali Sevim, "Selçuklu ve Ermeni İlişkileri," *Yeni Türkiye*, Vol. 7, No. 38, *Special Issue on the Armenian Question*, 2001, pp. 595-601.

⁸ For a detailed account of Mongol-Armenian relations, see Mehmet Ersan, "Selçuklular Döneminde Türk Ermeni İlişkileri," *Yeni Türkiye*, Vol. 7, No. 38, *Special Issue on the Armenian Question*, 2001, pp. 603-615, particularly 611 ff.

⁹ Tuğlacı, op.cit., p. 143.

When Constantinople was conquered by Mehmed II the Conqueror in 1453, he brought many Armenian families from Anatolia to Constantinople and they were installed for the economic revival of the city as was the case in Edirne. In 1461, upon his return from the conquest of Trabzon, Mehmed II came to Bursa and invited the head of the Armenian community, Hovakim, to Constantinople, in order to establish an Armenian patriarchate there. Ortaylı argues that this was a strategic decision for Mehmed II, who tried to balance the Greek population of Istanbul with another Christian community, namely the Armenians.¹⁰ Therefore, it was under the rule of the Ottomans that Armenians acquired a Patriarchate in Constantinople. From then on, Armenians lived in peace up to the 1880s in the Ottoman Empire.

In 1473, with the defeat of the Akkoyunlu State in Eastern Anatolia, many Armenian cities, including Ani, were incorporated into the Ottoman Empire. Particularly after the emergence of Istanbul as a religious center for Armenians, Armenians who suffered inter-tribal conflicts in their home country began to migrate there for a more peaceful life.¹¹

In 1514, Ottoman Sultan Selim I defeated the Safavid Empire and occupied the western and southern regions of Armenia. Particularly, the Armenian artisans and craftsmen of Tabriz were brought back to Istanbul. In 1516, Jerusalem was also conquered by Selim I, and the Armenian Patriarchate in Jerusalem was granted religious freedom, which it had assumed since the conquest of Jerusalem by Caliph Omar in the 7th century. In 1534, Suleyman I the Lawgiver occupied cities such as Van, Revan and Nakhichevan, where Armenians had been living, in his campaign towards Safavid Iran. Like his father, Selim I, Süleyman brought the most talented artisans and craftsmen to Istanbul.

As a result of all these population movements, by 1554, the population of the Armenian community in Istanbul reached to 60,000.¹² In 1567, the first Armenian printing house was established by an Armenian, Apkar Tıbir, who fled to İstanbul because of the repression he had faced in Italy. The first Armenian book, published in this printing house was called *Pokır Keraganutyun Gam Ayppenaran* (Little Grammar or Alphabet). This was followed by many religious texts.¹³

By that time, Armenians could also be seen in the ruling circles. It was even argued that Mehmed Pasha (of Armenian origin), who had formerly been the head of falconers (doğancıbaşı) of Sultan Murad III, was appointed as the Grand Vizier in 1581.¹⁴

In the mid-17th century, the Southern Caucasus was once more portioned between the Ottoman and Safavid Empires with the Treaty of Kasr-ı Şirin in

¹⁰ İlber Ortaylı, "Osmanlı Ermenileri," *Yeni Türkiye*, Vol. 7, No. 38, *Special Issue on the Armenian Question*, 2001, pp. 630-632.

¹¹ Two of these significant migrations were realized in 1486 and 1487, Tuğlacı, op. cit., p. 164.

¹² Ibid, p. 178.

¹³ Ibid, p. 187.

¹⁴ Tülay Reyhanlı, *İngiliz Gezginlerine göre XVI. Yüzyılda İstanbul'da Hayat (1582-1599)*, Ankara: Kültür ve Turizm Bakanlığı Yayınları, 1983. Cited in Tuğlacı, op. cit., p. 191.

1639. From that time, up until the 19th century, Armenians lived under the rule of these two empires.

The Armenian community contributed much to the Ottoman culture. Not only did Armenian craftsmen and artisans revive urban economies in major cities of the Empire, but also several Armenian families were given significant responsibilities, such as coinage and gunpowder production.¹⁵ In the major cities of the Ottoman Empire such as İstanbul, Bursa, Tokat, Kayseri, Ankara, Erzurum, Nakhichevan and Yerevan, they composed one of the most significant economic classes through their artisans, craftsmen and merchants.¹⁶

What is more, Armenian artists contributed much to Ottoman music and architecture. For example, it would have been impossible for the works of many Ottoman musicians, including famous İsmail Dede Efendi, to survive, if an Armenian musician, Hamparsum Limoncuyan, had not introduced some kind of a solfège. Armenian musicians, such as Tatyos Efendi or Bimence, created significant artworks. In terms of architecture, the 19th century was generally dominated by the works of Armenian architects, the most famous of which was the Balyan family. Even the imperial palaces of Dolmabahçe and Beylerbeyi, as well as several significant mosques surrounding the Bosphorus were designed by the members of this family.

Ottoman Armenians were also brought to the key positions in bureaucracy as well. Particularly in the 19th century, twenty-nine Armenians achieved the highest governmental rank of Pasha. There were twenty-two Armenian ministers, including the Ministers of Foreign Affairs, Finance, Trade and Post, with other Armenians making major contributions to the departments concerned with agriculture, economic development, and the census. There also were thirty-three Armenian representatives appointed and elected to the Ottoman parliaments, seven ambassadors, eleven consul-generals and consuls, eleven university professors, and forty-one other officials of high rank.

All in all, Ottoman rule provided Armenians with welfare and peace. However, these relations were first strained and then collapsed particularly in the late 19th century due to various reasons. The next part of the article will deal with these factors.

3. Emergence of Armenian Resistance against the Ottoman Empire (1800-1878)

There are several factors, both internal and external, for the deterioration of Ottoman-Armenian relations. First of all, Ottoman decline and insufficiency of reforms to make the conditions of Ottoman subjects, both Muslim and non-Muslim, better, resulted in a discontent in the public opinion. Particularly in

¹⁵ Ercüment Kuran, "Tarihte Türkler ve Ermeniler," *Yeni Türkiye*, Vol. 7, No. 38, *Special Issue on the Armenian Question*, 2001, pp. 616-620.

¹⁶ Enver Konukçu, "Osmanlılar ve Millet-i Sadıka'dan Ermeniler," *Yeni Türkiye*, Vol. 7, No. 38, *Special Issue on the Armenian Question*, 2001, pp. 621-629.

Eastern Anatolia, Ottoman authority and control was nominal; in practice, the region was ruled by provincial authorities and even sometimes by Kurdish tribes. There emerged several clashes between the Armenian and Kurdish peoples, which resulted in a severe discontent among Armenians.

Secondly, religious strife among various sects of Armenians reached its zenith in the 19th century. Although Gregorian Armenians continued to hold their predominance, a significant Catholic Armenian community became so well-established that they were recognized by the Ottoman Sultan Mahmud II in 1831 with the auspices of the French ambassador in Istanbul and founded a separate church in the Ottoman Empire.¹⁷ From that point on, Armenian and European Catholics were instrumental in bringing Western education to the Armenians. However, a greater force in educating Armenians and advancing their nationalist feelings was the American Protestant missionaries.¹⁸ Therefore, particularly soon after the emergence of these missionaries in the Ottoman Empire, a Protestant Armenian community was organized under a religious authority called the “Protestant Governing Board” under the auspices of the British Embassy in 1846.¹⁹ Protestant Armenians were also able to establish their own church in Istanbul. In all, Armenians were internally divided as well and Gregorian Armenians, who were still a considerable majority in the Empire, became reactant to the Ottoman rule because of its recognition of different sects.

Third, the decline of the Ottoman Empire coincided with the ideas such as freedom, equality, and nationalism which spread from Europe after the French Revolution in the 19th century. Indeed, starting from the last quarter of the 18th century, particularly with the defeat of the Ottoman Empire by Russia in 1774 and subsequent Kuchuk Kainarja Treaty, Ottoman decline entered into a phase from which it was impossible to recover. This decline would create a significant power vacuum in one of the most strategic regions of the world where all Great Powers of the time had an interest. The result of Ottoman decline would be a fierce rivalry among the Great Powers of the time, which came to be known as the “Eastern Question.”

Particularly with the spread of nationalist ideas within the Ottoman Empire, the first uprisings emerged in the Balkans. The Serbian revolt of 1804 was somehow suppressed; however, the subsequent Greek revolt resulted in a fierce Ottoman-Russian War, at the end of which Greece acquired its independence in 1829. Furthermore, in these years, Russians not only defeated the Ottoman Empire but also Iran. After the Russo-Iran War of 1828, Russian armies not only passed Armenian territories but also crossed the Aras River into Iranian territory and threatened Tabriz. The Shah sued for peace and signed the Treaty of Turkmenchai, which brought Eastern Armenians under Russian control, drew the border at - the Aras River, and provided for the transfer of a large number of

¹⁷ Genelkurmay Askeri Tarih ve Stratejik Etüt Başkanlığı, op. cit., p. 26.

¹⁸ Justin McCarthy and Caroline McCarthy, *Turks and Armenians: A Manual on the Armenian Question*, Washington D.C.: Committee on Education, Assembly of Turkish American Associations, 1989, p. 31.

¹⁹ Genelkurmay Askeri Tarih ve Stratejik Etüt Başkanlığı, op. cit., p. 26.

Armenians from northern Persia to Russian territory. This was the beginning of the population transfers that would give the Armenians a majority in the territories of today's Armenia. From then on, Russians began to interfere in Armenian affairs and claimed themselves to be the protector of the Armenian population living in the Ottoman Empire as well.

As it can be seen, one of the most significant characteristics of this period was increasing foreign intervention in the internal affairs of the Ottoman Empire. In other words, the interests of the Great Powers of the time clashed regarding the Ottoman Empire. On the one hand, Russia tried to reach warm seas via the Balkans and the Caucasus; on the other hand, Britain tried to prevent this threat to its dominions in Asia. Thus, while Russia supported the nationalist tendencies in the Balkans, Britain aimed to preserve the territorial integrity of the Ottoman Empire.

In order to prevent a sudden break-up of the Ottoman Empire, all Great Powers agreed that the Sultan must grant more rights to the non-Muslim subjects of the Empire, so as to integrate them into the framework of the Empire. In support of this goal, the Great Powers constantly demanded privileges, autonomy and independence for the Ottoman Christians. With the Tanzimat reforms, several rights were granted to the non-Muslim communities of the Ottoman Empire. However, neither the Great Powers nor the non-Muslim communities were satisfied with these reforms.

The year 1856 is a decisive turning point in the course of Ottoman history. It marked the end of the Crimean War (1853-1856), in which the Ottoman Empire sided with Great Britain, France and the newly-established Sardinia (in some sources, Piedmont) and defeated Russia. This war was not only significant because it demonstrated a temporary bulwark against Russian expansionism, but also because of the Treaty of Paris (30 March 1856), ending the war among the Great Powers of the period.

In Article 7 of this treaty, signatories "...declare the Sublime Porte admitted to participate in the advantages of the public law and system (Concert) of Europe [and they accepted]...to respect the independence and the territorial integrity of the Ottoman Empire."²⁰ In other words, with this treaty, the Ottoman Empire was admitted to the Concert of Europe, and its independence and territorial integrity were guaranteed by the Great Powers. This article is so significant that it is even used by many contemporary historians and political scientists as an indication of the acceptance of Turkey as a European state. Still, however, the Treaty of Paris would survive only two decades and this period of temporary relief ended with the disastrous War of 1877-78 between the Ottoman Empire and Russia.

The year 1856 is not only remarkable because of the end of the Crimean War and the Treaty of Paris. On 18 February 1856, just one week before the convention of the Congress of Paris to discuss the situation after the Crimean

²⁰ For the full text of the Treaty of Paris, see www.polisci.ucla.edu/faculty/wilkinson/ps123/treaty_paris_1856.htm.

War, Ottoman Sultan Abdülmecid (who reigned between 1839 and 1861) declared a *Hatt-ı Humayûn* (Gülhane Imperial Edict), which was later called *Islahat Fermanı* (The Imperial Edict of Reform). This *ferman* granted many rights to the non-Muslim communities living under the Ottoman rule: Muslims and non-Muslims were accepted as equal before the law; nobody would be forced to convert from his/her religion to another one; there would be no difference among the people on the basis of ethnicity, religion or religious sect; Muslims and non-Muslims would be admitted to public and military services equally.²¹ Considering the British presence in India or the French presence in Algeria, it can easily be seen that this edict was beyond its time in granting such extensive rights to the non-Muslim communities living in the Ottoman Empire. Neither the British nor the French, at that time, had adopted such an ambitious document to grant several rights to the minorities living in their colonies.

Ironically, this Imperial Edict was a European project. It was designed as a part of the negotiations among Britain, France and Austria during 1855 in Vienna, through which it was agreed that the Ottoman Empire should be forced to grant some rights to the non-Muslim communities living in the Empire. Therefore, *Islahat Fermanı* was also cited in Article 9 of the Treaty of Paris as follows:

His Imperial Majesty the Sultan having, in his constant solicitude for the welfare of his subjects, issued a *Firman*, which, while ameliorating their condition without distinction of Religion or of Race, records his generous intentions towards the Christian population of his Empire, and wishing to give a further proof of his sentiments in that respect, has resolved to communicate to the Contracting Parties the said *Firman*, emanating spontaneously from his Sovereign will.²²

As it can be seen, the article aimed to establish full equality between Muslim and non-Muslim communities of the Ottoman Empire. However, the result would be quite the opposite. Non-Muslim communities generally abused these extensive rights, and due to Great Power protection, the Ottoman Empire could do nothing to prevent these abuses. As a result, from 1856 onwards, non-Christian communities gradually bettered their positions vis-à-vis and sometimes even at the expense of the Muslim communities. Economically, they eventually became the dominant groups residing within the Ottoman Empire despite the fact that their numbers were proportionally much less than the Muslims. In political terms, they became bureaucrats, diplomats, and even ministers. In other words, the relationship between the ruler and the ruled transformed dramatically.

Although many rights were granted to the Armenians within the framework of this Edict of Reform, they were not content with these rights. Therefore, in 1862, they demanded more from the Ottoman Empire and sent a draft law to the Ottoman government. This draft law was evaluated and later adopted as the “Armenian Millet Law” (Ermeni Milleti Nizamnamesi – Nizamname-i Ermeniyan.) According to this law, an assembly of 140 representatives would be established

²¹ For the full text of this Imperial Edict, see Enver Ziya Karal, *Osmanlı Tarihi*, Ankara: Türk Tarih Kurumu, 1977, Volume 5, p. 266.

²² See www.polisci.ucla.edu/faculty/wilkinson/ps123/treaty_paris_1856.htm.

in order to discuss the internal affairs of the Armenian community and only 20 of them would be elected from the Patriarchate. The remaining representatives would be elected from the Armenian community in Istanbul and other parts of the Empire. As it can be seen, this law was significant in the sense that it revealed the disputes within the Armenian community. It was prepared by the leaders of the Armenian community against the suppressive administration of the Patriarchate.²³

Although Ottoman-Armenian relations were somehow strained in this period, there was no full-scale strife between Armenians and Muslims. Nationalist ideas were spread through the Armenian population and this resulted in Armenian demands for reform and the Ottoman government tried to respond these demands. However, these relations would deteriorate more and more and turn into a civil war by the last quarter of the 19th century.

4. Armenian Revolutionary Movements and Rebellions (1878-1915)²⁴

It was the Ottoman-Russian War in 1877–1878 that awakened Armenian dreams for independence with Russian assistance and under Russian guidance. Toward the end of the war, when it was evident that the Ottoman armies would be defeated, the Armenian Patriarch of Istanbul, Nerses Varjabedian, communicated with the Russian Czar, asking Russia not to return to the Ottomans the East Anatolian lands occupied by Russian forces. Immediately after the war, the Patriarch went to the Russian camp located in the suburbs of Istanbul, and in an interview with the Russian Commander, Grand Duke Nicholas, he demanded that the Russian forces not be withdrawn until changes favoring the Armenians were introduced into the governmental and administrative organization and regulations of these provinces. The Russians agreed to this demand, which was incorporated as Article 16 of the Treaty of San Stefano, which was signed after the war between the Ottomans and Russians. However, this treaty did not constitute the final settlement of the Russo-Turkish war. Britain feared that its provisions for a “Greater Armenia” in the East would inevitably not only establish Russian hegemony in those areas but also in the Ottoman Empire, and through “Greater Armenia,” Russia could easily reach to the Persian Gulf and Indian Ocean, where Russia would threaten the British possessions in India. In return for an Ottoman agreement for British occupation of Cyprus, Britain agreed to use its influence in Europe to change the provisions of San Stefano. Hence, the Congress of Berlin was gathered. As a result of this congress, Russia was compelled to evacuate all of Eastern Anatolia with the exception of the districts of Kars, Ardahan and Batum, with the Ottomans agreeing to designate several reforms in the Eastern provinces where Armenians lived under the guarantee of the five signatory European powers.

²³ Turgay Uzun, “Osmanlı Devleti’nde Milliyetçilik Hareketleri İçinde Ermeniler.” In Hasan Celal Güzel (Ed.), *Osmanlı’dan Günümüze Ermeni Sorunu*, Ankara: Yeni Türkiye Yayınları, 2001, p. 167.

²⁴ In this section of the article, text prepared by Ministry of Foreign Affairs is mainly referred to: *Armenian Allegations and Historical Facts: Questions and Answers*, Ankara: Center for Strategic Research, 2007.

See http://www.mfa.gov.tr/data/DISPOLITIKA/Ermeniiddialari/Ermeni_ingilizce_Soru_CevapKitapcigi.pdf.

It had been British Prime Minister Benjamin Disraeli and the Conservatives who had defended Ottoman integrity against Russian expansion at the Congress of Berlin. Yet, with the assumption of power by William E. Gladstone and the liberals in 1880, British policy toward the Ottomans changed drastically to one which sought to protect British interests by breaking up the Ottoman Empire and creating friendly small states under British influence in its place, one of which was to be Armenia. In pursuit of this policy, the British press began to encourage referring to Eastern Anatolia as “Armenia”; the numbers of Protestant missionaries sent to the East was substantially increased; and in London, an Anglo-Armenian Friendship Committee was created to influence public opinion in support of this new endeavor.

The 1877-78 War was a turning point in terms of Ottoman-Armenian relations since Armenian rebellions against the Ottoman Empire started after this period. Starting from 1879 onwards, particularly Britain and Russia began to send notes to the Ottoman government for the effective implementation of reforms in Eastern Anatolia.²⁵ However, Ottoman governments preferred not to go further with the reforms since effective implementation of them would have facilitated the disintegration of the Empire. What is more, particularly after this war, almost all Great Powers opened consulates in many cities of Eastern Anatolia which complicated the issue more. These consulates began to act as mediators in the disputes between Muslim and non-Muslim communities; yet they were almost always on the side of the non-Muslim communities. This further disturbed inter-communal relations.

Another significant development of this period was the mushrooming of some Armenian political and social organizations. Indeed, since the 1860s, local Armenian organizations were formed, particularly in Adana, Van and Muş, which were later united in 1880 under the name of “United Armenian Organizations” (Miyasiyal Enikerotyon Hoyotis).²⁶ What is more, in this decade, some more revolutionary organizations were established as well, such as the Black Cross and Armenian societies in Van and the National Guards in Erzurum.

Perceiving that they would be more influential abroad with the active and direct support of the Great Powers, Armenian nationalists decided to center their organizations outside Ottoman territory, therefore establishing the Hinchak Committee at Geneva in 1887 and the Dashnak Committee at Tbilisi in 1890, both of which declared their basic goal to be the “liberation from Ottoman rule of the territories of Eastern Anatolia and the Ottoman Armenians”.²⁷

According to Louise Nalbandian, a leading Armenian researcher of Armenian propaganda, the Hinchak Program stated that:

Agitation and terror were needed to “elevate the spirit” of the people. The people were also to be incited against their enemies and were to “profit” from retaliatory actions of these same enemies. Terror was to be used as a method of protecting the people and winning their confidence in the

²⁵ Recep Karacakaya, *A Chronology of the Armenian Problem with a Bibliography (1878-1923)*, Ankara: Directorate of State Archives Publication, 2002, pp. 4-5.

²⁶ Genelkurmay Askeri Tarih ve Stratejik Etüt Başkanlığı, op. cit., p. 73.

²⁷ For a compact information about these political parties, see Uzun, op. cit., pp. 170-172.

Hinchak program. The party aimed at terrorizing the Ottoman government, thus contributing toward lowering the prestige of that regime and working toward its complete disintegration. The government itself was not to be the only focus of terrorist tactics. The Hinchaks wanted to annihilate the most dangerous of the Armenian and Turkish individuals who were then working for the government as well as to destroy all spies and informers. To assist them in carrying out all of these terrorist acts, the party was to organize an exclusive branch specifically devoted to performing acts of terrorism. The most opportune time to institute the general rebellion for carrying out immediate objectives was when Turkey was engaged in war.²⁸

The Dashnak Party's program was not much different from that of the Hinchak Party. K. S. Papazian wrote of the Dashnak Party as such:

The purpose of the Armenian Revolutionary Federation (Dashnak) is to achieve political and economic freedom in Turkish Armenia, by means of rebellion ... terrorism has, from the first, been adopted by the Dashnak Committee of the Caucasus, as a policy or a method for achieving its ends. Under the heading "means" in their program adopted in 1892, we read as follows: The Armenian Revolutionary Federation (Dashnak), in order to achieve its purpose through rebellion, organizes revolutionary groups. Method no. 8 is as follows: To wage fight, and to subject to terrorism the Government officials, the traitors ... method no. 11 is: To subject the government institutions to destruction and pillage.²⁹

Soon after the establishment of these two effective political institutions, Armenian riots began. In the twenty years between 1889 and 1909, there were almost 40 Armenian rebellions or terrorist activities. A general list of these rebellions is given in Document 1 of the Appendix.

In all, these revolts and riots were presented by the Armenian revolutionary societies in Europe and America as the killing of Armenians by Turks; with this sort of propaganda message, Armenian revolutionary societies stirred up considerable emotion among Christian peoples. As a result of this disinformation, the Great Powers decided to increase the pressure on the Ottoman government about the implementation of existing reforms and introduction of the new ones. Britain sent a memorandum about the condition of the Armenians on 11 May 1895, in which Britain wanted the government to release all Armenian rebels; to appoint a high commissioner for the control of implementation of the reforms; to pay reparations to the Armenians in Sason, Zeytun and other places; and many other new administrative regulations which would result in full autonomy of Eastern Anatolia from the Empire. The Ottoman Empire accepted these demands; however, they could never be implemented not only because of Ottoman unwillingness due to its concern for survival, but also because of the continuous revolts of the Armenians.³⁰ Accordingly, Russian Consul-General in Bitlis and Van, General Mayewski, wrote in 1912 that:

²⁸ Armenian Allegations..., p. 21. For a more compact analysis of the Hinchak Party Program, see Genelkurmay Askeri Tarih ve Stratejik Etüt Başkanlığı, op. cit., pp. 77-82.

²⁹ Armenian Allegations..., p. 21.

³⁰ Musa Şaşmaz, "Ermeniler Hakkındaki Reformların Uygulanması." In Hasan Celal Güzel (Ed.), *Osmanlı'dan Günümüze Ermeni Sorunu*, Ankara: Yeni Türkiye Yayınları, 2001, p. 173.

In 1895 and 1896 the Armenian revolutionary committees created such suspicion between the Armenians and the native population that it became impossible to implement any sort of reform in these districts. The Armenian priests paid no attention to religious education, but instead concentrated on spreading nationalist ideas, which were affixed to the walls of monasteries, and in place of performing their religious duties they concentrated on stirring Christian enmity against Muslims. The revolts that took place in many provinces of Turkey during 1895 and 1896 were caused neither by any great poverty among the Armenian villages nor because of Muslim attacks against them. In fact these villagers were considerably richer and more prosperous than their neighbors. Rather, the Armenian revolts came from three causes: (1) their increasing maturity in political subjects; (2) the spread of ideas of nationality, liberation, and independence within the Armenian community; (3) support of these ideas by the western governments, and their encouragement through the efforts of the Armenian priests.³¹

In 1908, with almost a bloodless coup d'état, the Party of Union and Progress was able to dethrone Sultan Abdülhamid II and install Sultan Mehmed Reshad to the Ottoman throne. From then on, the Party turned out to be the most significant political actor in the Empire; and gradually, foreign policy orientation of the Empire changed from a relative balance among Great Powers to an inclination towards Germany. The result would be the entrance of the Ottoman Empire to World War I together with the Germans. Now, a new phase about the Ottoman-Armenian relations would be opened.

5. World War I (1914-1918) and Armenian Relocation (1915-1916)

The beginning of World War I and the Ottoman entry into the war on November 1, 1914 on the side of Germany and Austria-Hungary against the Entente powers was considered as a great opportunity by the Armenian nationalists. Indeed, before the war began, in August 1914, the Ottoman leaders met with the Dashnaks at Erzurum in order to get their support for the Ottoman war effort when it came. The Dashnaks promised that if the Ottomans entered the war, they would do their duty as loyal countrymen in the Ottoman armies. However they failed to live up to this promise, since even before this meeting took place, a secret Dashnak Congress held at Erzurum in June 1914 had already decided to use the oncoming war to undertake a general attack against the Ottoman state.³²

When Russia declared war against the Ottoman Empire, immediately, the Russian Armenians joined the Russian army in preparing an attack on the Ottomans. The Catholicos of Echmiadzin assured the Russian General Governor of the Caucasus, Vranzof-Dashkof, that "...in return for Russia's forcing the Ottomans to make reforms for the Armenians, all the Russian Armenians would support the Russian war effort without conditions."³³ As soon as Russia declared war on the Ottoman Empire, the Dashnak Committee ordered its cells, which had been preparing, to revolt within the Ottoman Empire:

³¹ Armenian Allegations..., p. 23.

³² Ibid, p. 28.

³³ Ibid, p. 28.

As soon as the Russians have crossed the borders and the Ottoman armies have started to retreat, you should revolt everywhere. The Ottoman armies thus will be placed between two fires; if the Ottoman armies advance against the Russians, on the other hand, their Armenian soldiers should leave their units with their weapons, form bandit forces, and unite with the Russians.³⁴

The Hinchak Committee instructed to its organizations in the Ottoman territory to revolt against the Empire as well. In an instruction pamphlet it was written that: "The Hinchak Committee will use all means to assist the Entente states, devoting all its forces to the struggle to assure victory in Armenia, Cilicia, the Caucasus and Azerbaijan as the ally of the Entente states, and in particular of Russia."³⁵

These bellicose proclamations were not peculiar to the Armenian political organizations. Even the Armenian representatives in the Ottoman Parliament such as Papazyan, Pastirmajian and Boyaciyan soon turned out to be leading guerilla fighters against the Ottomans. In a declaration to the Armenian community, Papazyan wrote that: "The volunteer Armenian regiments in the Caucasus should prepare themselves for battle, serve as advance units for the Russian armies to help them capture the key positions in the districts where the Armenians live, and advance into Anatolia, joining the Armenian units already there."³⁶

As the Russian forces advanced into Ottoman territory in Eastern Anatolia, they were led by advanced units composed of volunteer Ottoman and Russian Armenians, who were joined by the Armenians who had deserted the Ottoman armies and went over to the side of the Russians. Many of these deserted Armenians also formed bandit forces with weapons and ammunition which they had for years been stocking in Armenian and missionary churches and schools. Within a few months after the start of the war, these Armenian guerilla forces, operating in close coordination with the Russians, were savagely attacking Turkish cities, towns and villages in the East; massacring their inhabitants without mercy, while at the same time working to sabotage the Ottoman army's war effort by destroying roads and bridges, raiding caravans, and doing whatever else they could to ease the Russian occupation. The atrocities committed by the Armenian volunteer forces accompanying the Russian army were so severe that the Russian commanders themselves were compelled to withdraw them from the fighting fronts and send them to rear guard duties. The memoirs of all too many Russian officers who served in the East at this time are filled with accounts of the revolting atrocities committed by these Armenian guerillas, which were savage even by the relatively primitive standards of war then observed in such areas.³⁷

In March 1915, the Russian forces began to move toward Van. Immediately, on April 11, 1915, the Armenians of Van began a general revolt, massacring all

³⁴ Ibid, p. 29.

³⁵ Ibid, p. 29.

³⁶ Ibid, p. 29.

³⁷ Ibid, pp. 29-30.

the Turks in the vicinity so as to make possible its quick and easy conquest by the Russians. The Armenian newspaper *Gochnak*, published in the United States, also proudly reported on May 24, 1915 that “only 1,500 Turks remain in Van,” the rest having been slaughtered.³⁸

Even after the revolt and massacres at Van, the Ottoman government made one final effort to secure general Armenian support for the war effort, summoning the Patriarch, some Armenian members of parliament, and other delegates to a meeting where they were warned that drastic measures would be taken unless Armenians stopped slaughtering Muslims and working to undermine the war effort. When there was no evident lessening of the Armenian attacks, the government finally acted. On April 24, 1915, the Armenian revolutionary committees were closed and 235 of their leaders were arrested for activities against the state. It is the date of these arrests that in recent years has been annually commemorated by Armenian nationalist groups throughout the world in commemoration of the “massacre” that they claim took place at this time.

Following these arrests, the Ottoman government adopted a decree on May 27, 1915, ordering the relocation of the Armenians living in the war regions. This decree was perceived by the Armenians as a deliberate attempt of genocide. However, closer examination of its articles shows that it was only a temporary precaution for the survival of the Ottoman Empire and the relocation would be realized with utmost care for the Armenians. Some articles of this decree are presented below:

- When those of the Armenians resident in the aforementioned towns and villages who have to be moved are transferred to their places of settlement and are on the road, their comfort must be assured and their lives and property protected; after their arrival their food should be paid for out of Refugees' Appropriations until they are definitively settled in their new homes. Property and land should be distributed to them in accordance with their previous financial situation as well as their current needs; and for those among them needing further help, the government should build houses, provide cultivators and artisans with seed, tools, and equipment.
- This order is entirely intended against the extension of the Armenian Revolutionary Committees; therefore, do not execute it in such a manner that might cause the mutual massacre of Muslims and Armenians.
- Make arrangements for special officials to accompany the groups of Armenians who are being relocated, and make sure they are provided with food and other needed things, paying the cost out of the allotments set aside for emigrants.
- The food needed by the emigrants while traveling until they reach their destinations must be provided ... for poor emigrants by credit for the installation of the emigrants. The camps provided for transported persons should be kept under regular supervision; necessary steps for their well

³⁸ Ibid, p. 30.

being should be taken, and order and security assured. Make certain that indigent emigrants are given enough food and that their health is assured by daily visits by a doctor... Sick people, poor people, women and children should be sent by rail and others on mules, in carts or on foot according to their power of endurance. Each convoy should be accompanied by a detachment of guards, and the food supply for each convoy should be guarded until the destination is reached... In cases where the emigrants are attacked, either in the camps or during the journeys, all efforts should be taken to repel the attacks immediately.³⁹

In all, many precautions were taken for the safety and comfort of the relocated Armenians. However, still, under war circumstances, there were not sufficient food supplies, hygienic conditions as well as transportation facilities. What is more, there was not enough security on the road to the destination of relocated Armenians. Banditry was a significant threat and the convoys were attacked by Kurdish as well as Turkish bands. Together with famine and epidemic diseases, from which the Muslim community had also suffered much, many Armenians died during this process of relocation.

The number of deaths turned out to be a significant matter of debate. It varies between 250,000 and 3,000,000. Armenian propagandists especially claim that as many as 1.5 to 2 million Armenians died as the result of organized "massacres." However, these numbers are mere exaggerations compared with the population statistics of the Ottoman Empire, in which the census bureau was presided by either Armenians or non-Muslim subjects of the Empire. Accordingly, Toynbee estimates the number of the Armenian losses as 600,000. The same figure appears in the Encyclopedia Britannica's 1918 edition. Armenians had also claimed the same number before. Bogos Nubar, head of the Armenian delegation at the Paris Peace Conference, declared that after the war 280,000 Armenians were living in Turkey and 700,000 Armenians had immigrated to other countries. According to the estimation of Bogos Nubar, the total number of the Armenian population before the war was 1,300,000.⁴⁰ In all, it is estimated that the number of Armenian sufferings in World War I was not more than 500,000.

After the Russian revolution in 1917, Russia signed the Brest-Litovsk Treaty and evacuated Eastern Anatolia. Russia left the region to the administration of Armenian bands and provided them with weapons and ammunition. These bands attacked many cities, towns and villages and massacred thousands of Muslims in order to facilitate incorporation of Eastern Anatolia to a prospective "Greater Armenia." According to the archival documents, the number of massacred Muslims between 1914 and 1921 reached to 518,000.⁴¹ Later, Ottoman forces were able to repel the Armenians and they took many Eastern Anatolian lands up until Baku with the exception of Yerevan and Etchmiazin. However, after the signature of the Armistice of Mudros in 1918, they had to retreat once again. Now, the Armenian Question would be resolved on the table in the subsequent diplomatic conferences.

³⁹ Ibid, p. 31.

⁴⁰ Ibid, p. 40.

⁴¹ Süleyman Beyoğlu, "Ermeni Tehciri'ne Dair Araştırmalara Toplu Bir Bakış", *Ermeni Araştırmaları I. Türkiye Kongresi Bildirileri, Vol. 1.*

See <http://www.eraren.org/index.php?Page=YayinIcerik&IcerikNo=15>.

6. Armenian Attempts to Establish “Greater Armenia” (1918-1922)

In the second year of World War I, in 1915, Great Britain, France and Russia began negotiations for the partition of the Ottoman Empire and they concluded the Treaty of Sykes-Picot in 1916 (see Appendix, Map 1). Italy joined them in 1917. In this partition, it was not assumed to give territory to the Armenians. Those lands demanded by Armenians were delivered to Russia. In this period, Russia had no intention to establish an independent Armenia on these lands and only a partial autonomy would be granted for Armenians.

When World War I ended, all the actors of the war gathered in Paris to discuss the post-World War I situation of Europe as well as of the Ottoman Empire. In 1919, the Paris Peace Conference was organized and Armenians also participated in this conference with a delegation presided by Bogos Nubar. In the conference, Bogos Nubar demanded almost all of Eastern Anatolia to establish an Armenian state. The provinces that were demanded by him included Artvin, Kars, Rize, Trabzon, Giresun, Tokat, Sivas, İçel, Adana, Kahramanmaraş, Adıyaman, Malatya, Elazığ, Tunceli, Gümüşhane, Erzincan, Bayburt, Erzurum, Ağrı, Van, Diyarbakır, Batman, Siirt and Muş. The area that he considered reached to 390,000 km², which comprised almost half of Anatolia (see Appendix, Map 2). Even Lloyd George, an ardent opponent of the Ottoman Empire, argued that this was unacceptable and these designs of Bogos Nubar were merely “fairytales.”⁴²

In 1920, the Ottoman Empire was forced to accept the Treaty of Sèvres, which would never be implemented. In this treaty, a section (Section 6) was devoted to the matters regarding Armenia (see Appendix, Document 2). With Article 89, Turkey and Armenia would submit to the arbitration of the President of the United States the question of the frontier to be fixed between Turkey and Armenia in the provinces of Erzurum, Trabzon, Van and Bitlis, and to accept his decision thereupon, as well as any stipulations he may prescribe as to access for Armenia to the sea, and as to the demilitarization of any portion of Turkish territory adjacent to the said frontier.⁴³ As a result, President Wilson decided to give 120,000 km² of lands in Eastern Anatolia to the Armenians, including the provinces Van, Ağrı, Kars, Artvin, Erzurum, Bingöl, Muş, Bitlis, Siirt, Erzincan, Gümüşhane, Bayburt, Trabzon, Rize and part of Sivas (see Appendix, Map 3).⁴⁴

After the Treaty of Sèvres, Armenians attacked Eastern Anatolia once more to occupy the lands that they were promised. However, they were defeated by the forces of Kazım Karabekir. In December 1920, Turkish nationalist forces and Armenians signed the Treaty of Gyumri (Alexandropol), with which contemporary Turkish-Armenian borders were almost determined. However, in these days, Armenia was incorporated to the Soviet Union, thus the Treaty of Gyumri (Alexandropol) could not be ratified. However, in 1921, first with the Treaty of

⁴² Ömer Engin Lütem, “1919 Paris Barış Konferansı’nda Ermeni Talepleri,” *Ermeni Araştırmaları*, Issue 22, Summer 2006, pp. 163-177.

⁴³ For the full text of the Treaty of Sevres, see <http://www.lib.byu.edu/~rdh/www/versa/sevres1.html>.

⁴⁴ Ömer Engin Lütem, “1919 Paris Barış Konferansı’nda Ermeni Talepleri,” *Ermeni Araştırmaları*, Issue 22, Summer 2006, pp. 163-177.

Moscow with Russia, and then with the Treaty of Kars with Armenia, Georgia and Azerbaijan (see Appendix, Document 3), the borders determined by the Treaty of Gyumri (Alexandropol) were accepted by all parties.

With the Turkish victory in the War of Liberation, a new phase was opened regarding the Armenian Question. Particularly, this question was resolved with the Treaty of Lausanne. However, closer examination of this treaty extends the scope of this article and is the subject of a subsequent article in this book written by Retired Ambassador Gündüz Aktan.

THE LAUSANNE PEACE TREATY AND THE ARMENIAN PROBLEM

Gündüz AKTAN*

The Armenian problem is not an issue that is generally taken up and discussed in the Lausanne Peace Treaty context. Yet, lately, Armenians have begun to make intense efforts to persuade the world to recognize the “genocide,” seeking ways of reviving the general approach that had once been embodied by the Sèvres Treaty and, in this context, proving, from their own standpoint, that the Lausanne Treaty is invalid.

The Armenian argument boils down to the following: “What happened in the past was a genocide. There can be no statutory limitations for the punishment of genocide. The reality of genocide cannot be erased with a treaty. For this reason, the Lausanne Peace Treaty is unlawful, invalid vis-à-vis the ‘Armenian genocide.’ It cannot be applied to this issue. Under the circumstances, the relevant provisions of the earlier Sèvres Treaty would automatically gain validity and become applicable.”

But can it be so? The Lausanne Peace Treaty is a highly important contract, an agreement that was signed and ratified and put into effect by the quasi-totality of the then international community according to the proper procedure and still remains in force, an agreement that covers all the political, military, economic, financial and humanitarian issues pertaining to the Republic of Turkey being the successor of the Ottoman State, an agreement that creates an objective status in this regard and, therefore, has consequences for third countries as well. Issues such as revision, alteration or termination of this treaty can be examined and assessed not according to the subjective demands and evaluations of the Armenians but only according to the specific principles and rules cited in the treaty itself and the general tenets and procedures of the International Law of Treaties.

The Lausanne Peace Treaty constitutes a general legal framework that regulates multilateral relations whereas Turkey-Armenia relations are bilateral, special relations. In fact, relations between Turkey and Armenia had been the

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subject of several agreements concluded prior to the Lausanne Peace Treaty, namely, the Turkey-Armenia Peace Treaty signed in Gyumri on December 2, 1920; the Turkey-Armenia Peace Treaty signed in Moscow on March 16, 1921; the Turkey-Soviet Russia Friendship and Brotherhood Treaty signed in Moscow on March 16, 1921; and the Friendship Treaty signed by Turkey, Armenia, Azerbaijan and Georgia in Kars on October 13, 1921. Just as the Sèvres Treaty, the first of these treaties, the Treaty of Gyumri, was not ratified. (The Soviet invasion of the Caucasus prevented the ratification process.) Therefore, like the Sèvres Treaty, it could never be implemented. The last two of these treaties, on the other hand, are still in force.

As can be seen, from Turkey's standpoint, the Armenian problem is an issue that was resolved in the period that preceded the Lausanne Peace Treaty. Armenians made certain efforts during the Lausanne process, yet these should be viewed as a new political and diplomatic initiative – one that failed.

In this context, it is useful to explain the discussions that took place in the course of the Lausanne process on the Armenian incidents. In 1915, that is, one year after the start of the First World War, the Ottoman armies were fighting on three fronts. The war was continuing with the British and French in Gelibolu (Gallipoli), with the Russians on the eastern front and with the British first in Suez and later in Iraq.

The relocation of the Armenians from one part of the Ottoman Empire to another began in May 1915. The Allied Powers (Britain, France and Russia) promptly issued a communiqué on May 24. They said that the Ottoman Empire was committing crimes against humanity and stressed that the Porte, that is, the Ottoman Government, would be held personally responsible for what was being done to the Armenians. That communiqué was important with respect to the Sèvres Treaty.

In 1916, with the assumption that the Ottoman Empire would be defeated in the war, an Englishman and a Frenchman, Sykes and Picot, were assigned the task of drafting agreements on how the Ottoman Empire would be divided. These agreements, signed between the Allied Powers (France-Britain, Britain-Russia and France-Russia), came to be known as the Sykes-Picot Accord. With these agreements, it was planned that the eastern parts of Anatolia would be given to Russia and that the Armenians too would live there.¹

However, a number of developments that occurred in 1917 changed the situation altogether: A revolution took place in Russia. As a result, Russia withdrew from the war. The USA joined the war but, while declaring war on Germany, it did not declare war on the Ottoman Empire. In the end, the Central Powers (Germany-Austria-Ottoman Empire) lost the war in 1918 and the Ottomans signed the Armistice of Mudros on October 30, 1918.

¹ In that case, the Armenian presence would be within the Russian borders under Russian mandate or protection.

During that period, President Wilson of the USA made his “Fourteen Points” declaration on peace, advocating the adoption of the “self-determination” principle. Article 12 of the declaration said that Turks should be granted the right to self-determination in that region of the Ottoman Empire to be left to the Turks. However, it did not mention the boundaries of that region. The region to be left to the Turks was to be the subject matter of the Sèvres Treaty. Wilson declared that the “nationalities” to be “freed of Turkish rule,” including the Armenians, would be entitled to an autonomous political entity and life. It was under such conditions that the peace conference that was to culminate in the Sèvres Treaty began in January 1919. The Ottoman Empire could not actually take part in that conference and in its deliberations.² Despite that, it took the conference a very long time to reach decisions. It began in January 1919 and ended in August 1920. Although it did not witness serious negotiations, it could not be brought to a conclusion all that time because the participants could not find a solution to the Armenian problem.

Armenians took part in the conference with two delegations. One of these was called the Delegation of the Republic of Armenia and the other, which represented those who were outside Armenia, the Armenian National Delegation. The latter was headed by the much talked-about Boghos Nubar Pasha, allegedly an Ottoman Pasha (he was an Egyptian Armenian). At the start of the conference, Boghos Nubar Pasha made a statement, “We fought against the Ottomans. For this reason we are one of the warring parties. It is in this capacity that we want to take part in the conference.” Even if the 1948 UN Convention on Genocide had been retroactive – which it is not – and a legal assessment were to be made on the basis of that assumption, these words would create a highly interesting situation indeed.

According to the UN Convention on the Prevention and Punishment of the Crime of Genocide, if a given group is a party to an armed conflict, its members will not be placed into the category of persons to be protected within the framework of the Convention.³ Therefore, by saying that the Armenians were one of the warring parties, Boghos Nubar Pasha confessed that the Armenians had made war against the Turks, rendering groundless right from the beginning the genocide allegations that were to be made at a later date.

Throughout this process, the Armenians demanded establishment of a new Armenian state (in addition to the territories of the existing Republic of Armenia) in an area covering six eastern provinces of the Ottoman State plus Cilicia, that is, the region between Adana and Maras in the south. The six Ottoman provinces in question correspond roughly to 24 provinces of modern Turkey. This is a total area of 250,000 - 300,000 square kilometers. The westerners sympathized with the Armenian demand. However, the Armenian population in that region was too small to create and govern a state of such size. For this reason, prior to the

² According to the Armenian approach, the fact that a treaty was concluded under such conditions would not affect its legal validity!

³ Undoubtedly, at that time not only the Genocide had not been concluded yet but also the “genocide” concept was not known as a technical term.

Russian withdrawal from the war, it had been contemplated to place the planned Armenian state in Anatolia under Russian protection. After Russia withdrew from the war, it was contemplated to give the region to the USA instead. US President Wilson had a warm reaction to this suggestion. However, he could not realize adoption of the motion in the US Congress. The US Congress did not want an Armenia under US mandate, supporting instead the idea of an independent Armenian state.

The Sèvres Treaty was signed on August 10, 1920. Many of its articles concern "Armenia." The most significant one of these is Article 88. That article says that Turkey recognizes in advance the independence and freedom of the (still nonexistent) new Armenian state. According to Article 89, the power of fixing the exact frontiers of that Armenia was being assigned to President Wilson. It was stated clearly where these frontiers should lie. The article says that the frontier should be delimited in such a way that the whole or any portion of (that is, an important part of) Erzurum-Trabzon-Van-Bitlis-Lake Van would be transferred to Armenia. Wilson was being asked to provide the answer to the question whether the territories of the planned Armenian state should encompass all or part of the aforementioned provinces. With that treaty, Turkey was renouncing in advance all its rights and title over the territory in the provinces it would thus lose.

The second set of articles concerning Armenians was listed through Articles 226-230 of the treaty. These articles envisaged that those responsible for the "Armenian incidents" would be tried by the tribunals to be determined by the Allied Powers.⁴

The Ottoman Parliament never ratified the Sèvres Treaty. Meanwhile, the Turkish War of Liberation began. The armed struggle on the eastern front came to an end earlier than at the other fronts – with the victory of the young Turkish State. After the war was won on the eastern front, first the Treaty of Gyumri and then the Treaties of Moscow and Kars were signed. However, as mentioned above, two days after signing the Treaty of Gyumri, the Bolsheviks came to prevail in the South Caucasus and the treaty could not be put into force. To make up for that, first the Treaty of Moscow and then – in line with Articles 6 and 15 of the Treaty of Moscow – the Treaty of Kars were concluded.

Within this legal framework, the frontier problem between Turkey and Armenia was solved via Articles 1 and 2 of the Treaty of Moscow and Articles 2 and 4 of the Treaty of Kars. Furthermore, contrary to what the Armenians are claiming, even if the Treaties of Sèvres and Gyumri had been ratified and put into force according to the appropriate procedure, these would have to be considered

⁴ In other words, the Ottoman Empire was to apprehend those responsible and ensure that they would be tried by the tribunals to be thus established. The "Military Tribunal of Nemrut Mustafa" was one of these. The tribunal in question was set by the Freedom and Accord Party that came to power in 1918, that is, after the Unity and Progress Party lost the war. Taking revenge on the Unity and Progress that had governed the country during the 1914-1918 period, the make-shift tribunal convicted as "guilty of Armenian incidents" almost everybody brought before it without due process.

invalid anyway due to Article 6 of the Treaty of Moscow and Article 1 of the Treaty of Kars.⁵

Meanwhile, according to Article 15 of the Treaty of Kars, each of the contracting parties came under the obligation to declare – immediately after the signing of the treaty – a full general amnesty for the nationals of the other party for crimes and offenses committed due to the war on the Caucasian front.⁶

Later, Turkey won the battles of Sakarya and Dumlupınar. In October 1922, the Armistice of Mudanya was signed. In November, the Turkish Grand National Assembly (TBMM) Government was invited to the Lausanne Peace Conference. The instructions that the Turkish delegation received from the TBMM before leaving for Lausanne consisted, as a coincidence, of 14 points. These instructions mainly involved the frontiers, the capitulations and the minorities. However, there were two other points that, significantly, empowered Ismet Pasha and his delegation to withdraw from the conference at any point without having to seek permission from Ankara. In other words, the Turkish delegation was authorized to say, “No, thank you,” and leave if the Allied Powers insisted on demands on two subjects. One of these two important subjects was the Armenian homeland issue and the other was the capitulations. The TBMM Government was prepared to make concessions even from the frontiers issue despite the National Pact criterion. However, it was clearly determined, from day one, not to make any concessions at all regarding the “Armenian homeland” or the “capitulations.”

The Armenians wanted to take part in the Lausanne Conference as well but this time they made no such statements as, “We were one of the warring parties.” In the end, the Armenians managed to take part not in the main commissions but in one of the sub-commissions. That sub-commission, where the Turkish delegation was led by Rıza Nur, saw the toughest diplomatic clashes. Rıza Nur, having no diplomatic career, used strong language.⁷ Each time Rıza Nur talked in a severe manner to his interlocutors, Ismet Pasha would offer a “superficial” apology and that scene would be enacted over and over.⁸

In the end the Lausanne Treaty could be signed. The text made no reference at all to the Armenians. On the other hand, the provisions about

⁵ Not only is the Armenian argument that the Sèvres Treaty would “take effect once again” devoid of any legal basis but also the said provisions of these treaties - which were put into effect at a date later than the date on which the Sèvres Treaty was signed - definitely rule out any such possibility.

⁶ Therefore, even if we wanted to engage in a mental exercise on a hypothetical criminal law problem and assumed that the 1948 UN Convention on Genocide was retroactive to the 1915 incidents, we would still have to conclude that due to Article 15 of the Treaty of Kars, no punishment could be meted out to the “culprits” anyway.

⁷ Undoubtedly, Ismet Pasha and Rıza Nur may have agreed in advance for Rıza Nur to act in that manner.

⁸ The reports Ismet Pasha sent to Ankara indicate that many such quarrels took place during the meetings. Ismet Pasha wrote, “Rıza Nur became angry once again and used strong language.” Meanwhile, Britain, too, had its share of Rıza Nur’s verbal attacks. Though, at that time, Britain was as powerful a country as the USA currently is, he was able to say to his British interlocutor, “You, leave us alone and look at Ireland instead.” On two occasions he walked out of the room.

human rights (the provisions related to non-discrimination on racial, linguistic, religious, etc. grounds) indirectly concerned the Armenians as well (see Appendix, Document 4).⁹

Contrary to the common belief, the “Declaration of Amnesty and Protocol,” which is an annex to the Lausanne Treaty, was drafted in line with the insistent demands of not Turkey but the Allied Powers (for the full text of the Protocol see Appendix, Document 5). With that general amnesty all of the crimes committed in wartime were pardoned. The crimes the Greek Army committed in Anatolia too were pardoned along with the crimes committed against the Armenians and vice versa.¹⁰

Under Paragraph 6 of the Declaration, the Turkish state pledged not to contest the measures the British and the French had taken to ensure the return of (and restitution of property to) those Armenians who had been in the regions left outside the borders of Turkey (such as Syria) from 1918 when the Ottoman Empire lost the war and until the end of 1922, especially during the time Istanbul and the Ottoman Parliament had been under foreign occupation. According to that paragraph, those Armenians who wanted to come back would be able to do so, and the measures taken regarding those Armenians who were within the Turkish borders and had their property restituted, would remain valid.¹¹

Another provision that indirectly concerns the Armenians is Article 31 of the Lausanne Peace Treaty about nationality. Those Armenians who had not lost Turkish nationality would be able to come back anyway. The children of those Armenians who had lost Turkish nationality would be able to come to Turkey if, when they became 18-years-old, they chose Turkish nationality within a certain time limit.

Among the Lausanne Peace Treaty provisions that indirectly concern the Armenians, the most interesting ones are in the Articles 65-72 section. At first sight, these economic clauses may seem unrelated to the Armenians. It can be said that the Turkish delegation may have refrained from making a separate and clear reference directly to the Armenians in the Lausanne Treaty since these issues stemmed naturally from the general meaning of human rights law and there was no need for such a specific reference. These economic clauses include a section titled “Property, Rights and Interests.” This section provides protection for all the rights and interests of those who had been subjected to mass relocation.¹²

⁹ See, for example, Articles 37-44 on protection of the minorities.

¹⁰ We noted above that this issue had been resolved in the context of the bilateral relations between Turkey and Armenia. Although these provisions mainly regulate Turkish-Greek relations, we believe that, considering the overall structure of the treaty and strategic goals cited in the preamble of the treaty, an additional interpretation in the manner mentioned above may well be made.

¹¹ As mentioned above, these provisions cover the Armenians not specifically but in a general context.

¹² In other words, an Armenian had the right to come and say, “I have lost that house. You are obliged to restitute that.” Those Armenians who were living in Syria after being relocated were able to address their demands for restitution to the French authorities, Syria being under French mandate. In return for granting the Armenians such legitimate rights and interests, something important was obtained: The “Property, Rights and Interests” of those Turks that were similarly

Here, what is significant is that the same legal principles and procedures were applied for what happened to the Armenians during the First World War and what happened to the Turks during the Balkan Wars. In other words, if the practice to which one of these two peoples was subjected to is to be called genocide, then the practice to which the other was subjected to should be called genocide as well. To put it differently, the same rules of law have to be applied to the Armenians and the Turks because of the incidents they were subjected to. The acts that may be in question have to be assessed according to the same criteria.

The Lausanne Peace Treaty does contain certain provisions on insurance policies in general and on life assurance policies in particular that could benefit the Armenians.¹³ However, these create the legal framework for *private law* relationships between persons in a private law context. Discussing the technicalities of this issue in detail here would be beyond the specific aims of this article.

It must not be forgotten that a new state was being founded in Turkey. In that process the problems, debts and responsibilities of the past would have to be phased out. Only in this manner it would be possible to turn a new page and start a new era. In a legal regime, deadlines would be imposed on the exercise of rights on such issues. If the exercise of these rights were to be open-ended, that would create uncertainties as to the legal relationships and the plans that have to be made for the future. For this reason, statutory limitations would be introduced. These limitations enable continuity in deeds and procedures. In this framework, it was agreed that if, for example, an Armenian applied to the Turkish authorities, he or she had to be given a positive reply within six months. Otherwise, he or she would be entitled to apply to a mixed tribunal over the subsequent 12 months. Under the circumstances, the process of resolving the property disputes should have been completed over the 18 months that followed the signing of the Lausanne Peace Treaty and the issues should have been brought before the tribunals if that had to be the case. The disputes were to be resolved “definitely” with the decisions of these “hybrid” tribunals. These statutory limitations have expired, and, in our day, there is no subject matter for implementation of these provisions anymore.

A similar case may come to mind. Few years back, a problem arose between the USA and Switzerland regarding the Jews. The Jews had obtained compensation from the Swiss Federal Bank, some other Swiss banks and the Swiss Government due to what happened to them during the Second World War. The amounts of compensation were considerable rather than symbolic. Taking this as an example, the Armenians may want to use the same method. However,

forced to relocate (to Turkey) during the Balkan Wars were protected under these same provisions. The Treaty introduces the obligation to grant to Turks and Muslims in Greece, Bulgaria and the countries called “Croatia, Slovenia and Serbia” at that time in place of Yugoslavia the same rights Turkey was granting the Armenians. A deadline was set for demanding these rights and a court was set up to deal with the disputes that might arise. These courts, called “mixed tribunals,” were courts of law and not criminal courts and they consisted of judges from various countries along with Turkish judges.

¹³ See Lausanne Peace Treaty Article 74 and the First Section annexed to that article: Life Assurance.

due to the reasons listed above, legally this is not possible. The Lausanne Peace Treaty has adequately regulated, in a private law context, the rights and interests of persons in question.

On such private law issues, only real or moral persons whose rights have been injured can be a “party.” The USA being or not being a party to the Lausanne Peace Treaty as a state, is not a decisive factor from the standpoint of whether it has the capacity or not to be a party to the case on such issues.

In his famous historic “Speech,” Atatürk says two things about the Armenians when listing the things Turkey achieved with the Lausanne Treaty: The Sèvres Treaty had said that crimes had been committed in violation of the law of war and it had envisaged punishment of the Ottomans. With the Lausanne Treaty that was abandoned entirely. The Sèvres Treaty had aimed to create an Armenia whose frontiers would reach the farthest points the Russian armies had reached in Anatolia. That too was abandoned entirely with the Lausanne Treaty. In other words, regarding the Armenian homeland issue, the Turkish delegation carried out in Lausanne the TBMM’s instructions word by word. No concession was made on this subject at all. The Armenians took their place in the Republic of Turkey as Turkish nationals within the framework of the minority rights recognized by the Lausanne Treaty.

THE ARMENIAN QUESTION FROM LAUSANNE TO THE PRESENT

Ömer Engin LÜTEM*

In this article the position of the Armenians and Armenia from the signing of the Lausanne Treaty until the end of the Second World War, territorial demands of Soviets from Turkey to be given to Armenia at the end of the war, the revival of Armenian nationalism and the emergence of Armenian terrorism nourished by the genocide allegations that targeted Turkish diplomats will be covered. When the Armenian terrorist attacks finally came to an end, Armenian question shifted to the political arena and an intense Armenian propaganda was initiated in order to base the territorial and reparation demands. The aims of this propaganda will also be discussed in the article.

1. Armenians from the Lausanne Treaty to the End of the Second World War

We see that in the new era that began with the Lausanne Treaty, the Armenian Question ceased to exist from the political standpoint. Indeed, a great number of the Armenians had gone to Armenia, following the Russian armies. Meanwhile, a considerable number of those Armenians who had been subjected to mass relocation had spread to various parts of the world from Syria and Lebanon. Furthermore, the Armenia that had made territorial claims on Turkey had ceased to exist as an independent country. What is more, the great powers that had been responsible for the emergence of the Armenian Question, Russia, Britain, France and especially, Germany, were no longer displaying an interest in the Armenians now that a new and strong Turkish regime was recognized by the Lausanne Treaty.

During the next two decades, there was very little talk about the Armenians and almost none about Armenia on the international scene. Trying to get used to and become settled in the countries to which they had migrated, the Diaspora Armenians were, relatively speaking, politically inactive. However, from time to time, they did engage in anti-Turkey activities. For example, due to the influence

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exerted by the Armenians, the US Congress did not ratify the Friendship and Trade Agreement that the USA had signed with Turkey in Lausanne on August 6, 1923. As a consequence, the USA was not able to establish diplomatic relations with Turkey. That issue was to be resolved in 1927, that is, five years after Lausanne.¹

After becoming a Soviet republic, Armenia disappeared altogether from the international political scene. The country was subjected to a vigorous collectivization drive and, with the exception of the Communists, all political forces, the Dashnaks especially, were eliminated. Shortly after becoming a Soviet republic, the country lost contact with the outer world just as did the other parts of the Soviet Union.

2. The Soviet Union's Territorial Demands from Turkey on Behalf of Armenia (1945-1946)

With the strength that came from having emerged from the Second World War as a victor, the Soviet Union embarked on an irredentist path, trying to expand to the boundaries Russia once had during the Tsarist era. Meanwhile, with security considerations, it had communist satellite regimes set up in Eastern Europe.

Furthermore, the Soviet Union abandoned its policy of friendship and cooperation with Turkey. It did not renew the 1925 Friendship and Neutrality Treaty and it tried to put pressure on Turkey. Then it demanded those territories that had been transferred to Russia with the 1878 Berlin Treaty, territories which the Ottoman Empire had taken back with the 1918 Treaty of Brest-Litovsk. Also, it demanded to have the control of the Turkish Straits (for Soviet territorial demands, see Appendix, Map 4). The Soviet Foreign Minister explained the territorial demand by saying that the 1921 Treaty of Moscow had been concluded at a time when the Soviet Union was still weak and that the time had come to correct that situation. Also, he claimed that Armenia and Georgia needed land.²

These demands were supported by Armenia's newly elected Catholicos of Echmiadzin.³ A press campaign was started to win support for these demands all over the Soviet Union, including Armenia and Georgia. Via the Diaspora, efforts were made to carry out a similar campaign in America and the West European countries. The Diaspora Armenians presented a petition at the 1945 San Francisco meeting on the establishment of the United Nations, demanding the restitution of the "occupied Armenian lands."⁴

Parallel to these initiatives, a campaign was launched to encourage the Armenians living in various countries to settle in Soviet Armenia. The aim of the

¹ Bilal N. Şimşir, "Amerika'da Ermeni Propagandası ve Büyükelçi Ahmet Rüstem Bey," *Ermeni Araştırmaları*, Issue 2, 2001, pp. 45-46.

² Baskin Oran (Ed.), *Türk Dış Politikası, Vol. 1*, İstanbul: İletişim, 2001, pp. 502-509; Kamuran Gürün, *Savaşın Dünyası ve Türkiye:3 Savaş (1939-1945)*, İstanbul: Tekin, 2000, pp. 643-662.

³ Catholicos is the title given to the highest religious leader of the Gregorian Armenians.

⁴ Kersam Achoranian, *A Historical Survey of Armenia*, Massachusetts: Baikar Publications 1989, p. 141.

campaign was to boost the population in Soviet Armenia since the size of the existing population was too small to be settled in the regions being sought from Turkey.⁵ As a result of this campaign, many Armenians migrated to Soviet Armenia from various countries, Turkey among them.

Turkey rejected the Soviet territorial claims on Eastern Anatolia as well as the demand for Soviet control over the Turkish Straits. To ensure the country's security in the face of a Soviet Union that had gained strength in the post-war period, Turkish authorities abandoned the policy they had been pursuing, a policy that can be described as a kind of neutrality. They began to cooperate with the Western countries. Turkey benefited from the Truman Doctrine and the Marshall Plan and, by taking part in the Korean War, it sided up with the West, confronting the East Bloc. In February 1952, Turkey became a NATO member.

For the Soviets, that was a great failure. Their attempts to obtain territory from Turkey and to gain control of the Turkish Straits had failed. On top of all that, Turkey had joined the ranks of the Western countries. The Soviet policy had backfired. Immediately after Stalin's death in 1953, the Soviets altered that policy. They presented a memorandum to Turkey to make it clear that they were abandoning their claims regarding the Turkish Straits and the territorial claims they had made on behalf of Armenia and Georgia. However, having ensured its security by taking its place among the Western nations, Turkey did not change its stance.

3. Revival of Armenian Nationalism (1946-1973)

Although Turkey did not accept the Soviet demands, the fact that such demands had been made caused the nationalist movements to gain strength in Armenia – to the extent that the Soviets permitted it. According to some sources, Politburo member Anastas Mikoyan, who rose all the way to the position of the Soviet presidency, played an active part in the revival of Armenian nationalism.⁶ Meanwhile, in the late 1950s, the Soviets began to condone⁷ to some extent the activities of the Dashnaks – whose activities had been banned until then – probably because of two developments involving Turkey. At that time, Turkey had experienced a crisis with Syria. Also, some time after that, Turkey had permitted the flights of the American U2 spy planes. The tolerance that the Soviets allowed the Dashnaks caused the nationalist movements to gain ground.

Since the First World War, the Dashnaks have maintained their superiority over the other Armenian political parties in the Diaspora as well. As the main representative of Armenian nationalism, they have been the focal point of anti-Turkey activities.

With the onset of the Cold War, it was thought that the Catholicos based in Echmiadzin in Soviet Armenia would be exposed to Soviet suggestions and

⁵ Ibid, p. 140.

⁶ Gérard Dédéyan, *Histoire des Arméniens*, Toulouse: Editions Privat, 1982, p. 553.

⁷ Gaidz Minassian, *Guerre et Terrorisme Arméniens*, Paris: PUF, 2002, p. 18.

pressure. There were those who argued that a religious authority other than the Catholicos of Echmiadzin should be created for the Diaspora Armenians. Thanks to the efforts made by the Dashnaks and the encouragement given by the USA and the leading European countries, the “Catholicate of Cilicia” was founded in Antilias near the Lebanese capital of Beirut and part of the Diaspora Armenians became affiliated with it. Since then, the Catholicate of Cilicia follows the Dashnaks in political issues.

The rapid rise of Armenian nationalism after the Second World War can be explained by the exclusively ethnic nature of the Armenian churches, political parties and associations in the Diaspora. The existence of the Armenian churches in foreign countries depended on the presence of an Armenian community in these countries. The Armenian political parties and associations needed Armenian members to be able to keep up their activities. However, as in the case of all migrating peoples, as of the second generation, the Armenians began to be assimilated in countries where they had settled. That reduced the size of the Armenian churches’ congregations abroad as well as the number of members of the Armenian political parties and associations. These organizations were worried about their future. They focused on keeping the Diaspora Armenians together, trying to find a way of keeping the awareness of being Armenian alive in them. The solution they found to this problem was inspired by the Holocaust. Seeing that the Jews had gained enormous prestige due to the Holocaust and that this tragedy had played an important role towards establishment of the Israeli state, they tried to fabricate an “Armenian genocide” by claiming that the mass relocation of 1915 had the same characteristics as the Holocaust. After the Second World War, Armenian youths gradually came to be systematically brainwashed at the Armenian churches, schools, political parties and associations in the following manner: “Turks committed genocide against Armenians.” When these youngsters were convinced that their fathers or grandfathers had been subjected to genocide, they wanted to take revenge on the Turks. This brainwashing also revived their dreams of founding the Greater Armenia.

The allegation that Turks had subjected Armenians to genocide thus helped rebuild the Armenian consciousness. The Diaspora Armenians were unified, not on the basis of their common cultural values, but against an artificially created enemy, that is, modern Turkey.

The aforementioned “brainwashing” has caused intergenerational differences among Armenians regarding their feelings about the Turks.

Logically, having been subjected to a mass relocation, the first generation Armenians should be the group with the greatest grievances against the Turks. However, except the fanatics, the first generation Armenians obviously had not made accusations about all Turks though they did harbor negative feelings about those persons they held responsible for the mass location. Furthermore, in general, they felt a certain closeness to the Turks. The best proof of that was witnessed in 1954 when, during an official visit to USA, Turkish President Celal Bayar went to California. In California, Armenians who had migrated from Turkey

displayed enormous interest in him, saying, “Our president has come.” They even undertook the task of promoting the California leg of Bayar’s visit.⁸

The second generation Diaspora Armenians were born as the immigrants’ children. Their connection to the events of 1915 should have been limited to what they had heard from their parents. Therefore, normally, one would expect them to be more moderate in their feelings and attitudes towards the Turks. However, the aforementioned brainwashing has caused the second generation to harbor more negative feelings than that of their parents.

The third generation Armenians have been fully adapted to the conditions in these “new” countries. Most of them do not even know the Armenian language. The events of 1915 are far away for them. For these reasons, one would expect that the third generation Armenians to have some sort of neutral attitude towards the Turks. Yet, thanks to the brainwashing that the Armenian churches, political parties and associations now effectively provide, the actual situation is exactly the opposite of that. Those who hate the Turks most are the members of the third generation, most of whom have never met a Turk in their lives. In fact, the murderers of the Turkish diplomats came from the ranks of that generation.

In short, the feelings and attitudes of the generations of the Armenian Diaspora are in “reverse proportion” to their connection with the events of 1915. The more distanced they are from these events; the more intensified their feelings of hate and revengefulness though these should be subsiding. Psychologically this situation is not natural.⁹ This constitutes the most substantial obstacle to a potential reconciliation between the Turks and the Armenians.

The first outcome of the revival of nationalism in Armenia was the large-scale commemoration ceremonies held in Yerevan on the 50th anniversary of the “genocide” with the participation of hundreds of thousands of people. Also, in 1967, a genocide monument was opened in Yerevan with a ceremony. These developments have reinforced the anti-Turkey and anti-Turkish feelings in the Armenian Diaspora, feelings rarely observed in the past. This, in turn, brought about a significant increase in the efforts aimed at persuading the world that the mass relocation of 1915 was genocide.

The re-intensified Armenian nationalism created the Armenian terror that took the lives of 70 people, 32 of them Turkish diplomats, in the 1970s and 1980s.

One observes that the genocide allegations have been put forth not only to preserve the Armenians’ national awareness but also to serve to certain political goals. These goals can be summed up in the following manner: obtaining compensation from Turkey and ensuring that some parts of eastern Anatolia would be handed over to Armenia.

⁸ Seyfi Taşhan, “Ermeni Diasporası ve Batı Ülkeleri,” http://www.foreignpolicy.org.tr/turkish/dosyalar/stashan_190101_p.htm.

⁹ For the psychological state of the Diaspora Armenians see Erol Göka, “Ermeni Sorununun (Gözden Kaçan) Psikolojik Boyutu” and Sevinç Göral Alkan “Psikoloji ve Psikanaliz Penceresinden Türk-Ermeni Meselesi: Mağduriyet Psikolojisi ve Büyük Grup Kimliğinin Etkisi,” *Ermeni Sorunu Temel Bilgi ve Belgeler*, Ankara: ASAM Ermeni Araştırmaları Enstitüsü Yayınları, 2007, pp. 183-202.

In this context, the Diaspora Armenians, the Dashnaks especially, are obviously trying to pursue a four-stage strategy against Turkey:¹⁰

I. The First Stage entails making the world public opinion listen to the allegation that the mass relocation of 1915 had, in reality, been a genocide. Due to the pressure the world public would exert, various countries and international organizations would officially recognize the Armenian “genocide.”

Under the influence of the relentless Armenian propaganda drive and the Armenian terror that aimed to make the Armenian allegations heard in the world, the public, especially in the Western countries, has started to think that Turks had committed genocide against the Armenians in the First World War.

Coming to the recognition of the genocide allegations by various countries and international organizations, the parliaments of a total of 19 countries as well as a political international organization and a trade organization have recognized the “genocide” until now as explained below.

Obviously the militant Armenians are now in the First Stage of the Four-Stage strategy. They concentrate all their efforts on increasing the number of countries and international organizations that recognize the “genocide.”

II. The Second Stage involves making Turkey acknowledge that the mass relocation of 1915 was genocide and apologize to the Armenians.

Most of the Armenians believe that Turkey would be obliged to officially recognize the “genocide” if more countries, especially the USA and other powerful countries, recognized the “genocide.” This is not a realistic expectation. The Turkish public opinion has a strong reaction to those countries that recognize the “genocide.” The Turkish Grand National Assembly has taken a definite stance against the Armenian allegations; successions of Turkish governments have rejected these allegations.

Currently, there is no politician in Turkey who sees the mass relocation of 1915 as “genocide.” On the other hand, in recent years, certain Turkish writers and academics have embraced and defended the Armenian allegations on the “genocide” issue. However, the views expressed by these persons draw adverse reactions from the public, and they fail to sway the public opinion.¹¹

¹⁰ In Turkey, some writers call this the “Three-T Plan”. The first T is “Tanırma” which means recognition in Turkish. The second is “Tazminat” (compensation) and the third “Toprak” (territory).

¹¹ Certain Turkish writers and academics who support the Armenian views attempted to stage a conference on the “Ottoman Armenians during the Decline of the Empire: Issues of Scientific Responsibility and Democracy” theme at Boğaziçi University. However, they postponed the meeting due to the pressure exerted by the public opinion. That caused certain EU countries and EU bodies to make remarks to the effect that freedom of expression did not exist in Turkey. The conference in question was later held at another university (Bilgi University) on September 24-25, 2005 amid continuing protests.

III. The Third Stage involves making Turkey pay compensation to the victims of the “genocide” or their heirs.

There is a highly important point one should bear in mind on this issue. Recognition of “genocide” may have a direct consequence: payment of compensation. This is because it is a rule of law embodied in the legal systems of all countries that those who cause loss and damage (for example, by committing the crime of genocide against a nation) must redress the situation. In other words, in principle, it may not be possible to recognize “genocide” and yet refrain from paying compensation for it. That may be possible only if the other party forfeits its right to compensation.

Here is yet another point that should be known regarding the compensation issue. Since today’s Armenian State had not existed in 1915, there is no way it can demand compensation *in its own name*. President Kocharyan himself said that to a Turkish journalist.¹² Furthermore, under the Lausanne Treaty, there would be no requirement to pay compensation to persons. However, if Turkey recognized the “genocide,” Turkey would be faced with demands that it should pay “*ex gratia*” compensation.

IV. The Fourth and Final Stage entails Armenia obtaining Eastern Anatolian territory.

As explained above, there is a fact that must be taken into consideration before everything else: Armenia does not have any legal grounds to demand territory from Turkey. President Kocharyan has confirmed this point.¹³ Not only would such a claim lack legal grounds, but also Armenia does not have the present ability to back such a demand from the military aspect, and it is not expected to gain such military capacity in the foreseeable future. Finally, since Armenia’s population is continually shrinking and the Diaspora Armenians are not migrating to Armenia, there are hardly any Armenians to be settled in the Turkish lands coveted by Armenia.

None of the Armenian demands on Turkey is realistic. The demand for territory, especially, could only be called a pipe dream. Obviously, the Diaspora Armenians, too, know that. They have been speaking less and less about getting territory from Turkey.

4. The Period of Armenian Terrorism (1973-1986)

Although a significant revival of the Armenian nationalism had begun in 1965 and it had become the Armenians’ main goal to persuade the international public opinion that the mass relocation of 1915 was, in reality, a “genocide,” at that time they could not proceed much towards that goal. At that time, the international public reacted generally with indifference to their claims about events that had taken place about half a century ago. In 1973, a semi-insane and aged Armenian

¹² Mehmet Ali Birand’s interview with Kocharyan, *Posta*, January 31, 2001.

¹³ *Ibid.*

killed Turkish Consul General Mehmet Baydar and his aide Bahadır Demir in Los Angeles. The case drew public interest since the murderer had no problem at all with his victims and was saying that he killed them only because they were the representatives of a state “responsible” for the Armenian “genocide.” The American press dwelt extensively on the genocide allegations when providing background information about the case. That incident gave the Armenian militants the idea that they could get a lot of attention by assassinating Turkish diplomats. The 1974 Cyprus Peace Operation created a suitable climate for the Armenian militants to put that idea into practice.

The Cyprus Peace Operation greatly undermined the morale both in Greece and in Southern Cyprus. It was perceived as a case of Turkey defeating Greece, creating the fear that Turkey could get Southern Cyprus, the Aegean Islands and Western Thrace, too, if required. Greece and Southern Cyprus were worried since they did not have the power to counter any such move on the part of Turkey. This psychological mood caused these two countries to embark on a kind of undeclared war against Turkey. That war was not to be fought on the battlefields. Instead, these two countries have tried to harm Turkish interests in every field without actually having a “hot clash.” Turkey had come under intense criticism due to the Cyprus Peace Operation. Ignoring the fact that legally Turkey did have the right to stage such an intervention in Cyprus, the critics were saying that Turkey had attacked an independent state. In fact, the USA imposed an arms embargo on Turkey. All these developments made it easier for Greece to implement this new policy.

Thus a campaign began to wage against Turkey. Greece found three allies for itself: Syria, the Kurds and the Armenians. The Armenian Secret Army for the Liberation of Armenia (ASALA) and the Partiya Karker Kurdistan (PKK) were founded in 1975, that is, one year after the Cyprus Peace Operation, and they obtained the support of Greece and Syria.

ASALA was the first Armenian terrorist organization created for the task of fighting against Turkey. Its members were trained in Lebanon by the George Habas group. The organization was supported by the Abu Nidal Group and the Palestine Liberation Organization (PLO) as well. The Abu Nidal Group focused on terrorist actions rather than political activities. The PLO, on the other hand, was stronger in the political aspect. In the 1980s, the PLO focused entirely on the political front and it withdrew its support from ASALA.

It must be noted that the situation that existed in Lebanon in the 1970s was highly suitable for the terrorist organizations to settle there and to develop. The Palestinians had settled in Lebanon when, due to the pressure exerted by Israel, they had to leave Jordan. The Lebanese State had been founded not by a nation but by various religious groups. It could not deal effectively with the pressure applied by Israel on one hand and with the problems created by the Palestinians that had settled in the country on the other. Soon, law and order was disrupted. “Liberated zones” emerged in various parts of the country and fighting broke out between various religious groups.

Due to the authority vacuum in Lebanon, terrorist organizations were able to easily operate there. There was yet another factor that worked in favor of the Armenian terrorist organizations such as ASALA: Lebanon had an Armenian population of some 200,000. ASALA had a leftist extremist tendency. In this respect, it was closer to the Huntchaks, which is one of the traditional Armenian parties.

The second Armenian terrorist organization to be founded was the Justice Commandos for Armenian Genocide (JCAG). It was founded in Beirut in 1975 by the Dashnaks. However, unlike the Marxist ASALA, the JCAG is a nationalist organization. It claimed that it had received support not from any foreign country but only from the Armenian Diaspora, boasting about limiting its attacks to Turkey and the Turks.

ASALA's name has been heard more frequently than the JCAG. However, the JCAG was no less harmful, accounting for 52% of the attacks on Turkish diplomats and 45% of the bombing incidents. The JCAG halted its activities in 1983 due to the fact that the Dashnaks had come under great pressure both in the USA and Europe.

These are not the only Armenian terrorist organizations. Although the JCAG has halted its activities, another organization was founded around that time: the Armenian Revolutionary Army (ARA) which has come to be seen as an extension of the JCAG. There have also been some other, less effective organizations such as the October 3 Organization, June 9 Organization, the Orly Group, the September-France Organization and the New Armenian Resistance Organization. Some of these groups may have been set up by ASALA and the JCAG to confuse the security forces. One of these organizations, ASALA-RM, is important because it was founded after ASALA was split up.

The Armenian terrorism, with the claim to fight against Turkey, targeted Turkish diplomats and Turkish external missionaries. A full list of the Turkish public officials martyred by Armenian terrorists is given in the Appendix, Document 6. There are high-ranked officials among them, such as four ambassadors, four consul generals and one military attaché.

In the course of the terror campaign that began in 1975 and was brought to a halt in 1986, the Armenian terrorist organizations killed a total of 70 people (including 31 Turkish diplomats, other Turkish officials and their relatives), wounded 524 people, took 105 people hostage and staged 208 bombings (for the distribution of incidents among countries, see Appendix, Document 7). The most active terrorist organization has been ASALA with 53 cases of murder, 435 cases of injury and 105 cases of hostage-taking.

Certain countries have viewed the Armenian terrorism with certain sympathy though they have not supported these acts.

After the Socialists came to power in France in 1981, France obviously adopted a more "understanding" attitude vis-à-vis the Armenian demands and actions. However, when Armenian terrorism began to spread to the French

territory, the French began to counter that. However, they still did not block the Armenian political activities that encouraged terrorism. On the contrary, during those years, the French media brought the Armenian “genocide” claims to the foreground.

In the USA, states such as California, where a considerable Armenian population lives, there is a reluctance to fight Armenian terrorism. However, it is observed that the US federal government, through the FBI, takes serious actions to fight terrorism.

With the conviction that it would weaken NATO’s southern flank, the Soviet Union viewed the Armenian terrorism with sympathy. This sympathy grew when the US arms embargo on Turkey was lifted and Turkey supported the American thesis in favor of deployment of short-range nuclear missiles in Central Europe. However, the Soviet Union tried diligently to conceal its support for Armenian terrorism.

Although Iran did not openly support the Armenian demands and actions, the Khomeini regime missed no opportunity to push secular Turkey into a difficult situation. That could be seen from its unwillingness to prevent the Armenians in Iran from attacking the Turkish Embassy in Tehran.

Interestingly, during the period in question, the Armenian terrorist attacks were not actually denounced in the Western world though the Western world seemed to be opposing terrorism in principle and not approving the Armenian attacks. That was because, during the Ottoman era, the great powers such as the USA, France and Britain had been in the position of the “protector” of the Armenians. As a result, the public in these countries had become sympathetic towards the Armenians. Armenians were Christian and that acted as a factor reinforcing that sympathy. Furthermore, due to the Armenian propaganda, there was a growing belief to the effect that the Armenians had been subjected to “genocide.” Due to these reasons, they were viewed with certain sympathy and the killing of innocent people was met with indifference merely because the victims were Turks. This self-contradiction indicates that a serious ethical question of assessment exists in the Western world.

Armenian terrorist attacks were brought to a halt at the end of 1986, for which there are mainly four reasons: countries started actively fighting against Armenian terrorism, what was expected from Armenian terrorism had been achieved, promises of political support were made to the Armenians, and Turkey had tightened security precautions.

Armenians engaged in terrorist acts that attempted to harm non-Turks as well. The largest of the attacks of this kind took place at the Orly Airport in Paris on July 15, 1983. Eight people died and some 60 were injured when a suitcase left in front of the Turkish Airlines (THY) office at the airport exploded. Only two of the dead were Turks. That incident altered the pro-Armenian atmosphere. It triggered serious debates in the Armenian circles, causing rifts especially in ASALA, initiating the process of the Armenian terrorism’s demise. Following some other attacks of this kind, the security forces of many countries, France among them,

put the Armenian militants under closer scrutiny, and the tenet, “justice and justice alone,” came to be more strictly observed during the trials of the Armenian terrorists.¹⁴ In a number of countries, France included, the authorities had clearly stated that they would not accept utilization of terrorist methods.¹⁵ That prompted a deterrent effect especially on the “financers” of these terrorist acts.

The second reason was that the Armenian terrorism had already attained its goal of making the world public opinion hear about the “genocide the Turks committed against the Armenians in 1915.”

The third reason was that political support promises, especially by France, made to the Armenian organizations such as Dashnaks which support terrorism on the condition that terrorist acts were abandoned.

The fourth and final reason was that, by then, the Turkish state had started to better protect its officials serving abroad.

5. Politicization of the Armenian Question (1987-...)

After the terrorist attacks were brought to a halt, the Diaspora Armenians became politically active. Their goal was to elicit from the parliaments of certain countries resolutions recognizing the “genocide.” For that purpose, they have tried to promote their genocide allegations as extensively as possible in the world.

Over the past 25 years, many books have been written to prove that the Armenians had been subjected to “genocide.” In general, these are in the form of scientific books. In the past, with a few exceptions, only Armenians used to write on this subject. In recent years, non-Armenian writers, too, started to tackle this subject. Furthermore, some Turkish writers have published books in which they supported the Armenian views. Some Turkish academics have embraced the Armenian views without even writing any book or long article on the Armenian question themselves.

In addition to books, numerous articles have been published in scientific magazines on this subject. Also, special importance is being attached to the publishing of items on the “genocide” issue in newspapers and certain magazines.

¹⁴ It is not possible to say that the captured Armenian terrorists were always justly punished. There is, for example, the case of Hrair Klindjian who had fired (but missed) a gun at Turkish Ambassador in Berne, Doğan Türkmen, on February 6, 1980. Klindjian was put on trial in Marseille on January 22-23, 1982. Although Türkmen’s guard, Sadi Taşdelen, identified him as the attacker, the jury did not reach the conclusion that he was indeed the culprit. However, since his connection to the assassination attempt was all too clear, he was given a two-year jail sentence. At the end of the trial, he was released from custody. Curiously, during the trial, there was no reference at all to any other culprit or culprits. The witnesses called by the defense during the trial based their testimony on the assumption that the alleged genocide had really taken place. The judge permitted the jury to hear these statements that had nothing to do with the murder attempt. Thus, the trial was turned into a forum for Armenian propaganda and, for that reason, the court records have been published by the Armenians as a book. *Les Arméniens en Cours d’Assises*, 1983, Rocquevaire/France, ISBN, 2-86364-018-6.

¹⁵ Minassian, op. cit., p. 95.

Meanwhile, conferences, panels and other meetings are being organized on the “genocide” issue in those countries that the Armenians have chosen as their target for their campaigns.

Lately, the “genocide” issue has formed the subject matter of a number of literary works as well. Almost all of the people who write these novels, books of poems and plays are of Armenian origin.

Coming to the films on this subject, “documentaries” abound. These are shown by the TV channels in many countries, starting with the USA, France and Lebanon, during the month of April every year. Very little authentic visual material dating from the year 1915 exists. Some of the footage used in these films is fabricated and the authenticity of some others is questionable. The same misgivings can be expressed also about the “genocide exhibitions” staged in April every year.

Among the feature films three have been more prominent than the others: *Mayrig* (Mother), *Ararat* (Mount Ağrı) and *Skylark Farm*.¹⁶ *Mayrig* is by a French director of Armenian origin, Henri Verneuil (Ashot Malakian), and was made in 1991. *Ararat*, directed by Atom Egoyan, a Canadian Armenian, was first shown in 2002. *Skylark Farm* was produced by Italian directors Taviani Brothers in 2007. All of these are high-budget films. Although it does refer to the alleged genocide, *Mayrig* mainly tells the story of a family that migrated to France in the wake of the mass relocation of 1915 and its struggle to earn a living there. *Ararat* deals only with the alleged “genocide.” It has an utterly disarrayed scenario dotted with scenes of brutality. *Skylark Farm* depicts the situation of an Armenian family living in Anatolia before and after the relocation and has more scenes of brutality than *Ararat*. *Mayrig* proved relatively successful whereas non-Armenians have not displayed interest in *Ararat*.

Armenians finance these activities with donations. The Armenians have a tradition of making donations and the wave of nationalism triggered by the genocide allegations has bolstered that tradition. Today, donating money for such purposes is being considered a national duty for well-to-do Armenians.

How much money is being spent for the activities aimed at influencing the international public opinion and for the political activities? Armenian sources do not provide information on this issue. However, one could make a rough estimate. One author¹⁷ has written that the Armenians spend \$14 million every year to influence the US Congress. Another source has pointed out that the film, *Ararat*, had cost more than \$15 million to produce.¹⁸ *Skylark Farm* cost €9,6 million (\$12.5 million) to produce.¹⁹ Add to these the cost of the aforementioned

¹⁶ For the principal documentaries and feature films made by the Armenians except *Skylark Farm*, see Sedat Laçiner and Şenol Kantarcı, *Ararat, Sanatsal Ermeni Propagandası*, Ankara: ASAM Yayınları, 2002, pp. 25-38.

¹⁷ Samuel A. Weems, *Armenia, Secrets of a “Christian” Terrorist State*, St. John Press, 2002, pp. 373-374.

¹⁸ Armenian National Committee of America (ANCA) Press Release, November 20, 2002.

¹⁹ Armenews, January 29, 2007.

scientific books, articles, novels, poems, plays, films, exhibitions and various kinds of meetings. The overall sum must be no less than several hundred million dollars since activities of this kind are not limited to the USA and are being carried in many other countries, such as France, Canada, Australia and Lebanon, especially, as well.

There is great demand from the Armenian circles for such activities. Since these activities entail large sums of money and a great number of people earn an income from them, it would not be an exaggeration to say that an “Armenian genocide industry” has been born. The fact that this industry is enabling so many people to earn an income has become one of the factors, albeit a secondary rather than a primary one, causing the “genocide” allegations to be put forth so persistently.

LET THE HISTORIANS DECIDE ON THE SO-CALLED GENOCIDE*

Professor Justin McCARTHY**

Throughout the recent debate on the Armenian genocide question, one statement has characterized those who object to politicians' attempts to write history, "Let the Historians Decide". Few of us have specified who we are referring to in that statement. It is now time to do so.

There is a vast difference between history written to defend one-sided nationalist convictions and real accounts of history. History intends to find that the truth is illusive. Historians know they have prejudices that can affect their judgment. They know they never have all the facts. Yet they always try to find the truth, whatever that may be.

Nationalists who use history have a different set of goals. They use events from the past as weapons in their own nation's battles. They have a purpose – the triumph of their cause – and they will use anything to succeed in this goal. While a historian tries to collect all the relevant facts and put them together as a coherent picture, the nationalist selects those pieces of history that fit his purpose ignoring the others.

Like other men and women, historians have political goals and ideologies, but a true historian acknowledges his errors when the facts do not support his belief. The nationalist apologist never does so. If the facts do not fit his theories the nationalist ignores those facts and looks for other ways to make his case. True historians can make intellectual mistakes. Nationalist apologists commit intellectual crimes.

The Armenian issue has long been plagued with nationalist studies. This has led to an inconsistent history that ignores the time-tested principles of historical research. Yet when the histories of Turks and Armenians are approached with the normal tools of history, a logical and consistent account results. "Let the

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historians decide” is a call for historical study like any other historical study, one that looks at all the facts, studies all the opinions, applies historical principles and comes to logical conclusions.

Historians first ask the most basic question. “Was there an Armenia?” Was there a region within the Ottoman Empire where Armenians were a compact majority that might rightfully demand their own state?

To find the answer, historians look to government statistics for population figures, especially to archival statistics, because governments seldom deliberately lie to themselves. They want to know their populations so they can understand them, watch them, conscript them, and, most importantly to a government, tax them. The Ottomans were no different than any other government in this situation. Like other governments they made mistakes, particularly in under-counting women and children. However, this can be corrected using statistical methods. What results is the most accurate possible picture of the number of Ottoman Armenians. By the beginning of World War I Armenians made up only 17 percent of the area they claimed as “Ottoman Armenia,” the so called “Six Vilayets.” Judging by population figures, there was no Ottoman Armenia. In fact if all the Armenians in the world had come to Eastern Anatolia, they still would not have been a majority there.

Two inferences can be drawn from the relatively small number of Armenians in the Ottoman East: The first is that by themselves, the Armenians of Anatolia would have been no great threat to the Ottoman Empire. Armenian rebels might have disputed civil order but there were too few of them to endanger Ottoman authority. Armenian rebels needed help from outside forces, help that could only be provided by Russia. The second inference is that Armenian nationalists could have created a state that was truly theirs only if they first evicted the Muslims who lived there.

To understand the history of the development of Muslim-Armenian antagonism one must apply historical principles. In applying those principles one can see that the history of Armenians was a history like other histories. Some of that history was naturally unique because of its environment but much of it was strikingly similar to what was seen in other places and times.

1. Most ethnic conflicts develop over a long period. Germans and Poles, Finns and Russians, Hindus and Muslims in the Indian subcontinent, Irish and English, Europeans and Native Americans in North America – all of these ethnic conflicts unfolded over generations, often over centuries.

2. Until very modern times most mass mortality of ethnic groups was the result of warfare in which there were at least two warring sides.

3. When conflict erupted between nationalist revolutionaries and states, it was the revolutionaries who began confrontations. Internal peace was in the interest of settled states. Looked at charitably, states often wished for tranquility for the benefits it gave their citizens. With less charity it can be seen that peace made it easier to collect taxes and use armies to fight foreign enemies, not internal foes.

World history demonstrates this too well for examples from other regions to be needed here. In the Ottoman Empire, the examples of the rebellions in Greece, Serbia and Bulgaria demonstrate the truth of this.

On these principles, the histories of Turks and Armenians are no different from other histories. Historical principles applied.

The conflict between Turks and Armenians did indeed develop over a long time. The primary impetus for what was to become the Armenian-Muslim conflict lay in Russian imperial expansion. At the time of Ivan the Terrible, circa the sixteenth century, Russians began a policy of expelling Muslims from lands they had conquered. Over the next three hundred years, Muslims, many of them Turks, were killed or driven out of what today is Ukraine, Crimea and the Caucasus. From the 1770s to the 1850s Russian attacks and Russian laws forced more than 400,000 Crimean Tatars to flee their land. In the Caucasus region, 1.2 million Circassians and Abazians were either expelled or killed by Russians. Of that number, one third died as victims of the mass murder of Muslims that has been mostly ignored. The Tatars, Circassians and Abazians came to the Ottoman Empire. Their presence taught Ottoman Muslims what they could expect from a Russian conquest.

Members of the Armenian minority in the Caucasus began to rebel against Muslim rule and to ally themselves with Russian invaders in the 1790s: Armenian armed units joined the Russians, Armenian spies delivered plans to the Russians. In these wars, Muslims were massacred and forced into exile. Armenians in turn migrated into areas previously held by Muslims, such as Karabakh. This was the beginning of the division of the peoples of the Southern Caucasus and Eastern Anatolia into two conflicting sides – the Russian Empire and Armenians on one side, the Muslim Ottoman Empire on the other. Most Armenians and Muslims undoubtedly wanted nothing to do with this conflict, but the events were to force them to take sides.

The 1827 to 1829 wars between Russians, Persians and Ottomans saw the beginning of a great population exchange in the East that was to last until 1920. When the Russians conquered the Erivan Khanate, today the Armenian Republic, the majority of its population was Muslim. Approximately two thirds, 60,000 of these Muslims were forced out of Erivan by Russians. The Russians went on to invade Anatolia, where large numbers of Armenians took up the Russian cause. At the war's end, when the Russians left Eastern Anatolia, 50,000 to 90,000 Armenians joined them. They took the place of the exiled Muslims in Erivan and else where, joined by 40,000 Armenians from Iran.

The great population exchange had begun, and mutual distrust between Anatolia's Muslims and the Armenians was the result. The Russians were to invade Anatolia twice more in the nineteenth century, during the Crimean War and the 1877-78 Russo-Turkish War. In both wars significant numbers of Armenians joined the Russians acting as spies and even occupation police.

In Erzurum, for example, British consular officials reported that the Armenian police chief appointed by the Russians and his Armenian force "molested,

illtreated, and insulted the Mohammadan population,” and that 6,000 Muslim families had been forced to flee the city. When the Russians left part of their conquest at least 25,000 Armenians joined them, fearing the vengeance of the Muslims. The largest migration though was the forced flight of 70,000 Muslims, mainly Turks, from the lands conquered by the Russians and the exodus of Laz in 1882.

By 1900, approximately 1,400,000 Turkish and Caucasian Muslims had been forced out by Russians. One third of those had died, either murdered or victims of starvation and disease. Between 125,000 and 150,000 Armenians emigrated from Ottoman Anatolia to Erivan and other parts of the Russian Southern Caucasus.

This was the toll of Russian imperialism. Not only had one-and-a-half million people been exiled or killed, but ethnic peace had been destroyed.

The Muslims had been taught that their neighbors, the Armenians, with whom they had lived for more than 700 years, might once again become their enemies when the Russians next advanced. The Russians had created the two sides that history teaches were to be expected in conflict and mass murder.

The actions of Armenian rebels exacerbated the growing division and mutual fear between Muslims and Armenians of the Ottoman East.

The main Armenian revolutionary organizations were founded in the 1880s and 1890s in the Russian Empire. They were socialist and nationalist in ideology. Terrorism was their weapon of choice. Revolutionaries openly stated that their plan was the same as that which had worked well against the Ottoman Empire in Bulgaria. In Bulgaria rebels had first massacred innocent Muslim villagers. The Ottoman government, occupied with a war against Serbs in Bosnia, depended on the local Turks to defeat the rebels, which they did, but with great losses of life. European newspapers reported Bulgarians deaths, but never Muslim deaths. Europeans did not consider that the deaths were a result of the rebellion, nor the Turk's intention. The Russians invaded ostensibly to save the Christians. The result was the death of 260,000 Turks, 17 percent of the Muslim population of Bulgaria, and the expulsion of a further 34 percent of Turks. The Armenian rebels expected to follow the same plan.

The Armenian rebellion began with the organization of guerilla bands made up of Armenians from both the Russian and Ottoman lands. Arms were smuggled in. Guerillas assassinated Ottoman officials, attacked Muslim villages, and used bombs, the nineteenth century's terrorist's standard weapon. By 1894 the rebels were ready for open revolution. Revolts broke out in Samsun, Zeytun, Van and elsewhere in 1894 and 1895. As in Bulgaria they began with the murder of innocent civilians. The leader of the Zeytun rebellion said his forces had killed 20,000 Muslims. As in Bulgaria the Muslims retaliated. In Van for example, 400 Muslims and 1,700 Armenians died. Further rebellions followed. In Adana, in 1909, the Armenian revolt turned out very badly for both the rebels and the innocent when the government lost control and 17,000 to 20,000 died, mostly

Armenians. Throughout the revolts and especially in 1894 and 1897 the Armenians deliberately attacked Kurdish tribesmen, knowing that it was from them that great vengeance was not that likely to be expected. Pitched battles between Kurds and Armenians resulted.

But it all went wrong for the Armenian rebels. They had followed the Bulgarian plan, killing Muslims and initiating revenge attacks on Armenians. Their own people had suffered most. Yet the Russians and Europeans they depended upon did not intervene. European politics and internal problems stayed the Russian hand.

What were the Armenian rebels trying to create? When Serbs and Bulgarians rebelled against the Ottoman Empire they claimed lands where the majorities were Serbs or Bulgarians. They expelled Turks and other Muslims from their lands, but these Muslims had not been a majority. This was not true for the Armenians. The lands they covered were overwhelmingly Muslim in population. The only way they could create an Armenia was to expel the Muslims.

Knowing this history is essential to understanding what was to come during World War I. There had been a long historical period in which two conflicting sides developed.

Russian imperialists and Armenian revolutionaries had begun a struggle that was in no way wanted by the Ottomans. Yet the Ottomans were forced to oppose the plans of both Russians and Armenians, if only to defend the majority of their subjects. History taught the Ottomans that if the Armenians triumphed not only would territory be lost, but mass expulsions and deaths would be the fate of the Muslim majority. This was the one absolutely necessary goal of the Armenian rebellion.

The preview to what was to come in the Great War came in the Russian Revolution of 1905. Harried all over the Empire, the Russians encouraged ethnic conflict in Azerbaijan, fomenting an inter-communal war. Azeri Turks and Armenians battled each other when they should have attacked the Empire that ruled over both. Both Turks and Armenians learned the bitter lesson that the other was the enemy, even though most of them wanted nothing of war and bloodshed. The sides were drawn.

In late 1914, inter-communal conflict began in the Ottoman East with the Armenian rebellion. Anatolian Armenians went to the Russian South Caucasus for training, approximately 8,000 in Kagizman, 6,000 in Igdir and others elsewhere. They returned to join local rebels and revolts erupted all over the East. The Ottoman Government estimated 30,000 rebels in Sivas Vilayeti alone, probably an exaggeration but indicative of the scope of the rebellion. Military objectives were the first to be attacked. Telegraph lines were cut. Roads through strategic mountain passes were seized. The rebels attacked Ottoman officials, particularly recruiting officers, throughout the East. Outlying Muslim villages were assaulted and the first massacring of Muslims began. The rebels attempted to take cities such as Zeytun, Mus, Sebin Karahisar and Urfa. Ottoman armed forces which were needed at the front were instead forced to defend the interior.

The most successful rebel action was in the city of Van. In March 1915 they seized the city from a weak Ottoman garrison and proceeded to kill all the Muslims who could not escape. Some 3,000 Kurdish villagers from the surrounding region were herded together into the great natural bowl of Zeve, outside the city of Van, and slaughtered. Kurdish tribes in turn took their revenge on any Armenian villagers they found.

Historical principles were once again at work. Rebels had begun the action and the result was the creation of two warring sides. After the Armenian deeds in Van and elsewhere, Muslims could only have expected that Armenians were enemies who could kill them. Armenians could only have feared Muslim revenge. Most of these people had no wish for war, but they had been driven to it. It was to be a merciless conflict.

For the next five years, total war raged in the Ottoman East. When the Russians attacked and occupied the East, more than a million Muslims fled as refugees, itself an indication that they expected to die if they remained. They were attacked on the roads by Armenian bands as they fled. When the Russians retreated it was the turn of the Armenians to flee. The Russians attacked and retreated, then attacked again, then finally retreated for good. With each advance came the flight of hundreds of thousands.

Two wars were fought in Eastern Anatolia, a war between the armies of Russia and the Ottomans and a war between local Muslims and Armenians. In the war between the armies, civilians and enemy soldiers were sometimes treated with humanity, sometimes not. Little quarter was given in the war between the Armenians and the Muslims, however. That war was fought with all the ferocity of men who fought to defend their families.

Popular opinion today knows of only one set of deportations, more properly called forced migrations, in Anatolia, the deportation of the Armenians. There were in fact many forced migrations. For the Armenians, the worst forced migrations came when they accompanied their own armies in retreat. Starvation and disease killed great numbers of both, far more than fell to enemies' bullets. This is as should be expected from historical principles; starvation and disease are always the worst killers. It is also a historical principle that refugees suffer most of all.

One of the many forced migration was the organized expulsion of Armenians from much of Anatolia by the Ottoman government. In light of the history and the events of this war, it is true that the Ottomans had obvious reason to fear the Armenians, and that forced migration was an age-old tool in Middle Eastern and Balkan conflicts. It is also true that while its troops were fighting the Russians and Armenians, the Ottoman Government could not and did not properly protect the Armenian migrants. Nevertheless, more than 200,000 of the deported Armenians reached Greater Syria and survived. (Some estimate that as many as two-thirds of the deportees survived.)

Those who see the evil of genocide in the forced migrations of Armenians ignore the survival of so many of those who were deported. They also ignore the

fact that the Armenians who were most under Ottoman control, those in Western cities such as Izmir, Istanbul, and Edirne, were neither deported nor molested, presumably because they were not a threat.

No claim of genocide can rationally stand in the light of these facts. If genocide is to be considered, however, then the murders of Turks and Kurds in 1915 and 1916 must be included in the calculation of blame. The Armenian murder of the innocent civilians of Erzincan, Bayburt, Tercan, Erzurum, and all the villages on the route of the Armenian retreat in 1918 must be taken into account. The Armenian molestations and massacres in Cilicia, deplored even by their French and British allies, must be judged. And the exile or death of two-thirds of the Turks of Erivan Province, the Armenian Republic, during the war must be remembered.

That is the history of the conflict between the Turks and the Armenians. Only when that history is known can the assertions of those who accuse the Turks be understood.

In examining the claims of Armenian nationalists, first to be considered should be outright lies.

The most well-known of many fabrications on the Armenian Question are the famous "Talat Pasha Telegrams," in which the Ottoman interior minister and other officials supposedly telegraphed instructions to murder the Armenians. These conclusively have been proven to be forgeries by Sinasi Orel and Sureyya Yuca. However, one can only wonder why they would ever have been taken seriously. A whole people cannot be convicted of genocide on the basis of penciled scribbles on a telegraph pad.

These were not the only examples of words put in Talat Pasha's mouth. During World War I, the British Propaganda Office and American missionaries published a number of scurrilous works in which Ottoman officials were falsely quoted as ordering hideous deeds.

One of the best examples of invented Ottoman admissions of guilt may be that concocted by the American Ambassador Morgenthau. Morgenthau asked his readers to believe that Talat Pasha offhandedly told the ambassador of his plans to eradicate the Armenians. Applying common sense and some knowledge of diplomatic practice helps to evaluate these supposed indiscretions. Can anyone believe that the Ottoman interior minister would actually have done such a thing? He knew that America invariably supported the Armenians, and had always done so. If he felt the need to unburden his soul, who would be the last person to whom he would talk? The American Ambassador. Yet to whom does he tell all? The American Ambassador! Talat Pasha was a practical politician. Like all politicians, he undoubtedly violated rules and made errors. But no one has ever alleged that Talat Pasha was an idiot. Perhaps Ambassador Morgenthau knew that the U.S. State Department would never believe his story, because he never reported it at the time to his masters, only writing it later in a popular book.

The use of quotes from Americans is selective. One American Ambassador, Morgenthau, is quoted by the Armenian apologists, but another American

Ambassador, Bristol, is ignored. Why? Because Bristol gave a balanced account and accused Armenians as well as Muslims of crimes.

The most often seen fabrication may be the famous “Hitler Quote.” Hitler supposedly stated, “Who after all is today speaking of the destruction of the Armenians?” to justify his Holocaust. The quote now appears every year in school books, speeches in the American Congress and the French Parliament and most writings in which the Turks are attacked. Professor Heath Lowry has cast serious doubt on the authenticity of the quote. It is likely that Hitler never said it. But there is a more serious question: How can Adolf Hitler be taken as a serious source on Armenian history? Were his other historical pronouncements so reliable that his opinions can be trusted? Politically, “Hitler” is a magic word that conjures up an all too true image of undisputed evil. He is quoted on the Armenian Question for polemic and political purpose, to tie the Turks to Hitler's evil. In the modern world nothing defames so well as associating your enemies with Hitler. This is all absurdity, but it is potent absurdity that convinces those who know nothing of the facts. It is also a deliberate distortion of history.

Population has also been a popular field for fabrication. Armenian nationalists had a particular difficulty – they were only a small part of the population of the land they planned to carve from the Ottoman Empire. The answer was false statistics. Figures appeared that claimed that Armenians were the largest group in Eastern Anatolia. These population statistics were supposedly the work of the Armenian Patriarch, but they were actually the work of an Armenian who assumed a French name, Marcel Leart, published them in Paris and pretended they were the Patriarch's work. Naturally, he greatly exaggerated the number of Armenians and diminished the number of Turks. Once again, the amazing thing is that these were ever taken seriously. Yet they were used after World War I to justify granting Eastern Anatolia to the Armenians and are still routinely quoted today.

The Armenian apologists quote American missionaries as if missionaries would never lie, omitting the numerous proofs that missionaries did indeed lie and avoided mentioning anything that would show Armenians to be less than innocent. The missionaries in Van, for example, reported the deaths of Armenians, but not the fact that those same Armenians had killed all the Muslims they caught in that city.

The main falsification of history by the Armenian apologists lies not in what they say, but in what they do not say. They do not admit that much of the evidence they rely on is tainted because it was produced by the British Propaganda Office in World War I. For example, the Bryce Report, “The Treatment of Armenians in the Ottoman Empire” has recently been reproduced by an Armenian organization, with a long introduction that praises its supposed veracity. Nowhere does the reprint state that the report was produced and paid for by British Propaganda as a way to attack its wartime enemies, the Ottomans. Nor does the reprint state that the other Bryce Report, this one on alleged German atrocities, has long been known by historians to be a collection of lies. Nor does the reprint consider that the sources in the report, such as the Dashnak Party, had a tradition of not telling the truth.

The basic historical omission is never citing, never even looking at evidence that might contradict one's theories. Nationalist apologists refer to English propaganda, missionary reports, statements by Armenian revolutionaries, and the like. They seldom refer to Ottoman documents, hundreds of which have been published in recent years, except perhaps to claim that nothing written by the Ottomans can be trusted although they trust completely the writings of Armenian partisans. These documents indicate that the Ottomans planned no genocide and were at least officially solicitous of the Armenians' welfare. The fact that these contradict the Armenian sources is all the more reason that they should be consulted. Good history can only be written then both sides of historical arguments are considered.

Worst of all is the most basic omission – the Armenian apologists do not mention the Muslim dead. Any civil war will appear to be a genocide if only the dead of one side are counted. Their writings would be far more accurate, and would tell a very different story, if they included facts such as the deaths of nearly two-thirds of the Muslims of Van Vilayeti, deaths caused by the Russians and Armenians. Histories that strive for accuracy must include all the facts; and the death of millions of Muslims is surely a fact that deserves mention.

Those of us who have studied this question for years have seen many approaches come and go. The old assertions, based on the Talat Pasha telegrams and missionary reports, were obviously insufficient, and new ones have appeared.

For a while, Pan-Turanism was advanced as the cause for Turkish actions. It was said that the Turks wished to be rid of the Armenians because the Armenian population blocked the transportation routes to Central Asia. This foundered on the rocks of geography and population. The Anatolian Armenian population was not concentrated on those routes. The Armenian Republic's Armenians, those in Erivan Province, were on some of those routes. However, when at the end of the war the Ottomans had the chance to occupy Erivan, they did not do so, but went immediately on to Baku to protect Azeri Turks from attacks by enough to believe that their chief concern was advancing to Uzbekistan.

Much was made of post-war courts martial that accused members of the Committee of Union and Progress Government of crimes against the Armenians. The accusations did not state that the courts were convened by the unelected quisling government of Ferid Pasha who created the courts to curry favor with the allies. The courts returned verdicts of guilty for all sorts of improbable offenses, of which killing Armenians was only one. The courts chose anything, true or false, that would cast aspersion on Ferid's enemies. The accused could not represent themselves. Can the verdicts of such courts be trusted? Conveniently overlooked were the investigations of the British, who held Istanbul and were in charge of the Ottoman Archives, but who were forced to admit that they could find no evidence of massacres.

A recent find of the nationalist is the Teskilat-ı Mahsusa, the secret organization that operated under orders of the Committee of Union and

Progress. We are told that the Teskilat must have organized Armenian massacres. The justification for this would astonish any logician: It is alleged that because a secret organization existed it must have been intended to do evil, including the genocide of the Armenians. As further "proof," it is noted that officers of the Teskilat were present in areas where Armenians died. Since Teskilat officers were all over Anatolia, this should surprise no one. By this dubious logic Teskilat members must also have been responsible for the deaths of Muslims because they were also present in areas where Muslims died. Does this prove that no Teskilat members killed or even massacred Armenians? It does not. It would be odd if during wartime no members of a large organization had not committed such actions, and they undoubtedly did so. What it in no way proves is that the Teskilat was ordered to commit genocide.

A German scholar has decided that the Ottomans deported and killed Armenians so that they would have space in which to settle the Turkish refugees from the Balkan Wars. For those who do not know Ottoman history, this might seem like a reasonable explanation. Those with some knowledge of Ottoman history know that the Balkan refugees were almost all settled in Western Anatolia and Ottoman Europe, not in the East, and that the refugees were all settled before the World War I and Armenian troubles began.

Such assertions are the result of the methods used. Nationalist apologists first decide that the Turks are guilty, and then look for evidence that will show they are correct. They are like a man in a closed room fighting against a stronger enemy. As the enemy advances the man picks up a book, a lamp, an ashtray, a chair – whatever he can find – and throws it in the vain hope of stopping the enemy's advance. But the enemy continues on. Eventually the man runs out of things to throw, and he is beaten. The enemy of the nationalist apologists is the truth. They have thrown false telegrams, spurious statistics, sham courts, and anything else they could find, but the TRUTH has advanced.

Some tactics have been all too successful in reducing the number of scholars who study the Armenian Question. When the fabrications and distortions failed, there were outright threats. When the historians could not be convinced, the next best thing was to silence them. One professor's house was bombed. Others were threatened with similar violence.

Campaigns were organized to silence historians. One professor was mercilessly attacked in the press because he advised the Turkish ambassador on responding to questions about the Ottoman Armenians. It is worth noting that no one questioned the probity of the American Armenian scholar who became the chief advisor of the president of the Armenian Republic or doubted the veracity of the American Armenian professor whose son became the Armenian foreign minister. No one questioned the objectivity of these scholars or attacked them, nor should they. The only proper question is, "What is the truth?" No matter who pays the bills, no matter the nationality of the author, no matter if he writes to ambassadors, no matter his religion, his voting record, his credit status, or his personal life, his views on history should be closely analyzed and, if true, accepted. The only question is the TRUTH.

Such attacks have had their intended effect. Fewer and fewer historians are willing to write on this history. A very senior and respected scholar of Ottoman history, Bernard Lewis, was brought to court in France for his denial of the Armenian genocide. After a long and successful career, Professor Lewis could afford to confront those who accused him. He also could afford to hire the lawyers who defended him. Could a junior scholar afford to do the same? Could someone who depended on university rectors, who worry about funding, afford to take up such a dangerous topic? Could someone without Professor Lewis's financial resources afford the lawyers who defended both his free speech and his good name?

I myself was the target of a campaign, instigated by an Armenian newspaper, which attempted to have me fired from my university. Letters and telephone calls from all over the United States came to the president of my university, demanding my dismissal because I denied the "Armenian Genocide." We have the tenure system in the United States, a system that guarantees that senior professors cannot be fired for what they teach and write, and my university president defended my rights. But a younger professor might understandably be afraid to write on the Armenians if he knew he faced the sort of ordeal that has been faced by others.

To me, the worst of all is being accused of being the kind of politicized nationalist scholar I so detest. False reasons are invented to explain why I say this – my mother is a Turk, my wife is a Turk, I am paid large sums by the Turkish government. None of these things is true, but it would not affect my writings one bit if they were. The way to challenge a scholar's work is to read his writings and respond to them with your own scholarship, not to attack his character.

When, despite the best efforts of the nationalist apologists, some still speak out against the distortion of history, the final answer is political: Politicians are enlisted to rewrite history. Parliaments are enlisted to convince their people that there was a genocide. In America, the Armenian nationalists lobby a Congress which refuses to even consider an apology for slavery to demand an apology from Turks for something the Turks did not do. In France, the Armenian nationalists lobby a Parliament which will not address the horrors perpetrated by the French in Algeria, which they know well took place, to declare there were horrors in Turkey, about which they know almost nothing. The people of many nations are then told that the genocide must have taken place because their representatives have recognized it.

The Turks are accused of "genocide," but what does that appalling word mean? The most quoted definition is that of the United Nations: Actions "committed with intent to destroy in whole or in part a national, ethnic, racial, or religious group as such." Raphael Lemkin who invented the word genocide, included cultural, social, economic, and political destruction of groups as genocide. Leo Kuper included as genocide attacks on subgroups that are not ethnic, such as economic classes, collective groups and various social categories. By these standards Turks were indeed guilty of genocide. So were

LET THE HISTORIANS DECIDE ON THE SO-CALLED GENOCIDE

Armenians, Russians, Greeks, Americans, British and almost every people that has ever existed. In World War I in Anatolia there were many such “genocides.” So many groups attacked other groups that the use of the word genocide is meaningless.

Why, then, is such a hollow term used against the Turks? It is used because those who hear the term do not think of the academic definitions. They think of Hitler and of what he did to the Jews. The intent behind the use of the word genocide is not to foster understanding. The intent is to foster a negative image of the Turks by associating them with great evil. The intent is political.

What must be considered by the serious historian is a simple question, “Did the Ottoman Government carry out a plan to exterminate the Armenians?”

In answering this question it is important not to copy the Armenian apologists. When they declare that Armenians did no wrong, the answer is not to reply that the Turks did no wrong. The answer must be honest history. What cannot and should not be denied is that many Anatolian Muslims did commit crimes against Armenians. Some of those who committed crimes were Ottoman officials. Actions were taken in revenge, out of hatred or for political reasons. In total war men do evil acts. This again is a sad but real historical principle. The Ottoman government recognized this and tried more than 1,000 Muslims for war crimes, including crimes against Armenians, hanging some criminals.

Applying the principles of history, we can see that what occurred was in fact a long history of imperialism, nationalist revolt and ethnic conflict. The result was horrible mortality on all sides. There is an explainable, understandable history of a two-sided conflict. It was not genocide.

Throughout that history, both sides killed and were killed. It was not genocide.

Much archival evidence shows Ottoman government concern that Armenians survive. Also, it must be said that much evidence shows poor planning, government weakness and in some places criminal acts and negligence. Some officials were murderous, but a sincere effort was made to punish them. It was not genocide.

The majority of those who were deported survived, even though those Armenians were completely at the mercy of the Ottomans. It was not genocide.

The Armenians most under Ottoman control, the Armenian residents of Istanbul, Izmir, Edirne and other regions of greatest governmental power were neither deported nor attacked. It was not genocide.

Why are the Turks accused of a hideous crime they did not commit? The answer is both emotional and political. Many Armenians feel in their hearts that Turks were guilty. They have only heard of the deaths of their ancestors, not the deaths of the Turks. They have been told only a small part of a complicated story for so long that they believe it to be unquestionable truth. Their anger is

understandable. The beliefs of those in Europe and America who have never heard the truth, which sadly is the majority, are also understandable. It is the actions of those who use the claim of genocide for nationalist political motives that are inexcusable.

Does any rational analyst deny that the ultimate intent of the Armenian nationalists is to first gain “reparations,” then claim Eastern Anatolia as their own?

Finally, what is to be done? As might be expected from all I have said here today, I believe the only answer to false allegations of genocide is to study and proclaim the truths of history. Political actions such as the resolution recently passed by the French Parliament naturally and properly draw corresponding political actions from Turks, but political actions will never convince the world that Turks did not commit genocide. What is needed to convince the world that Turks did not commit genocide? What is needed to convince the world is a great increase in scholarship. Archives must remain open and be easy to use for both Turks and foreigners. Graduate students should be encouraged to study the Armenian question. No student's advisers should tell him to avoid this subject because it is “too political,” something I have heard in America and, unfortunately, in Turkey as well.

I suggest, as I have suggested before, that the Turkish Republic propose to the Armenian Republic that a joint commission be established, its members selected by scholarly academies in both countries. All archives should be opened to the commission – not only the Ottoman Archives, but the archives of Armenia and of the Armenian Revolutionary Federation. (The call is often made for the Turkish Archives to be opened completely. It is time to demand that Armenians do likewise.) I have been told that the Armenians will never agree to this, but how can anyone know unless they try? In any case, refusal to fairly and honestly consider this question would in itself be evidence that the accusations against the Turks are political, not scholarly.

Whether or not such a commission is ever named, the study of the Armenian question must be continued. This is true not only because it is always right to discover accurate history. It is true because honor demands it. Honor is a word that is not often heard today, but a concept of honor is nonetheless sorely needed. I have been told by many that the Turks should adopt a political strategy to deal with the Armenian problem. This strategy would have the Turkish government lie about the past for present political gain. The government would state that the Ottomans committed genocide, but that modern Turkey cannot be blamed because it is a different government. This, I have been told, would cause the world to think more kindly of the Turks.

I do not believe this ultimately would satisfy anyone. I believe that calls for reparations and land would quickly follow such a statement. But that is not the reason to reject such easy political lies. They should be rejected purely because they are wrong. Even if the lies would bring great gains, they should be rejected because they are wrong.

I believe the Turks are still men and women of honor. They know that it can never be honorable to accept lies told of their ancestors, no matter the benefits. I also believe that someday, perhaps soon, perhaps far in the future, the truth will be recognized by the world. I believe that the accurate study of history and the honor of the Turks will bring this to pass.

ARMENIAN REBELLIONS AND THE OTTOMANS*

Professor Justin McCARTHY**

Ottoman Provinces

Conflict between the Turks and the Armenians was not inevitable. The two peoples should have been friends. When World War I began, the Armenians and Turks had been living together for 800 years. The Armenians of Anatolia and Europe had been Ottoman subjects for nearly 400 years. There were problems during those centuries – problems caused especially by those who attacked and ultimately destroyed the Ottoman Empire. Everyone in the Empire suffered, but it was the Turks and other Muslims who suffered most. Judged by all economic and social standards, the Armenians did well under Ottoman rule. By the late nineteenth century, in every Ottoman province the Armenians were better educated and richer than the Muslims. Armenians worked hard, it is true, but their comparative riches were largely due to European and American influence and Ottoman tolerance. European merchants made Ottoman Christians their agents. European merchants gave them their business. European consuls intervened in their behalf. The Armenians benefited from the education given to them, and not to the Turks, by American missionaries.

While the lives of the Armenians as a group were improving, Muslims were living through some of the worst suffering experienced in modern history: In the nineteenth and early twentieth centuries, Bosnians were massacred by Serbs; Russians killed and exiled the Circassians, Abkhazians, and Laz; and Turks were killed and expelled from their homelands by Russians, Bulgarians, Greeks, and Serbs. Yet, in the midst of all this Muslim suffering, the political situation of the Ottoman Armenians constantly improved. First, equal rights for Christians and Jews were guaranteed in law. Equal rights increasingly became a reality, as well. Christians took high places in the government. They became ambassadors, treasury officials, even foreign ministers. In many ways, in fact, the rights of Christians became greater than those of the Muslims, because powerful

* Speech given at the Turkish Grand National Assembly on March 24, 2005.

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European states intervened in their behalf. The Europeans demanded and received special treatment for Christians. Muslims had no such advantages.

That was the environment in which Armenians revolted against the Ottoman Empire – hundreds of years of peace, economic superiority, constantly improving political conditions. This would not seem to be a cause for revolution. Yet the nineteenth century saw the beginning of an Armenian revolution that was to culminate in disaster for both. What drove the Armenians and the Turks apart?

Russian Expansion

The Russians

First and foremost, there were the Russians. Regions where Christians and Muslims had been living together in relative peace were torn asunder when the Russians invaded the Caucasian Muslim lands. Most Armenians were probably neutral, but a significant number took the side of the Russians. Armenians served as spies and even provided armed units of soldiers for the Russians. There were significant benefits for the Armenians: The Russians took Erivan Province, today's Armenian Republic, in 1828. They expelled Turks and gave the Turkish land, tax-free, to Armenians. The Russians knew that if the Turks remained they would always be the enemies of their conquerors, so they replaced them with a friendly population – the Armenians.

The forced exile of the Muslims continued until the first days of World War I: 300,000 Crimean Tatars, 1.2 million Circassians and Abkhazians, 40,000 Laz, 70,000 Turks. The Russians invaded Anatolia in the war of 1877-78, and once again many Armenians joined the Russian side. They served as scouts and spies. Armenians became the "police" in occupied territories, persecuting the Turkish population. The peace treaty of 1878 gave much of Northeastern Anatolia back to the Ottomans. The Armenians who had helped the Russians feared revenge and fled, although the Turks did not, in fact, take any revenge.

Both the Muslims and the Armenians remembered the events of the Russian invasions. Armenians could see that they would be more likely to prosper if the Russians won. Free land, even if stolen from Muslims, was a powerful incentive for Armenian farmers. Rebellious Ottoman Armenians had found a powerful protector in Russia. Rebels also had a base in Russia from which they could organize rebellion and smuggle men and guns into the Ottoman Empire. The Muslims knew that if the Russians were guardian angels for the Armenians, they were devils for the Muslims. They could see that when the Russians triumphed, Muslims lost their lands and their lives. They knew what would happen if the Russians came again. And they could see that Armenians had been on the side of the Russians. Thus did 800 years of peaceful coexistence disintegrate.

The Armenian Revolutionaries

It was not until Russian Armenians brought their nationalist ideology to Eastern Anatolia that Armenian rebellion became a real threat to the Ottoman State.

Although there were others, two parties of nationalists were to lead the Armenian rebellion. The first, the Hunchakian Revolutionary Party, called the Hunchaks, was founded in Geneva, Switzerland in 1887 by Armenians from Russia. The second, the Armenian Revolutionary Federation, called the Dashnaks, was founded in the Russian Empire, in Tiflis, in 1890. Both were Marxist. Their methods were violent. The Hunchak and Dashnak Party Manifestos called for armed revolution in the Ottoman Empire. Terrorism, including the murder of both Ottoman officials and Armenians who opposed them, was part of the party platforms. Although they were Marxists, both groups made nationalism the most important part of their philosophy of revolution. In this they were much like the nationalist revolutionaries of Bulgaria, Macedonia, or Greece.

Population

Unlike the Greek or Bulgarian revolutionaries, the Armenians had a demographic problem. In Greece, the majority of the population was Greek. In Bulgaria, the majority was Bulgarian. In the lands claimed by the Armenians, however, Armenians were a fairly small minority. The region that was called “Ottoman Armenia,” the “Six Vilâyets” of Sivas, Mamûretülaziz, Diyarbakır, Bitlis, Van, and Erzurum, was only 17% Armenian. It was 78% Muslim. This was to have important consequences for the Armenian revolution, because the only way to create the “Armenia” the revolutionaries wanted was to expel the Muslims who lived there.

Anyone who doubts the intentions of the revolutionaries need only look at their record – actions such as the murder of one governor of Van Province and attempted murder of another, murders of police chiefs and other officials, the attempted assassination of Sultan Abdülhamid II. These were radical nationalists who were at war with the Ottoman State.

Smuggling Routes

Beginning in earnest in the 1890s, the Russian Armenian revolutionaries began to infiltrate the Ottoman Empire. They smuggled rifles, cartridges, dynamite, and fighters across ill-defended borders into Van, Erzurum, and Bitlis provinces along the routes shown on the map. The Ottomans were poorly equipped to fight them. The problem was financial. The Ottomans still suffered from their terrible losses in the 1877-78 War with Russia. They suffered from the Capitulations, from debts, and from predatory European bankers. It must also be admitted that the Ottomans were poor economists. The result was a lack of money to support the new police and military units that were needed to fight the revolutionaries and restrain Kurdish tribes. The number of soldiers and gendarmes in the East was never sufficient, and they were often not paid for months at a time. It was impossible to defeat the rebels with so few resources.

By far the most successful of the revolutionaries were the Dashnaks. Dashnaks from Russia were the leaders of rebellion. They were the organizers

and the “enforcers” who turned the Armenians of Anatolia into rebel soldiers. This was not an easy task, because at first most of the Ottoman Armenians had no wish to rebel. They preferred peace and security and disapproved of the atheistic, socialist revolutionaries. A feeling of separatism and even superiority among the Armenians helped the revolutionaries, but the main weapon that turned the Armenians of the East into rebels was terrorism. The prime cause that united the Armenians against their government was fear.

Before the Armenians could be turned into rebels their traditional loyalty to their Church and their Community leaders had to be destroyed. The rebels realized that Armenians felt the most love and respect for their Church, not for the revolution. The Dashnak Party therefore resolved to take effective control of the Church. Most clergymen, however, did not support the atheistic Dashnaks. The Church could only be taken over through violence.

What happened to Armenian clergymen who opposed the Dashnaks? Priests were killed in villages and cities. Their crime? They were loyal Ottoman subjects. The Armenian bishop of Van, Boghos, was murdered by the revolutionaries in his cathedral on Christmas Eve. His crime? He was a loyal Ottoman subject. The Dashnaks attempted to kill the Armenian Patriarch in Istanbul, Malachia Ormanian. His crime? He opposed the revolutionaries. Arsen, the priest in charge of the important Akhtamar Church in Van, the religious center of the Armenians in the Ottoman East, was murdered by Ishkhan, one of the leaders of Van’s Dashnaks. His crime? He opposed the Dashnaks. But there was an additional reason to kill him: The Dashnaks wanted to take over the Armenian education system that was based in Akhtamar. After Father Arsen was killed, the Dashnak Aram Manukian, a man without known religious belief, became head of the Armenian schools. He closed down religious education and began revolutionary education. So-called “religious teachers” spread throughout Van Province, teaching revolution, not religion.

The loyalty of the rebels was to the revolution. Not even their church was safe from their attacks.

The other group that most threatened the power of the rebels was the Armenian merchant class. As a group they favored the government. They wanted peace and order, so that they could do business. They were the traditional secular leaders of the Armenian Community; the rebels wanted to lead the Community themselves, so the merchants had to be silenced. Those who most publicly supported their government, such as Bedros Kapamacıyan, the Mayor of Van, and Armarak, the kaymakam of Gevaş, were assassinated, as were numerous Armenian policemen, at least one Armenian Chief of Police, and Armenian advisors to the Government. Only a very brave Armenian would take the side of the Government.

The Dashnaks looked on the merchants as a source of money. The merchants would never donate to the revolution willingly. They had to be forced to do so. The first reported case of extortion from merchants came in Erzurum in 1895, soon after the Dashnak Party became active in the Ottoman domains. The

campaign began in earnest in 1901. In that year the extortion of funds through threats and assassination became the official policy of the Dashnak Party. The campaign was carried out in Russia and the Balkans, as well as in the Ottoman Empire. One prominent Armenian merchant, Isahag Zhamharian, refused to pay and reported the Dashnaks to the police. He was assassinated in the courtyard of an Armenian church. Others who did not pay were also killed. The rest of the merchants then paid.

From 1902 to 1904 the main extortion campaign brought in the equivalent, in today's money, of more than eight million dollars. And this was only the amount collected by the central Dashnak committee in a short period, almost all from outside the Ottoman Empire. It does not include the amounts extorted from 1895 to 1914 in many areas of the Ottoman Empire. Soon the merchants were paying their taxes to the revolutionaries, not to the government. When the government in Van demanded that the merchants pay their taxes, the merchants pleaded that they had indeed paid taxes, but to the revolutionaries. They said they could only pay the government if the government protected them from the rebels. The same condition prevailed all over Eastern Anatolia, in İzmir, in Cilicia, and elsewhere.

The Armenian common people did not escape the extortions of the rebels. They were forced to feed and house the revolutionaries. British Consul Elliot reported:

They [the Dashnaks] quarter themselves on Christian villages, live on the best to be had, exact contributions to their funds, and make the younger women and girls submit to their will. Those who incur their displeasure are murdered in cold blood.

The greatest cost to villagers was the forced purchase of guns. The villagers were turned into rebel "soldiers", whether they wished to be or not. If they were to fight the Turks, they needed weapons. The revolutionaries smuggled weapons from Russia and forced the Armenian villagers to buy. The methods used to force the villagers to buy were very effective, as British consul Seele reported:

An agent arrived in a certain village and informed a villager that he must buy a Mauser pistol. The villager replied that he had no money, whereupon the agent retorted, "You must sell your oxen." The wretched villager then proceeded to explain that the sowing season would soon arrive and asked how a Mauser pistol would enable him to plough his fields. For reply the agent proceeded to destroy the poor man's oxen with his pistol and then departed.

The rebels had more than military organization in mind when they forced the villagers to buy weapons. The villagers were charged double the normal cost of the weapons. A rifle worth £5 was sold for £10. Both the rebel organization and the rebels themselves did very well from the sales.

It was the peasants who suffered most. The most basic policy of the revolutionaries was a callous exploitation of the lives of Armenians: Kurdish tribes and their villages were attacked by the rebels, knowing that the tribes would take their revenge on innocent Armenian villagers. The revolutionaries escaped and left their fellow Armenians to die.

ARMENIAN REBELLIONS AND THE OTTOMANS

Even Europeans, friends of the Armenians, could see that the revolutionaries were the cause of the curse that had descended on Eastern Anatolia. Consul Seele wrote in 1911:

From what I have seen in the parts of the country I have visited, I have become more convinced than ever of the baneful influence of the Taschnak Committee on the welfare of the Armenians and generally of this part of Turkey. It is impossible to overlook the fact in that in all places where there are no Armenian political organisations or where such organisations are imperfectly developed, the Armenians live in comparative harmony with the Turks and Kurds.

The Englishman rightly saw that the cause of the unrest in the East was the Armenian revolutionaries. If there were no Dashnaks, the Turks and Armenians would have lived together in peace. The Ottoman Government knew this was true. Why did the Government tolerate so much from the rebels? Why did the Government not stamp them out?

The Ottoman failure to effectively oppose the rebels is indeed hard to understand. Imagine a country in which a number of radical revolutionaries, most of them from a foreign country, organize a rebellion. They infiltrate fighters and guns from this foreign country to lead their attack on the government and the people. The radicals openly state they wish to create a state in which the majority of the population will be excluded from rule. They murder and terrorize their own people to force them to join their cause. They murder government officials. They deliberately murder members of the majority in the hope that reprisals will lead other nations to invade. They store thousands of weapons in preparation for revolt. They revolt, are defeated, then revolt again and again. The country that gains most from the rebels' actions is the country they come from – the country in which they organize, the country in which they have their home base.

What government would tolerate this? Has there ever been a country that would not jail, and probably hang such rebels? Has there ever been a country that would allow them to continue to operate openly? Yes. That country was the Ottoman Empire. In the Ottoman Empire the Armenian rebels operated openly, stored thousands of weapons, murdered Muslims and Armenians, killed governors and other officials, and rebelled again and again. The only one to truly benefit from their actions was Russia – the country in which they organized, the country their leaders came from.

How could this happen? The Ottomans were not cowards. The Ottomans were not fools. They knew what the rebels were doing. The Ottomans tolerated the Armenian revolutionaries because the Ottomans had no choice.

It must be remembered that the very existence of the Ottoman Empire was at stake. Serbia, Bosnia, Romania, Greece, and Bulgaria had already been lost because of European intervention. The Europeans had almost divided the Empire in 1878 and had planned to do so in the 1890s. Only fear that Russia would become too powerful had stopped them. Public opinion in Britain and

France could easily change that. Indeed, that was exactly what the Armenian revolutionaries wanted. They wanted the Ottomans to jail and execute Armenian rebels. European newspapers would report that as government persecution of innocent Armenians. They wanted the government to prosecute Armenian revolutionary parties. The European newspapers would report that as denying political freedom to the Armenians. They wanted Muslims to react to Armenian provocations and attacks by killing Armenians. The European newspapers would report only the dead Armenians, not the dead Muslims. Public opinion would force the British and French to cooperate with the Russians and dismember the Empire.

Many politicians in Europe, men such as Gladstone, were as prejudiced against the Turks as were the press and the public. They were simply waiting for the right opportunity to destroy the Ottoman Empire.

The result was that it was nearly impossible for the Ottomans to properly punish the rebels. The Europeans demanded that the Ottomans accept actions from the revolutionaries that the Europeans themselves would never tolerate in their own possessions. When the Dashnaks occupied the Ottoman Bank, Europeans arranged their release. European ambassadors forced the Ottomans to grant amnesty to rebels in Zeytun. They arranged pardons for those who attempted to kill Sultan Abdülhamid II. The Russian consuls would not let Ottoman courts try Dashnak rebels, because they were Russian subjects. Many rebels who were successfully tried and convicted were released, because the Europeans demanded and received pardons for them, in essence threatening the Sultan if he did not release rebels and murderers. One Russian consul in Van even publicly trained Armenian rebels, acting personally as their weapons instructor.

All the Ottomans could do was try to keep things as quiet as possible. That meant not punishing the rebels as they should have been punished. One can only pity the Ottomans. They knew that if they governed properly the result would be the death of their state.

World War I

There were two factors that caused the Ottoman loss in the East in World War I. The first was Enver Paşa's disastrous attack at Sarıkamış. Enver's attack on Russia in December of 1914 was in every way a disaster. Of the 95,000 Turkish troops who attacked Russia, 75,000 died. The second factor, the one that concerns us here, was Armenian Revolt.

Desertion Zone

As World War I threatened and the Ottoman Army mobilized, Armenians who should have served their country instead took the side of the Russians. The Ottoman Army reported: "From Armenians with conscription obligations those in towns and villages East of the Hopa-Erzurum-Hınıs-Van line did not comply with

the call to enlist but have proceeded East to the border to join the organization in Russia.” The effect of this is obvious: If the young Armenian males of the “zone of desertion” had served in the Army, they would have provided more than 50,000 troops. If they had served, there might never have been a Sarıkamış defeat.

The Armenians from Hopa to Erzurum to Hınıs to Van were not the only Armenians who did not serve. The tens of thousands of Armenians of Sivas who formed chette bands did not serve. The rebels in Zeytun and elsewhere in Cilicia did not serve. The Armenians who fled to the Greek Islands or to Egypt or Cyprus did not serve. More precisely, many of these Armenian young men did serve, but they served in the armies of the Ottomans’ enemies. They did not protect their homeland, they attacked it.

In Eastern Anatolia, Armenians formed bands to fight a guerilla war against their government. Others fled only to return with the Russian Army, serving as scouts and advance units for the Russian invaders. It was those who stayed behind who were the greatest danger to the Ottoman war effort and the greatest danger to the lives of the Muslims of Eastern Anatolia.

It has often been alleged by Armenian nationalists that the Ottoman order to deport Armenians was not caused by Armenian rebellion. As evidence, they note the fact that the law of deportation was published in May of 1915, at approximately the same time that the Armenians seized the City of Van. According to this logic, the Ottomans must have planned the deportation some time before that date, so the rebellion could not have been the cause of the deportations. It is true that the Ottomans began to consider the possibility of deportation a few months before May, 1915. What is not true is that May, 1915 was the start of the Armenian rebellion. It had started long before.

European observers knew long before 1914 that Armenians would join the Russian side in event of war. As early as 1908, British consul Dickson had reported:

The Armenian revolutionaries in Van and Salmas [in Iran] have been informed by their Committee in Tiflis that in the event of war they will side with the Russians against Turkey. Unaided by the Russians, they could mobilize about 3,500 armed sharpshooters to harass the Turks about the frontier, and their lines of communication.

British diplomatic sources reported that in preparation for war, in 1913, the Armenian revolutionary groups met and agreed to coordinate their efforts against the Ottomans. The British reported that this alliance was the result of meetings with “the Russian authorities.” The Dashnak leader (and member of the Ottoman Parliament) Vramian had gone to Tiflis to confer with the Russian authorities. The British also reported that: “[The Armenians] have thrown off any pretence of loyalty they may once have shown, and openly welcome the prospect of a Russian occupation of the Armenian Vilayets.”

Even Dashnak leaders admitted the Dashnaks were Russian allies. The Dashnak Hovhannes Katchaznouni, prime minister of the Armenian Republic,

stated that the party plan at the beginning of the war was to ally with the Russians. Since 1910 the revolutionaries had distributed a pamphlet throughout Eastern Anatolia. It demonstrated how Armenian villages were to be organized into regional commands, how Muslim villages were to be attacked, and specifics of guerilla warfare.

Before the war began, Ottoman Army Intelligence reported on Dashnak plans: They would declare their loyalty to the Ottoman State, but increase their arming of their supporters. If war was declared, Armenian soldiers would desert to the Russian Army with their arms. The Armenians would do nothing if the Ottomans began to defeat the Russians. If the Ottomans began to retreat, the Armenians would form armed guerilla bands and attack according to plan. The Ottoman intelligence reports were correct, for that is exactly what happened.

War

The Russians gave 2.4 million rubles to the Dashnaks to arm the Ottoman Armenians. They began distributing weapons to Armenians in the Caucasus and Iran in September of 1914. In that month, seven months before the Deportations were ordered, Armenian attacks on Ottoman soldiers and officials began. Deserters from the Ottoman Army at first formed into what officials called “bandit gangs”. They attacked conscription officers, tax collectors, gendarmerie outposts, and Muslims on the roads. By December a general revolt had erupted in Van Province. Roads and telegraph lines were cut, gendarmerie outposts attacked, and Muslim villages burned, their inhabitants killed. The revolt soon grew: in December, near the Kotur Pass, which the Ottomans had to hold to defend against Russian invasion from Iran, a large Armenian battle group defeated units of the Ottoman army, killing 400 Ottoman soldiers and forcing the army to retreat to Saray. The attacks were not only in Van: The governor of Erzurum, Tahsin, cabled that he could not hold off the Armenian attacks that were breaking out through the province; soldiers would have to be sent from the front.

By February, reports of attacks began to come in from all over the East – a two-hour battle near Muş, an eight-hour battle in Abaak, 1,000 Armenians attacking near Timar, Armenian chettes raiding in Sivas, Erzurum, Adana, Diyarbakır, Bitlis, and Van provinces. Telegraph lines to the front and from Ottoman cities to the West were cut, repaired, and cut again many times. Supply caravans to the army were attacked, as were columns of wounded soldiers. Units of gendarmerie and soldiers sent to reconnect telegraph lines or protect supply columns themselves came under attack. As an example of the enormity of the problem, in the middle of April an entire division of gendarmerie troops was ordered from Hakkâri to Çatak to battle a major uprising there, but the division could not fight through the Armenian defenses. That’s why Ottomans had to send a group of soldiers to Çatak from the front.

Once careful preparations had been made, Armenians revolted in the City of Van. On April 20, well-armed Armenian units, many wearing military uniforms, took the city and drove Ottoman forces into the citadel. The rebels burned down

most of the city, some buildings also being destroyed by the two canons the Ottomans had in the citadel. Troops were sent from the Erzurum and Iranian Fronts, but they were unable to relieve the city. The Russians and Armenians were advancing from the north and the southwest. On May 17, the Ottomans evacuated the citadel. Soldiers and civilians fought their way southwest around Lake Van. Some took to boats on the Lake, but nearly half of these were killed by rebels firing from the shore or when their boats ran aground. Some of the Muslims of Van survived at least for a while, put in the care of American missionaries. Most who did not escape were killed. Villagers were either killed in their homes or collected from surrounding areas and sent into the great massacre at Zeve.

The ensuing suffering of the Muslims and Armenians is well known. It was a history of bloody warfare between peoples in which all died in great numbers. When the Ottomans retook much of the East, the Armenian population fled to Russia. There they starved and died of disease. When the Russians retook Van and Bitlis Provinces, they did not allow the Armenians to return, leaving them to starve in the North. The Russians wanted the land for themselves. It is also well known that Armenians who remained, those in Erzurum Province, massacred Muslims in great numbers at the end of the war.

My purpose here is not to retell that history. I wish to demonstrate that the Ottomans were right in considering the Armenians to be their enemies, if further proof is needed. The map shows proof that the Armenian rebels in fact were agents of Russia.

The Armenians of the Ottoman East rebelled in exactly those areas that were most important to the Russians. The benefit of the rebellion in Van City, the center of Ottoman Administration in the Southeast is obvious. The other sites of rebellion were in reality more important: Rebellion in Erzurum Province cut the Ottoman Army off from supplies and communications. The rebellion was directly in the path of the Russian advance from the North. The Armenians rebelled in the Saray and Başkale regions, at the two major passes that the Russians were to use in their invasion from Iran. The Armenians rebelled in the region near Çatak, at the mountain passes needed for the Ottomans to bring up troops to the Iran frontier, the passes needed for the Ottoman retreat. The Armenians rebelled in great numbers in Sivas Province and in Şebinkarahisar. This would seem to be an odd place for a revolt, a region where the Armenians were outnumbered by the Muslims ten to one, but Sivas was tactically important. It was the railhead from which all supplies and men passed to the Front, basically along one road. It was the perfect site for guerilla action to harass Ottoman supply lines. The Armenians also rebelled in Cilicia, the intended site for a British invasion that would have cut the rail links to the South. It was not the fault of the rebels that the British preferred to attempt the madness at Gallipoli instead of an attack in Cilicia that would surely have been more successful.

All these regions were the very spots a military planner would choose to most damage the Ottoman war effort. It cannot be an accident that they were also the spots chosen by the rebels for their revolt. Anyone can see that the revolts were

a disaster for the Army. The disaster was compounded by the fact that the Ottomans were forced to withdraw whole divisions from the Front to battle the Armenian rebels. The war might have been much different if these divisions had been able to fight the Russians, not the rebels. I agree with Field-Marshal Pomiankowski, who was the only real European historian of World War I in the Ottoman Empire, that the Armenian rebellion was the key to the Ottoman defeat in the East.

Only after seven months of Armenian rebellion did the Ottomans order the deportation of Armenians (May 26-30, 1915).

The Ottoman Record

How do we know that this analysis is true? It is, after all, very different than what is usually called the history of the Armenians. We know it is true because it is the product of reasoned historical analysis, not ideology.

To understand this, we must consider the difference between history and ideology, the difference between scientific analysis and nationalist belief, the difference between the proper historian and the ideologue. To the historian what matters is the attempt to find the objective truth. To the nationalist ideologue what matters is the triumph of his cause. A proper historian first searches for evidence, then makes up his mind. An ideologue first makes up his mind, then looks for evidence.

A historian looks for historical context. In particular, he judges the reliability of witnesses. He judges if those who gave reports had reason to lie. An ideologue takes evidence wherever he can find it, and may invent the evidence he cannot find. He does not look too closely at the evidence, perhaps because he is afraid of what he will find. As an example, the ideologues contend that the trials of Ottoman leaders after World War I prove that the Turks were guilty of genocide. They do not mention that the so-called trials reached their verdicts when the British controlled Istanbul. They do not mention that the courts were in the hands of the Quisling Damad Ferid Paşa government, which had a long record of lying about its enemies, the Committee of Union and Progress. They do not mention that Damad Ferid would do anything to please the British and keep his job. They do not mention that the British, more honest than their lackeys, admitted that they could not find evidence of any "genocide." They do not mention that the defendants were not represented by their own lawyers. They do not mention that crimes against Armenians were only a small part of a long list of so-called crimes, everything the judges could invent. The ideologues do not mention that the courts should best be compared to those convened by Josef Stalin. The ideologues do not mention this evidence.

A historian first discovers what actually happened, then tries to explain the reasons. An ideologue forgets the process of discovery. He assumes that what he believes is correct, then constructs a theory to explain it. The work of Dr. Taner Akçam is an example of this. He first accepts completely the beliefs of the

Armenian nationalists. He then constructs an elaborate sociological theory, claiming that genocide was the result of Turkish history and the Turkish character. This sort of analysis is like a house built on a foundation of sand. The house looks good, but the first strong wind knocks it down. In this case, the strong wind that destroys the theory is the force of the truth.

A historian knows that one has to look back in history, sometimes far back in history, to find the causes of events. An ideologue does not bother. Again, he may be afraid of what he will find. Reading the Armenian Nationalists one would assume that the Armenian Question began in 1894. Very seldom does one find in their work mention of Armenian alliances with the Russians against the Turks stretching back to the eighteenth century. One never finds recognition that it was the Russians and the Armenians themselves who began to dissolve 700 years of peace between Turks and Armenians. These are important matters for the historian, but they hurt the cause of the ideologue.

The historian studies. The ideologue wages a political war. From the start the Armenian Question has been a political campaign. Materials that have been used to write the long-accepted and false history of the Armenian Question were written as political documents. They were written for political effect. Whether they were articles in the Dashnak newspaper or false documents produced by the British Propaganda Office, they were propaganda, not sources of accurate history. Historians have examined and rejected all these so-called "historical sources." Yet the same falsehoods continually appear as "proof" that there was an Armenian Genocide. The lies have existed for so long, the lies have been repeated so many times, that those who do not know the real history assume that the lies are true.

It is not only Americans and Europeans who have been fooled. Recently I read a two-volume work written by a Turkish scholar. Much of what appears on the Armenians is absolute nonsense. For example, in 1908 in the City of Van, Ottoman officials discovered an arsenal of Dashnak weapons – 2,000 guns, hundreds of thousands of cartridges, 5,000 bombs – all in preparation for an Armenian revolt. Armenians rebels fought Ottoman troops briefly, then fled. This event is described in all the diplomatic literature and books on Van. The author, however, says what occurred was a revolt of 1,000 Turks(!) against the government, and mentions no rebel weapons. How could such a mistake be made? It was because of the source. The author took all information from the Dashnak Party newspaper!

We must affirm a basic principle: Those who take propaganda as their source themselves write propaganda, not history.

Too many scholars, Turks and non-Turks alike, have accepted the lies of groups like the Dashnak Party and not even looked at the internal reports of the Ottomans. Scholars have the right to make mistakes, but scholars also have a duty to look at all sources of information before they write. It is wrong to base writings on political propaganda and to ignore the honest reports of the Ottomans. The first place to look for Ottoman history should be the records of the Ottomans.

Why rely on Ottoman archival accounts to write history? Because they are the sort of solid data that is the basis of all good history. The Ottomans did not write propaganda for today's media. The reports of Ottoman soldiers and officials were not political documents or public relations exercises. They were secret internal reports in which responsible men relayed what they believed to be true to their government. They might sometimes have been mistaken, but they were never liars. There is no record of deliberate deception in Ottoman documents. Compare this to the dismal history of Armenian Nationalist deceptions: fake statistics on population, fake statements attributed to Mustafa Kemal, fake telegrams of Talat Pasha, fake reports in a Blue Book, misuse of court records and, worst of all, no mention of Turks who were killed by Armenians.

I have been asked to make suggestions as to what Turks can do to correct false history. I hesitate to do so, because Turks already know what has to be done – opposing the lies that are told about their ancestors. You are already doing it. It is a hard fight: The prejudices about Turks stand in your way, and those who oppose you are politically strong, but the truth is on your side. I am very pleased that the Turks, and the Turkish Parliament, are uniting to oppose the lies told about the Turks. The recent agreement between Prime Minister Erdoğan, and Minority Leader Baykal, prove that the Turks are taking action. The attempt by the Tarih Kurumu to debate and discuss with Armenian scholars proves that the Turks are taking action. The many books on this issue now being printed by Turkish scholars prove that the Turks are taking action. Men like Şükrü Elekdağ are fighting for the truth. I and others who have long opposed the lies are glad we are not alone.

In the past, scholars, including myself, have proposed that Turkish and Armenian historians, along with others who study this history, should meet to research and debate the history of the Turks and Armenians. Prime Minister Erdoğan and Dr. Baykal have proposed that all archives be opened to a joint commission on the Armenian Question. This is exactly what should be done. Most important, they have declared that historians should settle this question. They have also shown that Turks have nothing to fear from the truth.

We can only hope that scholarly integrity will triumph over politics and the Armenian Nationalists will join in debate. I am not hopeful they will do so. I recently gave two talks at the University of Minnesota, a center of so-called “Armenian Genocide Studies”. Dr. Taner Akçam teaches there. Dr. Akçam was invited to my lectures, but did not come. In fact, no Armenian came. Instead all notices of the lecture were torn down, so that others would not know I was speaking.

This is not a scholarly approach. It is political. The Armenian Nationalists have decided that they will win their political fight if no one knows there is a scholarly opposition to their ideology. Therefore, Armenian Nationalists will only meet with Turks who first state that Turks committed genocide. These are described in the American and European press as “Turkish scholars”. Readers are left with the impression, a carefully-cultivated impression, that Turkish scholars believe there was a genocide. Readers are left with the impression that it is only the Turkish Government that denies there was a genocide.

We know this is not true. Every year many books and articles are published in Turkey that not only deny the “Armenian Genocide” but document Armenian persecution of Turks. Conferences are held. Mass graves of innocent Turks killed by Armenian Nationalists are found. Museums and monuments are opened to commemorate the Turkish dead. Historians who have seen the Ottoman archival records or read the Turkish books on the Armenian Question do not accept the idea of a genocide. They know that in wartime many Armenians were killed by Turks, and that many Turks were killed by Armenians. They know that this was war, not genocide.

Why do so many in my country and Europe believe that the small group of Turks who accept the Armenian Nationalists beliefs represent Turkish scholarship? Why is it believed that these Turks speak for the real beliefs of Turkish professors? Part of the reason is prejudice. Prejudice against Turks has existed for so long that it easy for people to believe that Turks must have been guilty. Another reason, however, is that few in Europe and America know that real Turkish scholarship on this issue exists.

Excellent work on the Armenian Question is now being written in Turkey. As you know, for too long Turks did not study the history of the Turks and Armenians. This has now changed. Anyone who has seen modern Turkish work on the Armenian Question must be impressed. The Tarih Kurumu has taken the lead in this, as it should. I obviously do not believe that Turks should be the only ones who write Turkish history, but Turks should be the main historians of Turkey. It is your country and your history. The problem lies in bringing the excellent history now being written in Turkey and the documents of Turkish history to scholars, politicians, and the public in other countries. The problem is that Turkish historians naturally write in Turkish, and Europeans and Americans do not read Turkish.

Should those who write the history of Turkey read Turkish? Yes, of course they should read Turkish. Should they use the many books on Turkish history written in Turkish? Yes, of course they should do so. Should they understand all sides of an issue, including the Turkish side, before they write? Yes, because that is a scholar’s duty. Do they always do so? No. In particular, most books on the so-called “Armenian Genocide” do not refer to modern Turkish studies. It is no use saying this is wrong. It is no use telling scholars to learn Turkish. They will not or cannot do so. To be fair, there are few places in my own country where Turkish is taught. The only answer is that the Turkish books must be translated into other languages, especially English, which is understood all over the world. A start has been made. Today there are valuable books, originally in Turkish, that have been translated. These include Esat Uras’ excellent, if now outdated, history, the recent publication on the Armenian Question by the Turkish Parliament, the history written by the Turkish Foreign Office, the late Kâmuran Gürün’s Armenian File, Orel and Yuca’s Talat Pasha Telegrams, and others. The series of Ottoman documents on the Armenian Question, translated and published by the General Staff, the Ottoman Archives, the Tarih Kurumu, and the Foreign Ministry, are perhaps the most valuable of all. But there are so many others that are needed. There are too many to list here, but I note that even the

memoirs of Kâzım Karabekir and Ahmet Refik have not been translated. All these books should be read by the widest possible audience. They should be translated.

And the translations must include books that seem to be on topics other than the Armenian Question. There are no accurate and detailed military histories of World War I in the Ottoman Empire in any European language. What exists is often wrong, and not only wrong on the Armenians. General histories of World War I, for example, name the wrong generals, move troops to the wrong places, and never seem to understand Ottoman strategy. They seldom mention the one most significant factor in the war – the incredible strength and endurance of Turkish soldiers. Why is this important to the Armenian Question? It is important because the danger from the Armenian rebellion and the reason for the Armenian deportations cannot be understood unless the military situation is understood. The Ottoman sources prove that the Armenian rebellion was an essential part of the Russian military plan. The Ottoman sources prove that the Armenian rebellion was an important part of the Russian victory. The Ottoman sources prove that the Armenian rebels were, in effect, soldiers in the Russian Army. There is a series of military histories that accurately portray the events of the Ottoman wars and the Turkish War of Independence – the histories published by the Turkish General Staff – many volumes, filled with great detail, many maps, and descriptions of Ottoman plans and actions. These books are based on the reports of the Ottoman soldiers themselves, not only on the reports of the Ottoman enemies. They should be read by every historian of World War I. Yet these books are in Turkish. If they are ever to be used in America and Europe, they must be in English.

And there must be many more accurate and honest books on Turkey for teachers and students in Europe and America. Only by telling the truth to youth can the prejudices against Turks be finally ended. We have made a start. The Istanbul Chambers of Commerce have financed the first detailed book on Turkey for American teachers. Many more books are needed.

Finally, I wish to comment on current politics. Some may feel that I should not do so. I am not a Turk, and this is surely a Turkish problem. Nor am I a political scientist or a politician. I am a historian. I am speaking on this problem because it is basically a historical question. As a historian, I am infuriated when any group, or any country, is ordered to lie about its history. The political problem I am speaking of is the growing cry from Europe that Turkey must admit the “Armenian Genocide” before it can enter the European Union. I am angry that anyone can believe that accepting a lie about Turkish history will somehow be a benefit to Europe or to Turkey. I know, and I believe you know, that it will make matters much worse.

Today the Armenian Nationalists are proclaiming in the parliaments of Europe and the Congress of the United States that they only want Turkey to admit that genocide occurred, then all will be well. I once spoke to an American official who told me that the Turks should say, “Yes, we did it, sorry,” and then forget it. I asked him if he thought the Turks had committed genocide. He replied that he

did not know and did not care. I told him the Turks would never lie like that about their fathers and grandfathers. He told me I was naive. But he was the one who was naive, because he believed that the Armenian Nationalists would be satisfied with an apology.

Armenian Claims

The plan of the Armenian Nationalists has not changed in more than 100 years. It is to create an Armenia in Eastern Anatolia and the Southern Caucasus, regardless of the wishes of the people who live there. The Armenian Nationalists have made their plan quite clear. First, the Turkish Republic is to state that there was an “Armenian Genocide” and to apologize for it. Second, the Turks are to pay reparations. Third, an Armenian state is to be created. The Nationalists are very specific on the borders of this state. The map you see is based on the program of the Dashnak Party and the Armenian Republic. It shows what the Armenian Nationalists claim. The map also shows the population of the areas claimed in Turkey and the number of Armenians in the world. If the Armenians were to be given what they claim, and if every Armenian in the world were to come to Eastern Anatolia, their numbers would still be only half of the number of those Turkish citizens who live there now. Of course, the Armenians of California, Massachusetts, and France would never come in great numbers to Eastern Anatolia. The population of the new “Armenia” would be less than one-fourth Armenian at best. Could such a state long exist? Yes, it could exist, but only if the Turks were expelled. That was the policy of the Armenian Nationalists in 1915. It would be their policy tomorrow.

We should be very clear on Armenian claims. Their claims are not based on history, because Armenians have not ruled in Eastern Anatolia for more than 900 years. Their claims are not based on culture: Before the revolutionaries and the Russians destroyed all peace, the Armenians and Turks shared the same culture. Armenians were integrated into the Ottoman system, and most of the Armenians spoke Turkish. They ate the same food as the Turks, shared the same music, and lived in the same sorts of houses. The Armenian claims are surely not based on a belief in democracy: Armenians have not been a majority in Eastern Anatolia for centuries, and they would be a small minority there now. Their claims are based on their nationalist ideology. That ideology is unchanging. It was the same in 1895 and 1915 as it is in 2005. They believe there should be an “Armenia” in Eastern Turkey – no matter the history, no matter the rights of the people who live there.

History teaches that the Armenian Nationalists will not stop their claims if the Turks forget the truth and say there was an Armenian Genocide. They will not cease to claim Erzurum and Van because the Turks have apologized for a crime they did not commit. No. They will increase their efforts. They will say, “The Turks have admitted they did it. Now they must pay for their crimes.” The same critics who now say the Turks should admit genocide will say the Turks should pay reparations. Then they will demand the Turks give Erzurum and Van and Elazığ and Sivas and Bitlis and Trabzon to Armenia.

I know the Turks will not give in to this pressure. The Turks will not submit, because they know that to do so would simply be wrong. How can it be right to become a member of an organization that demands you lie as the price of admission? Would any honest man join an organization that said, “You can only join us if you first falsely say that your father was a murderer?”

I hope and trust that the European Union will reject the demands of the Armenian Nationalists. I hope they will realize that the Armenian Nationalists are not concerned with what is best for Europe. But whatever the European Union demands, I have faith in the honor of the Turks. What I know of the Turks tells me that they will never falsely say there was an Armenian Genocide. I have faith in the honesty of the Turks. I know that the Turks will resist demands to confess to a crime they did not commit, no matter the price of honesty. I have faith in the integrity of the Turks. I know that the Turks will not lie about this history. I know that the Turks will never say their fathers were murderers. I have that faith in the Turks.

II
THE ARMENIAN QUESTION
IN THE CONTEXT OF
INTERNATIONAL RELATIONS

THE ARMENIAN QUESTION TODAY

Ömer Engin LÜTEM*

After Armenian terrorism was terminated, the Armenian Question became political in the sense that it had turned into an international problem. However, at that time, there was no such a thing as the Armenian Question, neither for international law nor for international relations.

There are several reasons why it was not an issue for international law. First, the border that Turkey shares with all its eastern neighbours, including Armenia, was determined by the Treaty of Kars. Second, the Lausanne Treaty cleared the table of all the potential demands of the deported Armenians or of their heirs, mainly with regard to return of property. In addition, these demands could not be invoked legally since they have exhausted their time of appeal. Because the Treaty of Kars and the Lausanne Treaty are still valid today, there is no Armenian Question that falls within the realm of international law.

Since there has been no country thus far to put forward demands requesting Turkey to compensate for property losses and to give away land to Armenia, it is then not possible to argue that there is an Armenian Question for international law as far as land and indemnities are concerned.

The question, rather, concentrates upon the recognition of the “genocide.” The fact that the European Parliament (EP) acknowledged it in 1987 and asked Turkey to follow the same path has earned the issue of recognition the status of an international problem. Since then, 17 national parliaments have acknowledged the “Armenian genocide.”

1. Resolutions of the European Parliament

The European Parliament adopted the Armenian “genocide” allegations into its agenda first in 1987. This time frame was triggered by, first, the Turkish application to the European Union for full membership, and then the recent end brought to Armenian terror. The main points of the resolution issued by the

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European Parliament on 18 June 1987 (see Appendix, Document 8), whose full text in English is offered in the annex, are as follows:

- a) The deportation and relocation that occurred between 1915-1917 are treated as “genocide.”
- b) It will be an obstruction for Turkish membership to the EU if Turkey insists on not recognizing the “Armenian genocide.”
- c) It is underlined that Turkey cannot be held responsible for the “genocide.”
- d) It is also highlighted that Turkish recognition of the “genocide” will not result in political, legal and material demands imposed upon it.
- e) The Armenian terrorism is condemned.

Points a and b are clauses which are desired by Armenia while they are strictly opposed by Turkey. On the other hand, points c, d and e could be accepted by Turkey whereas they are not tolerated by Armenia. Thus, the resolution can be evaluated as an attempt to strike a balance between both sides.

However, because there was no improvement recorded for the Turkish accession in these years, the aforementioned resolution lost its significance and could not be influential except for being incorporated into the Armenian propaganda discourse.

When Turkish candidacy was again at stake with the Helsinki Summit in 1999, certain groups in the European Parliament could once again bring up the issue of the “Armenian genocide,” especially during the debates in the Parliament on the Enlargement Report prepared by the Commission for Turkey.

The resolution arrived at upon the European Parliament consideration of the Progress Report Towards Accession on Turkey in 2000 openly asked the Turkish government and the Turkish National Assembly to recognize the “Armenian genocide,” to start diplomatic and trade relations between Armenia and Turkey, and to initiate a bilateral dialogue in order to remove the embargo.

In the 2001 EU resolution regarding the Progress Report Towards Accession on Turkey, there is no reference to the “genocide.” Instead Turkey was requested to take up an active role for the restoration of the dialogue between Armenia and Azerbaijan, and to abolish the embargo exercised against Armenia.

However, in 2002, the “genocide” issue came to the stage in the report prepared by the European Parliament on relations with South Caucasian countries. This report referred to the 1987 document as the resolution, dated to 18 June 1987, that recognized the “Armenian genocide,” while Turkey was once again demanded to remove the embargo. As it received great criticism from Turkey, every Turkish political party that had a group in the Assembly issued a declaration on 28 February 2002 (the day European Parliament adopted its resolution) to note the belief that the European Parliament had deliberately discarded historical realities.

In 2002, the European Parliament resolution on the Progress Report Towards Accession on Turkey¹ argued that the solution of the Cyprus problem and the normalization of bilateral relations with Armenia were requirements necessitated by the Copenhagen Criteria. That was an irrational move to create a link between the Copenhagen Criteria and the “genocide” allegations.

What is more, Turkey was demanded to engage in good neighborly relations with Armenia, which were to start with the opening of the border and the establishment of diplomatic relations.

There is no direct reference to the “genocide” in the EP’s resolution regarding the Progress Report Towards Accession on Turkey 2003. Faced with the pro-Armenian groups in the Parliament, the resolution only recalled of its fellow which was adopted on 17 June 1987. In addition, Turkey was once again demanded to open its Armenian border, to be on good terms with the latter and refrain from any acts that could jeopardize the “historical reconciliation.”

When it comes to the European Commission, it addressed Turkish-Armenian relations and indirectly the issue of the “genocide” for the first time in its Progress Report Towards Accession on Turkey on 6 October 2004. The report, in the section where it elaborated on the implications of the Turkish accession, asserted that the Turkish entry would extend the borders of the Union up to Armenia, Georgia and Azerbaijan, and that the EU could play a stabilizing role in South Caucasia through Turkey provided that the latter worked out its problems with the neighbouring countries prior to accession. It made a strong case on the necessity of the furtherance of the Turkish-Armenian relations by the establishment of diplomatic relations and the opening of the land border. It also argued that the tragic events of 1915-1916, especially the disturbances suffered by the local population, needed to be examined further. Turkish accession, in turn, had to accommodate the promotion of bilateral relations and the achievement of a consensus on these matters.

The report, thus, opted to use the wording of “tragic events” instead of “genocide” for the events of 1915-1916, for which it was severely criticized by the Diaspora.² On the other hand, this issue was for the first time accommodated in a Commission document where it asked Turkey to reach a compromise concerning these “tragic events.” However, it is not clear with whom and when this compromise ought to be arrived at, though it is without any doubt Armenia with whom it had to be constructed, given the fact that the Armenian Diaspora does not possess international legal personality. Moreover, it can be discerned that the compromise is expected to emerge prior to the Turkish accession.

¹ Named after its rapporteur, the “Oostlander Report” and its annexed resolution were adopted on 5 June 2003 with 216 affirmative votes against 75 negative votes and 38 abstentions. Touching upon many issues about Turkey, this report asked for the free use of the Armenian language in Turkey, respect to be paid to Armenian and Syrian cultural heritage, and removal of the anti-genocide discourse from the Turkish education literature. Moreover, intellectuals and civil society representatives from both countries are called upon to continue their dialogue in order to overcome the tragic experiences of the past.

² La Fédération Euro-Arménienne, 7 October 2005. The declaration issued by this federation stated that by employing incorrect wording, the European Commission censored the term of “genocide” and thus sustained the Turkish denial.

The Commission also pointed to the necessity of Turkey's mitigation of the tension between Armenia and Azerbaijan that exists thanks to the Karabakh problem. What is significant here is that Turkey is not expected to contribute to the settlement of the Karabakh problem, but it is rather desired to strive for the mitigation of the tension generated by it. In other words, by supporting Azerbaijan, the report indirectly affirms that Turkey contributes to the prolongation of the tension.

Whereas in the Commission Progress Reports, although issues such as Turkey-Armenia relations, the necessity of the opening of the border, and the Armenian minority in Turkey will be referred to, the word "genocide" will be out of use regarding the events of 1915.

The most important part of the Commission report is its recommendations to the European Council on the subject of Turkish improvements for EU accession, for they involve no reference to the Armenian Question. Harmonious to that, the Council Conclusions declared at the end of the Summit held on 17 December 2004, did not have such attributes. Therefore, by rejecting the Armenian demands, the EU did not determine the recognition of the "genocide" and the opening of the Armenian border as preconditions for the commencement of the negotiations. Also, in the following years, the Armenian Question or affairs related to Armenia will be excluded in the summit meetings.

On the basis of these Progress Reports and the Commission's recommendations, the European Parliament adopted an advisory resolution on 15 December 2004 where it was argued that not opening the border caused the Turkish authorities to miss an opportunity for the construction of friendly relations with Armenia. In addition, it was underlined that Turkish governments did not honor the clauses put forth by the European Parliament resolution of 18 July 1987. It was mentioned above that the 1987 resolution demanded Turkey to acknowledge the "genocide" or it would yield a serious setback for the Turkish accession to the EU.

With this advisory resolution, the European Parliament also demanded Turkey to support the process of reconciliation with the Armenian nation by recognizing the "Armenian genocide." What is more, it requested the European Council and the Commission to force Turkey to accept the "genocide" as a historical reality and to open the Armenian border as soon as possible.

The resolution appreciates the opening of the Armenian churches in Ani, the significant work of Halil Bertkay, a Turkish historian, on the issue of the "genocide," and certain valuable steps taken on the road towards the restoration of bilateral relations with the Republic of Armenia. This process is recommended to lead to its eventual end, meaning the opening of the Armenian border. Meanwhile, it is imperative to note that Halil Bertkay has not published any books or comprehensive articles for public consumption so far. He has rather expressed his opinions in interviews, which makes it ambiguous why his non-existing works have been treated as crucial. On the other hand, the views stated about the issue of the restoration of bilateral relations are difficult to grasp, for

Turkey had recognized the Armenian state in 1991 while both sides received diplomatic representatives from each other. Official contacts are being carried out as deemed necessary, thus leaving no room for any restoration of relations.

This resolution of EP, moreover, reaffirms the belief that Turkey and Armenia can overtly overcome the legacy of the tragic events of the past and sustain the process of reconciliation through the foundation of a committee which is to consist of independent experts. Naturally, the demand from Turkey to open its border with Armenia as soon as possible is once again repeated.

As it can be clearly understood, the resolution of the European Parliament transcends the reports of the Commission remarkably in terms of its advocacy of the Armenian views. The most insistent requests made from Turkey is opening the Armenian border and acknowledging the so-called genocide.

The only aspect that can be repellent for the Armenians is the idea that past tragic events, i.e. the “genocide” allegations, should be investigated by a bilateral independent committee. The Armenian community does not wish for this kind of an examination since it is fairly convinced that the “genocide” has been proven sound and strong. Turkish Prime Minister Erdoğan’s proposal to establish a committee constituted by historians and experts from both sides with the purpose of investigating the events of 1915, by taking into account all available archives and making them public internationally, takes after the idea of the European Parliament to create a committee of independent experts. Erdoğan informed Armenian PM Kocharian about his proposal by sending him a letter on 13 April 2005.

On 28 September 2005, a few days before the membership negotiations would start with Turkey, the European Parliament adopted a resolution where it laid down Member States’ demands from and complaints of Turkey, the top item being the recognition of the Greek Cypriot Administration and involving the Armenian genocide allegations.

Article J of the introduction states that Turkish authorities have not fulfilled the demands determined by the resolution European Parliament dated to 18 June 1987. The fifth clause of the operative part invites Turkey to recognize the “Armenian genocide,” which is a precondition for full membership.

When it comes to the Progress Report Towards Accession on Turkey 2005, the resolution of the European Parliament on this report could not be taken until 27 September 2006 while it should have been issued in the 2006 spring. The delay was caused by the debated nature of the Turkish candidacy.

The introductory part of the resolution draws attention to the fact that some Member States have not still recognized the “Armenian genocide” even though the European Parliament has often repeated its call. However, an amendment proposal concerning the transformation of the recognition of the “genocide” into a pre-condition for full membership was rejected after it was long-debated. Therefore, the Parliament first declared the recognition of the “genocide” as a pre-condition, while then ruled it out in the same year (on 28 September 2005).

Article 56 of the report also raises the issue of the “genocide” in the sense that it makes it necessary for a candidate state to embrace its past, even though the acknowledgment of the “Armenian genocide” is not an official element of the Copenhagen Criteria. For those who wish to frame the issue of recognition as a pre-condition for Turkish membership, the biggest obstacle is that it was not integrated to the Copenhagen Criteria. Certain parties have been trying to design a formula in order to overcome this difficulty in the form of labeling the issue as something non-legal, purely demagogic. Turkey, without any doubt, is not in a position to be obligated to confirm to these opinions.

The same article also holds that the Turkish proposal to establish a committee of experts under the auspices of the UN in order to overcome the tragic experiences of the past and the Armenian reaction to it are noticed. This is the letter addressed to Armenian PM Kocharian by his Turkish fellow Erdoğan on 13 April 2005. In sum, the European Parliament, for the second time, showed its support to the Turkish proposal for a committee of experts.

The report asks both Turkey and Armenia to remain loyal to the process of reconciliation in order for them to come up with their bargaining positions. Nevertheless, the Armenian attitude prevents the emergence of such a reconciliatory atmosphere.

The report underlines the Parliament’s contentment for the recently growing debates in Turkey about the painful Armenian history, which must be referring to the conference organized in Bilgi University by some pro-Armenian academicians in September 2005. It was viewed by the EU as a starting point for the emergence of a free discussion environment on the Armenian question. Some Turkish participants argued that the Armenian question was no longer a taboo in Turkey. However, this is not the actual case, for the discussion in Turkey about the events of 1915 started in 1992 when it was claimed that the relocation process constituted an act of “genocide.”³

Another point made about the “genocide” allegations in the report was a request made for the Turkish authorities to facilitate researchers’ practice, their access to historical archives and provide any kind of documents on the “genocide” studies. This part of the report consolidates the claim of the Armenian propaganda that Turkey has obstructed research on the Armenian Question. However, the actual case is that every researcher is now able to access any document and obtain a copy of it, especially after the categorization of the Ottoman Archives. The difficulties arise from the fact that very few Armenian or other researchers can make use of these archives, or that they are unwilling to appeal to them since they house too many documents that would refute the genocide allegations. Indeed few Armenians have so far employed Turkish archives in their studies.

A topic that is not covered by the report is the condition of the Armenian archives. While they are in principle open and accessible, it has been

³ The first book on that matter was *Türk Ulusal Kimliği ve Ermeni Soykırımı*, by Taner Akçam in 1992.

demonstrated that attentive researchers have been deterred, even up to the point that they could be imprisoned, as happened to the Turkish researcher Yektan Türkyılmaz in 2005.⁴ In addition, it is worthy to note that the Tashnak archives in Boston are only accessible with a special authorization, which has never been granted to any Turk up until now.

The report asserts that Turkey exercises an unjustifiable embargo upon Armenia and that it threatens the regional stability while undermining possibilities for regional development based on good neighbourly relations. It asks Turkey to engage in diplomatic and good neighbourly relations with Armenia along with the removal of the economic embargo and the opening of the bilateral border.

Some ideas and expressions used in this part of the report evoke the discourse constructed by the Armenian officials about Turkey. It gives the impression that a pre-determined text prepared by Yerevan was integrated to the report without any contemplation. The greatest weakness of the report is its one-sided approach that precludes Turkish views. Given that, there are no references to the reasons why Turkey still refuses to establish diplomatic relations with Armenia and that the land border is kept shut. The main motive behind the Turkish attitude is that Armenia does not respect its territorial integrity, whereas the border remains closed since Armenia invaded seven Azerbaijani provinces alongside Karabakh. Thus, the European Parliament limits itself to the presentation of the current events' consequences, while it ignores the reasons behind it, which amounts to its support for the Armenian views.

The report should have reviewed Turkey-EU relations and the process of Turkish harmonization with the EU, but it addresses certain issues which fall out of scope. The first of these is the dissatisfaction caused by the Supreme Court ruling that convicted Armenian journalist Hrant Dink in violation of Article 301 of the Turkish Penal Code. It highlights the unsatisfactory level of the freedom of expression in Turkey, while simultaneously valuing dismissals of certain cases initiated within the same pretext.

The level of the Turkish freedom of expression is beyond the focus of this article. However, it must be realized that Turkey does not score below most of the Member States, especially the newly acceded ten. The names of the people suggested by the report on the subject of freedom of expression all relate to pro-Armenian figures, which is a further indication of the influence of the Armenian Diaspora on EU.

There is a section in the report which strongly condemns the Talat Pasha Committee that is said to be controlled by the racist and the xenophobic extreme right. This committee, in severe breach of European values, is reported to have organized demonstrations denying the "Armenian genocide" in Lyon and Berlin. The report demands Turkey to terminate all its activities. The demonstrations organized by Turks in Lyon and Berlin in 2006 were formally approved by local authorities, which validates their lawful character. They were intended to

⁴ Ömer Engin Lütem, "Facts and Comments," *Review of Armenian Studies*, Issue 9, 2003, pp. 20-22.

condemn the “genocide” allegations. Nevertheless, slandering them with labels such as racist and xenophobic highly hampers the freedom of expression and offers unconditional support for the Armenian views. On the other hand, to ask from the Turkish government to shut down an organization in the absence of a court ruling stands for an illegal request that should not have been made by a parliament.

Not only on the Armenian Question or Turkish-Armenian relations, but also on various other issues does the report remarkably attack Turkey. It looks like every member of the Parliament was asked to come up with a criticism on Turkey and next that they were piled up without any investigation of their validity. However, considering the fact that it would highly discourage Turkey, the recognition of the “genocide” as a prerequisite for EU accession was not accommodated in the report in the final analysis.

Despite the fact that participation negotiations have been initiated, issues adversely affecting the negotiations such as the Cyprus Issue, and also a group of countries led by France opposing to the full membership of Turkey to the EU, and these countries acting towards a privileged partnership of Turkey have had a negative impact on the Turkish Government as well as on the public opinion. Consequently, the number of supporters of the EU membership has dropped from 70% to 40%. Due to the prevalent notion among the European Countries that Turkey should have a close bond with the Union, either in full membership or not, the decrease in the interest of the Turkish Government and the public opinion in the Union has led to concerns and has resulted in the decrease of criticisms toward Turkey, however, there have not been any changes in the fundamental principles. The impact of this situation on the Armenian Question has manifested itself in the decisions of the European Parliament as the exclusion of the phrase “Armenian genocide.”

Thereby, in the European Parliament resolution, dated October 24, 2007, about the 2006 Progress Report, the issue of “genocide” was not touched upon. However, the murder of Hrant Dink was condemned. In addition, it was declared that Turkey should abstain from blocking and closing the borders (referring to Armenia), and it was required that Turkey and Armenia begin a reconciliation process.

In another resolution adopted by the European Parliament on January 17, 2008 about the South Caucasia policy of the European Union, genocide claims were not mentioned. In the resolution, statements such as “Turkey should display serious and intense efforts toward a frank and open discussion of past events” were regarded as an indirect reference to the issue. On the other hand, the resolution requires that Turkey and Armenia initiate a reconciliation process for today and the past, the European Commission facilitate this process, and also the European Commission and the Council contact the authorities of the two countries on the opening of the Turkish border with Armenia.

The genocide claims did not appear in the 2007 Progress Report, either. This report, accepted by 467 votes against 62 negative and 61 impartial ones on May

20, 2008, calls on the Turkish government to reopen its border with Armenia, calls once again on the Turkish and Armenian governments to start a process of reconciliation for today and the past and to serve this purpose, calls for a frank and open discussion of past events and calls on the Commission to facilitate this reconciliation process.

In order to have a clear grasp of these conflicting resolutions, one has to recall that the European Parliament does not enjoy a unified will. As it is in national parliaments, this Parliament incorporates many political tendencies clashing with each other. The resolutions arrived at in the Parliament are thus common denominators crafted out of the negotiations conducted among many parties. This is why they are at times inconsistent, illogical or impractical. These negativities are to an extent mitigated by the fact that the resolutions of the Parliament are of advisory character. Nevertheless, it should not be underestimated that the European Parliament represents the public opinions of the Member States and influences them. In other words, the Parliament further undermines the already unpopular image of Turkey and thus introduces an additional setback against accession when it keeps on adopting negative resolutions affecting Turkey.

While the European Parliament acknowledges the Armenian “genocide” allegations, neither in the Copenhagen Criteria, nor in other documents with regard to Turkish candidacy, such as the Negotiation Framework, is recognition of the “genocide” put forward as a condition. This implies that the EU as an institution will not ask Turkey to validate the “genocide” during accession negotiations. However, since the latter are carried out with Member States as well, they have the arbitrary possibility to bring every issue they wish to the negotiation table. Indeed France, the Netherlands and Austria have already expressed their wills to bring forth the “Armenian genocide” during accession negotiations. These Member States might veto the accession if Turkey refuses to discuss this issue or asserts that Turkey will not acknowledge the “genocide.” This will constitute a violation of the EU norm that Member States should act in unity. Under normal circumstances, it is difficult to believe that the accession process will be stopped only because of the “genocide” issue.

As far as the European Parliament is concerned, it may not ratify the accession treaty as long as Turkey does not recognize the so-called genocide and does not fulfill the requirements of the EP resolutions since 1987, even if Turkey successfully concludes the accession negotiations within at least the coming ten years.

2. Other International Organizations

Today, there exist many international organizations worldwide. In this section, those with a political identity and those representing countries will be of subject-matter. As also seen above, The European Parliament is the leading international institution recognizing the Armenian genocide. Although the Armenian propaganda occasionally claims that the United Nations and the European Council have endorsed the so-called genocide, this argument is not correct.

A. The United Nations

In 1985, Sub-Commission on the Prevention of Discrimination and Protection of Minorities of the United Nations Human Rights Commission, among many other issues, investigated the report by Benjamin Whitaker, a British expert, on genocide. In the report, the reference to the Armenian “genocide” as an example to genocides in the history has received opposition from Turkey and the report, criticized from different aspects, has only remained as a note by the Sub-Commission.⁵ This expression means no actions have been taken against this report. Thereby, the report, out of its regular flow of actions, has not been forwarded neither to the Human Rights Commission, to which the Sub-Commission adheres to, nor to the Economic and Social Council, to which the Human Rights Commission adheres to. In brief, the report has been accepted by none of the bodies of the United Nations. In such a situation, the Diaspora Armenians have claimed that the United Nations has accepted the Armenian “genocide” by referring to this report and thereby have attempted to ease the decision making process of some countries’ parliaments for the Armenian “genocide.” Meanwhile, since 2000, the claim above has been included in the resolution proposals to make the US Congress recognize the genocide, and the statements on the issue have not been altered despite warnings.

The United Nations Secretary has at times declared that they do not have any resolutions adopted related to the “genocide”. Recently, the General Secretary Ban Ki-moon, in his speech dated April 30, 2007, announced that the UN had taken no stance about the 1915 incidents so far.

B. The European Council

In no organ of this institution, there exist any adopted resolutions related to the Armenian genocide. From different countries, 52 parliamentarians in 1978 and 63 in 2001 issued declarations on 24th April claiming the genocide. However, these claims are binding for only the signatories personally, not for the European Council. On the other hand, considering the total number of members of the European Council Consultative (Parliamentary) Assembly, which is 306, it is obvious that the number of those having signed the publication is quite low.

C. MERCOSUR

The Parliament of MERCOSUR, an intergovernmental institution of Argentina, Chile, Uruguay and Paraguay, accepted an act on November 19, 2007 stating that “they condemn the genocide realized by the Ottoman Turkey in 1915-1923 causing the death of one and a half million people, and they support the fair cause of the Armenia people.” MERCOSUR also called on the governments and parliaments which have not yet recognized the Armenian “genocide” to take similar decisions.

⁵ On that matter, please see Türkkaya Ataöv, *What Really Happened in Geneva: The Truth About the “Whitaker Report,”* Ankara: Sistem Ofset, 1986.

Thereby, it is to be emphasized that MERCOSUR, a commercial institution, adopting such a resolution is of no significance, and considering that the national parliaments of Argentina, Chile, and Uruguay have accepted decisions on this issue; this decision has no exceptional importance.

3. Resolutions of National Parliaments

Another strategy employed by the Armenian Diaspora to have their “genocide” allegations internationally recognized is to ensure that they are acknowledged in the parliaments of especially the great powers. The reason why this task has been attempted in relation to the national parliaments is that governments do not possess the competence and responsibility to conduct foreign policy. It is certain that if a government recognizes the “genocide,” it will result in a serious conflict with Turkey, which is not desirable for governments. Hence their indifference vis-à-vis the “genocide” allegations. Contrary to that, since national parliaments do not come to the stage directly in relations with another country, they enjoy the freedom of expressing their ideas about an international problem or a state, and adopting guiding resolutions. If there is a potential winning majority as well, the process becomes much easier.

A. Countries which Recognized the “Armenian Genocide”

The names of the countries which acknowledged the so-called genocide in their parliaments and the dates of the relevant resolutions are as follows:

1. Uruguay – 1965, 2004
2. Greek Cypriot Administration – 1982
3. Argentina – 1993, 2003, 2004, 2005, 2006, 2007, 2008
4. Russia – 1995, 2005
5. Canada – 1996, 2002, 2004
6. Greece – 1996
7. Lebanon – 1997, 2000
8. Belgium – 1998
9. Italy – 2000
10. The Holy See – 2000, 2001
11. France – 2001
12. Switzerland – 2003
13. Slovakia – 2004
14. The Netherlands – 2004
15. Poland – 2005
16. Germany – 2005
17. Venezuela – 2005
18. Lithuania – 2005
19. Chile – 2007

B. Geographical Division of These Countries

These states reside in different geographical regions. Moreover, the reasons why their parliaments recognized the so-called genocide vary as well.

The geographical division is:

10 EU Member States: Belgium, France, Germany, Greece, Greek Cypriot Administration, Italy, Lithuania,, Poland, Slovakia, The Netherlands

3 Non-EU European states: Russia, Switzerland, The Holy See

4 Latin American states: Argentina, Chile, Uruguay, Venezuela

1 Middle Eastern state: Lebanon

1 North American state: Canada

C. The Reasons

The reasons for some parliaments' recognition of the "genocide" can be observed as follows:

1. The pressure of the Armenian minority: Argentina, Canada, Chile, France, Italy, Lebanon, Russia, Switzerland, Uruguay, Venezuela

2. Anti-Turkish attitudes: Greece, Greek Cypriot Administration

3. Opposition to Turkish accession to the EU and the presence of anti-Turkey, anti-Turkish or anti-Muslim views: Belgium, France, Germany, Italy, Poland, Switzerland, The Netherlands

4. The desire to ensure that other states committed genocide as well: Germany, Lithuania, Slovakia

5. Religious motives: The Holy See

The main factor happens to be the pressure exercised by the Armenian minority. For countries such as Canada, France and, Lebanon, the validation of the genocide allegations is necessitated by domestic politics. The only stimulus for Greece and the Greek Cypriot Administration has been their traditional antagonism against Turkey.

Some countries accommodate a high level of anti-Turkey or anti-Turkish attitudes, which are generated as a result of the racist tradition of Central European states, for the same countries also oppose to the idea of Turkish membership to the EU.

For particular countries which committed genocide against the Jews, collective public opinion has sought to locate an earlier precedent elsewhere for the crime of genocide. Examples include Germany as well as Slovakia and Lithuania, which helped the former in eradicating the Jewish presence in those

countries. To a lesser extent, Poland and The Netherlands could be placed under this category.

The only reason for The Holy See to recognize the Armenian “genocide” has been due to religious motives. As it can be expected, The Holy See prioritized Christian Armenia over Muslim Turkey.

When the timing of the resolutions that recognized the “Armenian genocide” is concerned, two countries’ national parliaments acted before 1993 (Uruguay and Greek Cypriot Administration), while between 1993 and 2000, six parliaments (Argentina, Russia, Canada, Greece, Lebanon and Belgium) adopted their resolutions. Eleven national parliaments, in turn, went on to acknowledge the so-called genocide between 2000 and 2007.

The fundamental factor behind the recognition resolutions between 1993 and 2000 is that after Armenia declared its independence in late 1991, it exercised great pressure on the aforementioned states through the Diaspora. The recognition acts after 2000 should be viewed in relation to Turkish bid for the EU. Some Member States, which had until then refrained from deciding on the matter, started to be more assertive since they concluded that Turkey could no longer yield a strong opposition as a candidate.

D. The Main Points of the Resolutions Adopted

The main points of the resolutions adopted in national parliaments can be summed up as follows:⁶

Uruguay (1965, 2004)

Uruguay is the first country to recognize the “Armenian genocide.” The fact that the Armenian minority in Uruguay is small but remarkably wealthy while there is no Turkish existence must have motivated the Uruguayan Parliament (the Senate and the House of Representatives) to adopt the Armenian allegations. The resolution adopted in 1965 declared 24 April as the Day of Recognition for the Armenian Martyrs in homage to the victims of this national massacre in 1915.

The Uruguayan Parliament reaffirmed this bill in 2004 and asked the Foreign Ministry to engage in initiatives in the UN to declare 24 April as the Day for Condemning and Refusing all sorts of “genocide.”

The bills of the Uruguayan Parliament are given respectively in Document 9 and 10 in the Appendix.

⁶ These resolutions are taken from the website of the Armenian National Institute, http://www.armenian-genocide.org/current_category.7/affirmation_list.html.

Greek Cypriot Administration (1982)

The bill issued by the House of Representatives of the Greek Cypriot Administration (see Appendix, Document 11) notes “with abhorrence and condemns unreservedly the crime against the Armenian people which had the dimensions of genocide and which uprooted the Armenians from ancestral lands.” The bill supports “the full restoration of the inalienable rights of the Armenian people” without specifying what these rights are comprised of. The most important aspect of this bill is that it was adopted when the Armenian terrorism was at its peak, meaning it constituted an act of encouragement for the terrorists.

Argentina (1993, 2003, 2004, 2005, 2006, 2007, 2008)

The Argentinean Senate first decided in 1993 that (see Appendix, Document 12) it is in “complete solidarity with the Armenian community, which was the victim of the first genocide of the 20th century” and that it honors the commemoration of this tragic event.

Ten years later on 20 August 2003, the Senate issued a declaration (see Appendix, Document 13) where it commemorated the 88th anniversary of the genocide of 1.5 million Armenians. Six months later, the Senate adopted another bill (see Appendix, Document 14) which incorporated the subject of the “Armenian genocide” into the curriculum of the first, second and high school education, while at the same time introducing the commemoration of the day of 24 April in all schools. In the next ten days, on 31 March 2004, a similar declaration to that of 1993 was issued (see Appendix, Document 15).

The Senate once again passed another bill on 20 April 2005 where it honored the 90th commemoration of the “Armenian genocide” victims and reaffirmed its solidarity with the families of that victim massacred by the Turkish State between the years 1915-1923 (see Appendix, Document 16).

On 19 April 2006, in a further document with the title of Argentine Senate Special Statement (see Appendix, Document 17), it was stated that the 91st commemoration of the “Armenian genocide” was honored, solidarity was reconsolidated with the families of the victims and that the systematic denial of the “genocide” was very disappointing.

The Argentinean Parliament introduced a bill on 26 November 2006 which declared 24 April as “The Peace and Tolerance Day among Nations” in the memory of the Armenian nation which was subjected to genocide. It also allowed for the excuse of the Armenian-originated public employees or of the students in order for them to participate in the commemoration activities. Being approved by the Senate, this bill became a law when it was also confirmed by President Kirchner (see Appendix, Document 18). In addition, regional parliaments of Buenos Aires and Cordoba adopted similar decisions in regard to Armenian allegations in 2006.

The Turkish Foreign Ministry responded to these developments by stating that accepting the genocide allegations as historical realities is but to be condemned and strictly refused per se since they had no material grounds. What is more, emphasis was put on the possible dangers of worsening the bilateral relations between Turkey and Armenia, the unsoundness of these allegations and the indifferent approach undertaken by Argentina in relation to the Turkish proposal of dealing with the “genocide” issue through an independent committee which would be constituted by both Turkish and Armenian historians. It was also argued that this bill would culminate in prejudices against Turkey on the part of the Argentinean community and that this would be essentially contradictory to the newly emerging constructive relations between Turkey and Argentina. The former, as an expression of its discontent, withdrew its ambassador from Buenos Aires for a while.

The Argentinean Senate adopted a resolution again in 2008 due to 24th April (see Appendix, Document 19). The next day, the Ministry of Foreign Affairs of Turkey issued a statement announcing that the visit of Mehmet Aydın, a State Minister, to Buenos Aires for an international meeting had been cancelled, and that the resolution of the Argentinean Senate was not based on historical facts and violates the international laws, and this resolution was severely condemned. According to the press news, it is clear that the Argentina Ambassador to Ankara received a memo of protest, as well.⁷

It is a surprising development that six decisions which validated Armenian claims were issued in Argentinean legislative institutions since 2003. By doing so, Argentina became the country that recognized the “genocide” to the largest extent. It is difficult to discern why a country like Argentina, which does not possess a high profile of human rights and does not have any problems with Turkey, has been so determined in advocating the so-called Armenian genocide.

It is a widely known fact that the South American Committee of the Armenian cause, which was established by the Tashnaks and which operated in many Latin American countries, has been striving for the recognition of the so-called genocide for many years. Nevertheless, the Argentinean political authorities should have discarded demands made by a small minority, for they were detrimental to the bilateral relations of Argentina and Turkey. Still, the Armenians succeeded in making their historically unproven allegations as top items of the political agenda.

It is obvious that the political actors in Argentina do not attribute an appropriate level of importance to bilateral relations with Turkey. This could be caused by either geographical distance or the indifference generated by the absence of intensified relations between two countries. In addition, it can be argued that the slander campaign conducted by the Armenians and Christian Arabs who immigrated to Latin America during the Ottoman period has become especially influential in an orthodox understanding of Catholicism.

⁷ Today's Zaman, 15 Mayıs 2008, Argentina Losing Us Over Genocide Row, Warns Ankara.

Russia (1995, 2005)

In 1995, the Duma issued a resolution condemning the perpetrators of the extermination of Armenians from 1915 to 1922, expressing its deep sympathy to the Armenian people and recognizing April 24 as a day of remembrance for the victims of the Genocide (see Appendix, Document 20). The document involves the wording of the “Turkish Empire.” The introduction of this resolution can be attributed to two main reasons: First, the influence of the Armenian minority in Russia that is estimated to exceed a number of one million, and second, the alleged Turkish support granted to Chechnya.

In 2005 when the accusation of Turkish help offered to Chechnya ceased to exist, the Duma adopted another bill in which it expressed its deep sympathy to the sister nation of Armenia on the 90th commemoration of the “genocide,” which was strongly condemned and was wished to be properly marked by the entire international community.

Canada (1996, 2002, 2004)

In its resolution issued in 1996, the Canadian House of Commons recognized, on the occasion of the 81st anniversary of the Armenian tragedy which claimed some 1.5 million lives that took place on April 24, 1915, and in recognition of other crimes against humanity, the week of April 20 to 27 of each year as the week of remembrance of the inhumanity of people toward one another (see Appendix, Document 21). However, since there were no linkages made with Turkey and the Turks, this resolution was treated as unsatisfactory by the Armenians. The latter’s efforts continued up until 2002 when they succeeded in passing a resolution in the Senate which called upon the government of Canada to recognize the “genocide” of the Armenians, to condemn any attempt to deny or distort a historical truth as being anything less than “genocide,” a crime against humanity, and to designate April 24th of every year thereafter throughout Canada as a day of remembrance of the 1.5 million Armenians who fell victim to the first “genocide” of the twentieth century (see Appendix, Document 22).⁸ In 2004, the Canadian House of Commons passed another resolution which declared that it acknowledged the Armenian “genocide” of 1915 and condemned this act as a crime against humanity (see Appendix, Document 23).

In his statement made after the adoption of the resolution, Canadian Foreign Minister Bill Graham noted that the position of the Canadian government that had been determined on 10 June 1999 was not altered and that the resolution which had been just accepted was not binding as far as his government was concerned.⁹ The Canadian government’s position established in 1999 did not label the events of 1915 as “genocide,” but rather preferred to call them as a tragedy.¹⁰

⁸ For the details of this resolution, please see Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 6 (Summer), 2002, pp. 15-16.

⁹ Ibid.

¹⁰ Reuters, 21 April 2004.

In its responsive declaration on 22 April 2004, the Turkish Foreign Ministry held that it condemned the decision of the Canadian Federal Parliament that followed the logic of marginal views, parliaments should not deal with arriving at judgments about contested periods of history, such decisions threaten to distort the social harmony by planting seeds of hatred among people from different origins, neither the Canadian Armenians nor Armenia herself benefit from this resolution, and that Canadian politicians bear the responsibility of all the negative consequences that would be brought about as a result of this bill.

While the Canadian legislative institutions embraced the “genocide” allegations, the government did not follow such a path. However in February 2006, the new PM Stephen Harper stated that his government’s position would change in the month of April for they now recognized the “genocide.” A year later, he issued a statement on 24 April where he reassured this new policy, which generated serious problems for Turkish-Canadian relations. The Turkish Foreign Ministry reacted to the new Canadian attitude by deeming it as unacceptable, far from fairness and irreconcilable with friendly relations and politics of alliance.¹¹

The main reason for the Canadian legislative institutions being so fond of advocating Armenian genocide allegations is the presence of the Armenian minority. Although the size of the Turkish community in Canada cannot be underestimated, its members lack a sense of organization.

Greece (1996)

On 25 April 1996, the Greek Parliament passed a law (see Appendix, Document 24) declaring 24 April as the day of commemoration of the “genocide” of Armenians by Turkey. Greece, which granted any kind of help to the Armenians after the Cyprus Peace Operation of 1973, does not seem to have rushed into recognizing the “genocide.” The forefront explanation for that can be found in the Greek desire to hide its support to the Armenians. The Kardak Crisis that broke out in January 1996 and dragged Greece and Turkey to the verge of war, must have altered this cautious approach and replaced it with a pro-Armenian position to acknowledge the “genocide.”

Lebanon (1997, 2000)

In 1997, the Lebanese Chamber of Deputies issued a resolution (see Appendix, Document 25) where it called upon the Lebanese population to express its solidarity with the Armenian nation on 24 April. The document brings up the efforts of the organized extermination acts against the Lebanese-Armenian peoples and other nations of the region at the hands of the colonizer Ottomans in the beginning of the century. The Lebanese Parliament in its resolution adopted in 2000 (see Appendix, Document 26), states that the Lebanese Chamber of Deputies recognizes and condemns the “genocide”

¹¹ Statement No. 72 on 26 April 2007, issued by the Turkish Foreign Ministry.

perpetrated against the Armenian people by the Ottoman authorities as a result of which 1.5 million Armenians fell victim in 1915 and expresses its complete solidarity with demands of its Armenian citizens. Furthermore, it asserts that the international recognition of this “genocide” is a necessary condition for the prevention of similar crimes that may occur in the future.

Thus, with two resolutions, the Lebanese Parliament accepted all Armenian views. Such a position can be best explained by the fact that Lebanon is a society based on religious communities and that its Armenian residents, whose number amounts to almost 100,000, occupy crucial posts in both the Parliament and the government. It should not be forgotten that this upper hand held by the Armenians had turned Lebanon into the center of Armenian terrorism in 1970s and 1980s.

Belgium (1998)

The Belgian Senate recognized the “Armenian genocide” on the basis of the relevant resolution adopted by the European Parliament. The resolution (see Appendix, Document 27) first reaffirms the widely known Armenian theses such that there cannot be the slightest doubt over the historical evidence regarding the organized and systematic murder of the Armenians or the recognition of mistakes and crimes of the past being a precondition for reconciliation between peoples. Then it requests the Turkish government to recognize the historic reality of the “genocide” committed in 1915 by the last government of the Ottoman Empire.

Since then, though they failed so far, the Armenians living in Belgium and the pro-Armenian figures have jointly attempted to pass a similar verdict in the Belgian National Assembly and to ensure the addition of the “Armenian genocide” to the law which penalizes those who deny the Holocaust.¹² This is in part due to the organized efforts of the Belgian Turks.

Italy (2000)

After many delays caused by close relations with Turkey, the Italian Parliament requested its government to be an ardent follower of the establishment relations between two countries (Armenian and Turkey) on the basis of respect for human rights, peaceful relations and territorial integrity, and to work for the mitigation of the tension among the peoples and minorities of the Caucasus as a result of persistent efforts of certain pro-Armenian ministers (see Appendix, Document 28). The resolution referred to the articles of the 1999 Progress Report Towards Accession on Turkey which are related to the so-called Armenian genocide and Turkey-Armenia relations. The Italian Parliament indirectly recognized the “Armenian genocide” via the reference given to the European Parliament resolution in a way to avoid this decision’s negative implications on the Italian-Turkish relations.

¹² Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 16-17 (Winter-Spring), 2005, pp. 64-65.

The Holy See (2000, 2001)

At the end of the visit paid by Ecmiyazin Katogigos Karekin II to Pope Jean-Paul II in November 2000, a joint declaration was issued (see Appendix, Document 29) where it was argued that the “Armenian genocide,” which began the century, was a prologue to horrors that would follow, pointing out to the Vatican’s recognition of the “genocide.”

References to the latter were also made when the Pope traveled to Armenia in October 2001, especially in his prayer at the “Genocide” monument and in the joint declaration issued at the end of his meeting with Karekin II (see Appendix, Document 30).¹³ The Holy See attempts to make all Christians recognize the religious primacy of the Pope. Given the impossibility of convincing influential churches into this, a policy of rapprochement has been followed in order to gain influence vis-à-vis smaller Eastern Armenian, Syrian, Keldani and Maronite churches. That being said, the recognition of the so-called genocide should be interpreted as a good-will gesture to satisfy the Armenian church. As far as the timing of this gesture is concerned, the year of 2000 coincides with the EP’s comments of the Progress Report Towards Accession on Turkey where the Parliament demands the recognition of the “genocide.” In other words, taking after Italy, the Holy See wanted to make use of the European Parliament as a blame-shifting shield.

France (2001)

The French Armenians, who possess a disproportionate amount of political power in regard to their size (350,000-400,000), have sought for the recognition of the “genocide” for a long time. On that matter, the French National Assembly adopted a law in 1998 (see Appendix, Document 31) while the Senate passed a resolution in 2000 (see Appendix, Document 32). However, both drafts needed to wait until January 2001 to be legalized (see Appendix, Document 33). When the government and the opposition had even chances to win the 2001 March municipal elections, concessions were granted to the Armenian community. The National Assembly Law consists of a single phrase: “France publicly recognizes the Armenian genocide of 1915”.¹⁴

The Turkish reactions had started long before the resolution was legalized. The Turkish National Assembly introduced a bill on 9 January 2001 in which it was argued that the French law had been formed out of election considerations, that it had distorted historical realities, it had been based on prejudices, and would prevent the freedom of expression, opinion and publication of scientific research and findings once it was adopted. It added that Turkey wished to improve its relations with France, yet it was conditional on the presence of mutual good faith. France was also said to be losing its objectivity in case of the legalization of this resolution, which would result in the Turkish side being skeptical about all future

¹³ Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 3, 2001, pp. 13-15-19.

¹⁴ Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 1, 2001, pp.16-22.

French initiatives. The bill further stated that since the French National Assembly refused to address the painful events that happened in Algeria and left them to be studied by historians, the same attitude was expected on the matter of the so-called Armenian genocide. History, it was asserted, should not be used to create hatred among nations, and that being said, terrorist activities targeting Turkish diplomats and some French citizens were recalled.

In the government declaration issued after the legalization of the resolution, the law was condemned, refused in its entire implications and was argued to be leading to a severe crisis in regard to the relations with France.

In the declaration released from the Turkish Foreign Ministry on the same day, the French law was regarded as an irresponsible undertaking that would revitalize the Armenian terrorism. As such, the Turkish authorities asked the French government to take up measures to ensure the security of Turkish diplomats and Turkish-originated French citizens.

The French-Turkish relations suffered a serious setback once the law entered into force. Turkish Foreign Minister İsmail Cem told the French ambassador that this would re-trigger xenophobia and Armenian terrorism in France, while Turkish Prime Minister Ecevit underlined the fact that it would damage Turkish-French relations. President Sezer viewed the French Assembly's decision as lacking common sense. The Turkish government discussed the kind of sanctions that could be applied against France, which led to cutting down the military transactions carried out with this country. Furthermore, the Turkish public developed anti-French opinions, especially with the influence of the media. Although this created frustration in the French public, the tension between two countries was not eliminated since the law could not be undone. The French government's positive and constructive efforts on the matter of Turkish membership to the EU helped the bilateral relations to slowly return to their normal state.

The French Armenians were not satisfied with the 2001 law because it was confined to the recognition of the "genocide" and thus did not prevent people from denying it. Therefore, they suggested that the "Armenian genocide" ought to enjoy the establishment of another law that would penalize the denial of it, as was the case with the Holocaust since 1992. The French Socialist Party declared it advocated such a law in principle and other political parties did not reveal a clear-cut position while some members of them stated their support.

Upon the proposal of the Socialist Party, a draft imposing a two-year sentence to those who deny the "Armenian genocide" and presupposing a fine of €45,000 was introduced to the French National Assembly on 18 May 2006, where it could not be voted upon because of time limitations.¹⁵

The draft was once again brought to the floor on 12 October 2006 in the National Assembly where it received approval with 106 affirmative votes, 19 negative votes and 4 abstentions despite the opposition of the government. The draft will be legalized if it is adopted by the Senate and ratified by the President.

¹⁵ Ömer Engin Lütem, "Olaylar ve Yorumlar," *Ermeni Araştırmaları*, Issue 20-21 (Winter-Spring), 2006, pp. 26-43.

The document caused serious reactions at every level in Turkey. The President and the Prime Minister being at the forefront, many politicians and businessmen warned France not to adopt the draft while the Turkish National Assembly issued a declaration of condemnation. It was also subjected to many criticisms from some factions of the European Union as well as from certain parts of the French public opinion out of the belief that it was a limitation placed upon the freedom of expression.¹⁶

Switzerland (2003)

The Swiss Parliament recognized the “Armenian genocide” with a resolution adopted on 16 December 2003 (see Appendix, Document 34).¹⁷

In collaboration with separatist Kurdish factions and their political sympathizers, persistent efforts of the Swiss Armenian minority, which has a disproportionate amount of influence compared to their population, have been trying to make the Swiss Parliament adopt a resolution recognizing the “Armenian genocide” allegations. The Swiss governments, on the contrary, have opposed such a ruling since they valued the well-being of the bilateral relations with Turkey. The Armenian attempts in the Parliament failed in 1995, 2000 and also on 13 March 2001 where the proposal was rejected by just three votes. On 20 March 2002, a draft resolution which was co-sponsored by 115 members of the Parliament (201 members in total) and which recognized the “genocide,” was not put to vote because of the negative views of the government. However, it was demonstrated that such a resolution would be adopted in the end since more than the half of the entire Parliament had been supporting it.

In the meantime, the Canton of Geneva accepted a resolution that acknowledged the “genocide” allegations on 10 December 2001. The Canton of Vaud, in turn, passed a similar resolution on 23 September 2003. With regard to this decision, the Armenian press regarded this decision as if it had a symbolic significance because it was adopted in the canton where “a treaty that had wiped out Armenia off the map was signed,” meaning the Lausanne Treaty.

The Swiss Foreign Minister, Micheline Calmy-Rey went on an official trip to Turkey on 6 October. He was told to visit Ankara, Istanbul and the “Kurdish regions” by the Swiss press. However, Ankara cancelled the visit because of the resolution passed in Vaud.

The Swiss resolution stated that the Swiss National Council recognizes the “Armenian genocide” of 1915. It asked the Federal Council (the government) to note that recognition and to communicate it through diplomatic channels. The Turkish Foreign Ministry responded to this decision by condemning and refusing it strongly, and by declaring that it was impossible to accept the manipulation of historical events in a way to frame the “genocide.” It was argued that public

¹⁶ Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 22 (Summer), 2006, pp. 20-55.

¹⁷ Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 11 (Fall), 2003, pp. 20-25.

opinion was astonishingly misinformed, and that the Swiss National Council had to take the responsibility for all the negative implications of this resolution that was passed in total disregard for Turkish-Swiss relations and the emotions and opinions of the Turks living in Switzerland.

On 22 December 2003, the Turkish National Assembly unanimously accepted a declaration of condemnation which was a joint initiative of the two largest political parties in Turkey: the Justice and Development Party and the Republican People's Party.

At first, it may seem difficult to understand why the Swiss Parliament preferred to favour 5,000 Armenians living in Switzerland while the Turks amounted to a number of 100,000 with 20,000 of them having Swiss citizenship. The Parliament must have acted not according to the volume of the population, but rather on the basis of which community was more influential.

Bilateral relations suffered from two years of regression until the Swiss Foreign Minister Mrs. Calmy-Rey's visit was approved by Turkish authorities upon the Swiss' insistence.

After a short period of time, a new crisis developed because Professor Yusuf Halaçoğlu and the President of the Turkish Labour Party, Doğu Perinçek, were prosecuted for the speeches they had held in Swiss territories at different times refuting the Armenian "genocide." Concerning the political outcomes of this event, Minister for Foreign Trade, Kürşad Tüzmen, cancelled the meeting of the Turkish-Swiss Business Council that would be organized between 22-24 June, while Swiss Minister of Economy Joseph Deiss's official trip to Turkey in September was also removed from the agenda.

The fact that Halaçoğlu and Perinçek were prosecuted because they expressed their views on a particular matter has initiated critical discussions on the subject of the Swiss freedom of expression, thus depicting a pathetic account of a country which has boasted of its supposedly pioneer role for democracy.

On 9 March 2007, by the Penal Court of Lausanne, Doğu Perinçek was fined with 90 days of imprisonment (which was delayed) and also with the obligation to pay indemnity to the prosecuting Armenian institution.¹⁸ The intentional efforts of the Swiss government to stay away from this case prevented the situation from escalating into a bilateral crisis.

Slovakia (2004)

On 30 November 2004, the Slovakian Parliament adopted a resolution in which it recognized the "Armenian genocide" committed by the Ottoman Empire in 1915 and deems it as a crime against humanity (see Appendix, Document 35).

The Slovakian resolution was interpreted with great surprise. The reasons behind it could not be understood in the first place because neither is there a

¹⁸ Journal of the Turkish Weekly, 9 March 2002.

significant Armenian community in the country, nor is Slovakia engaged in close relations with Armenia. This decision was then realized to be motivated by some events found in Slovakian history.

After World War I, the Czechs and the Slovaks were united under one single state in which the more populated and more well-off Czechs earned a dominant position. Such inferiority paved the way for Slovak tendencies to lean toward the extreme right and racism. When the Nazis invaded Czechoslovakia on 15 March 1939, the Czech populated area was annexed to Germany under the name of the Protectorate of Bohemia, whereas a so-called independent Slovak state was also established the very same day. The latter followed Nazi policies as 80,000 Jews were denied all their rights and then exterminated at Auswicz. This time in late 1944, Slovakia was occupied by the Soviet Army and was then reunited with the Czechs to restore Czechoslovakia. The Soviets demanded their new allies Poland and Czechoslovakia to deport all the Germans living within their borders. Within this framework, millions of Germans were deported to Germany under harsh conditions, while the Slovaks took action against Germans who lived in the Karpat region.

As the USSR dissolved, the Slovaks once again declared their independence with German help. However, being aware of the legacy of their past treatment of both the Jews and the Karpatian Germans, the Slovakian Parliament adopted two resolutions that formally apologized to both communities in December 1990 with the purpose of earning a respectable position in Europe.¹⁹

Since then, Slovakia has been cautious to respect human rights or pretend to be doing so. Therefore, the decision of the Slovak Parliament to recognize the so-called genocide could be taken relatively easy since Turkey, as a candidate country for EU membership, was not expected to overreact. In addition, German Christian Democrats, too, might have asked some Slovak political parties to come up with such a proposal.

The Netherlands (2004)

On 21 December 2004, the Dutch Parliament passed a resolution where it asked the Dutch government to continuously and expressly raise the recognition of the Armenian “genocide” in its dialogue with Turkey (see Appendix, Document 36).²⁰ Holding the Presidency of the EU at that time, the Netherlands had played an important role in starting the accession negotiations with Turkey two days prior at the European Summit. In order to show gratitude to the Netherlands, Turkish officials decided to name the street on which the Dutch embassy was located as “Holland Street.” Within such an atmosphere, the Dutch Parliament’s decision was shocking for Turkey.

¹⁹ Noyan Tapan, 3 December 2004.

²⁰ Press Release, Federation of Armenian Organisations in the Netherlands (FAON), 24 April Committee, 21 December 2004.

The reasons for the adoption of this resolution are somewhat ambiguous. The Armenian minority living in the Netherlands is a small community with efficient and vast financial capabilities. However, given their petty size as a community, they did not possess the power to make the Dutch Assembly accept such a resolution since it was not possible to influence all MPs financially. Then it could be argued that the Dutch politicians were convinced to acknowledge the “genocide” resolution by the Armenian propaganda because they actually believed it had happened. However, if this is the case, then why is the Dutch Parliament not interested in addressing what Belgium did in the Congo and what France caused in Algeria or why does it not reflect upon the Dutch colonization process, but instead, without any scrutinization, focus on a relocation act that happened almost a century ago in a country far away from the Netherlands out of domestic security concerns? This is why the reasons for the Dutch resolution need to be looked for elsewhere.

Unlike Southern Europeans, Central and Northern European individuals are generally insensitive and intolerant to foreigners and their customs. Former colonizing powers, like the Dutch, consider themselves as superior to the “Orientals.” Nevertheless, despite the presence of a huge amount of capital, the Dutch, like other economically developed nations of Europe, have been dependent on an “Oriental” workforce, which created the ever-lasting problem of integrating this labour force and their families to the Dutch society. Still, the Dutch population is unhappy with foreign workers and their families. However, in at least ten years, Turkey will become a member of the European Union, which shall increase the number of Turks in Europe. This is a situation that the conservative Dutch have been trying to prevent. Yet, it is not an option for the EU to carry on with its Middle East and the Caucasus policies without including Turkey in the Union. That being said, even though the Dutch do not want to see Turks in their country, they are in need of them. Such a dilemma has trapped the Dutch politics in a fundamental inconsistency in the sense that the Netherlands has been an advocate for the opening of negotiations with Turkey while most of the Dutch MPs have striven for the placement of obstructing measures along the course of the negotiations. To demand the recognition of the Armenian “genocide” from Turkey was designed for such a purpose.

Poland (2005)

On 19 April 2005, the Polish Parliament unanimously adopted a resolution which stated that it “pays its respects to the victims of the genocide committed on the Armenians in Turkey during the 1st World War. The memory of the victims, the crime committed and the need to condemn it is a moral obligation for the whole of humanity, all nations and people of good will” (see Appendix, Document 37).²¹

This resolution received great criticism by both the Turkish public opinion and the Turkish government because Poland has had a positive image in Turkey

²¹ Press Release, European Armenian Federation for Justice and Democracy, 21 April 2005.

which was historically constructed against the common enemy (Russia) of the two countries. Moreover, the Ottoman Empire did not accept the partition of Poland between Russia and Prussia. Therefore, when the parliament of Poland, to which Turkey is highly sympathetic, adopted a resolution advocating Armenian views, it impacted upon the Turkish society as a betrayal on an issue which appeals to the Turkish community's emotions seriously.

Against this resolution, the Turkish Foreign Ministry issued the following declaration on the next day:

The Polish Parliament accepted a resolution on 19 April 2005 in which it labeled the events of 1915 as genocide. We condemn and refuse this resolution.

It is an irresponsible behaviour to distort the realities of World War I from which both Turks and Armenians suffered severely, by projecting them under the banner of a "genocide."

Turkey has always contended that it is not up to national parliaments to decide on shady periods of history and that they need to avoid any kind of undertakings which might lead to inter-societal feelings of hatred and grudge.

Firmly believing that historical events can be best judged by historians, Turkey proposed that Armenia establish a bi-national committee of historians which would be tasked with arriving at conclusions about the events and developments of 1915 and make them internationally heard through a comprehensive overview of not only the Turkish and Armenian archives but also those of other states.

The Turkish nation has considered it with great sadness that the Polish Parliament, instead of recommending the Armenian government to embrace the Turkish historical proposal, went on to pass a resolution based on distorted and manipulated information. Such an attitude of the Polish Parliament does not resonate well with the friendly relations that have been formed between the Turkish and Polish communities for the past 800 years.

There are several reasons why the Polish Parliament passed this resolution. Firstly, it is important to detect that there is no corresponding feeling of sympathy on the Polish side as it exists in the Turkish society. The Ottoman-Russian wars and the partition of Poland are very old issues and even if they resulted in a sympathetic environment in Poland in relation to Turkey, they must have faded away during the Soviet period. Indeed, the USSR certainly disallowed any Polish sympathetic feelings directed to Turkey since the latter was a loyal ally of NATO as well as Tsarist Russia being the common enemy of both nations.

The absence of a remarkable Armenian minority and the lack of close relations between Poland and Armenia lead us to conclude that there must have been different reasons for the adoption of this resolution. As is the case with all other ex-communist new EU members, it is most probable that Poland wishes to

exhibit a high profile on the protection of human rights in order to compensate for its deficiencies. What is more, Poland's former enemy, Germany, which is its new guardian, might have also exercised some influence on the "genocide" allegations. There are two main reasons why the Polish Parliament passed this declaration despite Turkish warnings: Firstly, like all other EU Members, Poland is vested with the right to invoke its veto throughout the entire process of Turkish accession. By virtue of this privilege, Poland must have calculated that Turkey would not overreact since it was to preserve the good state of affairs for the bilateral relations during the accession negotiations. Secondly, there is a common belief that Turkey tends to forget the events it once ardently opposed. As a matter of fact, the Chair of the Polish Parliament, Włodzimierz Cimoszewicz, said that bilateral problems would cease to exist within few days.²²

However, Turkish reactions against Poland persisted. The Polish offer to play the mediator between Armenia and Turkey and to represent Turkey in Armenia and Armenia in Turkey until the parties launch diplomatic relations was rejected by Turkey while it was accepted by Armenia. The Turkish rejection can be linked to the fact that Poland is not viewed as objective enough since the resolution took the Armenian side.

In his speech delivered in the meeting with Polish President Lech Kaczyński, President Ahmet Necdet Sezer revealed that Turkey was not ready yet to forget the blow hit to the bilateral relations. He stated that "in harmony with friendly relations between two nations, he desired both nations to know and understand each other, and engage in closer relations by ruling out prejudices that emerged out of misinformation."²³

Germany (2005)

On 15 June 2005, the Bundestag adopted a resolution entitled "Commemorating the expulsion and massacre of the Armenians in 1915 – Germany must make her contribution to the reconciliation between Turks and Armenians" (see Appendix, Document 38). This resolution is by far the most comprehensive one ever adopted. Bearing in mind the importance of Turkish-German relations and the presence of three millions of Turks in Germany, this resolution is going to be examined in detail below.

The racist trends that came to the stage at the second half of the 19th century in Germany helped the Nazi regime to emerge with the help of the dissatisfaction felt in the German society by the defeat suffered in World War I. This regime, at its peak of racism, is known to have killed 6 million people just because they were Jewish. Germany, heavily defeated in World War II, partitioned, occupied by foreign powers for long years, obliged to pay huge indemnities to Israel and Jewish organizations, witnessed a certain extent of regression of racism, although it could not be eliminated entirely.

²² PAP News Wire, 21 April 2005.

²³ Milliyet, 24 January 2007.

When the Soviet Union was considered a threat to Western European states, Germany was needed and was then incorporated to the family of free Europe in spite of its recent past. Achieving a decent level of development within a short period of time, Germany suffered from a workforce shortage even though capital was ready to be used. This scarcity of labour was compensated by immigrant workers and thus Germany became the strongest European economy.

The fact that these guest workers, most of whom came from Turkey, were culturally different than the West created a problem for the Germans who are inherently intolerant because of their racist roots. For the settlement of this problem, the notion of “integration,” which came to designate the assimilation of these workers, was suggested. Nevertheless, this policy did not yield the desired outcomes since only few workers were assimilated while the majority has preserved their national identities and customs despite the fact that three generations have already passed. After the German unification, racism and xenophobia were promoted once again as Eastern Germans, who did not internalize the notions of democracy and human rights, joined the German community.

The political group called the Christian Democrats, which consists of German Christian Democrats and the Christian Social Union, played a major role in the reconstruction of Federal Germany in the aftermath of World War II. This group is also the architect of the close and friendly relations established between Turkey and Germany at every level. The Christian Democrat governments initiated financial and military aids granted to Turkey, and decided that the greatest part of the needed foreign labour be supplied by Turkey.

This positive framework changed when the USSR dissolved and the two “Germanies” were united, which amounted to a decrease in the strategic importance of Turkey in the eyes of Europe. Moreover, with economic stagnation came unemployment which made the Christian Democrats highlight integration problems of the Turkish labour, while at the same time strictly opposing Turkish membership to the EU. However, realizing that a backwards trend in Turkey’s association with the EU would be risky, they came up with the idea of privileged partnership. When this failed as well, the Christian Democrats then sought to formulate another strategy which was materialized in the notion that charging Turkey with the Armenian “genocide” allegations would cause the Social Democrats to lose their votes in parliamentary elections.

Meanwhile, it must be noted that rightist sections of the German society are extremely disturbed by the undeniable Holocaust accusations. Given that, if the crime of genocide was committed by someone else before the Germans, then this would imply a decreased feeling of guilt for the latter. This is why the German right, which tends to project other genocide allegations, was regarded by the Christian Democrats as potential constituents.

Acting with such a mindset, the Christian Democrats introduced a resolution to the Bundestag about the “Armenian genocide” on 23 February 2004. While the document was underpinned by the one part of the ruling coalition, the Greens, it was watered down by the Social Democrats. Once they lost the elections in the

Northern Ren-Westphalian province, the Social Democrats wanted to renew the parliamentary elections and discerned that it would be beneficial for them not to insist on refusing the Christian Democrats' proposal since doing so could cause them lose votes.

With minor amendments, the resolution passed in the Bundestag on 16 June 2005 without even being voted on since there was a parliamentary consensus.

This resolution does not accommodate the word of "genocide," yet refers to concepts such as the total annihilation of the Armenians and their organized expulsion, which amount to it. The reason why the word "genocide" was omitted is the fear of a harsh Turkish reaction.

The document states that the German Bundestag believes that facing one's own history fairly and squarely is necessary and constitutes an important basis for reconciliation and that this is true, in particular, within the European culture of remembrance to which belongs the open discussion of the dark sides of each national history. Germany caused two major European wars within a quarter century (1839-1914) and holds the responsibility for millions of civil and military casualties, as well as the blame for the Holocaust. Its final defeat was so immense that in order for Germany to be considered as a sovereign nation again, it had to give up a vast amount of territory, remain occupied by foreign powers for many years, and most importantly, face all of its crimes and pay indemnities.

Nevertheless, it must be pointed that the German case is a special one and does not constitute a precedent for other countries. Especially the victorious colonial powers have not thus far engaged in any attempts to face their colonial past or dark sides of their national histories. The most striking and visible example of this tendency can be found in the French refusal of recognizing their Algerian atrocities and "genocide."

The resolution also argues that the German Bundestag deplores the fact that a full discussion of these events of the past in the Ottoman Empire is still not possible today in Turkey and that scientists and writers who wish to deal with this aspect of Turkish history are being prosecuted and exposed to public defamation. It seems that those who formulated this resolution were totally unaware of the situation in Turkey, for there has been an increasing trend in the country to claim that the relocation of 1915 led to an act of "genocide." Prominent authors of the Armenian "genocide" allegations, such as Yves Ternon and Vahakn Dadrian, published their books in Turkey. In addition, Franz Werfel's novel entitled *The Forty Days of Musa Dagh* which caught on well in Germany, was also published.

After all these unfair and erroneous statements, in an attempt to strike a balance, the resolution asserts that first signals, pointing to the fact that Turkey has recently become more engaged in the Armenian question within the European culture of remembrance, are being received and exemplified.

The first example is the Turkish National Assembly's invitation, for the first time, calling upon the Turkish people of Armenian descent to discussions

involving the crimes committed against the Armenians and the Turkish-Armenian relationship. This refers to the meeting held by the National Assembly's Commission for EU Harmonization and External Relation on 4 April 2005, to which some Turkish and Armenian descent writers were invited. However, this gathering was more like a forum where opinions about the Armenian question were exchanged, rather than addressing crimes committed against the Armenians.

The second example is given with the Turkish-Armenian women's dialog that was held in Vienna without evoking any attention in the public opinion.

The third one consists of the initial contacts between Turkish and Armenian historians which resulted in a first exchange of documents. This example refers to the contacts held in Vienna between Turkish and Armenian historians, yet it is not stated that this initiative failed because of the Armenian withdrawal.

Fourthly, Prime Minister Erdoğan's inauguration of Turkey's first Armenian museum in Istanbul with the Armenian Patriarch Mesrob is brought up. Yet, the PM's gesture aimed for Turkish Armenians who are out of the scope of the Armenian Question.

Finally, the PM's public suggestion for the establishment of a bilateral Turkish-Armenian panel of historians is stated. However, it is argued that this proposal to set up a joint Turkish-Armenian commission of historians can only succeed if it is implemented on the basis of a free and public scientific discourse.

Particularly in view of the large number of Turkish Muslims living in Germany, the resolution states that it is important to remember the past so as to take the first steps toward reconciliation. These remarks imply that Turks living in Germany have an obligation to recognize the "Armenian genocide." Nevertheless, while the German Turks cannot be charged with such an obligation, the only logical explanation for this proposal is the desire to pressurize Turks living in Germany under the pretext of "genocide" allegations.

The document also declares the normalization of the relations between the Republic of Turkey and the Republic of Armenia as being of paramount interest and importance for the future of the entire region and that what is urgently needed is to establish trust-forming measures on both sides as defined in the OSCE principles. Turkey opening the borders to Armenia could, for instance, help to relieve Armenia's isolation and promote the taking up of diplomatic relations. In addition, the German government is called upon to assume a special responsibility as part of the neighborhood initiative of the EU while the aim must be to help normalize and improve the situation between Armenia and Turkey and so to help stabilize the Caucasus region. Thus, the resolution does not address the reasons that led to destabilization in the region but it demands Turkey to open its Armenian border and commence the diplomatic relations for the sake of the restoration of stability. However, it is Armenia which is the destabilizing force in the Caucasus since it is the one which invaded Karabakh and some other parts of Azerbaijan; it is also Armenia which did not recognize the Turkish territorial integrity and crafted the

“genocide” allegations so as to enjoy political gains. The fact that the resolution does not touch upon these points makes the German Bundestag lose its credibility.

On the other hand, Germany stands in a different place than other Member States when it comes to the European Neighbourhood Policy.

In the resolution it is stated that Federal states have a duty for making the information and education policies to involve actions for facing the expulsion and annihilation of the Armenians. This statement amounts to the incorporation of the Armenian “genocide” allegations into the German educational curriculum. In this way, while German students will be pushed towards an anti-Turkish feeling, their Turkish fellows on the other hand will be left with guilt, which must have been designed in order to force these students, in time, to abandon their national identities.

The resolution of the German Bundestag lays down some requests demanded from the Federal Government. An explanatory summary of these requests are provided below:

- to help the Turks and Armenians to arrive at a settlement by remembering, reconciling and forgiving historical guilt. (However it is not a legitimate claim for the Turks to be asked to apologize to the Armenian nation since they do not believe that they committed any sort of crime against the latter. On the other side of the coin, apart from being a psychological problem, the Armenian Question largely rests on political interest calculations, which can not be solved even if one party forgives the other.)
- to ensure that the parliament, government and society in Turkey act, without reservation, within their roles in relation to the Armenian people in the past and in the present (These remarks are indirect demands from the Turkish Parliament, government and society to recognize the so-called genocide. Any initiative of the federal government would be of no use since both the Turkish National Assembly and the Turkish governments have on many occasions rejected the “genocide” allegations.)
- to advocate the establishment of a commission of historians including Turkish and Armenian scientists in addition to international experts (The German Bundestag thus welcomes Turkish PM Erdoğan’s suggestion to establish a committee of historians.)
- to ensure that not only the archives of the Ottoman Empire on this issue, but also the copies of the German Foreign Office archives given by Germany to Turkey are made accessible to the general public (Since the German archives are already open, it does not make much sense to state that their opening to the public is necessary. Moreover, this statement implies that only Ottoman documents were published in Turkey, whereas the actual case is that besides those of the Ottomans, English, French and Russian archives were also made brought to public attention in Turkey. It is equally possible that German documents can be published as well, yet their potential contribution to the Armenian question will not be of great value since they were investigated before.)

- to insist on the actual organization of the conference scheduled in Istanbul, entitled “Ottoman Armenians during the Fall of the Empire: Scientific Responsibility and Democratic Problems,” which was postponed under the pressure of the Turkish Government. (This relates to the conference that would be held at Bogazici University by some Turkish academics and authors at the end of May 2005. It is not clear why the German government should strive for the realization of this conference. On the other hand, it is not true that it was postponed due to the pressure of the government; it was then organized four months later with the help of the Turkish government.)
- to press for freedom of expression in Turkey, in particular with respect to the fate of the Armenians (This statement shows that those who prepared this resolution were not aware of the level of freedom of expression in Turkey. Indeed, it is possible for many authors to argue that the relocation of 1915 was “genocide.”)
- to help Turkey and Armenia normalize their bilateral relations (Even though the German government is legally obliged to take the opinions expressed in this biased and unfair resolution – which reflects the Armenian views – into consideration, it has not undertaken any measures in that sense so far, probably out of the concern that they could lead to a tension between Germany and Turkey.)

In sum, adopted in the German Bundestag, this resolution clearly lacks historical awareness since it brings up claims, such as “the Armenians who were living in Anatolia were totally annihilated,” that do not have any kind of empiricism. It also involves irresponsible, very dangerous and provocative clauses like recommending the federal government to accommodate “the expulsion and annihilation of the Armenians” in the federal education frameworks, which could generate antagonism against the Turks as far as the German youth is concerned. In addition, Turkey is a country which has a strong state tradition that would not need any parliamentary decision in judging any past periods provided that it is based on documents. Nevertheless, as it is put in the Bundestag’s resolution, if Germany feels obliged to face its past, then this ought to be done not in relation to Turkey or on the basis of insubstantial allegations, but rather from the perspective of its own historical responsibilities.

Given that, it should be pointed out that this decision of the German Bundestag has no legal implications for Turkey, as the principle of national sovereignty compels states to live up to their own promises only. Unilateral acts that are undertaken in different countries have no legal outcomes for a particular state. However, it may translate into some political consequences in the form of toughening Armenia’s and the Diaspora’s tone against Turkey.

In a statement issued by the Turkish Foreign Ministry on 16 June 2005, the resolution was condemned and was argued to have been stipulated by domestic calculations. It was asserted that the resolution housed insubstantial allegations, its suggestions could result in an anti-Turkish feeling in the German youth and that it would impact negatively Turkish-German relations. The full text of the statement can be found below:

Today (16 June), as a joint initiative of German political parties in the Parliament, the German Bundestag passed a resolution concerning the Armenian allegations about the events of 1915. We regret and strongly condemn this resolution.

Our opinion about this resolution, which has been on the table for almost three months in the German Bundestag, were communicated to German officials at every level. It was pointed out that the draft was one-sided, full of material errors and misinformation, and that its adoption by Germany, which has always been regarded as a friendly and allied country, would distress the Turkish society deeply alongside its undesired implications for the bilateral relations.

However, it is disturbing to see that that our warnings have not been taken into account by the German Bundestag in the final analysis.

It is clear that this initiative originates from domestic calculations. However, to exploit such a delicate issue for the sake of trivial domestic calculations is an extension of irresponsibility and short-sightedness.

Not only the resolution exhibits the lack of historical awareness on the part of the sponsors since they formulated certain suggestions which lack substantiality, such as the claim that “the Armenians in Anatolia were totally annihilated,” but it also proposes the inclusion of the issue of “the expulsion and annihilation of the Armenians” to the German education curriculum. This irresponsibly, dangerously and provocatively suggestion risks the emergence of anti-Turkish feelings in the German youth.

The Republic of Turkey is at peace with her history. Departing from the idea that historical events need to be dealt with by historians and experts, not by parliaments, Turkey opened her archives to all researchers, including German and Armenians, and officially offered Armenia to establish a joint committee for the study of Turkish-Armenian relations under the Ottoman period. The Turkish Republic has a strong state tradition that would not need any parliamentary decision in judging any past periods while Turkish archives are currently accessible. Nevertheless, as it is put in Bundestag’s resolution, if the Germany feels obliged to face her past, then this ought to be done not in relation to Turkey or on the basis of insubstantial allegations, but rather under the mindset of her own historical responsibilities.

As it is mentioned above, the German Bundestag passed this resolution unanimously. Despite the fact that the bilateral relations are very close, three million Turks live in Germany and that millions of German tourists visit Turkey every year, it is unacceptable that there was not even one parliamentarian in the German Bundestag who stood up for Turkish views. Although many warnings have been made, the German Bundestag ignored both the German Turks’ and the Turkish public opinion’s feelings, which negatively impacted Turkish-German relations and seriously discredited the Germans and Germany. In the

meantime, the Christian Democrats, who won the last elections and thus became a partner in the government, has maintained their opposition against Turkish membership to the EU, which further undermined the bilateral relations that had been already damaged by the aforementioned resolution incorporating Armenian allegations in their entirety.

Venezuela (2005)

The Venezuelan Parliament passed, on 14 July 2005, a resolution that supports the Armenian “genocide” allegations (see Appendix, Document 39).

In the introductory part of the resolution, it is stated in the summary that the first scientifically planned, organized and executed “genocide” in the history of humanity took place 90 years ago, perpetrated by the regime of the “Young Turks” and their ideology of “Panturkism,” against the Armenian people, involving the extermination of almost two million people, that crimes of this nature must be denounced in order to prevent them from happening again, that this “genocide” deserves acceptance from the Turkish people and all the peoples of the world, and that due to political causes and interests, there is an ongoing attempt to change history through the negation of this “genocide.” Moreover, the resolution expresses support for the demands of the Armenian people and government and requests the European Union to postpone Turkey’s membership bid until the recognition by Turkey of the Armenian “genocide.”

As can be seen, this resolution is the most severe and the most exaggerated of all the resolutions on the Armenian “genocide” allegations passed by the parliaments of various countries. Venezuela’s geographical distance and the absence of close relations between Venezuela and Turkey are the factors that encouraged the Venezuelan Parliament to pass such a bold resolution. The fact that there exists in Venezuela a wealthy and influential Armenian community whereas there is no remarkable Turkish community is also one of the main reasons for the smooth passing of the resolution. Furthermore, it is doubtless that the resolutions passed in Uruguay and Argentina constituted examples for the Venezuelan Parliament. It is probable that Venezuelan President Chavez, who has been criticized for his authoritarian rule and populist policies, attempted through this resolution to prove to the US and the European states that he had a more progressive attitude.

Lithuania (2005)

The Lithuanian Parliament passed, on 15 December 2005, a resolution that recognized the Armenian “genocide” allegations and demanded Turkey to do the same (see Appendix, Document 40). The Turkish Ministry of Foreign Affairs stated the following day that parliaments are not entitled to pass judgments on the controversial episodes of history, that history should be left to the historians and that this resolution would contribute in a positive way neither to the relations between Lithuania and Turkey, nor to the process of normalization of the relations between Turkey and Armenia.

The reasons why the Lithuanian Parliament, which does not have a significant relationship with Armenia, adopted such a resolution lie in this country's previous collaboration, like Slovakia, with the Nazis. Lithuania, which lost its independence in the beginning of WW II and came under Soviet rule, was then occupied by the German army. It finally gained independence and collaborated with the Nazis. Within this framework, almost all the Jews (95%) in Lithuania, whose number is estimated to be around 220,000-250,000, were exterminated.²⁴ In the aftermath of the war, Lithuania was again annexed to the Soviet Union, to gain its independence only after the collapse of the Soviet Union. In the process of accession to the European Union, Lithuania began to act as a human rights advocate in order to be pardoned for or cover what had been done to the Jews in the past. Lithuania aimed to ease its responsibility in the Jewish genocide by acknowledging the Armenian "genocide" and claiming that the crime of genocide has been committed by other countries as well and that Lithuania was not the only one to resort to genocide.

Chile (2007)

The Chilean Senate recognized the Armenian "genocide" through a decision taken unanimously on June 5, 2007 (see Appendix, Document 41).

This resolution²⁵ contains the known elements of the Armenian "genocide" allegations, namely: On April 24, 1915 the entire leading class of the Armenian community in Istanbul was arrested and later disappeared; and in the course of subsequent events 1.5 million people were killed as a result of the Armenian "genocide;" it is the first ever ethnic cleansing of the 20th century; the "genocide" was recognized by the Sub-Commission of the Commission on Human Rights on the Prevention of Discrimination and Protection of Minorities; some countries' parliaments also recognized the Armenian "genocide" (these countries are listed), Chile should take a resolution which recognizes that the Ottoman Empire committed a "genocide" in Armenia (?) against defenseless people; and that the Armenian people now demand moral reparations from part of the international community and especially Turkey. It is also reported that the Senate decided to support the Armenian nation in condemning the "genocide" and to call on the government of Chile to adhere to the 1985 United Nations decision.

This resolution entails many factual mistakes. The first one is that on April 24, 1915, the Armenian leaders in Istanbul were not killed, but some of them were obliged to reside in Çankırı and Ayaş due to the reasons of security. Secondly, the Armenian relocation was ceased not in 1923 but in 1916. However, in recent years, in order to blame the Turkish Republic, it has been claimed in the Armenian propaganda documents that the "genocide" was ceased in 1923. Thirdly, the justification of such a claim is impossible since the death of the 1.5 millions of Armenian people during and after the relocation was not proven, and in fact, their population in the Ottoman Empire was 1.5 millions only.

²⁴ Anar Somuncuoğlu, "Litvanya'nın Türkiye Karşılığı Kararı," *Hakimiyet-i Milliye*, 3 January 2006.

²⁵ Armenian National Committee of America, Press Release, 7 June 2007.

The Turkish Foreign Ministry reacted to the decision of the Chilean Senate by condemning and rejecting the decision, considering that it would overshadow the friendly relations between the two countries.

In the press release of the Turkish Ministry of Foreign Affairs,²⁶ after the regret felt upon the adoption of the resolution unanimously in Chilean Senate is expressed, it is stated that the information that the UN Sub-Commission on Protection of Minorities and Prevention of Discrimination recognized the Armenian “genocide” allegations was inaccurate. It is also stated that in response to this frequently uttered claim by the Armenian circles, the UN General Secretary Ban Ki-moon in his speech dated April 30, 2007 announced that the UN had taken no stance with regard to the events of 1915 so far. This decision of Chile serving the distortion of history by political means is condemned and denied, and it is considered as a barrier for the friendly relations of the two countries.

It seems that the only plausible reason for the Chilean Senate to even be interested in the issue is the very persistent efforts of the small but active Armenian minority in this country with the support of Armenian National Committee of South America,²⁷ a Tashnak institution. In Chile, Armenian community outnumbers Turkish community. It is clear that the warnings of the Turkish Embassy were not taken into consideration due to the indifference caused by the geographical distance.

E. Some Countries and Armenian Question

1. The US

While not being regarded as one of the countries that acknowledged the Armenian “genocide” claims, the US has a special place in this issue. The US’s connection to and interest for the Armenians can be traced back to very early times due to the Protestant missionaries’ activities in Anatolia. The first resolution passed by the US Senate in favor of the Armenians dates back to the year 1894. The interest of the Americans for the Armenians increased after the relocation. The number of the Armenian minority in the US is around one million and they seem to be well-integrated into the country. They constitute a considerable vote potential in states such as California, Massachusetts and New Jersey.

Following the onset of the Armenian terror, the Armenians in the US attempted to pass a resolution in the US Congress for the recognition of the so-called Armenian genocide. The US Congress declared the dates 24 April 1975 and 24 April 1984 the “National Day of Remembrance of Man’s Inhumanity to Man” (see Appendix, Documents 42 and 43). In the texts of these resolutions, it was stated that the Armenians were exposed to “genocide” in 1915. In the resolution passed in 1984, it was claimed that this “genocide” was executed by

²⁶ http://www.mfa.gov.tr/no_89--_8-haziran-2007_-sili-senatosu-tarafindan-asilsiz-ermeni-iddialarina-destek-veren-bir-kararin-kabul-edilmesi-hk_-tr.mfa

²⁷ Armenian National Committee of South America (ANC-SA)

Turkey. However, these resolutions did not satisfy the Armenians, as they were confined to the above-mentioned years. In 1996, the American House of Representatives inserted the issue of the so-called Armenian genocide into the resolution regarding the appropriation of 22 million dollars to Turkey from the "Economic Support Fund," making the availability of the fund conditional on Turkey's acknowledgement of the "atrocities committed against the Armenian population of the Ottoman Empire from 1915 to 1923" and on Turkey taking "all appropriate steps to honor the memory of the victims of the Armenian genocide" (see Appendix, Document 44). The resolution did not produce a result as Turkey declined to accept the fund under these circumstances.

Another propaganda attempt of the Armenians has been their demand of the US President to issue a message on 24 April every year. The first message came in 1978 from the President Jimmy Carter (see Appendix, Document 45). In 1981, President Ronald Reagan, who had close contact with the Armenians due to his term as the Governor of California, issued a message (see Appendix, Document 46). However, this message mainly dealt with the Jewish Holocaust, though also touching upon the Armenians. President Reagan did not issue any other message despite the fact that he remained in office until 1988. The next president, George Bush, issued only one message in 1990 throughout his four-year tenure (see Appendix, Document 47), whereas President Bill Clinton issued seven messages every year from 1994 onwards in his eight-year tenure (see Appendix, Documents 48-54). President George W. Bush has continued this tradition of issuing messages every year (see Appendix, Documents 55-62).

In year 2000, a draft resolution comprising almost all Armenian claims was passed by the Commissions and came before the General Assembly of the House of Representatives; this event was closely observed and protested by Turkey. Although the adoption of the resolution was taken for granted at first, President Bill Clinton sent, on 19 October 2000, a letter to the President of the House of Representatives, Dennis Hastert, asserting that the US had significant interests in the region and that the deliberations on this resolution would jeopardize these interests while obstructing the efforts for the development of amicable relations between Turkey and Armenia and requested that the draft resolution be dropped. Based upon this letter, the President of the House of Representatives shelved the draft resolution.

Although the Armenians were expected to submit another draft resolution in the period when Turkey's rejection to give permission of passage for the US operation in Iraq caused bitterness in Turkish-US relations, two draft resolutions were submitted to the House of Representatives in the summer of 2005, only after the activities and ceremonies commemorating the 90th anniversary of the so-called Armenian genocide took place.

The content of the draft resolution numbered H. Con. Res. 195 is the same as that of the resolution of the year 2000. The introductory part of the resolution lists all the Armenian claims while in the main part the Congress and the President on behalf of the American people are requested to commemorate the Armenian "genocide" every year, and the Turkish government is demanded to

acknowledge the “genocide crime” committed by the Ottoman Empire against the Armenians. It is also stated in the main part that Turkey’s EU membership will be supported on condition that Turkey acknowledges the “genocide” and that the Turkish government should initiate rapprochement with the Armenian government and people for a “just settlement.”

The other draft resolution numbered H. Res. 316 also endorses the Armenian claims and demands that the American foreign policy reflect the problems pertaining to the Armenian “genocide” and that the US President use the term “genocide” in the messages he issues every year on April 24.

After being passed by the Commissions, both draft resolutions came before the House of Representatives; however, they have not been put on the agenda and have thus been shelved.

Another draft resolution numbered H. Res. 3103 was tabled by the Armenian Caucus in the US House of Representatives. The resolution requested the US Secretary of State to submit a report every year to the Congress on the plans prepared and the steps taken by the US to ensure the lifting of the Turkish embargo on Armenia. This draft resolution has not been put to vote either.

The same group submitted another draft resolution with the number H. Res. 3361 to the House of Representatives demanding that the US not grant funds to the construction of railways between Kars of Turkey and Ahalkelek of Georgia. This resolution was adopted by the Congress and it was agreed that American Eximbank would not provide credit for this railway project. Since the countries that have undertaken the construction did not apply for credit from American Eximbank, this decision has not had an effect in practice.

In November 2006, the elections for the House of Representatives were held and the Democrats became the majority in the House. The fact that the new President of the House of Representatives from the Democrat Party, Mrs. Nancy Pelosi, is sympathetic towards the Armenian claims has increased the likelihood that the American Congress might pass a resolution adopting the Armenian views on “genocide.” A draft resolution on this issue (H. Res. 106) was submitted to the House of Representatives on 30 January 2007. The content of this resolution is the same as the resolution numbered H. Res. 316. The resolution in question was also submitted under the number S. Res. 106 to the Senate on 14 March 2007.

The Turkish government has communicated to the US government and Congress circles at every level that the adoption of these resolutions would damage Turkish-US relations. The US government took a negative stance towards the resolutions.

The number of co-sponsors to H. Res. 106 has reached 227 by exceeding the absolute majority (218) in the House of Representatives in the beginning of September 2007. Thus, it is understood that the resolution will be adopted in case it is voted upon. Turkey put in great effort to elucidate the negative effects that the adoption of the draft resolution would have on Turkish-US relations. The US Department of State authorities also stated that the adoption of the resolution would harm the US interests, it would make the passage of US force in Iraq

through Turkey difficult, and it would offer no benefit for the Turkey-Armenia rapprochement. Eight former Secretaries of State sent a letter to Nancy Pelosi, President of the House of Representatives, outlining the drawbacks of the adoption of the said resolution.

The resolution was adopted in the House Committee on Foreign Affairs on October 10, 2007 with 27 ayes against 21 nays after the long debates.

While in Turkey objections to the resolution were made at the top level, in the US, President Bush clearly expressed his opposition to the resolution in a press statement on 16 October by stating that “Congress has more important work to do than antagonizing a democratic ally in the Muslim world, especially one that is providing vital support for our own military every day.” On the other hand, many articles that criticize the resolution and the Democrats and Nancy Pelosi began to be published in the US press.

Under these circumstances, some co-sponsors withdrew their support from the resolution. The resolution was brought about in order to be presented for voting upon when timing is more favorable.

It should also be noted that other draft resolutions that condemned the murder of Hrant Dink, a Turkish journalist of Armenian origin, in Istanbul and demanded Turkey to open its borders with Armenia were submitted to the US House of Representatives on 29 January 2007 and 12 February 2007 and to the US Senate on 1 February 2007.

As can be seen, the US Congress has taken a stance favorable to Armenian views not only on the issue of “genocide” allegations but also in non-political issues such as the construction of railways and the murder of a journalist. This situation causes a constant tension in Turkish-US relations.

The campaigns carried out for the Presidency Election in 2008 have precluded the revision of the draft resolution numbered H. Res. 106. In this campaign, while the candidate of the Democratic Party, Barack Obama, has declared that he supports the Armenian, and in case he wins he is going to recognize the “genocide,” the Republican Party candidate, John McCain, has made no promises about this issue despite the persistent attempts of the Armenians. After the victory of Barack Obama and the Democrats having majority in both Houses, it is expected that the “genocide” issue will be on the Congress agenda again.

Another point to be mentioned is that up to now, 41 out of 50 American states have passed resolutions that acknowledge the so-called Armenian genocide.²⁸ It is a political tradition in the US that the state assemblies, governors and mayors make statements and convey messages on issues that are important to

²⁸ By 2008, forty-one American states have adopted resolutions on the so-called Armenian genocide. These states are as follows: Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington and Wisconsin.

constituents. Taking advantage of this tradition, the Armenians achieved the adoption of such resolutions in states where they have vote potentials. This could not be prevented since both the number and political influence of the citizens of Turkish origin who reside in the US are considerably small when compared to those of the Armenians.

2. Britain

To the Armenian militants, Britain is of a great importance regarding the genocide claims owing to the Britain being an enemy of the Ottoman Empire during the World War I, the *Blue Book*, published during the war for propaganda purposes, being a basis to the Armenian “genocide” allegations even today, the establishing of military courts for the Ottoman war criminals, which was a demand from Britain, and Britain sending some Ottoman politicians to Malta on exile as war criminal suspects but not being able to sentence them due to lack of evidence. In response to the attempts for the recognition of the Armenian “genocide” claims in the parliaments, the British Government declares: “neither this Government nor previous British Governments have judged that the evidence is sufficiently unequivocal to persuade us that these events should be categorized as genocide as defined by the 1948 UN Convention on Genocide, a convention which is, in any event, not retrospective in application.”²⁹

As result of this attitude of the British Government, the Armenian militants have started to pursue a policy to make the local parliaments and city councils recognize the “genocide” claims. Within this framework, the Edinburgh City Council adopted a resolution recognizing the above claims in 2005. The Wales, on the other hand, is observed to be the region being mostly in favor of the demands of the Armenians. The Council of this region accepted a declaration in 2001 recognizing the Armenian “genocide” and calling on Britain and Turkey to do so. The Gwynedd City Council recognized the Armenian “genocide” claims in 2004, the City Council of Cardiff in 2005, and Free Church Council of Wales on April 24, 2005.³⁰ On November 3, 2007, in the city of Cardiff, a monument in the shape of Haçkar for the Armenian “genocide” was erected in the garden of Peace Temple.³¹

The head of the British Church, the Canterbury Archbishop, Rowan Williams, recognized the Armenian “genocide” claims and did not mention either Turkey or the Ottoman Empire in his speech delivered during his visit to Armenia in 2007.³²

3. Bulgaria

The Armenian Community in Bulgaria is small in number but quite active in politics. This community has been thriving to cooperate with both ATAKA, an

²⁹ <http://petitions.pm.gov.uk/armeniangenocide/>

³⁰ Waller-Armenia Solidarity, Press Release, 24 Eylül 2007.

³¹ South Wales Echo, 3 Kasım 2007.

³² Mother See of Holy Etchmiadzin, Press Release, 26 Eylül 2007.

extremely rightist party, and the Bulgarian Orthodox Church for the Bulgarian National Assembly to adopt a resolution recognizing the Armenian “genocide” claims. However, the National Assembly rejected the proposal on this matter in 2006 and 2007. The major reason for this rejection is the opposition of the Right and Freedom Party, whose majority is composed of Turks and which is a partner of the Government coalition. In the future, it is a possibility that when the Right and Freedom Party is out of the coalition, the Bulgarian National Assembly should adopt a resolution recognizing the Armenian genocide claims.

Despite receiving the supports of the ATAKA Party and the Bulgarian Orthodox Church, having been rejected by the National Assembly, the Armenian Community in Bulgaria has focused on city councils, and a result, the city councils of Plovdiv, Burgaz, Stara Zagora, Rusçuk, Silistre, Dobriç, ve Varna have adopted resolutions recognizing the Armenian “genocide” claims.

4. Spain

The situation in Spain is similar to those in Britain and Bulgaria. In other words, it is apparent that upon the rejection of the resolution recognizing the Armenian “genocide” by the Spanish Assembly, the local assemblies have been approached and the ones with separatist tendencies have been selected.

Accordingly, a proposal recognizing the Armenian “genocide” was submitted to the Parliament in the Katalonia Region in 2006, but it was not accepted.³³

In contrast, the Bask Region Parliament declared that they adopted a resolution recognizing the Armenian “genocide” on May 11, 2007. In this resolution, it was briefly stated that more than two millions of people were killed during the genocide carried out by the Ottoman Empire toward the Armenians, these incidents were considered as facts in accordance with the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide, Turkey was condemned upon systematically denying this genocide, banning this issue in the criminal law and assuming that the issues regarding Armenia and Cyprus were a threat to fundamental national benefits, the economic and border blockade over Armenia executed by Turkey was denied, the European Parliament’s principle that a country demanding to joining the European Union should face its history was embraced, Turkey should establish diplomatic and friendly relations with Armenia, and Turkey was called on to resolve the border conflict through peaceful means.

This time, Esquerra Republicana, a Catalan party, submitted a resolution proposal recognizing the Armenian genocide to the Spanish Assembly on December 12, 2007. The proposal was accepted by the Foreign Affairs Commission, however, due to the government’s opposition, the proposal was not considered in the General Assembly and it was invalid.³⁴

³³ Anadolu Ajansı 19 Eylül 2006.

³⁴ Armenews, 23 Ocak 2008.

5. Israel

The Jews are sensitive to the issues related to genocide and related claims because of the well-known reasons. So far, taking into consideration the importance of the relations of Israel with Turkey, the Armenian “genocide” claims have not been of primary importance despite the attempts of the Armenians both in the US and Israel. However, there have been changes in the attitude of the Jews due to the increasing pressure of the Armenians and the close relations Turkey has recently established with Palestine. The best example to this is in 2007, the American Jewish Institutions taking a different stand on the resolution numbered H. Res. 106 in the House of Representatives. Some institutions maintained their traditional attitude and rejected the resolution while some acted in favor of it, and ADL (Anti Defamation League), one of the biggest institutions, pursued a middle path recognizing the “genocide” claims but denying the H. Res. 106.

In Israel, the relatively smaller Armenian group has been occasionally trying to pass a law about the Armenian genocide claims in Knesset, but has not achieved it due to the Government’s opposition.

The recent development about this issue was the proposal, prepared by Haim Auron, the leader of one of the leftist parties, Meretz, in Knesset, sent to the related commission, on March 26, 2008, as a result of the voting, to be considered in the Parliament. In brief, although there is an opinion that no resolution will be adopted favoring the Armenian genocide claims in Knesset, the above voting illustrates that some Jewish groups in Knesset are changing their attitude towards Turkey.

6. Sweden

The Swedish Parliament occasionally receives demands to recognize the Armenian genocide claims. In a report prepared by the Foreign Affairs Commission of the Parliament in 2000, the events of 1915 were mentioned as “genocide.” However, due to the existence of no resolution adopted related to the “genocide”, it is not possible to say that Sweden recognizes the Armenian “genocide.” In addition, in 2002, the Foreign Affairs Commission declared that the statements on the United Nations recognizing the Armenian “genocide”, which forms the basis of the 2000 report, were not true, the United Nations had adopted resolutions about neither the Armenians, nor the Syrians, Asurîs and Keldanîs. Hence, Sweden ceased the recognition attempts of genocide claims for a period when it was revealed that the Foreign Affairs Commission was deceived by the Armenians.

In May 2008, an attempt by some MPs for the recognition of the genocide claims by the Parliament was considered in the Foreign Affairs Commission and a report including four major matters was prepared.³⁵

³⁵ PanArmenian.Net, 12 Haziran 2008. Sweden’s Refusal to Recognize Armenian Genocide to Harm Turkey.

The first matter, as mentioned above, is that there was no United Nations resolution about the Armenian genocide claims adopted either in 1985 or later.

The second matter is that during the time of the Ottoman Empire, if the 1948 UN Convention had been in effect then (in 1915), what happened to the Armenians, Syrians ve Keldanîs would probably have been attributed as “genocide.” These statements declare that the UN Convention apply to the incidents having taken place after 1951, the year the Convention took effect. In other words, the Convention did not apply to the 1915 incidents. Since the claim that if the 1948 Convention were in effect in 1915, the events of 1915 would most probably be a “genocide” is an assumption, it has no legal value. It is evident that the Armenians and Syrians, who submitted the resolution proposal, are to some extent being satisfied.

The third matter is that the experts had no agreement on the description of the incidents having taken place during the collapse of the Ottoman Empire. Through these statements, it was intended to clarify that there were experts who did not recognize the 1915 incidents as “genocide.” This point had caused severe opposition from the owners of the proposal, and 64 authors and scientists from different countries were made to sign a declaration claiming that the Armenians were subjected to “genocide.” It was distributed to the MPs but it did not have any effect.

The fourth and the final matter is about Turkey and Turkey avoiding any adverse effect on the “critical national period” it had been going through. Through this, it was made clear that in case the Swedish Parliament accepted the resolution proposal, this would have benefited the extreme movements in Turkey. However, so far the resolutions adopted by parliaments had not been dealt with any extremists. In spite of that, the relations of Turkey with those countries were negatively influenced by the above mentioned resolutions.

The report of the Foreign Affairs Commission was discussed in the Swedish Parliament General Meeting for three hours on June 11, 2008 and the Armenian “genocide” recognition proposal was rejected by 245 against 37 votes. There was 1 impartial vote and 66 people did not participate in the voting. The percentage of the refusal was a great number as 70%.

It is for sure that this voting is a defeat for the Union of Armenian Associations in Sweden and the Union of Assyrian Associations, collaborating with the former. This issue is not likely to be brought up again to the Swedish Parliament.

F. The Legal Status of the Parliament Resolutions and Their Political Implications

What is the impact of the resolutions passed by the above-mentioned parliaments?

It is not obligatory for Turkey or any other independent state to conform to the decisions of the parliaments of foreign states. Therefore, these resolutions are

not legally binding for Turkey. However, this does not mean that the above-mentioned resolutions do not disadvantage Turkey.

From the beginning of the 1980s, Turkey has been criticized severely for not observing human rights. In addition to this, the belief that Turkey committed the crime of “genocide”, which is the most grave crime against humanity, will further damage its image; this will in turn result in mistrust of Turkey. This situation has a negative impact on many areas ranging from the development of tourism to foreign capital investments. Moreover, this is used as leverage by the circles in Europe that oppose Turkey’s EU membership.

It is essential to counter the “genocide” allegations and to reveal the true nature of the events not only because of the above-mentioned factors but also because the allegations contradict the historical reality.

In order to prevent the adoption of the resolutions in question, Turkey has resorted to diplomatic means; Turkey has explained the true nature of historical events and asserted that these resolutions are the tools employed for certain political goals that go as far as the questioning of Turkey’s territorial integrity. The initiatives of the Turkish embassies regarding this matter produced results only in few countries. The reason for this is that the parliaments hold that the governments, not themselves, are responsible for diplomatic relations. In other words, a resolution can only be prevented through the efforts undertaken by governments at the parliamentary level. Concerned governments undertake such initiatives only when they have good relations with Turkey or refrain from a conflict with Turkey and when they have a majority in the parliament.

In countries where Turks outnumber Armenians, the possibility of preventing such resolutions depends on the political sway of the Turkish community in question. That there is a large number of Turks in a country does not mean that they are politically influential. Political weight derives from the full adaptation to that country’s circumstances, good knowledge of the language of the country in question and active participation in politics.

POTENTIAL DEVELOPMENTS ON THE ARMENIAN QUESTION

Ömer Engin LÜTEM*

What are likely to be the developments concerning the Armenian Question in the coming years? This article aims to answer this question, taking into account current positions of the interested countries and the conditions under which these positions can be changed.

Turkey and Armenia are the two states which are of primary importance when considering possible developments related to the Armenian Question. Even though it is not possible to be considered as a country, the attitude of the Armenian Diaspora is equally important to estimate future developments with regard to this issue. It is also essential to determine the approaches of certain other countries such as the United States, Russia and France, for they play a major role concerning the Armenian Question. This also holds for the states whose parliaments have recognized the Armenian “genocide” allegations.

Turkey

The Turkish view regarding the Armenian Question has been, for years, complete denial of the “genocide” allegations. Upon the recognition of “genocide” allegations by some countries parliaments in the recent years, the Turkish government officially proposed to Armenia in 2005 that the nature of the events of 1915 be determined by historians.

An important development in Turkish-Armenian relations is President Abdullah Gül’s visit to Yerevan in September 2008 to attend to the Armenia-Turkey football match and the positive impression of this visit on the public opinion of Armenia and other countries. This visit started a negotiation process to normalize the relations between two countries. Although the outcome of this process is not known yet, the existing tension in the relations has decreased.

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Apart from the “genocide” allegations, Turkey and Armenia have the following bilateral problems: Turkey asks Armenia to recognize its borders. Related to that, Turkey requests that the specific article of Armenian Declaration of Independence which refers to Eastern Anatolia as Western Armenia be changed.

Moreover, Turkey attributes great importance to the preservation of the territorial integrity of Azerbaijan and considers it as a requisite for the establishment of security in Caucasia. Turkey displayed its decisive will on that matter by shutting the border with Armenia. For the opening of the border, Turkey expects a final solution for the Karabakh problem or at least a firm commitment towards a solution.

Certain general developments will shape and affect the Armenian Question and Turkish-Armenian relations in the near future. While some of them may result in favor of the Turkish position, the others could be detrimental.

The positive occurrences can be listed as follows: Turkish accession to the EU or the absence of any significant obstacle against it, a high level of success of Turkish efforts in bringing academic studies on the matter of the Armenian question to the attention of Western academic communities, the mobilization of the Turkish Diaspora in EU countries and in the US against the “genocide” allegations, the emancipation of the Caucasian states from the influence of the great powers, and a *rapprochement* between Turkey and Armenia on the basis of normalization of their bilateral relations.

On the other hand, the negative occurrences would be Turkish accession to EU being at a standstill, the continuous disorganization of the Turkish scholarly studies on this issue, inability to present them to the Western academic circles, incapacity to use the Turkish Diaspora to this end, the continuation of the Turkish-Armenian antagonism, the maintenance of Russian influence on Armenia and the consequent American concessions to the latter in order to compensate for the Russian influence and a solution to the Karabakh problem precluding the perspective of Turkish-Armenian problems.

When considering the possible future changes and the course of the Turkish position, it is important to note that, first, Turkish public opinion interprets the “genocide” allegations as attempts of denigrating Turkishness and the past Turkish generations, and that such a tendency does not seem to be fading away in the foreseeable future. Therefore, the possibility of any Turkish government to accept the so-called genocide is almost non-existent given the tremendous consequences it would generate in domestic politics, irrespective of the degree of pressure put upon them by the EU or the US. This decisive position of the Turkish governments will be challenged throughout the process of accession negotiations, for it is possible for some EU countries (such as France, the Netherlands, Austria or the Greek Cypriot Administration) to put forward the recognition of the so-called genocide as a condition for accession. In addition, even if the negotiations are successfully completed, then it is likely that the European Parliament would make the ratification of the Accession Treaty conditioned upon the acknowledgment of the so-called genocide.

As far as Turkey is concerned, another development is the recognition of the “genocide” by some Turkish scholars, which will, in turn, influence some parts of the public opinion, especially some university communities and leftist intellectuals which have been in support of the Armenian allegations in the recent years. Nevertheless, it could be said that this tendency will remain confined to these groups and shall not have an impact on the entire public opinion.

Armenia

Armenian policy regarding Turkey can be summarized mainly as follows: Armenia’s priority has been the opening of the border without any preconditions. If this can be realized, then it is believed that diplomatic relations with Turkey may follow.

Secondly, Yerevan wants Ankara to adopt the most possibly neutral position vis-à-vis the Karabakh problem, which amounts to the removal of Turkish support for Azerbaijan.

While Armenia asks Turkey to recognize the “genocide,” it, on the other hand, insists that this is not a prerequisite for initiating the bilateral diplomatic relations.

Having said that, it is obvious that the Armenian and the Turkish positions are so opposite to each other that they are almost irreconcilable. Especially as a result of the extreme nationalist discourse during the Kocharian period, the Armenian public opinion began to take after the Diaspora’s inflexible and stubborn position. Yet, new President Serzh Sarkisyan’s policy of opening towards Turkey and President Abdullah Gül’s Yerevan visit have created some sort of détente in the relations. How this new atmosphere will affect the attitude of Armenia is not known yet. One of the factors leading Serzh Sarkisyan to pursue this new policy is that the only way connecting Armenia to Europe and Russia transcends Georgia. Due to Georgia’s internal conditions and its problems with Russia, this road is not secure. In addition, Armenia already feels isolated because Turkey, Georgia and Azerbaijan agreed for the construction of the Kars-Ahalkelek-Baku railroad and Baku-Tbilisi-Ceyhan pipeline and Erzurum natural gas pipeline did not transcend Armenia albeit being shorter. Serzh Sarkisyan’s desire to end this isolation rests behind the aforementioned opening policy towards Turkey.

In the meantime, a possible solution to the Karabakh question or at least the commencement of it should have a positive effect on the Turkish-Armenian relations. Upon a settlement of this problem, not only Turkey, but also Armenia will benefit from the normalization of bilateral relations and a subsequent engagement in cooperative processes, without the conditionality of recognizing the so-called genocide.

When the economic condition of Armenia is considered, Armenia has begun a trend of rapid economic development in the recent years by virtue of the remittances from the Diaspora Armenians and the direct American aid or indirect loans that are channeled through the World Bank. However, the fact that those

aids cannot be increased further will have a slowing impact on the economic development.

Diaspora

Diaspora refers to the communities that are formed by the Armenians living abroad. The Diaspora firmly believes that their ancestors were subjected to “genocide” by the Turks and that it is now imperative to compensate for this “wrongfulness.” The myth of the “genocide” has thus become an integral and inherent part of the Armenian identity of the Diaspora. As a result of their active participation in the host countries’ political life and their important positions in the media, the Diaspora Armenians enjoy a disproportionate political power when compared to their population in these countries.

The priority of the Diaspora is Turkish recognition of the “genocide.” They argue that once this is achieved, Turkey will be obligated to pay indemnities to those who suffered from the “genocide” and that Turkey will give away a part of Eastern Anatolia to Armenia. However, in recent years, territorial demands have been downplayed, but not given up *per se*. The reason for such unwillingness is that this request is far too unrealistic and that almost no other state has embraced it. Given that, Turkish acknowledgment of the “genocide” and the payment of indemnities have been underlined more than ever.

The Armenian Diaspora is seriously devoted to the protection and promotion of Armenian interests in their host countries. As a logical extension of that, they work diligently to create a bad image of Turkey and Azerbaijan, which they regard as foes of Armenia, thus undermining these states’ interests in the countries where they reside. It will not be sensible to look for a change in the Diaspora’s attitude if current circumstances remain intact. In the meantime, it is seen that the *détente* in the relations caused by President Gül’s visit to Armenia in September 2008 did not affect Diaspora’s attitude.

The first and foremost development which can lead to a change in the Diaspora’s attitude is the normalization of Turkey-Armenia relations and the initiation of a process of cooperation. Such an environment shall remove the issue of “genocide” from the immediate focus and it may affect the Diaspora so strongly that it may even dissolve.

Turkish accession to the EU or the absence of any remarkable obstacle on the way to it would also result in significant disappointment for the Diaspora.

The ability of Turkey to bring scholarly studies on the Armenian Question to the attention of the Western scholars has the possibility of encouraging the latter to consider them from a more objective and a fairer perspective. That would be, also, to the disadvantage of the Diaspora.

Last, but not the least, the success of Turkish efforts in mobilizing the Turks living either in the EU countries or in the USA should weaken the Diaspora’s hand.

The US

Besides being the only superpower, the United States is in a position to play a major role on the Armenian Question since the US houses an Armenian population of almost a million on the one hand and it has close relations with Turkey on the other. The US faces a dual game in the sense that it is to respond to the aspirations of its Armenian-originated citizens while at the same time the US feels necessary to account for Turkey's attitudes. That is why the American governments have been seeking a win-win formula. For example, US Presidents, in their annual statements on 24th April to commemorate 1.5 million Armenians, have always refrained from using the word "genocide," but to compensate for this, US governments have always been trying to help Armenia on many fields. Moreover, the US also aims to gain a sphere of influence in Armenia through the Diaspora and thus break the Russian dominance in the country.

For the future, the American position will depend on the shape of the Turkey-US relations. As far as close cooperation is sustained, the US, as it does now, will strive for keeping her noncommittal position regarding the "genocide" issue by simultaneously satisfying its Armenian citizens through various ways (for example, by increasing the aid to Armenia). She will also promote new initiatives to reach a Turkish-Armenian agreement, as it is in the case of the TARC (Turkish-Armenian Reconciliation Commission).

However, if a serious disagreement between Turkey and the US because of Iranian, Iraqi, Palestinian or other kinds of issues arises, the US might make use of the Armenian Question in order to overcome the Turkish resistance, for example, in the form of a congressional recognition of the "genocide."

Russia

As Russia is on good and friendly terms with Turkey and is engaged in intense economic cooperation with this country, any possibility of the Russian government paying attention to the "genocide" allegations should be ruled out. Nevertheless, the Duma adopted certain resolutions in 1995 and in 2005 that acknowledged the "genocide" because of the pressure put upon Russia by the Armenian citizens, who exceed a number of a million, living in Russia.

It does not seem sensible to expect the Russian government to consider "genocide" allegations as long as close political relations and economic cooperation with Turkey are maintained. However, the facts that Russia is playing the role of Armenia's protector, that Russia has its only Caucasian military base in Armenia and that Russian troops guard the Turkish-Armenian border are to be taken into account. Having said that, a possible crisis between Turkey and Armenia will directly affect Russia, which would likely result in Russia supporting the Armenian views.

Furthermore, the Duma has a tendency to exhibit a moderately pro-Armenian position whatever about the conditions.

France

The 450,000 Armenians living in France are very active in domestic politics. The French National Assembly, taking into consideration Turkish-French relations, avoided any decisions recognizing the “genocide” for some time despite the Armenian pressure. However, in 2001, a law acknowledging the “genocide” was passed as a result of electoral concerns. Moreover, another draft penalizing the denial of the Armenian “genocide” with imprisonment or financial penalties was adopted in 2006, but has not yet become law due to reluctance in the French Senate.

French governments have tried to compensate for the negative effects of the 2001 law by supporting Turkish membership to the EU. Yet, in 2005, during the referendum for the Constitution of Europe, it was realized that the French public opinion was against the Turkish bid. As a result, the French government officials started to appeal to “genocide” allegations, but they opposed the draft law penalizing those who deny the “genocide.” It can be said with certainty that it will be a heavy blow to Turkish-French relations in case this draft is enacted as a law by the Senate.

It is difficult to predict the shape of the future Turkish-French relations. In parallel to new French President Mr. Sarkozy’s negative attitude towards Turkey’s accession to the EU, his support to enactment of the draft law concerning penalization of the negation of Armenian “genocide” allegations will lead to serious crisis between Turkey and France.

The European Union

Despite approaching the issue with precaution in recent years, the European Parliament generally recognizes the “genocide.” On the other hand, the Commission and the European Council have unclear stances. In addition, neither in the Copenhagen Criteria, with which candidate countries must comply, nor in the Negotiating Framework is the Armenian “genocide” mentioned.

It can be anticipated that this situation will not change in the coming years and that the issue of the “genocide” will be addressed only by the European Parliament, whose position can be subject to change according to the developments concerning Turkish candidacy.

Other Countries

The future positions of Latin American countries which recognized the “genocide” (Argentina, Chile, Uruguay, and Venezuela) are of lesser importance for Turkey since it shares a limited range of relations with these countries. The same applies to Lebanon and the Holy See. On the other hand, the attitudes of Canada and Switzerland carry great significance by virtue of dense bilateral relations. Nevertheless, as far as the current tendencies of both countries are maintained, it can be suggested that rather than taking the “genocide” issue a step further, they are going to strive for a rapprochement with Turkey.

If some of the EU Member States (Belgium, Germany, Greece, Greek Cypriot Administration, Italy, Lithuania, Poland, Slovakia, The Netherlands) conclude that Turkey should be denied to full membership (along with an alternative way to anchor it to the Union), they will employ “genocide” allegations in order to first weaken Turkish will to accede and second to deter other Member States from supporting the Turkish bid. On the contrary, if these Member States discern that the inclusion of a moderate Muslim country in the Union would be positive and constructive, they are then going to downplay the “genocide” allegations.

Conclusion

Consequently, the settlement of the Armenian Question and the normalization of the Turkey-Armenia relations seem to be dependent on the solution of the Karabakh problem on the one hand, and the course of Turkish candidacy to the European Union on the other.

Within this framework, Turkey, upon the settlement of the Karabakh problem, should try for the normalization of bilateral relations with Armenia which is easier to work out. Armenia would be willing to do so because it could lead to opening of the border. However, normalization of relations depends also on the mutual recognition of both countries’ territorial integrity (in other words the necessity for Armenia to give up its dream of a Greater Armenia), and tuning down “genocide” allegations. Both issues would require a strong and sound government in Yerevan.

On the other side, questions related to the EU seem less clearly defined. Indeed, the Armenian Diaspora will continue to exert pressure on the EU for the acknowledgment of the so-called genocide, while Member States which are against Turkish accession will try to take advantage of the “genocide” issue. In case Turkey engages in normal relations with Armenia, the path on the EU membership will be easier.

In every scenario, the Armenian Question and the Turkish-Armenian relations shall require a great deal of Turkish diplomacy in the following years.

III
THE ARMENIAN QUESTION
IN THE LEGAL CONTEXT

THE ARMENIAN PROBLEM AND INTERNATIONAL LAW

Gündüz AKTAN*

Introduction

Much was written on the Armenian incidents that had occurred in the Ottoman Empire in the years 1915-1916, that is, during the early part of World War I. Thousands of works tackling this issue were published, mainly by Armenians. These authors, mostly historians, were inclined to describe the incidents as genocide. Turkish authors too, almost without exception, and a number of foreign writers, held in high esteem, approached the issue from a historical standpoint, maintaining in turn that resettlement is not the same as genocide.

Although the strong emotional context of this issue makes it difficult for a neutral view of history to prevail, there are undoubtedly ample publications available to provide adequate information about the history of the incidents. Despite the claims that the archives in Turkey and in Armenia are not fully accessible, one can safely say that enough archival work has been done and published to permit an assessment of the nature of the incidents.

Historical studies are essential to render understandable the incidents that took place in the second decade of the 20th century. However, if a historian lacks education and/or experience in international law, that person cannot judge whether or not these incidents amounted to genocide. Like historians, academics such as sociologists and political scientists who have studied these issues tend to describe almost any incident which involves an important number of dead as genocide.¹ However, genocide, as an international crime, can only be determined by jurists on the basis of the prescribed legal criteria.

Nevertheless, there are very few works of legal nature on this issue. This outcome is due to a variety of reasons. For one thing, the Turks are not known to be legalists, first and foremost. The Armenians have *deliberately* set aside the

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¹ William A. Shabas, *Genocide in International Law*, Cambridge: Cambridge University Press, 2000, p. 7.

legal aspect of the issue apparently because that would weaken their genocide claims. Pro-Armenian writers chose to adopt the historical approach to underline the tragic nature of the incidents so that they could make genocide claims more easily. Likely, one of the reasons why the legal approach has not been preferred is the fact that the “Convention on the Prevention and Punishment of the Crime of Genocide” (henceforth to be referred to as the Convention; see Appendix, Document 63), which had been concluded in 1948 and had taken force in 1951, was not used frequently enough until the mid-1990s. As a result, the jurisprudence in this area was not developed sufficiently. Finally, the difficulties involved in retroactively applying the Convention to incidents that occurred some three or more decades ago, before it entered into force, are all too obvious. The jurists may have failed to display an interest in this issue because it would not be compatible with law to apply legal concepts, “genocide” among them, which did not exist in the pre-Convention period.

Despite this fact, since some can describe the past events as genocide, it may be useful to have a speculative approach as if these incidents were happening today or as if the genocide law had existed those days. Such an approach is utilized in this article.

This article adopts, furthermore, a legal approach. To be able to focus adequately on the legality of the issue, it will assume that the reader possesses already an adequate knowledge of the historical background. Chronological data will be referred to only to the extent that jurisdictional assessments require it.

Law Prior to the Convention

According to the 1648 Westphalian system, state sovereignty was an absolute principle – essential and supreme. The matter of minorities was an internal affair for the states, which applied domestic laws to the incidents that occurred within the country. The concept of “international crime” did not exist. Coming to the Ottoman scene, however, the minorities in the Ottoman Empire became, immediately after the 1839 *Tanzimat Edict*, the subject of treaties between nations. That was an exceptional situation. It resulted, on the one hand, from the fact that the Ottoman Empire, a multi-cultural and a multi-national country, found itself in a weaker position in its competition with the predominantly nation states of the West, and, on the other hand, from another fact, namely that the European governments turned their support of the Christian minorities in the Balkans into an essential element of their foreign policies towards the Ottoman Empire.

When the Armenian relocation began in the fifth month of 1915, the British, French and Russian Governments, namely the belligerents and the enemies of the Turks in the current war, issued immediately on 24 May 1915, a joint declaration in which they said the following: “[I]n the presence of these new crimes of Turkey against humanity and civilization, the Allied Governments publicly inform the Sublime Porte that they will hold personally responsible for the said crimes all members of the Ottoman Government as well as those of its

agents who are found to be involved in such massacres.” However, the US Secretary of State Robert Lansing, who was clearly not a Turkish sympathizer, is known to have admitted that the Turkish Government had a “more or less justifiable” right to deport the Armenians, provided that they lived “within zone of military operations.” In an obvious contradiction, a report resulting from an investigation of the war crimes committed by the Christians during the 1912-13 Balkan Wars, in violation of the Hague Rules (1907), failed to address the “crime against humanity” in the face of the worse tragedies that the Turks had suffered.²

The Hague Rules highlighted the crimes a country would commit in war. Those rules had not been envisaged to be applied to the crimes a country would be accused of having committed in its own territories. It is no secret that when, at the Paris Peace Conference (1919), the Greek Foreign Minister suggested that a new kind of crime against humanity be created and there be a trial for the “Armenian massacres,” President Woodrow Wilson initially objected to this, saying that this would have been an *ex post facto* law. The United States was against the creation of such a crime. The Versailles Treaty with Germany stated that an international tribunal be set up. That suggestion was unprecedented in history. However, the trial could not take place, since the Netherlands refused to extradite Kaiser Wilhelm II who had sought refuge there.

With the Treaty of Sèvres signed on 10 August 1920, the Ottoman Empire agreed to a trial to be held in Turkey for the crimes in question (Article 226). Creation of the tribunal was a task left to the victors and the Ottoman side pledged to arrest and deliver to the tribunal the persons wanted. Historians know about the “Nemrut Mustafa” Martial Court set up in occupied Istanbul at the end of the war, and about the defendants, who were taken to Malta – only to be released by the British crown prosecutor due to lack of evidence. The Treaty of Sèvres was later replaced by another international agreement, the Treaty of Lausanne that was signed on 24 July 1923. The latter included a declaration of amnesty for all crimes committed between 1 August 1914 and 20 November 1922.

It is common knowledge that genocide reached its full dimensions during World War II when Nazi Germany exterminated the Jews, describing it as the “Final Solution.” The word “genocide” was coined by Raphael Lemkin, a Polish Jewish scholar. When Lemkin was a student, he followed closely the trial of the defendants implicated in the Armenian incidents, which he considered genocide. Lemkin’s concept of that crime was a very comprehensive one. His definition embraced the political, economic, social, cultural, moral, physical or biological destruction of the minorities. The law, which evolved later on, came to consider “genocide” not any act committed with the aim of destroying just any group but only certain groups; and only if those groups were destroyed physically or biologically. In other words, the latter greatly narrowed down the scope of the description originally made by Lemkin, simply by excluding from the interpretation of genocide political, economic, social, cultural and moral destruction of groups.

² Report of the International Commission to Inquire into the Causes and Conduct of the Balkan Wars, Washington: Carnegie Endowment for International Peace, 1914, section on “Extermination, Emigration, Assimilation,” pp. 148-158.

Since, at that time, what the Nazis did to the Jews in the early 1940s had not been fully known, Britain and the United States especially did not favour having an international tribunal to deal with the crimes committed within the borders of Germany. They were, on the other hand, maintaining that for the crimes committed outside its national borders, that is, in the countries Germany occupied, the persons responsible should be put on trial. Thus, the respect for the sovereignty of the nation-state in the Westphalian system would continue. The law of war envisaged the officials of a given country to be subject to international adjudication only for crimes committed, *inter alia*, against civilians in another country in times of war. The concept of crime against humanity, though discussed in doctrine, had not yet become actually part of international law, in a way that would apply to the crimes committed inside the country as well.

As the wide scope of the offences that the Germans had committed against the Jews gradually emerged, the idea that the persons responsible for the crimes committed within the country, too, should be put on trial started gaining ground. This step, initiated in 1941, reached a new stage with a proposal presented to the London Conference by the United States four years later. It invoked the “Martens Clause” of the Hague Conventions. Thus, it envisaged that if a crime had not been clearly defined in advance, “the principles of law of the nations as they result from the usages established among the civilized peoples, from the law of humanity and from the dictates of the public conscience” would be applied to it. However, since the “Martens Clause” is a concept of the law of war, adjudication of the crimes committed within the country itself has been linked to the concept of starting the war. Thus, the reference to war was creating an excuse for intervention in domestic affairs. The minutes of the London Conference indicate how adamant especially the United States was to ensure that the intervention in Germany’s domestic affairs would not constitute a precedent, which would allow other countries to intervene in American domestic affairs in the future.

This understanding eventually helped to formulate the principles of the Nuremberg Court (which came to be known by the same name) that was to try the German war criminals, including those responsible for the Jewish genocide. The principle, specified as “VI,” is as follows:

a. Crimes against Peace:

- (i) Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;
- (ii) Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i).

b. War Crimes:

Violations of the laws or customs of war which include, but are not limited to, murder, ill-treatment or deportation of slave labour or for any other purpose of civilian population of or in occupied territory; murder or ill-treatment of

prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.

c. Crimes against Humanity

Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connection with any crime against peace or any war crime.

As can be seen from the definition of the crimes against humanity, the crimes committed against the Jews would be a subject for international adjudication even if these were committed inside Germany. The only stipulations were that there should be a link (nexus) between these crimes and the war, and that they should be committed during such hostilities. Thus, the victors could not abandon the principle that in order to be able to intervene in the domestic affairs of a country, one had to be in a state of war with that country. Even the extermination of the Jews and others with a brutality unprecedented in history did not suffice to ensure that the crimes committed in a given country would be automatically subjected to international adjudication. Although the term genocide had been coined by then, the genocide concept was not elaborated among the Nuremberg Principles (see Appendix, Document 64). The concept of crimes against humanity embodied the crime of genocide. The latter had not gained, at that time, enough clarity and precision to constitute an independent crime category.

The Nuremberg Trials began in October 1945 with the reading out of the indictment against 24 Nazi defendants, and it ended a year later. Of the defendants, 19 were convicted, 12 of whom were executed. During the trials, the prosecutor used the term genocide from time to time but the verdict did not refer to that crime.

The UN General Assembly Resolution No. 96 (I)

The first document of a legal nature containing the term genocide was Resolution No. 96 (I) adopted by the United Nations General Assembly in December 1946, soon after the Nuremberg Trials ended in fact, during the first session it held in the wake of the trials (see Appendix, Document 65).

The purpose of that resolution was, as specified in the last paragraph, to demand that the ECOSOC prepare a draft convention on genocide in a year. Yet, on this occasion, the General Assembly explained what it understood from the word genocide.

Genocide was “a denial of the right of existence of entire human groups.” That was likened to homicide, as it was “the denial of the right to live of individual human beings.” The reference made to the right to life, later, caused a link to be

formed between human rights and genocide. After all, genocide was, basically, the killing of individuals.

Genocide is specified to cause the loss of the cultural and other kinds of contributions these groups of people would be making to humanity. Thus, the cultural genocide concept, to which Lemkin attached importance, came to be indirectly included in the resolution.

The groups that could be subjected to genocide were cited as “racial, religious, political and other” groups. That was an admission of the possibility that virtually any group of people could become genocide victims. The term also meant, not only extermination of a group as a whole, but also in part.

Probably the most important aspect of the resolution is that genocide was considered a crime according to international law. This deliberation aimed at preventing genocide in a country from being considered that country’s domestic affairs on account of the principle of state sovereignty and also to prevent the culprits from evading international penal procedures. The principle thus introduced that those who committed the crime of genocide should be punished, regardless of their being private citizens or public servants or statesmen.

Since the genocide law had not yet developed, adequately as a source, the sponsors stressed instead its violation of the “moral laws.” In this vein, civilized states were denouncing genocide.

The resolution listed “religious, racial, political or any other” reasons as grounds on which genocide could be committed, in association with the groups of people subjected to genocide. In this respect, with the addition of the words “other reasons,” it expanded further the scope of the definition given in the Nuremberg Principles VI (c), which pertains to the crimes against humanity.

The preamble of the resolution stated that “political groups” could be the victim of genocide. If the civilians who were part of groups engaged in political struggle (for example, resorting to arms with leftist revolutionary ideological aims or waging a struggle for independence) came to be massacred even in part (not as the entire group but in significant numbers), that alternative would still be considered genocide. The concept of genocide embodied in this resolution became almost totally identical with the concept of crimes against humanity, as defined in the Nuremberg Principles while severing the link between genocide and war. In other words, it admitted that genocide could take place in times of peace as well. It acknowledged also that genocide could be committed, not only in the territories a given country occupies in war, but also within the national borders of that country itself.

Thus, this resolution recognized any killing of a large number of people, i.e., *en masse*, as genocide regardless of the kind of the group, grounds, time or place.

The Convention

The Genocide Convention was adopted on 9 December 1948, and entered into force on 12 January 1951. The crime of genocide is described in Article 2 of the Convention as follows:

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.

The Convention was debated on the basis of a draft presented by the UN Secretariat by the *Ad hoc* Committee and the General Assembly's Sixth Committee dealing with legal affairs. Since the Armenian incidents will be reviewed later in this paper within the framework of the Convention, it will be useful to make a brief assessment at this stage of the Convention in general and of Article 2 in particular.

Protected Groups

The groups to be protected under the Convention mentioned in Article 2 are limited to four types, that is, national, ethnical, racial and religious groups. Lemkin, who had defended the inclusion of political groups, suggested himself during the deliberations on the draft text that the political groups be left outside the scope of the Convention. Unlike Resolution No. 96 (I), neither the "political groups" nor the "other groups" found their way into the Convention text. This modification constitutes a highly important difference because history shows that the most frequently seen struggles – and the ones that claim the largest number of civilian lives – take place between groups with political aims. Accordingly, for example, the massacres committed in Cambodia by the Pol Pot regime causing the death of nearly two million civilians did not fall within the scope of the genocide definition given by the Convention. Similarly, the deaths that occurred in the framework of the October Revolution (1917) cannot be considered genocide. In line with many verdicts of the International Criminal Tribunal for the former Yugoslavia, save perhaps some exceptional acts which will be judged in future trials as genocidal, even the extensive Serbian ethnic cleansing in Bosnia-Herzegovina does not correspond to the definition of the crime of genocide.

The term "political group" covers civilians along with the members of the group engaging in politics or waging an armed struggle. At first glance, this

inevitably causes confusion. There are those who question why destruction of civilians affiliated with a group described as political should not be considered genocide. But this is a semantic problem that arises from the “definition.” A group comes to be called a “political group” when an attempt is made to destroy it with political aims. In other words, if there is a political struggle between two groups and if, in the course of that struggle, one of these groups commits acts such as murder, injury, massacre or deportations against the other group, the injured party comes to be called a political group. Killing civilians in the course of a political struggle continues to be a crime. But that crime is not genocide.

The phrase about a group’s cultural contribution to humanity as embodied in Resolution No. 96 (I) is not included in the Convention. This indicates that the concept of “cultural genocide” has also been left outside the scope of the Convention.

The fact that the Convention does not consider genocide the acts perpetrated against political groups and the obliteration of the minority cultures through forced assimilation has significantly narrowed down the scope of the Convention when it came to implementation. For this reason, from 1951, when the Convention was adopted, to 1992 it could not be implemented with a few not so-significant exceptions. This has drawn strong criticism. Some say that the Convention has not served any useful purpose. On the other hand, many historians, sociologists and intellectuals tended to interpret genocide in a broader manner than the definition for which the Convention allows. If and when they discovered that a significant number of civilians had died in a case they studied, they claimed that this was genocide. Another group of academics, meanwhile, suggested new definitions of genocide in order to expand the scope of Article 2 of the Convention. Both sides ignored the fact that extermination of those groups, which remain outside the four groups protected by the Convention, was already subject to punishment within the framework of “crimes against humanity.” Attempts to expand the concept of genocide to also cover crimes against humanity seemingly resulted from the fact that the international community, which was so sensitive to genocide, failed to display as much awareness toward the crimes against humanity. Indeed, for a long time, the international community was not prepared to set up Nuremberg-type international tribunals to protect the victims of the crimes against humanity. Moreover, these groups could not be protected effectively under the human rights law in times of peace or under humanitarian law or the law of war in times of war. Consequently, the definition of genocide was broadened by some commentators to embrace all serious crimes covered under the laws of war and human rights.

That situation changed to a great extent, thanks to the activities of the two international criminal tribunals set up following the incidents in Bosnia-Herzegovina and Rwanda. Those who had committed crimes against humanity and war crimes began to be punished. Further, the Statute of Rome (see Appendix, Document 66), related to the International Criminal Court, has eliminated all the loopholes in the law. In addition to inter-state wars, “crimes against humanity” are recognized now to be committed in times of peace, and together with other war crimes, they can be committed in internal conflicts as

well. The Statute of Rome took Article 2 of the Convention without any change and made it its Article 6. On the other hand, Article 7 of the Statute of Rome, which is the reformulated version of the Nuremberg Principles paragraph VI (c) on crimes against humanity, as well as the relevant articles of the statutes of the international tribunals set up for former Yugoslavia and Rwanda covered the crimes of extermination, persecution, deportation and the like committed against “other groups” not protected by the Convention.

Intent

A crime consists of two parts. One part is the mental or subjective element (*mens rea*). This component refers to the intention, aim and will to commit a crime. The other part is the act of crime itself, the material or objective element (*actus reus*). In Article 2 of the Convention the phrase “with intent to destroy” represents the mental element. The acts committed with such an intent are listed from (a) to (e).

One of the most important characteristics of the Convention is that for the crime of genocide to exist, acts must have been committed only with the intent to destroy one of the four aforementioned groups. The intent to destroy a group must be in the form of “special intent.” In other words, it must be fully evident, beyond any doubt. If the intent to destroy gets declared openly by those who commit the act of genocide or by those who ensure its perpetration, then there is no controversy. If there is no such oral or written statement, then the presence of genocide becomes debatable. Some jurists stress that at this point one has to look at the consequences of the actions, and they consider it enough, if a significant number of deaths occurred as a result of these actions.

However, the concept of “general intent” is valid for simple offences, that is, the short-cut interpretation that the person who committed the act is considered to have an intention commensurate with the consequence of the act. The same concept is simply inadequate in the identification of the acts of genocide. On the other hand, those who commit genocide generally do not declare their intent to destroy. If no clear evidence of an oral or written kind can be found in order to prove genocide, some other elements must be taken into consideration along with the “significant number of deaths.” As the crime of genocide mostly gets committed by the states or other large-scale organizations of a similar kind, one tries to determine whether the crime was committed by an “organized force” to find out whether there was “special intent.” Since genocide is destruction of a large number of people, that is, members of a group, it is important to determine whether that organization had prepared a “plan” well in advance. Also, that organization must have organized a force to implement its plan and carried it out in a coordinated, systematic and massive manner.

From the standpoint of its organization, its implementation and its consequences, the Jewish genocide may be, as an exceptional example, incomparable with the other cases. The decision to introduce a “final solution” for the Jewish genocide was taken at the Wannsee Meeting in 1942, and the crime

was confessed during the Nuremberg Trials. Yet, even if the intent to destroy had not been revealed clearly like that, the discriminatory laws passed against the Jews, the “*pogrom*” type attacks including the “Crystal Night” of 1938, and the way the Jews had been driven out of the society and forced to live in the ghettos where they could not meet normal human needs could be taken into account as the preliminaries heralding a genocide. Furthermore, the virulent anti-Semitism had begun as a movement at least fifteen years prior to the genocide, and the words and writings of Hitler and the other Nazi ideologues in the framework of that movement, clearly display the intention to destroy the Jews. Similarly, among the Serbs, having an ethnically homogenous homeland had been a widely-used rhetoric since 1981. In fact, the “ethnic cleansing” as a concept was allegedly invented by V. Seselj, one of the Serbian paramilitary leaders.

To prove the presence of the intent to destroy, which must be ascertained to show that a given incident was genocide, one has to look at the period preceding the perpetration of the acts of genocide and investigate whether that kind of intent had begun to take shape. The presence of a state-like organization, a plan and its implementation by an organized force are being considered as presumptive evidence for the presence of the intent to destroy.

Motive

Not only the intent with which the crime is committed, but also the reason or the grounds for that intent are vitally important. This urge is set forth as motive, described in the Nuremberg Principles VI (c) involving the crimes against humanity, as “murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecution on political, racial or religious grounds.” Resolution No. 96 (I), on the other hand, stated that the crime of genocide may have been committed “on religious, racial, political or any other grounds.” According to Resolution No. 96 (I), the motive for genocide was more comprehensive than even the motive for the crimes against humanity as embodied in the Nuremberg Principles. Expressed differently, the deaths of a significant number of civilians in an armed clash with a group triggered by an existing religious, political or any other kind of dispute, could be both genocide and a crime against humanity.

The Convention created quite a different situation. Article 2 not only limits the “intent” to the destruction of only the four groups, but also narrows down greatly, as is seen below, the grounds for destruction compared to the bases cited in the two aforementioned documents. During the debates on the Convention, the issue of grounds to destroy triggered lengthy discussions. The representatives of many countries argued that proving the presence of motive would be very difficult. If such a requirement were to be stipulated, that would make it impossible for the courts to deliver genocide verdicts. They claimed that the important thing was to prove that the act was perpetrated with intent to destroy. However, during the debates at the *Ad hoc* Committee, the Lebanese representative stressed the importance of the motive, saying that genocide was destroying a group “with racial hatred.” Later, during debates at the Sixth

Committee, despite the objections of the British and American delegates, the phrase “as such” which meant that only acts aimed at destroying members of one of the four groups due to no other reason than his or her belonging to that specific group was inserted in Article 2 of the Convention. This was achieved with the insistence of the Soviet Union that was leading the “Anti-Fascist Front” with the support of the majority and the mediation of Venezuela. This phrase can escape notice at first glance. It does not have a Turkish equivalent and needs to be translated in an explanatory manner. Probably because of that difficulty, it has always been neglected by historians.

One has to take into consideration whether, in the perpetration of the crime of genocide, the motive was collective or individual. When an individual kills a member of the target group, this may not necessarily stem from the fact that the victim was a member of that specific group. The motive may have been something else. For instance, it may be a matter of revenge or a desire to confiscate the victim’s money or other possessions or a mere act of political ambitions. Genocide, on the other hand, is a *collective crime*. The organizers and planners of genocide must have acted with a racial motive not with a political, religious or any other reason. If they acted against the target group with motives other than racial hatred, the acts of genocide cannot possibly be perpetrated, for under those circumstances there would be no way to have an intent to destroy a group “as such.” Only could a murderously intensive racial hatred towards a group give rise to such a deadly intent. As a result, to prosecute the crime of genocide successfully, one has to prove that the defendants felt racial hatred towards the target group to the extent that they became determined to destroy that group “as a group.” Punishment of genocide applies only to this kind of crime. Collective crimes committed with other motives cannot be included within this category. In that context, the Jewish genocide by the Nazis and the Rwanda genocide by the Hutus can be considered classical cases of genocide.³

Sociologically and psychologically, the intent to destroy a group due to its group character emerges only in racism, or, to put it more correctly, in the most intensive stage of racism.

Racial hatred is quite different from the ordinary animosity laced with anger that parties engaged in a substantial dispute may feel towards one another. Racial hatred is a deeply pathological feeling or a complicated fanaticism the causes of which cannot be explained easily. It is an emotional state such as the racist movements in Western Europe, i.e., anti-Semitism, have harboured and peaked on and off for two thousand years and, more actively, in the past millennium. It is a malignant form of prejudice. The Nazis were the product of that culture under exceptionally difficult socio-economic conditions of the inter-war period and the Great Crash of the 1930s. To understand how different that feeling is, it would suffice to read a few of the publications that fill the libraries.⁴

³ Shabas, *op. cit.*, p. 255. Even this author, who classifies the Armenian Incidents as genocide throughout his book, drawing extensively on the work of the Armenian author Vahank N. Dadrian, does not mention those events as a classic example of genocide.

⁴ For 24,000 entries on anti-Semitic works in English, see Robert Singerman, *Anti Semitic Propaganda: An Annotated Bibliography and Guide*, New York: Garland, 1982.

Meanwhile, the Rwanda International Criminal Tribunal documents on the Akayesu case provide information about the history of the racial relations between the farmer Hutus of the Bantu race and the Nilo-Hamitic Tutsis, the shepherds coming from the north eastern parts of the continent.

Racial feelings, which exist everywhere in the world, can disturb the target group to varying degrees. However, racism that reaches the stage of actually destroying the target group has been seen predominantly, even exclusively in the Western half of Europe and its white colonies in North America, South Africa and Australia.⁵ In this context, one could list the Cathars being subjected to genocide in France in the 1206-1248 period, the Jews in Spain in 1492, the genocide of the indigenous peoples who created the Inca, Aztec and Maya civilizations by the Spaniards in the 16th and 17th centuries, and the so-called Red Indians by the Americans in the 18th and 19th centuries. Also, there was the Dutch Boers' *apartheid* regime in the Union (later, Republic) of South Africa in the 19th and 20th centuries and, during the same time, the Australian aborigines were subjected to some genocidal acts by the white Australians.

Some societies that created other civilizations, too, persecuted the civilian populations they considered to be the enemy. However, in those cases, no presence of "racial hatred" leading to the intent to destroy those people as a group can be determined. In the Islamic and Turkish civilizations especially, genocide has never been committed. Otherwise, it would have been impossible for those civilizations to build up many multi-ethnic and multi-religious empires that survived for centuries. It must not be forgotten that despite their great technological superiority, the colonial empires set up by the powerful countries of the Western civilization managed to survive only a little more than a century on the average.

The fact that the definition of genocide in the Convention became limited to acts perpetrated with the intent of destroying a group as a group leaves out the persecution of civilian societies with other reasons. This loophole, as stressed earlier, was eliminated with the definition of the crimes against humanity given in the Nuremberg Principles Article VI (c) which covers those kinds of crimes. The articles on crimes against humanity in the statutes of the International Criminal Tribunals for Rwanda and the former Yugoslavia, and, finally, in the International Criminal Court's Statute of Rome, fulfil this function.⁶ Briefly, the crime of genocide has been taken out of the persecution category of the crimes against humanity and given the highest or the lowest rank in the hierarchy of crimes.

⁵ Encyclopaedia Britannica, Macropaedia 1985, Vol. 15, pp. 360-366.

⁶ The Statute of Rome, Article 7, Crimes against humanity: 1. For the purposes of this Statute "crimes against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- (a) Murder;
- (b) Extermination;
- (c) Enslavement;
- (d) Deportation or forcible transfer of population;
- (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
- (f) Torture;

In Whole or in Part

In Article 2 of the Convention, acts perpetrated with the intent to destroy a group, “in whole or in part,” are called genocide. In other words, one does not have to destroy a given group in whole for those acts to constitute genocide. There seems to be a contradiction here. Would the kind of racial hatred that creates the will to destroy a group as a group, satisfy itself with destroying only part of that group?

Even the Nazis could not exterminate all the Jews. Until the year in which the war began, they had made life for the Jews extremely hard, thus ensuring that some of them would leave Germany. After the war began, they prevented even those who wanted to flee from leaving the country and exterminated all Jews inside Germany. Finally, they subjected the Jews living in the countries they occupied to genocide, rather than expelling them.

Two conclusions can be deduced from all this. Either even for the Nazis, the motive for destroying a group as a group attained the critical intensity only under war conditions or, in reality, the German reach to the Jews was more limited than it looked, and they exterminated those whom they could lay hands on, without permitting them to escape.

With this provision, those who made the Convention probably aimed to ensure that the international community should reach the conclusion that genocide has been committed without waiting for the destruction of a group in whole and to prevent the genocide envisaged in Article 1 and punish it on time.

Application of the Law to the Armenian Incidents

At a subcommittee hearing of the US House of Representatives on September 21, 2000, the pro-Armenian historians said that they no longer needed the opening up of the Turkish archives and that on the basis of the existing information the verdict is in – the Armenians had been subjected to genocide. Half of their arguments were right in a way. However, the concluding statement was exactly the opposite of what they argued. The existing archival material was adequate to prove that no genocide had been committed. Hence, it was not possible for the new archival material to contradict the existing information.

The assessment below is made with the assumption that the readers have adequate historical information about the Armenian incidents. Still, it may be

(g) Rape, sexual slavery, enforced prostitution, forced pregnancy...;

(h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law. In connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;

(i) Enforced disappearance of persons;

(j) The crime of apartheid;

(k) Other inhumane acts....

useful to take a brief look at the historical context in which the incidents took place. Since the beginning of the 19th century, the Russian expansion in the Crimea and the Caucasus uprooted the Muslim populations, mostly the Turkish, and drove them towards Anatolia in successive waves of migration during which large numbers of them perished. The Armenians in the Caucasus helped the Russian armies in return for which they were settled in regions that had been ethnically cleansed from the Turks and the other Muslim peoples of the Caucasus. This process of expulsion and resettlement eventually led to the founding of the Armenian state in the early 20th century. In the course of its expansion, the Russian forces entered the north-eastern corner of Anatolia during the wars of 1827-29, 1854-56 and 1877-78. On each occasion, the Armenians sided with the Russians, thus sowing the seeds of future ethnic conflict.

During the Balkan Wars (1912-13), the Ottomans lost all their European territories with the exception of Eastern Thrace. In most of those territories, they had constituted the majority of the population. Turks and other Muslim civilians such as Albanians and Pomaks lost their lives in great numbers. Large civilian groups were uprooted from their homes and driven towards Anatolia. World War I, which began a year later, was to seal the fate of the empire. The Ottomans were fighting with the armies of Tsarist Russia in the east, with the British and French navies at Gallipoli, and with the latter's armies on the Egyptian, Syrian and Iraqi fronts in the south.

At the start of World War I, the Armenians constituted a population of an estimated 1.3 million and the Greeks about 1.4 million, with the Turks and Muslims making up the rest of the total 17.5 million population of Anatolia.⁷ It is known that unlike the Catholic and Protestant Churches, the Greek Orthodox and the Gregorian Armenian Churches did not keep population records. For that reason, the exaggerated statistics put forth by the Armenians do not rely on a sound source. The Ottoman statistics are considered closest to the truth, for those statistics could have never been manipulated with the assumption that the country would one day be dismembered and the distribution of the land would be based on statistical data. On the contrary, the sound population statistics were

⁷ Estimates of the Armenian population are as follows:

According to:

-Marcel Leart an Armenian (Krikor Zohrab),who took the Armenian Patriarchate statistics as a basis of his estimates	2,560,000
- Armenian historian K. J. Basmachian	2,380,000
- Armenian Delegation that participated in the Paris Peace Conference	2,250,000
- Armenian historian Kevork Aslan	1,800,000
- French Yellow Book	1,555,000
- Encyclopaedia Britannica	1,500,000
- Ludovic de Constenson	1,400,000
- H.F.B. Lynch	1,345,000
- Revue de Paris	1,300,000
- 1893 Ottoman statistics	1,001,465
- 1906 Ottoman statistics	1,120,748
- Ottoman statistics just before World War I	1,295,000
- Annual Register (London)	1,056,000

necessary for tax administration and military conscription. Quite naturally, the statistics originating from European sources are not far from the Ottoman ones. Though the first director of the census administration, which was set up in Istanbul in 1892, was a Turk, the department later operated under a Jew named Fethi Franco between the years 1893-1903, subsequently an Armenian named Migirdich Shinopian, and, as of 1908, an American.

Political Aims of Armenians and Their Struggle

In order to prove that the 1915-16 incidents were genocide, that is, the Armenians were subjected to genocide, not as a political group but as an ethnic or religious group, most of the Armenians and the historians either refer only briefly or do not refer at all to the politically-aimed Armenian activities including terrorism. Yet some assert that the Ottoman administration was oppressive, and that the Armenians engaged in political activities to defend themselves against it or to gain their rights. They condone, as legitimate defense against a “big and cruel power,” the way the Armenians resorted to terrorist violence, as in the cases of the *komitaci*, *hajduk*, *klepsos* or *chetniks* of the Christian peoples of the Balkans.⁸

Historically speaking, the states do not start ethnic strife except in the case of racist assaults on target groups. Yet, as explained earlier, there was no racism in the Ottoman Empire. It is all the more logical that the ethnic groups initiate struggles for independence in disintegrating empires. That is what happened in the late Ottoman period.

In order to reach their political objectives, the Armenians embraced the Balkan liberation struggle model. Just like the Balkan Christian peoples, they organized and engaged in political activities. This is, in fact, not so strange. In the aftermath of the French Revolution, the idea of the nation-state prevailed, and independence struggles against the multi-religious and multinational empires were considered legitimate. The Armenians clearly engaged in this kind of activity with the blessing, and often with the material support, of the Great Powers. There was no way, some Armenians thought, that this kind of struggle could be successful without resorting to violence. The use of violence would have to comply with the rules of the law of war. However, the Christian peoples of the empire almost always violated the law in the course of their armed struggle.

The Balkan-type use of violence constituted a model in that the terrorist groups would attack the civilian Muslim population to provoke them to retaliate. If the Muslims retaliated or if the administration took military action, there would

⁸ Main Armenian revolts are as follows: 1862 and 1895 Zeytun; 20 June 1890 Erzurum; 15 July 1890 Kumkapı; 1892 Merzifon, Kayseri, Yozgat; August 1894 first Sassoon revolt; September 1895 raids on the Sublime Porte; 1895-96 Van; 1895 armed aggression in the cities of Trabzon, Erzincan, Bitlis, Maraş, Erzurum, Diyarbakır, Malatya, Harput; 26 August 1896 raid on the Ottoman Bank; 1904 second Sassoon revolt; 21 July 1905 assassination attempt on Abdülhamid II with a bomb; 1909 Adana revolt; April 1915 Van revolt, and the like.

be loud cries of persecution and calls on Europe to intervene. The Great Christian Powers would impose reforms favoring the Christian population on the Ottomans. Those reforms started with local administration rights and extended towards autonomy. After some time, Ottoman sovereignty in certain parts of the empire became nominal. With the first armed conflict, those regions gained independence with foreign intervention and assistance.^{9,10,11,12}

In the 1880s, the Hinchags announced, as the goal of their armed struggle, that they established an (imaginary) Armenia in a region called *Vilayat-ı Sitte* that is the six provinces in Eastern Anatolia namely Erzurum, Van, Elaziz, Diyarbakir, Bitlis and Sivas. According to today's administrative division that region covered also the provinces now called Erzincan, Ağrı, Muş, Siirt, Hakkari, Bingöl, Malatya, Mardin, Amasya, Tokat, Giresun, Ordu and Trabzon.

Armenians did not prove successful in that struggle. Therefore, they may compare their lot with that of the luckier Christian peoples of the Balkans and feel aggrieved or injured. However, in order to defend the genocide thesis they cannot simply claim that by denying their political and armed activities the Turks subjected them to "death marches" out of their cruelty, that they were too innocent even to nourish political aspirations, not to mention armed struggle, and that, in view of the above, what they were subjected to was genocide by Turks in the sense of Article 2 of the Convention.

⁹ Louise Nalbandian, *Armenian Revolutionary Movement: The Development of Armenian Political Parties through the Nineteenth Century*, Berkeley: University of California Press, 1963, pp.110-111. The Hinchak program stated that: "Agitation and terror were needed to 'elevate the spirit' of the people...The people were also to be incited against their enemies and were to 'profit' from the retaliatory actions of these same enemies. Terror was to be used as a method of protecting the people and winning their confidence in the Hinchak program. The party aimed at terrorizing the Ottoman Government, thus contributing toward lowering the prestige of that regime and working toward its complete disintegration." The Hinchaks wanted to eliminate the most dangerous of the Armenian and Turkish individuals who were then working for the government as well as to destroy all spies and informers. To assist them in carrying out all of these terrorist acts, the party was to organize an exclusive branch specifically devoted to performing acts of terrorism. The most opportune time to institute the general rebellion for carrying out immediate objectives was when Turkey was engaged in a war."

¹⁰ K. S. Papazian, *Patriotism Perverted*, Boston: Baika Press, 1934, pp. 14-15. The author says about the Dashnag society: "The purpose of the A. R. Federation [Dashnag] is to achieve political and economic freedom in Turkish Armenia by means of rebellion... terrorism has, from the first, been adopted by the Dashnag committee of the Caucasus, as a policy or a method for achieving its ends. Under the heading 'means' in their program adopted in 1892, we read as follows: The Armenian Revolutionary Federation [Dashnag], in order to achieve its purpose through rebellion, organizes revolutionary groups. Method no. 8 is as follows: To wage fight, and to subject to terrorism the government officials, the traitors... Method no. 11 is to subject the government institutions to destruction and pillage..."

¹¹ Jean Loris-Melikoff, *La Révolution Russe et les Nouvelle Républiques Transcaucasiennes*, Paris: Felix Alcan, 1920, p. 81. The author, who was one of the founders and ideologues of the party, wrote: "The truth is that the party (Dashnag Committee) was ruled by an oligarchy, for whom the particular interests of the party came before the interests of the people and the nation. They [Dashnags] made collections among the bourgeoisie and the great merchants. At the end, when these means were exhausted, they resorted to terrorism, after the teachings of the Russian revolutionaries that the end justifies the means."

¹² On 28 March 1894, the British Ambassador in Istanbul Currie reported to the Foreign Office: "The aim of the Armenian revolutionaries is to stir disturbances, to get the Ottomans to react with violence, and thus get the foreign Powers to intervene."

Historical research clearly shows, on the other hand, that the Armenians constituted a political group *par excellence* that engaged in armed political activities for independence. Opting for relocation in the course of a defensive struggle against a local political group that joined hands with the enemy, i.e., Russian occupiers, and resorted to arms as well as systematic terrorist actions amounting to grave breaches of the law of war, does not constitute genocide in accordance with the definition of that crime. Further, the crimes committed, if any, in the course of this type of struggle would not amount to genocide either.

Motive

A political group entertaining political aspirations and pursuing activities to serve such purposes may also be a national, racial, religious or ethnic group. Some political groups too, as in the case of the Armenians, may well be described, on the basis of some other characteristics they have, as an ethnic or religious group or simply “other” group. However, being a political group indicates that the incidents in which group gets involved stem from political reasons, first and foremost, not from being a group.

When evidence points to the fact that a given group has engaged in political and armed activities, there is no way that particular group can be considered as falling under the protective clauses of the Convention which deals only with genocide. As it is explained briefly in the last few paragraphs, the “parties” or organizations such as Dashnag and Hinchag, as well as the Armenian Patriarchate acting in the name of and supported by the Armenians, aimed as a first step at reforms, which envisaged a broad political autonomy, and eventually, secession and independence. To this end, they zealously engaged themselves in the politics of ethnic struggle, openly advocating and resorting to force including terrorism. Due to these distinctive and well-documented characteristics, the Armenians constituted a political group well before the relocation began.

Furthermore, as already explained earlier in this article while elaborating on the law pertaining to genocide, the intent to destroy a given group as a whole emerges only when the racial hatred harboured against that group reaches a certain intensity. It is a well-known fact that in the Ottoman Empire no racial hatred was ever nurtured by the Muslim majority towards the Armenians. In fact, the kind of racial hatred similar to anti-Semitism in the West was never observed in the history of the Islamic and Turkish societies.

A brief comparison may be useful with the *Holocaust* at this point. The German Jews neither engaged in a struggle for independence nor did they ever chase after territorial claims. No one can deny that they did not resort to terrorism massacring innocent German civilians. It is common knowledge that they did not join hands with the armies of Germany’s enemies in war. They did not stab the German armies in the back by blocking the strategic roads and logistic lines. The Jews of Germany and Europe constituted a totally innocent group with respect to politics. A peaceful, civilized and successful group, which then won eleven of the

forty Nobel prizes, a group which had become fully integrated into the German society, was destroyed with a virulent racist hatred called anti-Semitism in an exceptionally efficient and systematic manner, planned in advance and implemented with a massive organizational drive, for no other reason than being a group.

Starting with Hitler, countless authors expressed for many years a profound enmity towards the Jews. Anti-Semitism, which rose dangerously fifteen years prior to the *Holocaust*, was a movement that had been continuing actively since the beginning of the second millennium. In Western Europe in general and in Germany in particular, there had been innumerable cases of attacks on the Jews in the aftermath of epidemics such as plague, natural disasters such as floods or earthquakes and defeats suffered in wars. In the course of these attacks, members of the Jewish community were killed, and their assets were plundered. In other words, the Christian communities blamed the Jews for the disasters that struck them. They accused the Jews of deicide or killing Jesus Christ, for which they considered them to be “Anti Christ.” There exist thousands of documents and publications cataloguing various aspects of anti-Semitism. There were anti-Semites even among the Renaissance writers whom one should expect to be rational thinkers. Anti-Semitism can be discerned frequently also in some of the romantic writers of the age of Enlightenment. It is no secret that to a certain extent Heidegger and even Jung, a leading philosopher and a psychiatrist of the last century respectively, were anti-Semites.

In Ottoman history, on the other hand, there had never been a similar “Anti-Armenianism.” There was no biologically motivated super-race theory for the Muslims to debase the Armenians, portraying them as a subhuman race, or a Social Darwinism that would complement this attitude. Since Islam considered the Christians to be a “people of the book,” that is, believers in monotheism, the Muslims never directed against the Christians the kind of accusations that the Christians levelled at the Jews. In natural or man-made disasters, the Armenians or the other Christian groups were never turned into a scapegoat. On the contrary, the Armenians came to be called “the loyal people.” They were active in the realm of public service. They became civil servants, some of them serving at the highest ranks of the central administration as governors, pashas or provincial governors, and ambassadors representing the state – even serving as the foreign minister. Since they had the opportunity to be trained at the schools opened by the missionaries in the Ottoman Empire as of the beginning of the 19th century, they quickly flourished and came to dominate the empire’s economy. Unlike the Jews in Europe, they were not banned from practicing certain professions. They were not forced to live in ghettos. Though they were the most affluent class, they were not subjected to *pogroms* out of envy or grudge. Therefore, it cannot be said that the Armenians were destroyed out of racial hatred directed at their group.

Under the circumstances, the determination of the nature of the motive behind the relocation gains importance. If that motive arises from a reason other than the Armenians being Armenians, that is, for example, from a military, political or some other kind of reason, then this cannot accommodate itself with the definition of genocide.

A brief glance at recent history may prove useful to apprehend what has really happened with respect to the Armenians. According to the San Stefano Treaty, signed at the end of the 1877-78 Ottoman-Russian War, "Greater Bulgaria," which, in the Balkans, had coastlines bordering both the Aegean and the Black Seas and which included parts of Macedonia, was to become an independent country. That country attained a more homogeneous population when 260,000 Turkish civilians died during the war, and 515,000 others were driven out of the country. Similarly, the 70,000 Turks and Muslims of the Caucasus fleeing from the Russian armies, which had advanced all the way to Erzurum, took refuge in Eastern Anatolia. The exact number of civilians who died in that region is not known¹³ (see Appendix, Document 67). The treaty also envisaged "reforms" for the Armenians living in the Ottoman lands. A certain article involving reforms for Armenians was included in the treaty in line with the demand made by the Armenian Patriarch Narses during a visit to the Russian Grand Duke Nicholas who had arrived in Yeşilköy, next door to Istanbul. Thus, the Armenians placed themselves under Russia's protection in an internationally binding document. The reforms sought under the *Tanzimat* and *Islahat* edicts until then had been envisaged for all Christian subjects of the Ottoman Empire. Yet, this time, reforms were being asked of for only one particular group and Russia was going to supervise its implementation.

When the other Great Powers did not endorse these concessions obtained by Russia on its own initiative, the Berlin Congress was held, and it was there that the dimensions of Bulgaria were trimmed down. However, the return of those Turks, who had been forced to leave their homelands, could not even be attempted. The reforms envisaged for the Armenians were confirmed, on the other hand, but this time under the supervision of all the Great Powers. They opened consulates in regions where a considerable portion of Armenians lived. During the 30 years until the relocation, the armed and political activities of Armenians had taken place under the pro-Armenian conditions provided by the supervision of the Great Powers.

During the years 1912-13, the Balkan Wars took place between the Ottoman Empire on one side, and Greece, Bulgaria and Serbia on the other. In those full-scale armed hostilities, 1,450,000 Turkish, Albanian and Pomak civilians died. Another 410,000 were exiled towards Anatolia, fleeing from the attacking armies, under bombardment, leaving behind their destroyed or burnt homes. Thus, in many places that the Turks had known as their homeland for five centuries, including vast areas where they constituted the majority, the Turkish and Muslim existence was brought to an abrupt end. Cultural assets, the legacy of so many years, were destroyed. World War I began only a year after hundreds of thousands of those refugees had arrived in the remaining parts of the Ottoman Empire.

The Ottoman Government, whose leaders held a crucial meeting with the Dashnag representatives in August 1914, obtained a pledge from the Armenians

¹³ Justin McCarthy, *Death and Exile: The Ethnic Cleansing of Ottoman Muslims. 1821-1922*, Princeton, New Jersey: The Darwin Press, 1995, p. 339.

to the effect that they would act like loyal Ottoman citizens in the Great War. However, at a secret Dashnag meeting held in Erzurum two months prior to that, a decision had been taken to start a wide-scale Armenian rebellion against the Ottomans to benefit from the opportunity provided by the war. As Papazian confirmed later, the Armenians failed to honour their promise and they saw their interests met better in serving the Russian interests.¹⁴

The Russian Armenians also took their places in the Russian armies, which prepared to attack the Ottomans. Etchmiadzin Catholicos (the highest Armenian religious figure in Russia) assured the Russian Governor General for the Caucasus that “the Armenians would unconditionally support the Russian war efforts in return for Russia’s ensuring that reforms be made for the Ottoman Armenians.”¹⁵ Later, when he was received by the Russian Tsar Nicholas II in Tbilisi, the Catholicos told the autocrat: “Armenian liberation will result in an autonomous Armenia in Anatolia outside the realm of Turkish sovereignty, and this will be achieved with Russia’s help.”¹⁶ In March 1915, the Russian forces moved towards Van. The Armenian insurgency, which started in Van, turned into a full-scale rebellion on April 11, during which the Armenian armed groups attacked the Muslim population killing and expelling many. Ten days later, the Tsar sent a telegram to the Van Armenian Revolutionary Committee and thanked them “for their services to the Russians.” *Gochnak*, an Armenian newspaper published in the United States, gave in its 24 May 1915 issue the “good news” that “only 1,500 Turks” had been left in Van.

The Armenian forces inside the Russian army that crossed the Ottoman border were under the command of a former Ottoman deputy named Gareguine Pasdermadjian who had adopted the revolutionary name of “Armen Garo.” Another former deputy, Hambartsum Boyajian, code-named “Murat,” was at the head of the guerrilla force attacking the Turkish villages and massacring the civilian population. Yet another former deputy from Van, Papazian was the leader of the guerrillas fighting in the Van, Bitlis and Muş region.

After issuing yet another warning, though in vain, to the Armenian Patriarch, the Ottoman administration started on April 24 arresting the leaders of the “*komitacis*” in Istanbul whom the Armenians chose to portray as their “intellectuals.”

One can clearly see from these developments the reason for the relocation decision. The Armenian cooperation with the Russian army, their rebellion in Van, and their guerrilla activity in ethnic cleansing in the neighbouring provinces were, for the Ottomans, a re-enactment of an old story with which they were all too familiar. Just as the Balkan Christians had done in the Balkans in cooperation with the Russians, now the Armenians, moving together with the Russian armies, were starting to subject the Turks and Muslims in Eastern Anatolia to ethnic cleansing, killing them and burning their houses. A decision was taken to transfer

¹⁴ Aspirations et Agissements Révolutionnaires des Comités Arméniens avant et après la proclamation de la Constitution Ottomane, Istanbul, 1917, pp. 144-146.

¹⁵ G. R. Tchalkouchian, *Le Livre Rouge*, Paris: Imp. Veradzenount, 1919, p. 12.

¹⁶ Idem.

the Armenians to another part of the empire mainly far from the eastern and also the southern fronts to prevent the Armenians from continuing these military activities and from attaining their political goals.

The Intent to Destroy

According to Article 2 of the Convention, perpetration of one of the five cited acts was a necessary condition for genocide, provided that it be committed with the intent to destroy one of the four groups “as a group.” However, the Armenian apologists focused their efforts to prove that the Ottoman administration had the intent to destroy the Armenians. Since no evidence of the existence of the intent to destroy could be found, they did not refrain from what should be called falsification.¹⁷ An Armenian named Aram Andonian published so-called “telegrams” in which Talat Pasha was supposedly “ordering the extermination.” Though soon enough these were foiled as fakes, Armenians continued to use them as propaganda material.

Nevertheless, after some time, the failure to find any official documents which could corroborate the “intent to destroy,” pushed the pro-Armenian circles to adopt a new strategy. Obviously, what mattered was to achieve pre-determined results. They started claiming that 1.5 million Armenians had died during the “deportation.” Such an unduly high figure was being cited beside its propaganda effect, to prove indirectly the presence of the intent to destroy by way of deporting and thus to prove that genocide had been committed. For that reason, the Armenian population before the transfer had to be revised upwards. One falsification led to another. History was being distorted to make it coincide with the requirements of the law.

From the Turkish standpoint, Armenian engagement in political and armed struggle for the sake of independence suffices to refute the thesis that members of the group were killed because they were affiliated with that group and to prove that relocation was not genocide. However, systematic and massive killing of a civilian population, even with political aims, may constitute a crime against humanity.¹⁸ Furthermore, the Armenian genocide claim is now being based on Paragraph (c) of Article 2 of the Convention, namely “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.”

This claim is presented along the following lines: Since the Ottomans were wary of openly destroying the Armenians, they used the “deportation” as an opportunity to impose on the Armenians the kind of living conditions that would cause them to perish. Through an “omission” of their duty to protect the Armenians from attacks to ensure safe transportation, no less than to provide food, medicine, medical treatment and shelter during the “deportation,” they

¹⁷ Aram Andonian, *Documents Officiels concernant les Massacres Arméniens*, Paris: Armenian National Delegation, 1920.

¹⁸ The Statute of Rome, Article 7 and the relevant articles of The Statue of the International Criminal Tribunals for the former Yugoslavia and Rwanda on crimes against humanity.

accelerated the deaths. The Armenian authors accused *Teşkilat-ı Mahsusa*, the Ottoman intelligence services, of having actually organized the massacres committed by the criminals released from prisons. These are the claims. It must not be forgotten that along with acts such as murder which has a direct impact, causing deaths deliberately through omission can also be considered genocide.

Therefore, it is important to focus on whether the deaths resulted in the course of relocation from an intent to destroy a specific group, hence whether the relocation was a covert genocide. I recounted earlier in this article that the relocation decision was aimed at preventing the Armenians from collaborating with the Russian armies and, at the same time, from saving the Turks living in the areas specified by the Hunchag's map from being subjected to ethnic cleansing as in the case of the Turks in the Balkans. The Armenians had formed their own units inside the Russian military forces and were fighting the Ottoman armies along the eastern front. Ethnic Armenian soldiers were deserting the Ottoman armies fighting on other fronts, joining guerrilla bands inside the country, assaulting Turk and Muslim residents, attacking the Ottomans from behind and cutting their logistic supply lines. The Van rebellion constituted the first step of these activities.

Having seen that all hope of reaching an agreement with the Armenians had been lost, and that the warnings issued via the Patriarch were not being heeded, the Ottoman Government was left with no workable alternative but to decide to transfer the Armenians to a region in Syria and Northern Iraq, which were then both Ottoman lands. In a telegram sent to the Minister of Interior Talat Pasha on 2 May 1915, the Deputy Commander-in-Chief Enver Pasha reported that the Russians had been driving the Muslims in Russia towards the Ottoman border since April 20, and that these people were in a pitiful state. He referred to the Armenian rebellion in the vicinity of Van and suggested that the Armenians should either be driven towards the Russian border or dispersed towards some other areas. As a result, Talat Pasha personally assumed responsibility to initiate the removal of the Armenians to other parts of the Empire instead of pushing them towards the Russian border, and eventually to Russia. After a while, to share the responsibility, he ensured the passing of an interim law (30 May) relevant to the issue. The commanders were authorized to instantly deal with those persons who disrupted law and order, staged attacks or put up resistance, and to relocate one by one or en masse the population of those villages or towns that engaged in espionage and committed high treason. Thus, the relocation task was handed over to the army.¹⁹

It should be obvious that it was out of the question for the decision to have been made well in advance for the Armenian relocation. No advance planning had been made prior to that decision, and the necessary organizational preparations needed had not been done either. A top military commander concerned about the grave situation on the eastern front demanded urgent action, and the government wanted to respond to that demand immediately. It is

¹⁹ *Osmanlı Belgelerinde Ermeniler: 1915-1920*. Ankara: Başbakanlık Devlet Arşivleri Genel Müdürlüğü Yayınları, 1994, p. 8.

so clear that no pre-arrangements had been made in advance, that Talat Pasha, the Minister of Interior, himself initiated the population transfer without even having a law passed to this effect. He was so anxious to ensure that there would be no more delay. The law came after action. Under the circumstances, everything points to the fact that no plan was made ready, and no organization set up to implement it with intent to destroy the Armenians.

The text of the law in question envisages, moreover, every effort to ensure the security of the Armenians during the transfer, i.e. *inter alia*, the safety of their lives and their assets. It states that the food to be provided for them be financed from the "migration fund," that they be allocated plots of land at their destinations and houses be built for the needy, that the farmers among them be supplied with seeds and equipment, that they receive money for the assets they left behind, and that if anybody was settled in the real estate left behind by them, the value of the real estate should be calculated and the sum in question be forwarded to the former owner.²⁰

Furthermore, with regulations issued on 10 June 1915, the properties of the resettled Armenians were placed under protection. They were provided with aid in cash and in kind to facilitate them to resettle at their destinations. The real estate left behind was sold at auctions by the government on their behalf, and a commission founded for this purpose made due payments to the Armenians who demanded them.²¹ With an order issued to the Anatolian provinces on 25 November 1915, relocation was suspended. The activity that took place beyond that date was of a local scope only. Finally, at the end of 1916, the whole operation was actually brought to an end. After the war, the Armenians were permitted to return to the places of their choice as much as possible. Some steps were taken, not very successfully, to make it easier for them to get back the property held in trust for them by the commissions or sold at auctions.²² All these measures contrast with an attempt of genocide.

In the communications that took place between the capital city and its provincial administration on the movement of population, there is no reference at all that could create the suspicion that there was any intention to destroy the Armenians. On the contrary, one sees in these documents that mutual requests were made to ensure that they be transferred in a safe manner. Most interesting communications were exchanged between the Erzurum Governor's Office and Talat Pasha. Since that province was situated on the Russian border, the region assumed priority. The provincial officials were instructed that the Armenians living there be permitted to take along with them all of their movable personal belongings. In these documents, it was also stated that there was no need to transfer the Armenians living in Diyarbakır, Harput and Sivas. Yet, after the Russian threat grew in the direction of central Anatolia as well, that decision was altered. When some Kurdish citizens attacked a 500-strong group set off from Erzurum while the convoy was travelling between Erzincan and Erzurum, the officials in Diyarbakır, Elaziz and Bitlis were told to punish, in a severe manner,

²⁰ Ibid, pp. 31-32.

²¹ Ibid, p. 11.

²² Ibid, p. 12.

any raiders who might attack the Armenians in the villages and towns situated on their path. Similarly, when Dersim highwaymen attacked the Armenians coming from Erzurum, the Elaziz Governor's Office was ordered to take urgent measures. The Erzurum Governor obviously suspended the operation after seeing that the Armenians could not be fully protected during the transfer. He received a message telling him that a postponement was not possible, on account of military reasons. Putting aside that instruction, transfers from Erzurum were halted from time to time for the same reason.²³

Despite all these measures, some Armenian civilians undoubtedly died during the relocation. But it is obvious that these deaths did not result from the deliberate neglect of state duties. The 90,000-strong Ottoman army, fighting along the eastern front, was also frozen to death in Sarıkamış. The harsh climate and the rough terrain, the inadequacy of the military units charged with protecting the Armenian convoys, lack of adequate food and medicine and the epidemics caused natural deaths. The weaknesses of a state experiencing the final days of its dissolution cannot be considered a deliberate neglect of duty, i.e., omission.

The original text of a secret order dispatched by Talat Pasha is found in the British archives.²⁴ The last article of an order says: "...Because this order concerns the disbanding of the Committees [terrorist bodies], it is necessary that it be implemented in a way that would prevent the Armenian and Muslim elements from massacring each other." In his memorandum about this order, D. G. Osborne of the British Foreign Office says: "...[T]he last article of the order states that one must refrain from measures which might cause massacre."²⁵ The evidences above indicate that the relocation was not arranged with the aim of destroying the Armenians.

Some pro-Armenian writers claim that the Ottoman archives being opened up with a delay (due to the need for classification) was a ploy on the part of the government to eliminate the kind of documents that would prove the Ottoman Government's decision to exterminate. They argue that in the aftermath of the war, the Unionists collected and destroyed the documents implicating them. Yet, in the Ottoman recording system, all incoming and outgoing documents would be filed into logs. Once a document was filed into the records, there was no way to destroy it. Besides, the large numbers of communications sent out by the Sublime Porte (Prime Ministry) arrived in various provincial centers throughout the empire. A great part of these were the circulars sent from the capital city to more than one governor office. Thus, even if it were to be assumed that the copies kept in the capital city were destroyed, it would be practically impossible to collect and destroy the multitude of their originals kept at various centers.

There is another piece of clear evidence indicating that the government of the time had no intention of exterminating the Armenians. Members of the

²³ Ibid, pp. 35, 43, 44, 51.

²⁴ File No. 371. No.9518 E. 5523, cited in Kamuran Gürün, *The Armenian File, The Myth of Innocence Exposed*, London: K. Rustem & Bro. and Weidenfeld & Nicolson Ltd., 1985, p. 237.

²⁵ 371/4241/170751, cited in Kamuran Gürün, *The Armenian File, The Myth of Innocence Exposed*, London: K. Rustem & Bro. and Weidenfeld & Nicolson Ltd., 1985, p. 237.

gangs that attacked the Armenian convoys and those officials who exploited the Armenian plight, neglected their duties or abused their powers were tried by the court martial and punished. Until 1918, that is, until the Armistice of Mudros, 1,397 persons received various kinds of sentences in this context, with more than half of them being executed during the tenure of the Union and Progress Government.²⁶ Obviously, the Nazi SS, SA and the Gestapo officers, responsible for the Jewish genocide, were punished only for not carrying out the genocide effectively, and not for the kind of reasons mentioned above.

Acts of Genocide

Most of the acts perpetrated in the Jewish genocide committed by the Nazis were “the killing of persons belonging in the group,” that is, the act described in Article 2 (a) of the Convention. These massacres took place in the gassing to death of the Jews after they were transported, that is, deported to the concentration camps where they were kept under conditions they would not be able to survive for long. In other words, the deportation itself was not an act of genocide causing deaths. On the other hand, the living conditions at the camps and deaths by gas were acts that fit the description made in Article 2 (c) and Article 2 (a) of the Convention, respectively. The Nazis committed these acts after advanced planning. They organized and then implemented the plan in a systematic and massive manner.

The fact that the Ottoman forces did not stage armed attacks on the Armenian population or settlements during the relocation shows that the acts described in Article 2 (a) and (b) were not committed. Since the relocation lacked that basic element of ethnic cleansing, pro-Armenian writers who are adamant to portray the relocation as genocide claim that the deportation was used deliberately to deteriorate the group’s living conditions to ensure physical extermination of the Armenians in an indirect manner, and that Article 2 (c) would apply to that situation. In other words, they assert that although the Ottomans did not openly and directly exterminate the Armenians, they adjusted the “deportation” conditions to ensure that the Armenians would die anyway. The Armenian genocide thesis came to be based almost entirely on this argument.

There is no evidence to prove that relocation was planned to commit genocide in an indirect way. It is not possible to come across statements or instructions that would indicate the presence of the intent to destroy through relocation, which must be done to prove genocide. On the contrary, the entire archival material pertains to the implementation of the resettlement decision with as little harm to the Armenians as possible.

²⁶ Ibid, p. 213. The distribution of the persons punished according to provinces was as follows: Sivas 648, Mamuretülaziz 223, Diyarbakır 70, Bitlis 25, Eskişehir 29, Şabinkarahisar 6, Niğde 8, İzmit 33, Ankara 32, Kayseri 69, Suriye (Syria) 27, Hüdavendigar 12, Konya 12, Urfa 189, Canik 14.

In a recently published book, the numbers are as follows: Amasya 2, Ankara 148, Bitlis 29, Canik 89, Diyarbakır 70, Eskişehir 29, Halep 56, Hüdavendigar 21, İzmit 28, Kayseri 146, Konya 16, Mamuretülaziz 249, Niğde 8, Sivas 579, Suriye 27, Urfa 170, Total 1,673. Yusuf Sarınoy, “Sevk ve İskan.” In Prof. Dr. Hikmet Özdemir (Ed.), *Türk-Ermeni İhtilafı Makaleler*, Ankara: TBMM Kültür, Sanat ve Yayın Kurulu Yayınları, No:122, 2007, p. 222.

To distort these facts, the Armenian apologists take two different tracks to explain the situation. They report the number of people who died as a result of the relocation in an extremely inflated manner. To that end, they first inflate the overall population figures and then the ratio of the casualties. Thus, they try to prove that the aim had been murder rather than relocation. The second path they try is the “oral history.” They want to prove that there had been intent to destroy by gathering the personal accounts of the events narrated by the people who had survived the transfer or by their children. One could say that in almost all of the books written by Armenian historians, genocide is supposedly “proven” with these methods.

No one doubts that a great number of families and individuals experienced personal tragedies during the relocation. Even population exchanges cause similar tragedies, albeit less dramatic. However, this does not demonstrate that the group in question was subjected to genocide. The oral history approach not only does not carry any legal weight, but also is problematic when it comes to writing down history. It is a twilight zone between history and memoirs.

As stated above, the relocation decision was taken officially after Enver Pasha reported in writing to Talat Pasha on 2 May 1915 that the Russians had sent across the borders on 20 April 1915 a multitude of Muslim civilians who were in a wretched state. At more or less the same time, the Armenians rebelled in Van, and operations began against armed Armenian groups. Therefore, neither the arrest of 235 Armenians on 24 April 1915 was the beginning of the relocation nor the arrested Armenians were prominent intellectuals of the Armenian community, for they were “*komitacis*” or terrorists, to use the contemporary jargon. In other words, the claim that the “deportation” that started with the arrest of the Armenian intellectuals constituted genocide is not valid.

The Ottoman Government could have opted for the second alternative suggested by Enver Pasha. As the Russians had done to the Muslims, it could have openly driven the Armenians towards the Russian border, which would have caused by far the higher casualty figures than the relocation brought about. The Balkan countries had done that to Turkish and Muslim populations that far exceeded the Armenian population in number. An empire that was locked in a life and death war with the British and the French had no reason to fear the potential reaction of the British or the French public. It had no reason to hide behind a “deportation” process. In other words, offering the Armenians the same treatment the Balkan Turks and Muslims had been given was not so difficult for the Young Turks, as some seem to believe. The Ottoman Government chose the relocation option not to get the Armenians killed indirectly but to have them transported to a safer part of the realm, a place less hazardous with respect to national security during the war.

Let us come to the issue of the Armenian population at that time. In the pre-World War I Western sources, this figure varies from 1,056,000 (London, Annual Register) to 1,555,000 (The French Yellow Book). In recent publications, however, this figure sometimes rises up to 3 million. François Rochebloine, the rapporteur on whose account dated 15 January 2001, the French National

Assembly's genocide bill was based, gives the figure of 1.8 million. The casualty figures too have climbed continually over the years. Whereas the 1918 edition of the Encyclopaedia Britannica cited that 600,000 Armenians had died, in the 1968 edition of the same publication, the same figure rose to 1.5 million. The "Rochebloine Report," says in an unprecedented way, that 1.2 million Armenians died (600,000 where they resided and another 600,000 during the deportation), and that 200,000 others fled to the Caucasus with the Russian armies, 100,000 were supposedly abducted, 150,000 survived the deportation and that another 150,000 fled before they could be deported. This must be a feat of imagination!

It would be sounder, on the other hand, to take the Ottoman statistics as a basis, and accept that the Armenian population figure was 1,295,000, simply because the Ottomans had to keep correct statistics because of taxation and conscription. This figure is, in fact, also the average of the figures provided by two Western sources of that period as mentioned above.

In order to calculate the number of the dead, it should first be determined the number of the Armenians who reached Syria and Iraq, safe and sound. In its December 7, 1916 report, the Ottoman Interior Ministry states that 702,900 persons were transferred, and specifies the overall sum spent for the relocation.²⁷ The Migrations Commission of the League of Nations gives the number of Armenians passing from Turkey into Russia throughout World War I as somewhere in the 400,000–420,000 range.²⁸ Considering that the number of Armenians living in İstanbul, Kütahya, Edirne, and Aydın (including İzmir), areas where they were not transferred, was around 200,000, one concludes that the number of Armenians who died due to relocation could not have been high at all, with due respect for the dead of the two sides.

According to the information the İstanbul Armenian Patriarchate provided to the British prior to the Sèvres negotiations, the Armenian population that remained within the Ottoman borders in 1920, following the Mudros Armistice amounted to 625,000 people. If one adds to that figure the number of Armenians who went to the Caucasus, the total would reach 1,045,000. Since the pre-war Armenian population amounted to 1.3 million, the number of the dead, whatever the causes may be, turns out to be no more than 265,000.

Boghos Nubar Pasha, who attended the Paris Peace Conference as the president of the Armenian National Committee, declared that 700,000 Armenians migrated to other countries and that 280,000 Armenians were living within the Turkish borders. If one would add up these two figures and then deduct the total from the 1.3 million, one would get 320,000 as the number of Armenian deaths, again caused by a number of reasons. However, he himself claimed that over one million Armenians had been killed. For that to be true, the pre-war Armenian population should have been over 2 million. The person in question claimed that the pre-war Armenian population had been 4.5 million. Thus, he provided the first

²⁷ Chief of General Staff, 1/2, KLS 361, File 1445. F. 15-22.

²⁸ Gürün, *op. cit.*, p. 263.

example to the subsequent generations of the practice of “bidding higher and higher,” as if at an auction.

Arnold J. Toynbee, who was, among others, responsible for war propaganda, said in his *Blue Book* that 600,000 Armenians had died.²⁹ Later this figure was quoted by the Encyclopaedia Britannica. On the other hand, Toynbee said, in footnote no. 38, that the number of deportees reaching Zor, Damascus and Aleppo, as of 5 April 1916, was 500,000. Along with the 200,000 who were not subjected to deportation and the 400,000 that went to the Caucasus, the Armenian population rises up to 1.7 million, which is higher than the British figures for the Armenian population. If, on the other hand, the population figure is put at 1.3 million, the number of the dead has to decline from 600,000 to 200,000.

The figures above indicate that, depending on the various estimates about the overall Armenian population, the Armenian losses vary between a couple of hundred thousand to 600,000. Obviously, all the statistics that put the losses over 300,000 happen to grossly inflate the pre-war Armenian population figure. One should never lose sight of the fact that, despite the deaths that occurred during the relocation, those who safely arrived at their destination, even according to Toynbee, were around half a million. This proves that the relocation was not genocide in disguise, for, had it been genocide, there would be no reason for the Ottomans to let them survive.

Despite all, considerable number of people may have died, though it must not be forgotten that not all (not even most) deaths occurred during the transfers. In the wars of the time, those fleeing from the enemy armies too were in a state of migration vulnerable to many dangers. After the Russian army's operation which began around Van in May 1915, the Ottoman army took back the places it had lost. Then, a much bigger Russian attack began and reached all the way close to Elaziz. After the 1917 October Revolution, the Russian armies retreated, and the Ottomans advanced once again. While the armies thus advanced and retreated, both the Turks and the Armenians, who found themselves on the path of these armies, had to move back and forth. For example, an estimated 900,000 Turks had to be displaced from Eastern Anatolia towards the central parts of the country.³⁰ In a region with an extremely rough terrain, people tried to travel in carriages, on horseback and mostly on foot, braving cold weather and the attacks of the gangs of brigands who did not discriminate between Muslims and Christians. In a few days, their food had finished and especially the children and the elderly were weakened by fatigue and lack of adequate water, and typhoid fever or typhus epidemics had caused the number of deaths soar all of a sudden.

One can even assert that an orderly relocation, which took place in the same region under similar physical conditions, was safer and caused less health hazards than the haphazard movements of populations mentioned above. For

²⁹ FO, Hc. 1/8008, XC/A-018055, p. 651.

³⁰ McCarthy, op. cit., p. 339.

example, some 5,000 Armenians left Maraş with the French who evacuated the city during the Turkish War of Independence. In the course of their journey on 10-24 February 1920, 2,000-3,000 of these Armenians died on account of the harsh travelling conditions, though they did not come under any attack from outsiders.³¹

Due to all these reasons, Boghos Nubar Pasha, referring to a German report, said at the Paris Peace Conference that the Turks lost more people than the Armenians did, that the entire Turkish losses during the war amounted to 2.5 million, that this occurred from “war, epidemics, scarcity of food and inadequacy of drugs and hospital personnel,” that at least half of these deaths occurred among those Turks who were “in the Armenian provinces occupied by the Russian and Armenian armies.” This means that a minimum of 1.25 million Muslims must have perished in Eastern Anatolia.

Indeed, population research done later confirmed the validity of this figure to a great extent. The Ottoman war zone losses in World War I were in the 500,000-550,000 range, and the civilian losses amounted to some two million. Since the war zone was Eastern Anatolia, it is only natural that more than half of the overall civilian deaths occurred in that region. Indeed, McCarthy estimates that 1.19 million Muslim civilians perished in the region between the years of 1914-1921.

Finally, the Turkish and Armenian civilians, who died in clashes with one another, called “*mukatele*” in old Turkish, that is, mutual killings, are included in those casualty figures, though the definite number is not known. According to the findings reported in the course of the “Şüheda (*Martyrs*) Project” launched in the early 1980s, mass graves abound in Eastern Anatolia. Anthropological research determines scientifically to which group each mass grave belongs. Although it is early to make a general assessment, one sees that the mass graves belonging to Turks are more numerous. These grave sites indicate that the people’s tales of Armenians persecuting Muslims are not a myth. The Muslims who took part in the war did not desert the army until the very end of the armed hostilities. Soldiers of Armenian origin, on the other hand, deserted in large numbers. They formed armed groups which attacked the Muslim towns and villages where there would hardly be men at fighting age able to protect Muslims. Thus, these people could not defend themselves effectively. This is why the Muslim deaths were more numerous than the Armenian ones.

There is a difference between the fates of those Armenians who were transferred from Western Anatolia and those from Eastern Anatolia. The partial relocation carried out in the west caused considerably fewer deaths because of the availability of railways. A greater number of them returned to their homes in the western parts after the war. In the east, Armenian deaths were more numerous because of the rough terrain, lack of railways and the fact that only very few gendarmerie units that were spared from the war front were available to protect them.

³¹ Georges Boudiere, “Notes sur la Campagne de Syrie-Cillicie: L’affaire de Maraş (Janvier-Février 1920),” *Turcica*, IX/2-X, 1978, p. 160.

Still, the number of Armenian deaths was a lot less than claimed. The fact that many of these deaths occurred outside the relocation process indicates that the relocation was not an act of genocide hiding the intent to destroy. Otherwise, Turkey would be faced with a strange, hard-to-explain kind of genocide in which the “genocide committing” Turks lost much more people than did the “genocide victim” Armenians.

In Whole or in Part

For a case to be considered genocide, certain acts must have been committed with the intent to destroy a group in whole or in part. Since members of a group are destroyed in genocide because they belong to that group, that is, out of racial hatred, it is logical to say that the intent to destroy must be directed against the whole of the group. In genocide cases, survival of some of the group members results not because there was no intent to destroy the group in whole, but either because those group members had simply been inaccessible or because the organization committing the genocide did not have time to complete its job. That is what happened in the Jewish genocide committed by the Nazis.

Only Gregorian Armenians were subjected to relocation. Catholic and Protestant Armenians were left outside this process. The fact that only one of these groups were transferred shows that the Ottomans did not feel racial hatred against the Armenians as a whole, including the Gregorian Armenians. Considering the fact that Islam perceives all three religions merely as different sects of Christianity, this is all evident enough. It is common knowledge that in the Ottoman Empire there was no religious dispute between Muslims and Christians, a dispute which could lead to forced displacements. It is obvious that the desire to prevent the Gregorian Armenians, who embraced the similar creed as the Orthodox Russians, from engaging in ethnic cleansing of the Muslims with the help of the Russians in the region and gain independence, was instrumental in the relocation decision. This biggest group of Armenians was situated on the path of the advancing Russian army, and the terrorists and guerrillas that came out of that group were hitting the Ottoman army from behind, cutting the logistic lines and staging massacres at Muslim settlements. All these murderous actions rendered the relocation imperative from the military standpoint. This shows that the reason behind the decision was security concern of the highest order as well as the need to protect the Muslims of the region.

Meanwhile, the Armenians living in certain cities, such as İstanbul, Edirne, Kütahya, and Aydın (including İzmir) were left outside the resettlement process regardless of their religious creed. Almost all of the Armenians transferred from İzmit, Bursa, Kastamonu, Ankara and Konya returned to their homes at the end of the war. The majority of the Kayseri, Sivas, Harput and Diyarbakır Armenians, too, returned, but most of them apparently could not go to their villages. Those from Erzurum and Bitlis crossed into Cilicia from northern Syria³² and fought the Turks on the side of the French during the Turkish War of Independence.

³² Information given by the Armenian Patriarch, FO 371/6556/E.2730/800/44.

In those provinces which were left outside the relocation process, including the capital city of İstanbul, some 200,000 Armenians were living. This has a great symbolic significance. In the Jewish genocide caused by racial hatred, it would be inconceivable to have the Jews, for example, in Berlin or Munich, not to be subjected to deportation and genocide. Even that example alone makes it all very clear that the Ottomans did not commit genocide against the Armenians.

Courts

With the occupancy of Istanbul at the end of the war, courts were set up to investigate the Armenian incidents in line with the provisions of the Sèvres Treaty. The most famous of these was the Nemrut Mustafa Court. In a cable he sent to London on 24 January 1919, Admiral Calthorpe referred to the Ottoman Prime Minister who had told him that 160-200 people had been arrested. The court had one significant characteristics in that it had been created by the members of the “Liberty and Agreement” Government which was the deadly enemy of the Union and Progress Party. Another characteristic was that the defendants were denied the right to defend themselves. After a while, realizing that the court would not be able to stage a fair trial – and may be that it would not be able to operate effectively – the British occupation forces transferred the 144 defendants to Malta and asked the crown prosecutor to try them in a move that ran against the judicial rules of the time. Due to the United States’ delay in entering the war, the American Embassy and the consulates in Anatolia operating under it had remained open until 1916. The British asked the U.S. Department of State to hand over the evidence collected by these American missions to them. After an expert from the British Embassy in Washington examined the American archives, the following was stated in a cable sent to London by the British Ambassador on 13 July 1921:

...There was nothing therein which could be used as evidence against the Turks who are being detained for trial at Malta... The reports in the possession of the Department do not appear in any case to contain evidence against these Turks which would be useful even for the purpose of corroborating information already in the possession of His Majesty’s Government.³³

The British Prosecutor General of the Crown said in his report dated 29 July 1921:

...Up to the present no statements have been taken from witnesses who can depose to the truth of the charges made against the prisoners. It is indeed uncertain whether any witnesses can be found... Until more precise information is available as to the nature of the evidence which will be forthcoming at the trials, the Attorney General does not feel that he is in a position to express any opinion as to the prospects of success in any of the cases submitted for his consideration.³⁴

³³ Cable of the British Embassy in Washington to London dated 13 July 1921, No.722, FO 371/6504.

³⁴ Gürün, *op. cit.*, p. 236.

Under the weight of such evidence, the accusation that the crime of genocide has been committed against the Armenians would be legally unsustainable because not only it would imply the implementation of a convention retroactively, but it also would amount to demanding that the people who could not even be put on trial in the past due to lack of evidence be judged in the absence of fresh evidence after so many decades.

Was Armenian Relocation a Crime against Humanity?

As explained above in detail, relocation was not genocide because it did not “deliberately” worsen the Armenian conditions of life calculated to bring about their destruction.³⁵ Nevertheless, can the losses suffered by a relocated group be covered by the concept of crimes against humanity?

When the Armenian relocation began, the British, French and Russian Governments issued in a joint communiqué on 24 May 1915, speaking about “...crimes of Turkey against humanity and civilization...,” and declaring that they would hold the persons concerned responsible. At that time, crimes against humanity was merely an unbinding phrase. It had not yet been adopted as a legal concept. For this reason, no link can be established between the Armenian relocation and crimes against humanity just because of that communiqué. The concept of crimes against humanity was cited for the first time at the international level in 1946 among the Nuremberg Principles (6/c). That crime was envisaged to be committed during war time. It covered acts such as the persecution of any civilian society on political, racial or religious grounds, murdering or exterminating its members or forcing them to migrate, and the like.

The definition of genocide given in Article 2 of the Convention was created from the concept of crimes against humanity as embodied in the Nuremberg Principles. As a result of genocide being taken outside the category of crimes against humanity, what was left was incorporated as the modern concept of crime against humanity into Article 7 of the Statute of Rome of the International Criminal Court.

Accordingly, the precondition that crimes against humanity would have to be committed during war as provided in the Nuremberg Principles was abandoned. The groups against whom such crimes could be committed were not listed. It was assumed that such crimes could be committed against any civilian population. In the introduction to Article 7, no reference was made to the perpetration of crimes against humanity on “political, racial or religious” grounds. The fact that the reasons for the presence of such a crime were not listed indicate that regardless of the reasons, such perpetration would suffice. On the other hand, in Article 7, the only condition put forth for an act to be considered a crime against humanity was that the acts must have been committed “as part of a wide-spread and systematic attack directed against any civilian population with knowledge of the

³⁵ International Law Commission, 48th Session, 6 May-26 July 1996, Draft Code of Crimes against Peace and Security of Mankind, p. 92.

attack.” In other words, the eleven acts listed in Article 7(1) from “a” to “k” would not constitute a crime against humanity if committed in isolation. Unlike the Nuremberg Principles, “persecution of any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender...or other grounds” came to be considered not the general motive for the crime. Accordingly, no special motive is necessary for crimes against humanity.

Although both of them are international crimes subjected to international adjudication, the differences between genocide and crimes against humanity are obvious. Compared with the definition of genocide given in the introduction to Article 2 of the Convention, these differences are as follows: Genocide can be committed against only four kinds of groups, namely, national, racial, ethnic or religious. Acts committed against “political groups” do not come under the scope of genocide. Crimes against humanity, on the other hand, can be committed against any group. In genocide, the enumerated acts must have been committed with the intent to destroy a given group. For the crime against humanity, the presence of this intent is not necessary. A “wide-spread and systematic attack against the group” suffices for that. In genocide, the motive for the acts is the intent to destroy the group “as a group.” This implies the existence of racial hatred. Paragraph 1 of Article 7 of the Statute of Rome, on the other hand, does not specify any general motive for crimes against humanity.³⁶

Under the circumstances, some commentators may attempt to use or abuse the acts cited in Article 7, such as murder (a), extermination (b), deportation (d) and persecution (h) in order to define the Armenian relocation as a crime against humanity. After all, they may assert that some people died as a result of the relocation carried out, albeit without intent to destroy.

As can be deduced from above, the basic condition for crime against humanity is that certain acts must have been committed against a civilian population “as part of a wide-spread and systematic attack.” For that reason, the characteristics of such an attack must be properly defined. If there is an open military attack on a civilian population, no other proof would be necessary. But the “attack” in the sense of Article 7 does not necessarily have to be of a military nature. Simultaneous and intensive (i.e., multiple commission of acts) perpetrations against a civilian population of most of the acts cited in Article 7 have to occur. Also stipulated is that such an attack must have been actively developed, directed and encouraged by a state or some other large (sub-state) organization.

It may be useful to examine the 1915-16 Armenian relocation in the light of the acts related to “deportation” listed in Article 7 Paragraph (1). The acts of killing or causing “deaths” cited in Article 7 (1/a) have to be part of a wide-spread and systematic attack and must be “known” by the persons who commit the crime.

According to Article 7 (2/b), the “extermination” must, again, have to be part of a wide-spread and systematic attack directed against the group and include

³⁶ PCNICC/2000/INF/3/Add. 2, p. 9.

intentional infliction of conditions of life, calculated to bring about the destruction of part of a population. For example, deliberately denying that group food or medicine would come under that heading.

“Deportation and forced transfers” cited in Article 7 (1/d) and 7 (2/d) also would have to occur as part of a wide-spread and systematic attack and, at the same time, these must be staged without grounds permitted by international law.³⁷

“Persecution” cited in Article 7 (1/h), means in accordance with Article 7 (2/g) “the intentional and severe deprivation of fundamental rights contrary to International law by reasons of the identity of the group.” Persecution consists of “multiple of commission” of acts that constitute an intensive violation of almost all of the fundamental rights. Those who commit that crime would be motivated by the kind of political, racial, national, ethnic, religious, gender or other grounds not permitted by international law.

Applying the concept of crimes against humanity as enshrined in the Statute of Rome to the 1915-16 Armenian incidents some eight decades after these incidents occurred would not be compatible with common sense, let alone the law. Still, an examination of the issue from this standpoint would reveal the following facts.

For the acts listed in Article 7 Paragraph (1) to constitute crimes against humanity, these acts must be part of a wide-spread and systematic attack on a given civil population. Yet, the Ottoman security forces did not stage any such attack on the Armenians in order to carry out their relocation. In other words, Armenians were not subjected to the multiple commission of the specified acts that make up the concept of “attack” as defined by law.

The Armenians were not persecuted on account of their identity as a group on any grounds. Until World War I, when a dangerous situation arose on the eastern front, for the survival of the country, they continued to exercise their fundamental rights like everybody else. There was no policy to deprive them of these rights prior to their armed revolt and the relocation. During the relocation, which necessarily constituted a derogation to a set of rights, their fundamental rights were respected to the extent possible.

The deaths of some group members in circumstances where no wide-spread and systematic attack was underway does not constitute either an element or a part of such an “attack.” The gang attacks on the Armenians in the course of relocation were basically and exclusively a law and order issue.

While discussing the genocide claims earlier in this article, it was stated that the intent to destroy did not exist. The Armenians claim that the Ottomans used the “deportation” to impose on them the kind of living conditions that would cause them to perish. The relocation was not carried out as part of a “wide-spread and systematic attack” on the Armenians. Relocation, which does not constitute any such attack, was not the kind of deportation as defined in Article 7 (1/d) and 7 (2/d), hence not a crime against humanity.

³⁷ Ibid, p. 15.

In the genocide section above, it was explained that it was out of the question that the relocation was imposed deliberately in ways that would cause the Armenians to perish. Relocation was initiated in response to the request Enver Pasha made as a result of the developments taking place on the eastern front. It was aimed at eliminating the threats the armed elements inside the Armenian population posed in collaboration with the Russian troops against the security of the Ottoman army. This military requirement constitutes, from the standpoint of international law, permissible grounds for a forced population transfer.

On the other hand, the government of the time did not impose any limitations on food and medicine supply to the Armenians during the relocation. In fact, the Turkish-Muslim population, which was also frantically migrating in the same region fleeing the Russian and Armenian invasion forces, suffered the loss of more people due, *inter alia*, to a lack of food and medicine, as was clearly stated by Boghos Nubar Pasha, the leading Armenian at the Paris Peace Conference.

In the light of the outcome of the Balkan Wars, the relocation also aimed at preventing the Armenian attempts to unite with the invading Russian armies, to conduct an ethnic cleansing of genocidal proportions in the eastern region which had predominantly Turkish and other Muslim populations, and thus to set up their own state. In those days especially, such a common action would constitute a major security concern from the standpoint of international law. The concept of self-preservation accounts for this situation.

Under the circumstances, the Armenian relocation was legitimate. The crimes that occurred, much more limited than generally assumed, in the course of relocation constituted common crimes according to criminal law. Indeed, it is known that 1,397 people who committed such crimes were punished in an extremely severe fashion.

For a better understanding of the subject at hand, it may be useful to take a brief look at issues such as ethnic cleansing, relocation and population exchange in a comparative manner. Both ethnic cleansing and relocation seem, at first glance, to be aimed at creating a more homogeneous demographic structure on a certain piece of land by driving a given ethnic group from that region. However, a closer look reveals that there are serious differences between the two with regard to motive, method and geography. The ethnic cleansing, which is not a legal concept, began to be used in the 1980s in former Yugoslavia. In fact, it was reportedly coined by a Serbian guerrilla. For this reason, one has to take as a basis the ethnic cleansing in Bosnia-Herzegovina and compare that, first, to the appalling conduct freely exhibited towards the Turks and other Muslims during the Balkan Wars and, then, to the Armenian relocation.

Ethnic cleansing starts with the armed forces of one side attacking the civilian population of the other warring party. Naturally, the civilians, who do not have the capacity to defend themselves, get killed or wounded. Their houses and settlements are destroyed and burned down. Humanitarian convoys bringing food and drugs are not permitted to enter the region. Men of fighting age get

arrested, imprisoned at camps with poor living conditions or killed right away. Women get raped in a systematic and massive manner. The cultural assets of the target group, including temples and libraries, get destroyed. If they do not leave their homes, they face continual fire or bombardment. The massacre continues. After a while, these attacks bear fruit, and masses of people start fleeing in the direction their attackers want them to proceed. They get driven outside the region where the attackers intend to cleanse ethnically, that is, outside the potential borders of the state to be founded. The members of the target group are prevented at all costs from returning to the region. At a certain stage of ethnic cleansing, the attacking group comes to be dominated by a certain feeling similar to racial hatred when dealing with the target group. For example, the Muslim Bosnians came to be called "Turkish seed," and in this way they were dehumanized. These persons were presented with the entire bill for Ottoman sovereignty in the past. Rape gains a new biological meaning, becoming an effort aimed at breeding a new generation dominated by the aggressive race. Even after a region is rendered homogeneous from the ethnic standpoint, civilian men are massacred in large groups and buried in mass graves as in the case of Srebrenica. According to the law in force, the acts constituting ethnic cleansing amount to crime against humanity, and these acts may also be accompanied by acts of genocide that aim to destroy a group "as such," as in Srebrenica. For these reasons, the prosecutor of the International Criminal Tribunal for the former Yugoslavia said in the indictment he prepared for Karadzic and General Mladic that acts of genocide were committed on nine counts.

The crimes inflicted in connection with the Turkish and Muslim populations during the 1877-78 Russian-Turkish War and the 1912-13 Balkan Wars are similar in essence to the ethnic cleansing the Serbs committed in Bosnia-Herzegovina. The only difference is that what had happened to the Turks and Muslims in the Balkan Wars was of a much greater magnitude. The number of Turks and Muslims who died in those two wars amounted to some two million, and nearly one million had been forced to emigrate to Anatolia.

The Armenian relocation, too, involved a forced migration. Yet, since the forcing to migrate did not happen in the form of staging armed attacks against them, there were almost no cases of killing, wounding, starving or keeping under fire during the process of evacuation. Secondly, the relocation did not aim to send Armenians outside the borders of the country and create a homogeneous population within. They were taken to other parts of the Ottoman territory. Therefore, they benefited from certain facilities in cash and in kind to adjust to the new conditions when they were resettled. One could say that after the relocation began, due to the conditions prevailing at that time, deaths occurred anyway. This is correct. On the other hand, the relocation led to much fewer deaths than an ethnic cleansing would have caused. Unlike the victims of an ethnic cleansing, they could take along with them a greater amount of personal belongings and assets. They could use horses and carriages. Those assets they left behind were spared to a great extent from being plundered. Their cultural assets remained largely intact. As is obvious from the above, relocation is quite different from ethnic cleansing in that it is much less violent.

If one tried to identify the first case of genocide in the 20th century, one would undoubtedly arrive at the conclusion that the ethnic cleansing committed during the 1912-13 Balkan Wars was the first such instance, not the 1915-16 Armenian relocation. Indeed, the relocation was carried out in order to prevent the Armenian guerrillas or terrorists, in cooperation with the Russian army, from launching in eastern Anatolia an ethnic cleansing similar to the one done to the Turks of the Balkans. According to the Ottoman statistics, the overall population in the Anatolian regions where the transfer took place was 5,061,857, of which only 811,085 were Armenians. In other words, Armenians accounted for 16% of the population. If they had not been relocated and if Russia had not withdrawn its forces at the end of 1917 under the Brest-Litovsk Treaty, one can imagine the dimensions the potential ethnic cleansing of the Turks and Muslims would gain in the region. In fact, this ethnic cleansing had already begun.³⁸

One could compare relocation to other kinds of forced migration, too. During World War II, the Americans transferred to the east the Japanese living in the western parts of the country. That relocation was prompted by “three minor bombing incidents and certain mysterious radio signals.” Four months had passed since the raid on Pearl Harbor. It had been seen that Japan was not going to cross the Pacific and try to invade the United States. Japan had neither such intention nor capacity. It was not as if the American Japanese were going to join hands with the Japanese army and stage armed operations against the United States. However, the U.S. Supreme Court stated briefly in its decision it took on the Korematsu Case on 18 December 1942, that 112,000 men and women of Japanese origin, including children and the elderly, had been transferred to another place on the grounds that “it was impossible to bring about an immediate segregation of the disloyal from the loyal [citizens],” with military considerations such as “preventing espionage and sabotages.” Therefore, the relocation had not been unlawful. It cited as an excuse that during the war all Americans had met with hardships. Major General J. L. DeWitt’s reports had contained phrases about the Japanese, which could be considered racist. The local groups who had “lobbied” for the transfer of the Japanese to the east had also used racist arguments.

After World War II, some 15 million Germans were forced to immigrate to Germany mostly from western Poland under Article 13 of the Potsdam Protocol.³⁹ With the population exchange made in the wake of the Turkish War of Independence, 900,000 Greeks went from Turkey to Greece, and 430,000 Turks arrived in Turkey from Greece, in addition to those who had taken refuge

³⁸ Province	Total population	Armenian population
Erzurum	645,702	134,967
Bitlis	398,625	131,390
Van	430,000	80,798
Elazığ	578,814	69,718
Diyarbakır	471,462	79,129
Sivas	1,086,015	170,433
Adana	403,539	97,450
Trabzon	1,047,700	47,200

³⁹ Shabas, *op. cit.*, p. 195.

during the Balkan Wars. Between the years 1914-1945, a series of twenty such population exchange agreements were concluded.

Population exchanges were also forced upon the people since their approval has never been sought. Undoubtedly, some deaths occurred, albeit fewer, since these migrations took place in peace time in a much better organized manner and physical conditions, with appropriate transportation. Yet, this does not change the fact that they were forced migrations.

In short, the Armenian relocation was not carried out with the aim of destroying a group as a group or for any other unlawful reason. Its aim was to transfer them to a region in the south far from the war zone of eastern Anatolia where they cooperated with the invading Russian armies, served as spies and guides for them, instigated rebellions, attacked the Ottoman army and cut the Ottoman army's supply lines, launched terrorist guerrilla attacks on Turkish-Muslim settlements, committing massacres and ethnic cleansing, all in order to gain their independence and establish their own state where there was a huge Turkish and Muslim majority. This ground for the relocation based on "imperative military reasons" is in line with international law even today.⁴⁰

Moreover, all signs were pointing to the fact that without relocation the Armenian forces joining with the Russian army were going to eradicate the Turkish and Muslim majority in the region with an ethnic cleansing campaign of genocidal proportions, as in the Balkans. In this context also, the grounds for the relocation were clearly and definitely military within the concept of self-preservation. It aimed at protecting the non-Armenian majority population against destruction.

Conclusion

1. The Armenians constituted a political group since they engaged in armed political activities, first to gain autonomy and then to found an independent state on the Ottoman lands. For this reason, they were not one of the four groups protected by Article 2 of the Convention.

2. Since the Ottomans did not harbour towards the Armenians an "anti-Armenianism," that is, a racial hatred akin to the anti-Semitism the Nazis displayed towards the Jews, the relocation was not carried out with a motive which could have led to the intent to destroy them as a group. The relocation decision was taken to prevent the military operations the Armenians had initiated together with the invading Russian armies to exterminate the Turks and Muslims that made up 84% of the population in the Eastern Anatolian region through an ethnic cleansing of genocidal proportions, as had been done to the Turks during the Balkan Wars.

3. The Ottoman Government did not have the intent to destroy the Armenians, a condition stated in Article 2 of the Convention. Not only are there no written

⁴⁰ Protocol II: Additional to the Geneva Convention of 12 August 1949, Article 17.

documents, there are no oral accounts either attesting to the intention to destroy on the part of the administration. All the documents available envisage the protection of Armenian convoys in the course of relocation and their safe resettlement. The number of Armenian deaths, which is grossly exaggerated, is far from proving the presence of genocide. A significant part of the Armenian deaths resulted from reasons not related to the relocation. The Turkish civilian deaths occurring in the same region due to the similar reasons were more numerous than the Armenian loss of life. Therefore, in the context of Article 2 (c) of the Genocide Convention, the relocation was neither a covert genocide nor an indirect one.

4. The Catholic and Protestant Armenians all over the country as well as the Gregorian Armenians living in Istanbul, Aydın (including Izmir), Edirne and Kütahya, that is the western part of Anatolia, were not subjected to relocation. This partial relocation did not stem from the Ottoman administration's weakness. The Gregorian Armenians in other areas were transferred because they were situated on the path of the advancing Russian armies and, having the same religious faith as the Russians, they were collaborating with them against the Ottoman army and the Muslim population. This clearly shows the military rationale for the relocation.

5. Under the circumstances, not only did the relocation not constitute genocide according to the Convention, but it also did not affect a crime against humanity, considering the military imperative that prompted it as a permissible ground in international law. On the other hand, the relocation does not meet the conditions cited in Article 7 of the Statute of Rome. This is not a case of "multiple commission of acts" as part of a "wide-spread and systematic attack" that constitute crimes against humanity in accordance with Article 7 (b) of the said Statute. Moreover, the Armenians have never been subjected to persecution on religious or other grounds.

6. Along with the "imperative military reasons," the relocation was aimed at foiling the efforts of the Armenians in collaboration with the invading Russian armies to ethnically cleanse the Turks and Muslims who made up the large majority of the population in the region, as in the case of the Balkan Wars. The Ottomans, who were fighting on three fronts all at the same time, could not always protect all of the Armenians effectively with the limited number of troops available. The gangs in the region attacked the Armenian convoys, killing some of them and plundering their possessions for their private purposes. The civilian Turks who were forced to migrate under similar conditions of rough terrain, harsh climate, lack of adequate food and medicine in the face of epidemics, lost more people than did the Armenians. This clearly shows that the relocation was not the cause for all Armenian casualties.

7. Finally, those who ordered the relocation came to have feelings of regret due to undesirable incidents, feelings of sympathy for the Armenian victims and a resentment towards the persons who had attacked them. The culprits of the robbery and murder cases, which came under the ordinary crimes category, were put on trial before the war ended, and most of them were executed.

THE ARMENIAN QUESTION FROM THE STANDPOINT OF INTERNATIONAL LAW

Associate Professor Sadi ÇAYCI

Introduction

When examining the Armenian Question, the first step should be the definition of the problem and of its components as well as the determination of the parties. The “counterpart” of the question consists of the following: first and foremost, Armenia along with the Armenian Diaspora, and the individuals, establishments and countries that provide these two with direct support (for example countries that have passed resolutions or laws recognizing or acknowledging Armenian “genocide”), and, in general, the USA and the European countries. Turks and Turkish national interests are the target. It can be said that the real aim is to use this issue, besides others, as a means to keep Turkey under pressure and control.

The Armenian question can be examined in a number of contexts: political history, politics, diplomacy, security and defense, public administration, sociology and, especially, law.

In addition to this general framework, the military dimension of the Armenian genocide allegations, that is, the issues that come up in a security and defense context, entail the following: the insurgency, collaboration with the enemy, and the countering of the insurgency. The legal dimension concerns the civil and penal-criminal responsibilities that might be arising from the administrative measures taken in the course of that process, and any wrongful acts-torts or crimes the two sides might have committed against one another.

The Insurgency

The operation the Ottoman State launched to counter the Armenian uprising was planned and executed by taking necessary and proportionate measures in

the face of the following developments. In 1915, that is, during the First World War, the Ottoman State was in a state of war with Russia, Britain, France and Italy. It was at such a peculiar time that the Armenians rebelled, demanding independence. They collaborated with the enemy, committing the crime of high treason in wartime. They staged massacres against the Muslim people who, in turn, had to defend themselves. However, while defending themselves, at times some crossed the line of proportionality and became involved in acts of revenge or reprisal.

Since all Muslim males at the fighting age had been conscripted and were in military service, far away from their homes, fighting at various fronts, the remainder of the Muslim civilians back at home had to do whatever they could on their own to defend themselves against the attackers that were trying to massacre them. Although these civilians sometimes did act with feelings of revenge and also staged reprisals, there was a greater problem – in parts of the Ottoman realm, the state authority had already been eroded, a number of armed individuals and gangs had seized that opportunity to stage robberies and killings for private gain. All these tragic incidents hurt not only the Armenians but all the parties concerned. Contrary to the conviction held by some, these incidents were not triggered by the Muslims. Armed gangs of Armenians, known as Armenian Committees, triggered the incidents by massacring innocent, defenseless Muslim civilians in an ethnic cleansing drive. These Armenian gangs believed that by collaborating with the enemy they would be able to initiate a national liberation war of the Armenians.

Countering the Insurgency

In 1915, the Ottoman State was faced with a highly unfavorable security environment in the country and abroad. Still, in the face of this sedition, it tried to take and implement all the necessary, proportionate measures – political, diplomatic, military, legal, administrative and judicial. One of these administrative measures was the mass relocation of the Armenians to another region within the Ottoman realm. When assessing the shortcomings and some unfortunate consequences of the mass relocation, one must bear in mind the fact that at that time the Ottoman State was a falling state that was on the verge of total collapse due to the overt and covert campaigns of its relentless foreign and domestic enemies in a scheme of conspiracy. Despite all these facts, as the bold thief will bluff the owner of the house, the West hurls accusations at the victimized party, that is, Turkey and the Turks.

The Turkish War of Liberation, Treaties of Moscow and Kars

In the aftermath of these developments, the Turkish War of Liberation was fought against alien occupation to liberate the Anatolian lands – those parts of the Ottoman realm that the national forces in Turkey had pledged to liberate by approving the “National Pact,” a political declaration made by the last Ottoman Parliament. On the eastern front, Turkey and Armenia signed a peace treaty (the

Gyumri Treaty of December 2, 1920) and thus resolved their border dispute and the issue of Nakhichevan's special status. The treaty in question also contained provisions regarding issues such as the crimes committed during the First World War, the internally displaced persons, and the demands for reparations. The two sides agreed on a general amnesty and mutually dropped their demands for reparations. However, the Gyumri Treaty met with the same fate as the Treaty of Sèvres (August 10, 1920). It could not be ratified and implemented because, by then, Armenia had been invaded and annexed by the Soviets. However, a few months later this issue was re-negotiated, this time in the context of the Turkey-Soviet Russia relations, and the Turkish-Soviet Friendship and Brotherhood Treaty was signed in Moscow on March 16, 1921. With that treaty, Turkey's National Pact-based boundaries were confirmed, Nakhichevan's special status was determined, and the earlier agreements on these issues were declared invalid. The treaty, which also envisaged conclusion of special agreements in the same framework with the Soviet republics of the South Caucasus as well, is still in force.

As a result of the renewed negotiations required by the Treaty of Moscow, a Treaty of Friendship was signed between Turkey, Armenia, Azerbaijan and Georgia in Kars on October 13, 1921. The Treaty of Kars reiterated that the previous treaties would be invalid, with the exception of the 1921 Moscow Treaty, and re-confirmed Turkey's National Pact boundaries. Thus, Turkey's northeastern border was finalized and Nakhichevan's special status was regulated. The treaty is still in force.

Article 15 of the Treaty of Kars says: "Each of the Contracting Parties agrees to promulgate, immediately after the signature of the present Treaty, a complete amnesty to citizens of the other Party for crimes and offenses committed during the course of the war on the Caucasian front."

Some tragic incidents took place in the southern regions of Anatolia as well. These were triggered by the massacres that armed Armenian groups staged against the Muslim people, this time in collaboration with France. According to Article 5 of the Treaty of Ankara signed between Turkey and France on October 20, 1921, the Contracting Parties were to declare a general amnesty as well as soon as they would take control of the territories to be evacuated. This treaty, too, is still in force.

Lausanne Peace Treaty

Lastly, the Lausanne Peace Treaty signed in Lausanne on July 24, 1923 must be cited. The overall aim of the treaty was to bring a definite end to the state of war that had disrupted peace and harmony in the East, a reference to the Eastern front, from the Western Powers' perspective, since 1914. The basic principle was respect for the independence and sovereignty of the states. Article 58 of the Lausanne Treaty says that Turkey, on the one hand, and the other Contracting Powers (except Greece) on the other hand, "reciprocally renounce all pecuniary claims for the loss and damage suffered respectively by Turkey and

the said Powers and by their nationals (including juridical persons) between the 1st August, 1914, and the coming into force of the present Treaty [June 6, 1924], as the result of acts of war or measures of requisition, sequestration, disposal or confiscation.”

Article 74 envisaged special provisions regarding insurance contracts and the statutory limitations for claims arising from these acts. Briefly, a life insurance contract made between an insurer and a person who later became an “enemy” would not be deemed null and void due to the start of the state of war or due to that person becoming the “enemy.” Specific provisions existed also for the life insurance contracts concluded between Partnerships involving nationals of an Allied State and the Turkish nationals. However, these provisions did not mean that the Republic of Turkey would have to undertake the responsibility arising from the private law relationship between those parties. These provisions merely confirm the validity of the private contracts made by the parties.

The provisions of the Declaration and Protocol for a General Amnesty (Annex VIII) constitute another relevant arrangement in the Lausanne Treaty. Here, the main aim is to make the incidents that had disrupted peace in eastern Anatolia finally to be forgotten. Those Turkish nationals (and the nationals of the other Contracting Parties) who had been investigated, arrested or convicted due to political or military reasons by the authorities of any of these states (in the territories to be left to the Republic of Turkey) prior to November 20, 1922 would benefit from a general amnesty. All sentences meted out for such crimes would be scrapped and all investigations under way would be discontinued.

The people of the Republic of Turkey have acted according to these provisions and, in line with Atatürk’s motto, “Peace at Home, Peace in the World,” opened a new, “white” page in their relations with the rest of the world. In other words, the Turkish people have decided not to dig into the history. They have opted for not fanning the feelings of hate or revenge. Sadly, the international community fails to understand the reasons for this meaningful silence on the part of Turkey about the painful events of the past. Influenced by the Armenian propaganda, the international community obviously has misinterpreted this dignified silence as a sign of admission of guilt on the part of Turkey, ignoring the historical facts, the legal framework and their own political, military and moral responsibility.

Yet, it is a fact that the problems between Turkey and Armenia had already been resolved definitely with specific agreements (Treaties of Moscow and Kars), that is, via “*leges specialis*,” prior to the Lausanne Peace Treaty itself. This is the legal situation. All the allegations and attempts being made outside this legal framework lack legal grounds; they amount to nothing but attempts to obtain results with a strategy of putting political pressure on Turkey, again by using the Western influence. In fact, the Armenians had made certain political attempts during the negotiating process for the Lausanne Peace Treaty as well; however, their attempts had been rebuffed. Today, the same legal situation exists without any change.

It is a pity that the Armenian allegations are currently being supported by a great part of the international community. Thus, Turkey needs to provide information to the international public about the political, military and legal facts summed up above.

The following assessments should be read and interpreted while keeping in mind the aforementioned political, military and, especially, legal facts.

The Armenian Question as a Political Dispute: The Legal Framework

The “Armenian Question” Turkey is faced with today can be examined from various angles. There are the international law angle (the UN Charter, the boundaries, the territory-compensation demands, etc.), the international criminal law angle (the genocide allegations, etc.) and the international private law (compensation demands). The resolutions passed by a number of foreign parliaments, the legal arrangements, and erection of monuments commemorating the “Armenian genocide” can be the subject matter of another study.

In this legal framework, Armenia and its supporters’ allegations and their demands on Turkey, should be examined, before everything else, from the standpoint of the UN Charter, October 24, 1970 UN General Assembly No. 2625 (XXV) “Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations” and the UN “Vienna Convention on the Law of Treaties” dated May 23, 1969. Here are the main arrangements that make up the current legal framework:

- The norms of customary international law and the peremptory norms of international law (jus cogens),
- the Statute of the UN International Court of Justice,
- the “UN Convention on the Prevention and Punishment of the Crime of Genocide” dated December 9, 1948 (entered into force as of January 12, 1951),
- the UN “Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity” dated November 26, 1968 (entered into force as of November 11, 1970) (see Appendix, Document 68),
- the UN General Assembly’s 1973 Resolution No 3074 (XXVIII) on the “Principles of International Cooperation in the Detection, Arrest, Extradition and Punishment of Persons Guilty of War Crimes and Crimes against Humanity,”
- the Rome Statute of the International Criminal Court (entered into force as of July 1, 2002).

To understand the mass relocation practice correctly, one has to know the differences between a number of relevant terms such as immigration, deportation, refuge, relocation, exile and internal displacement. The

administrative measure applied to the Armenians during the Ottoman era was an exercise of mass relocation, that is, within the domestic territory and not deportation since the Armenian population was not moved abroad.

Similarly, from the standpoint of the international criminal law, one has to correctly differentiate between terms such as crimes against humanity, genocide, massacre, persecution, mutual atrocities and slaughter.

Genocide Law

According to Article 2 of the UN Genocide Convention (1948), genocide is, as the highest stage of racial hatred, the act of destroying the members of a national, racial or religious group merely because they are members of that group. This convention is not a criminal law document. It is simply an international agreement that imposes on the Signatory States the obligation to ensure that their laws and regulations include the aforementioned act as a crime and to prevent, punish and investigate such crimes, if any. These are the limits of the Signatory States' responsibility – under the law of treaties. The convention, which went into effect on January 12, 1951, does not cover the tort law issues. This dimension is evaluated in the context of responsibility of the state in Article 9 of the Convention.

The UN Convention (dated 1968) involving the statutory limitations, meanwhile, says that there will be no statutory limitations for the investigation and prosecution of the acts of genocide. Like the previous one, this convention also is not retroactive as to the date on which the 1948 Convention took effect.

The events of 1915 are not covered by the Conventions of 1948 and 1968 with regard to ratio temporis.

The Stance Taken by Foreign Parliaments

Several foreign parliaments' moves involving the Armenian allegations are of two types: political assessments-statements and legal arrangements. Since the political assessments-statements lack legal significance, the Turkish response to these should be in the same context, that is, in the form of political moves such as counter-statements to be made by the Turkish Grand National Assembly or some other mechanisms, such as commissions, putting this issue on the agenda.

The way foreign parliaments, such as France or Switzerland, pass laws to determine and describe historical facts is a different matter. It is a grave mistake to enact such laws because these laws restrict the freedoms of thought, expression and science and impose certain – nonsensical – legal or criminal responsibilities on individuals in this regard. This concept and the resulting legal arrangements must be contested, before anyone else, by the very persons with whose freedom of thought and expression these laws interfere, in other words, the injured party. Since their basic human rights are being violated, these

persons must seek first the local legal remedies and, if not satisfied, then resort to the international legal channels in a human rights law context. In the course of this process these persons should be given all kinds of support, including diplomatic protection, by Turkey and the relevant nongovernmental organizations, including professional organizations.

Private Law Relationships

Recent press reports cover stories of the people of Armenian origin who have sought and managed to obtain compensation from certain insurance companies abroad on the basis of the life insurance policies bought during the Ottoman era. There have been those that interpret this as a sign indicating that the “Armenian genocide” is being judicially recognized. However, a private law relationship and the deals to be made and court decisions to be elicited in this context, have nothing to do with such claims and, also, naturally, would be binding only for the parties concerned. A life insurance policy is a private law contract and it concerns only the company that sells the policy and the person who buys it, together with his or her heirs, in the context of terms and conditions binding on the parties. Turkish judicial custom envisages that private law disputes and even those disputes that stem from an administrative law context should be brought before national judicial bodies – most of the time knowing very well that this would keep the disputes unresolved for a long time. The western judicial tradition is exactly the opposite of this. And that is the correct approach. As in the western custom, efforts should be made to resolve any existing disputes with out-of-court settlements. Thus, the out-of-court settlement process should not be criticized. The agreement reached in the cases in question would definitely not be binding on the third parties, that is, on the Republic of Turkey. In fact, it should not be forgotten that, in line with the well-established principles of public international law, the Republic of Turkey enjoys sovereign immunity from the jurisdiction of the foreign countries.

As a strategy, Armenia and its supporters are waging a political-psychological struggle against Turkey. They try to apply mounting international pressure on Turkey with the hope that this will make Turkey “give up” and accept their demands in the end. Following such a strategy, if successful, even obtaining compensation from Turkey as an “ex gratia award” could be possible.

The truth is that by now Armenia and its supporters have already spent more money in the campaign they are waging against Turkey than they might possibly get from Turkey in a bona fide manner via legal channels. It is obvious that the real aim is political and not humanitarian or judicial.

The International Center for Transitional Justice (ICTJ) Report

Regardless of the name to be given, there is a dispute at hand and efforts are being made to resolve it at various platforms. One of these efforts has led to the unfortunate report issued by the International Center for Transitional Justice

(ICTJ) on February 4, 2003. The ICTJ's opinion had been sought on a specific issue and, in this context, the Center said in its report that the 1948 Genocide Convention cannot be invoked to bring legal charges or to make pecuniary or territorial claims against any individual or state due to the 1915 incidents. Unfortunately, the ICTJ got carried away. Rather than limiting its opinion to the question that had been directed at it, it went on to make comments based on an assumption. It said that "if the Convention had been retroactive" it could be said that some of those who had taken part in the incidents had acted with genocidal intent. That opinion seems to reflect the wishful thinking of the ICTJ. The ICTJ is a private establishment whose opinions have no legal significance.

International Court of Justice (ICJ)

The aforementioned issues related to the genocide allegations mainly involve the criminal responsibility of *individuals*. Resolution of the disputes that may arise from the implementation or interpretation of *international agreements* such as the 1948 or 1968 Conventions, is a different subject, and, in this context the International Court of Justice may have jurisdiction. On the other hand, allegations regarding whether a crime of genocide has been committed or not, and whether any possible claims are justified as such, are not issues that may come under the scope of the International Court of Justice's jurisdiction. The International Court of Justice is a court of law, not a criminal court, and is meant to settle, when it has jurisdiction, legal disputes among States and States only.

Conclusion

In essence, what happened in 1915 was a process of mutual killings and that very process was the result of Armenian atrocities committed by the Armenian armed bandits who operated in collaboration with the enemy in the course of a world war in which the Ottoman state was already on the verge of total collapse. The Ottoman state tried to counter the insurgency and these massacres and, as an administrative measure, decided to relocate the Armenians due to vital and legitimate security concerns. In this context, even if the treaty law were applicable, this could not be deemed as a genocidal act. The Armenian allegations are based on an ill-intentioned and distorted presentation of carefully selected parts of numerous cases to the eyes of the international public. This is a misleading approach and is neither legally nor ethically acceptable.

Furthermore, the Armenians are trying to silence all opposition to their allegations, resorting to pressure, intimidation and terror. Still fresh in minds is the case of a group of academics who issued a joint declaration against the repeated attempts to put on the agenda a motion in favor of the Armenian genocide allegations. These academics included professors Alan Fischer, Avigdor Levy, Bernard Lewis, Dankwart Rustow, Frank Tachau, Halil İnalçık, Heath Lowry, Justin McCarthy, J. C. Hurewitz, Pierre Oberling, Roderick Davison, Stanford Shaw and Tibor Halasi-Kun. As a result of the campaign of attrition waged by fanatic

Armenians, many of those who signed the document have been successfully “silenced.”

Turks have nothing to hide as regards their national history. Also, Turks urge the international community to probe, with the same humanitarian interest, the massacres staged against the Muslim peoples in the Caucasus, Crimea, the Balkans and, especially, Greece in 1821 and after. The international community should be concerned also about the way some 300,000 Turks-Muslims who were killed by the Russian Army and the Bulgarian gangs in 1877-1878 and over one million Turks-Muslims who were exiled at that time. It should not be forgotten that the Turkish diplomats were assassinated by the ASALA terror organization. The international community should focus on the current incidents before focusing on historical events: The massacre the Armenians committed in Hocalı, Azerbaijan constitutes only one such case. Armenia continues to occupy a significant part of the Azerbaijani territories and it makes territorial claims against Turkey. Yet, there are those who find the Armenian policies justified and choose to criticize Turkey rather than Armenia, parallel with the Armenian demands. That criticism and these demands should be reviewed and corrected. These Armenian policies are not compatible with the aims and principles of either the Charter of the UN or the Organization for Security and Cooperation in Europe.

It is obvious that the Armenian Question is a political dispute rather than a legal one. It can be resolved with political and diplomatic methods. This issue brings to mind the term “political football” commonly used in politics. Turkey must be able to implement the concepts, principles and methods such as “reciprocity,” “retaliation” and “reprisal” whenever needed in its relations with Armenia and the rest of the members of the international community.

IV
THE ARMENIAN QUESTION
IN THE PSYCHOLOGICAL AND
SOCIOLOGICAL CONTEXT

THE PSYCHOLOGICAL DIMENSION OF THE ARMENIAN QUESTION (THE UNDEREXPLORED PERSPECTIVE)

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Introduction

Certainly, mentioning a nation's name with the word "question" has an offending side for that nation. However, there is no such aim here. On the contrary, the phrase "Armenian Question" is used in order to define this "problem" and to establish a platform aiming for the resolution of the "historical phenomenon," which later transformed into a "problem" that was brought to the agenda of the international community by Armenian intellectuals, and more recently, by the Armenian state.

There is also a prejudice shaping perceptions in these sensitive socio-political issues in which it is difficult to achieve objectivity: the historical reality for the relationship between Muslims and non-Muslims within the geography, which had once been the territory of the Ottoman Empire and today composing Turkish territory and some adjacent territories, had been accord rather than conflict. Today, the solution to the disputes in Turkish-Armenian as well as Turkish-Orthodox (including Turkish-Greek) relations is dependent on the revitalization of this accord.

Despite the ongoing intense debates, the issue of how to handle historical-societal and political phenomena is problematic in the social sciences. The field of "political psychology," (also named as "nation's psychology" or "international relations psychology") within which context this article is written, is quite complex and there is no consensus on its academic positioning. The general tendency in academia is to handle the phenomena within social psychology, which has significant theoretical and empirical knowledge regarding intra-group and inter-group relations. However, historical-societal and political phenomena are also

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closely related with politics, diplomacy and, more importantly, with psychopathology of group behavior and leadership style; thus, those psychoanalysts, who are dealing with politics and diplomacy, focus on these issues. Recently, there are attempts to establish a perception of “large group” behavior and inter-group relations via the knowledge acquired by group psychotherapy and “small” group experiments.

This article aims to revitalize harmonious ties between Armenian and Turkish people, with a “prejudice” aiming for the resolution of the real or the constructed conflict between these people. With the experience of psychodynamic approach and group psychotherapy, the psychological dimension of the “Armenian Question,” which has long been underemphasized, will be highlighted.

The "Armenian Question"

The “Armenian Question,” though having gone through several stages, is based on the allegation that Armenian people had been subjected to genocide towards the end of the Ottoman Empire and particularly at the beginning of World War I when the Committee of Union and Progress was the governing party, with the reason that the Armenians had been collaborating with Russians and betraying their own state. Today, following the emergence of the concept of “genocide” in international law after World War II and “Holocaust,” events previously referred to as “atrocities,” “mutual killing,” “mass killing,” or “massacre” were labeled as genocide as a result of which the Armenian Question has been placed in the international political and legal arena.

The Turkish side views the issue differently and argues that there was no “genocide” or “massacre” realized as a result of a planned policy; that some sort of a “civil” war between Turks and Armenians emerged after the armed attacks of Armenians on behalf of Russians and against their own state in the chaotic environment of the war; and that the government of the time resorted to “relocation” as a precaution. The trials of Ottoman administrators with the charges of the Armenian incidents did not arrive at any verdict against Turks. The debates between interested historians, which have sometimes intensified, continue even today without tangible results.

However, the hatred of some Armenians, who had migrated to several places in the world, particularly France and California, and organized into a diaspora, did not cease. Some of them preferred to form terrorist organizations with the aim of killing some prominent members of the Committee of Union and Progress and later the diplomatic representatives of the Turkish Republic. In the last ten years of the 20th century, there was no terrorist activity since Armenian terror did not acquire any tangible results. Since the 1970s onwards, Armenian Diaspora activities, except terror, have focused on the recognition of the “Armenian genocide” in some Western parliaments.

Meanwhile, there emerged an Armenian state in the political arena within the framework of Commonwealth of Independent States after the dissolution of the

Soviet Union. This state, which attempted to increase its efficiency and to make its voice heralded as a separate political entity after gaining its independence and cooperating with the Diaspora to realize these aims, is a neighbor of both Turkey and Azerbaijan. After its independence, Armenia attacked Azerbaijan and it still occupies a significant part of this state.

Another interesting point regarding Armenia is that, as in other countries which try to establish a new economic and social structure after communism, there emerges a significant socio-economic poverty; however, different from these countries, migration abroad is quite intense in Armenia. It can be said that negative economic conditions make Armenians encounter a new “relocation.”

Since the 1970s, resolutions recognizing Armenian genocide allegations have been brought to the agenda of several parliaments, some of which were adopted and some were delayed to an indefinite period; however, many parliaments began debating and adopting them after the year 2000. Of course, one of the most significant reasons for this development is the efforts of the Armenian Diaspora via books, bulletins, meetings, and lobbying activities, considerably exceeding Turkish counter-propaganda efforts; however, it is obvious that the issue has been accelerated recently. Naturally, every adopted resolution creates a tension between Turkey and the country in question, and these fruitless tensions have marred Turkish-Armenian relations in the international arena. If the next step after the recognition of Armenian genocide allegations in these parliaments is considered as reparation and territorial demands from the Armenian side, then it is obvious what type of future awaits these two neighboring nations.

Now, everyone asks, despite its historical antecedents, why the “Armenian Question” comes to the agenda now. Among the answers, it is interesting to see the explanations are always emphasizing the geostrategic importance of the Caucasian region based on its role in the global power rivalry and its geo-economic importance based on rich oil and natural gas resources. Of course, these answers are true to some extent; however, we intend to look at the long neglected dimension of this question, namely the psychological side. Geostrategic evaluations could show the importance of the question for global power competition; however, it is impossible to establish peace between two neighboring countries and two friendly people without understanding the dynamics of the conflict.

Why Now?

Besides geostrategic and geo-economic reasons, the presence of a convenient psychological atmosphere is also behind the adoption of resolutions recognizing Armenian genocide allegations one after another. The framework of this psychological atmosphere is formed by the Holocaust. Within this framework, after World War II, a new legal understanding termed by some sociologists as the “human rights age” emerged whereupon a new ideological and psychological atmosphere was created.

Of course, this step is quite important in the human search for a just world; however, it is better understood today that this step has had some psychological side-effects. These psychological side-effects can be divided mainly into two categories. First, together with Holocaust, Western Christian conscience, particularly of the Germans, has been filled with a sense of guilt which would last for generations. Thousands of movies, publications, etc. have had a warning effect in order to prevent the recurrence of such a cruelty; however, they also filled generations having no connection to this cruelty with a sense of guilt with which they do not know how to handle.

The second unwanted side-effect of “human rights ideology” is the creation of a “victimization psychology” which provides direct advantages for the so-called victims as a result of the continuous affirmation of victimization. When “victimization” became a positive phenomenon in the eyes of international public opinion, some people began to try to portray themselves as victims to benefit from this positive psychological environment.

Those who are dealing with mental health know victimization psychology well. The courts of Western states are occupied with cases demanding punishment of the offender stipulating that the victims have been traumatized, thus their mental health has been distorted. It is interesting that in order to benefit from the credit of victimization, those who are accused as offenders try to organize themselves by articulating that they are the victims.

Existence of those who try to benefit from the advantage of victimization does not mean that trauma is something good or something that should not be contested. It is obvious that victimization has to be prevented and the offenders have to be punished because, otherwise, the world becomes a cruel realm based on the principle of “the powerful gains.” However, at the same time, a system similar to the card system in soccer games, which punishes the one who throws himself down to gain a penalty shoot, has to be attached to international law in order to reveal and prevent pseudo-victimization cases. Otherwise, first individual state parliaments, then international courts, as Western courts, would be filled up with “genocide” cases, and with the dilution of this issue, the real genocide victims will be victimized more.

From Victimization to Excusability

The roles of the feelings of guilt and victimization psychology of Western Christian consciousness are significant in understanding why the resolutions recognizing Armenian “genocide” are adopted in Western Parliaments nowadays. Yet, there is another question here to be asked:

“Yes, after World War II the victimization psychology dominated, but who will decide on who the victim is?”

The real problematic issue comes about with the answer given to this question. Those who make the ones that they want benefit from the advantages of victimization and those who hide behind the victimization psychology hold the

power in the world and they are those who were responsible for the death of millions of people during two world wars. Everyone can claim that he is the victim; parliaments and public opinions of rich countries might listen their conscience for determining the real victims and for supporting them; however, what they do in reality is nothing but to clarify their own guilt. More accurately, they play the game of victimization so full-heartedly because it fits for clarifying their own guilt.

The underlying mechanism of victimization psychology is the “excusability psychology” of those having the responsibility for two world wars. The Armenian thesis of the recent propaganda theme that “Hitler learned genocide from the Turks” shows this psychology clearly. Likewise, the attempt of justification of a culpable child saying, “but Ali did the same,” all Western-Christian consciousness relied on the childish explanation that stipulates “in fact, we do not do such things, but we learned them from the Turks,” and in such a ridiculous manner they try to purify themselves from their sins.

In case that this childish mechanism is accepted in international law, since history is so rich to find a previous perpetrator for each crime, those actually harmed would be the real trauma victims. However, the Israeli state and intellectuals supported “Armenian genocide” as a part of the project of making world public opinion aware of genocide without thinking of these unintended results.

The real complement of the Armenian thesis stipulating that Hitler was not the first perpetrator of the crime of genocide is the thesis that “Armenia is the first state recognizing Christianity officially” supported by some Armenophiles (see Julia Pascal’s article in Guardian published on January 27, 2001¹) in order to raise sympathy for Armenians in Western public opinion. When the attempts of Vatican and Orthodox representatives are taken into consideration, it can be better understood that how the Western-Christian consciousness is trying to purify their sins by supporting the Armenian cause.

Identity Crisis of Diaspora Armenians

Today, the Armenian population can be classified under three groups: first, Armenians living in Armenia and in the Russian Federation in part; second, Turkish citizen Armenians; and third, the Armenian Diaspora. The social psychology of each group is different. It is Diaspora Armenians that foster animosity towards Turks the most and the “genocide” thesis as an extension. The reason is the severe identity crisis they are experiencing and in order to remedy this crisis, they find no way other than animosity towards Turks and victimization psychology.

Try to imagine the psychological state of a Diaspora Armenian whose parents migrated from Turkey and who is living in France or California; think about what

¹ <http://www.guardian.co.uk/theguardian/2001/jan/27/weekend7.weekend2>.

kind of a self-feeling and ego-identity he might have. The elements in his mental mechanism constituting his identity are as follows:

- i- He is a French or an American citizen.
- ii- If he did not change his sect to that of Catholic or Protestant, he is still an Orthodox Christian, but most probably he is deprived of a specific Armenian Church from which he had a religious education.
- iii- He says he is Armenian; however, except for what is spoken at home, he lacks education opportunities in the Armenian language.
- iv- He knows that in Turkey there are Armenians who have better opportunities in terms of expressing their Armenian identity than himself. (When the Armenian population and their religious and educational opportunities in Turkey and France are compared, what is meant becomes clear.)
- v- He knows that there is a country called Armenia, but he equally knows that he would not settle in this country whose socio-economic conditions are not good, and he would not settle in Turkey either, though it has better conditions than Armenia.
- vi- The only thing that he knows best about Armenian history is what the Turks have done to them. There is no “victory sign” that could form the basis of their common memory and identity, and there is no clear characteristic other than the memories of the trauma.

It is also accepted that animosity towards Armenians does not have a significant place in the social psychology of the Turks. Turks have a common memory full of victories for identity construction. They lived the feeling of destruction and despair in the dissolution of the Ottoman Empire; however, they were able to create two glorious phenomena, namely, the War of Independence and the Republic of Turkey and among them raise a national hero such as Mustafa Kemal Atatürk, whom they adorned with beneficence.

When comparing the chance of Turks for establishing a national identity with the situation of Diaspora Armenians, who are considered in terms of the possible constituting elements of identity solidarity above, what is understood is this – for Diaspora Armenians, there is no option to form a national identity other than relying on the identity of the country that they live in, but for their constitution of a communal identity, animosity towards Turks and the feelings of revenge might have a functional role. They can benefit from the advantages of having group identity and victimization psychology (especially, the advantage of being a Christian victim) through animosity towards the Turks. The only common heritage that a Diaspora Armenian derives from his parents and that is shared with other Armenian households in order to develop a communal identity is the animosity towards the Turks. Since for second and third generation Armenians who have never seen either Turkey or a Turk, everything is imaginary; it is easier to increase the level of animosity and to build such an identity. Even, for the sake of this

imaginary identity, new generation Armenians can believe such horrible lies that “Turks construct their toilets from Armenian gravestones” (see Julia Pascal’s aforementioned article) and can say that what they want to do most is “to spit on the face of a Turk.”

Therefore, those who somehow met Diaspora Armenians could not understand how animosity towards Turks is enhanced in each generation. The first generation Armenians who experienced the real suffering in the past are not as furious as them. Until they die, one of their ears has always listened from Turkey, they listened Turkish radio, and they watched Turkish televisions. They missed the days that they lived together with their Turkish neighbors with whom they had common memoirs. The more they missed, the more they became furious; however, they suppressed the positive side of their past for their children, whose future is tied to the country to which they migrated since they could not return to Turkey. They held Turks responsible of their migration.

Obviously every nation has both positive and negative qualities. Yet, those who tried to make Turks and Armenians, who lived together in peace for centuries hate each other by showing the unfavorable sides of each reciprocally, must give up these negative acts.

Or, Turks and Armenians should think once more after seeing those who tried to make them enemies.

THE TURKISH-ARMENIAN ISSUE FROM THE PERSPECTIVE OF PSYCHOLOGY AND PSYCHOANALYSIS: VICTIMIZATION AND LARGE-GROUP IDENTITY

F. Sevinç GÖRAL ALKAN*

There are some important underlying phenomena that affect and operate in events, perceptions, behaviors, emotions, relationships and politics which cannot be labeled or comprehended easily. Yet, some questions cannot be answered without understanding these phenomena. For example, why do the members of some societies identify and describe themselves through their large-group identity, such as being a member of a community, a group or a nation, whereas some communities do not show this characteristic? Why do some groups easily come together and become a united whole around an ideology, a leader or a phenomenon, but others show the same reflex only in war or other threat situations? How can social or political events that occurred ages and generations ago influence and arouse the emotions of group members who never experienced the events yet feel as if they actually experienced them? How can group members living great distances from each other react to the disturbances of other group members, whom they never met and probably never will, as if the disturbances were happening to themselves, whereas the same individuals show insensitivity toward the suffering of other human beings from other groups and can actually exhibit cruelty toward them? How can some groups accept and conform to the constructed and given realities and belief systems, which might be distorting the reality as well, without any questioning? Why cannot a between-group conflict be easily resolved and how does it maintain its strength throughout the years despite a great amount of political, economic, military or judicial precautions and protections? Even the conflict has been resolved, how come does it reappear lively again as if it was there all the time without any indication?

These kinds of questions have become important research areas for the social sciences. International relations, politics and sociology have tried to

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examine similar questions by means of macro theories or models. Yet, no integrated theory that involves all the answers of these questions has been realized from these social sciences. However, the world has increasingly become a conflict laden place and these conflicts cannot be worked out without considering plausible answers for these questions. Political psychology, which is a newly emerging and developing discipline, and some other branches of psychology have become increasingly more involved in addressing these research questions. This article aims to understand the Armenian Question, which is a crucial matter of dispute in Turkey, by means of examining the psychological dynamics. This point of view provides a beneficial perspective, which can contribute to the policies and the strategies for both Turkey and Armenia as well as” international powers.

Contribution of Psychology and Psychoanalysis to the Understanding of International Conflicts

Most of the social sciences, especially political science, sociology, history and anthropology, focus on different aspects of group conflicts, battles or war and their consequent results such as immigrations, poverty, and formation of sub-cultural structures within the society that are affecting international relations.

Politics and international relations have failed in the predictions and the provisions for the future, particularly on the issues of racism and the resulting Holocaust phenomenon, the collapse of Union of Soviet Socialist Republics (USSR) and the establishment of international, supranational political unions such as the European Union during the last 50-60 years.¹ Recent publications of international relations suggest that the realist approach, which emphasizes the macro-level analysis in international relations and advocates the state as the primary and rational actor in international relations, has begun to lose its power. These publications proposed a new interdisciplinary approach in which both macro and micro level analyses are integrated with each other and the macro events are to be seen as multidimensional and cyclic rather than understood by linear deterministic processes.² While there was an evolution from a linear, cause-effect type of understanding of international relations to reciprocal, mutual, multidimensional and multidisciplinary comprehension of macro events in international relations, there emerged a similar change in psychology and psychoanalysis, which are more micro-level disciplines examining the intra-psychic processes. In the last 30 years, research on the different aspects of ethnic groups, in-group and out-group relations, group-leader relations, etc. have been accumulated in psychology. Frurthermore, the build up of knowledge on group relations has begun to be used in conflict resolution practices.

For instance, some social psychology theories brought about new premises that emphasize the mutuality principle and human factor in international relations

¹ F. Sevinç Göröl, “Siyaset Bilimi ve Uluslararası İlişkilerde Siyaset Psikolojisi,” *Stratejik Analiz*, Vol 5, Issue 59, March 2005, pp. 77-82.

² Valarie M. Hudson and Christopher S. Vore, “Dış Politika Analizinin Dünü, Bugünü ve Yarını.” In Erol Göka and Işık Kuşçu (Eds.), *Uluslararası İlişkilerin Psikolojisi*, Ankara: ASAM Yayınları, 2002.

to counter the propositions of realism. According to these social psychology theories, international conflicts emerge from the psychosocial processes emanating from the collective needs and the fears of the groups, rather than from the rational decisions made as a result of objective evaluations of the macro-level actors. International conflict is a phenomenon operating via social processes rather than a result of a disagreement between two or more states. In other words, international conflict does not arise from the damage resulting from administration of the physical or political force onto the other side; rather, it comes from a multilayered process, which is shaped by repetitive reciprocal interactions between two sides. In addition, international conflicts should not be formulated as the sequence of actions in which both actors consecutively respond to each other in a cause-effect relationship. Besides this interactive nature, they have usually self-induced characteristics and are provoked by in-group processes as well.³

Consequently, it could be proposed that psychology and psychoanalysis can be beneficial and be used in understanding international conflicts that are operating at the international level of action at first.⁴ By considering the risk of trapping into reductionism and “psychologism,” psychological and psychoanalytical examination of political events and international conflicts could make a considerable contribution to the understanding of international and inter-group conflicts.

Effect of Victimization in the Turkish-Armenian Issue

Some long-term problems of traumatized individuals are based on and originate from their cognitions about themselves, other people and the world. These individuals usually see themselves as a weak person and a victim who is mistreated. They perceive the others and the outer world as powerful, oppressive, cruel and as an enemy. These perceptions, beliefs and cognitions result in a change in the construction of self-identity which has a weaker connection with the reality. As a result of these changes in the cognitive processes, the individual mostly experiences interpersonal difficulties and problems. This phenomenon is termed “victimization,” in that the individuals perceive the self as helpless/victim and the others as offender. Most of the traumatic events related to the victimization phenomena particularly involve intentional and human made events such as wars, torture, terrorism and physical or sexual abuse.

By means of group identity theory and group psychology perspectives, the victimization phenomenon can be a beneficial conceptual metaphor used in order to understand the political events which have emerged in international

³ Herbert Kelman and Ronald Fisher, “Conflict Analysis and Resolution.” In David Sears, Leonie Huddy and Robert Jervis (Eds.), *Oxford Handbook of Political Psychology*, New York: Oxford University Press, 2003, pp. 316-320.

⁴ Vamık D. Volkan, “Uluslararası İlişkilerde Psikanaliz ve Psikanalizde Uluslararası İlişkiler 1: Psikanaliz ve Diplomasi Arası İşbirliğinde Engeller,” (Translation: F. Sevinç Göral), *Stratejik Analiz*, Vol 6, Issue 62, June 2005, pp. 52-57.

relations. The psychology of victimization, which is an important operating mechanism within many ethnic, religious, cultural, economic or political conflicts, has had an impact on Turkish-Armenian relations as a maintaining factor for the disputes and conflicts. In the international relations platform, there are some situations in which one side takes the role of victim⁵ and the relationship between the two sides begins to be perceived by others through victim-offender duality. Common examples of these situations might be that one nation state displays defensive reflexes toward the separatists or there might be conflict-laden relations between the marginal or the minority group and the state.

Many experiences of injustices, grievances, mistreatments and excessive use of power have been witnessed in inter-group relations throughout history. In these experiences, one group uses unfair, cruel and excessive power over the other group(s) and there is a shared judgment about victimization within both the supranational and international arenas. Dropping the atomic bombs upon Japan by United States of America, biased political sanctions and unequal power uses during the ethnic conflicts in the Balkans and the Caucasus and the genocide of Jews in Europe by the Nazis are the examples of these experiences. The common reality shared by these experiences, which is recognized at international level of judgment, is the excessive use of power through which the damaged side(s) is victimized.

There is also another aspect of victimization that is underexplored – the excusing phenomenon. This is operating within idealized western notions of human rights and justice as a substratum. The modern western societies generally are perceived to have a tendency of excusing the weak, damaged, suppressed part(s), thus practicing positive discrimination. The origin of this tendency is related to the primitive motivation for the projection of the bad parts onto the other in order to be purified from the one's sins. By projecting one's bad and unwanted qualities onto the other, one can maintain the identity intact and purified. The modernization process of the West involves the projection of its aggressive parts onto "others," who is usually the "barbarian" Orient.

Associate Professor Erol Göka emphasizes the psychological factors in the Armenian Question and discusses the psychological climate for genocide in groups and nations. He states:

The Holocaust practice in Europe toward Jews by Germans forms the main frame of this psychological atmosphere. Within the frame of the Holocaust, a new ideological and psychological atmosphere and what sociologists called "human rights age" that almost giving high premium for victim and reinforcing the role of victim emerged after the Second World War.⁶

He suggests that this condition of being the victim, which is increasingly accepted and popularized as a positive phenomenon among the Western societies, is being abused by Armenians. They try to capitalize upon the victim

⁵ Nuri Bilgin, *Siyaset ve İnsan*, İstanbul: Bağlam Yayınları, 1997, pp. 92-98.

⁶ Erol Göka, "Ermeni Sorunu'nun (Gözden Kaçan) Psikolojik Boyutu," *Ermeni Araştırmaları*, Vol. 1, March, 2001, p. 131.

identity by giving extra weight to their originally rightful pains. Göka emphasizes the excessive excusing psychology of Western civilization, which is responsible for the two world wars, as the main underlying mechanism of this victimization psychology. He maintains that the thesis of the Armenian Diaspora, which states that “Hitler learned genocide from Turks,” is actually a mechanism of purification in the Western/Christian consciousness that is born out of the “we do not actually do such things but we learned them from Turks” idea.⁷ It is noticeable that Judaism has a strengthening and widening structure, which is nourished and reinforced by victimization, in the world. It was also suggested that the Holocaust provided the Jews to gain positive discrimination from Western societies. Judaism is strengthened by benefiting from this situation. For instance, even in France, a western democracy where latitude of thought is given high importance, writing an anti-Semitic paper or denying the Holocaust results in imprisonment of the “offender.” Moreover, it is interesting that the declaration of the European Commission against Racism and Intolerance (ECRI) emphasizes the role of the commission to be the operative mechanism to combat racism and anti-Semitism.⁸

The same relationship between the Holocaust and the construction of Jewish identity has been attempted to be used in the construction of Armenian identity.⁹ After the signing of the “Convention on the Prevention and Punishment of the Crime of Genocide”¹⁰ in the United Nations in 9th October 1948, Armenians began to assert insistently that the Armenian relocation in 1915 was also genocide. In the same period, the Armenian Diaspora living in western countries, such as the USA, England, France, Germany, began to realize that the important components of Armenian identity, such as language, life style, cultural characteristics, folklore, and community traits, began to dissolve within the host culture, thus the group became assimilated. The Armenian Church, Hinchak and Dashnak parties and other Armenian aid associations, which were experiencing survival anxieties due to the dissolution of Armenian identity, used the assertion of this genocide thesis as a shelter to resist cultural annihilation. This thesis provided them a balanced formula for keeping the group identity alive without preventing them from joining with the host land. Armenian Diaspora members usually do not have an idea of returning to their homeland due to Republic of Armenia’s economic and political difficulties and deficiencies in natural resources, socio-cultural structure and social life aspects. Thus, the “mental representation of genocide” operates as a mental homeland, which emotionally supplies the construction of a shared Armenian identity and plays a role in the transmission of this identity to the next generations.¹¹

⁷ Erol Göka, “Ermeni Diasporasının Psikolojisi,” *Ermeni Araştırmaları 1. Türkiye Kongresi Bildirileri*, Vol. 3, Ankara: ASAM Yayınları, 20-21 April 2002, p. 43.

⁸ http://www.eycb.coe.int/compass/en/chapter_4/4_3.html.

⁹ İbrahim Kaya, “The Holocaust and Armenian Case: Highlighting the Main Differences,” *Ermeni Araştırmaları*, Issue 4, 2002, pp. 274-295.

¹⁰ <http://www.preventgenocide.org/law/convention/text.htm>.

¹¹ Haluk Özdemir, “Diaspora Ararat’ı Ararken: Ermeni Kimliği ve Soykırım İddiaları,” *Ermeni Araştırmaları*, Issue 4, 2002, pp. 75-97; Laçiner, “Ermeni...,” pp. 13-25; Göka, “Ermeni Diasporasının...,” pp. 39-46; Göka, “Ermeni Sorununun...,” pp. 128-136; Ömer E. Lüttem, *Ermeni Sorunu*, Seminar presented at ASAM, 21 July 2005.

The psychology of victimization, an important element of Armenian identity, has roots in Armenian mythology. Armenians believe that they come from Noah's lineage and came to be a nation. According to their belief, their ancestral tribe, survived the great Noah Flood by means of climbing to the top of Mount Ararat. This is why they claim Mt. Ararat, as if it belongs to Armenians as sacred land. This assertion is reinforced by the Armenian Church. Based on this thesis, Armenians describe themselves as the "chosen nation" due to this collective belief. Mental representations of their identity consist of this core belief that they have the ability to overcome all difficulties and they have the strength to survive the various tests they have gone through, like Noah's flood, since the beginning. Now it is understandable why the Armenian Church tries to make a connection between the Noah Flood and the relocation of Armenians in 1915. There is an intention of strengthening the image of the "victim nation" that has survived despite great catastrophic events.¹² This analogy, which is consciously and intentionally emphasized by the Armenian Church, led to the perception that the relocation has had the intention to make extinct their race, like the great flood which removed all other races from the earth's surface. Thus, their large group identity and mental representations related to this identity provides a psychological base for and reinforces their insistence of the genocide thesis. An important component and the axis of the group existence of Armenian identity is the shared set of beliefs and schematas that are based on being a victimized group. The great traumatic events that they are believed to have been experiencing since the formation of their community differentiates Armenians from other nations or groups. They are the nation who has been tested throughout history, resuscitated again right at the time when they nearly ceased to exist due to annihilation attempts by the "others," especially by Turks. All these elements of images and belief codes are integral parts of Armenian identity. The Armenian Diaspora and its leaders try to keep these images alive and perceive them to be an opportunity for benefiting the group in international relations.

Geopolitical, demographic, economic, political and military statuses of the Republic of Armenia are also reinforcing this victimization perception. The Republic of Armenia is a landlocked state which is deprived of rich natural resources. It is also surrounded by neighbors sharing a common ethno-cultural background and with whom they have distant relations that could create security problems and a threat perception. In the west, there is Turkey with a much larger population, richer natural resources and stronger economy. In the east, there is Azerbaijan, which has a sea coast and relatively rich resources, but with which there is increased tension due to the war over Nagorno-Karabakh. In the north, there is Georgia with which there are no good and stable relations except for the economic realm. Georgia separates Armenia from Russia, which is historically and culturally closer to Armenia and supports it in economic and political areas. In the south, there is north border of Iran, where the most of the population consists of Azerbaijanis. Consequently, four sides of Armenia are surrounded by neighbors with insecure relations that create a disadvantageous position which

¹² Sedat Laçiner, "Ermeni Sorunu'nun Temel Unsurları Olarak Ermeni Kimlik Bunalımı ve Güç Politikaları," *Ermeni Araştırmaları 1. Türkiye Kongresi Bildirileri*, Vol. 3, Ankara: ASAM Yayınları, 20-21 April 2002, p. 20.

promotes both victimization and excusing psychology. Being surrounded by these neighbors, which share the same kinship and bloodlines that Armenia has had ethnic enmity toward in the past, intensifies the perception of misery and victimization psychology in Armenian group behavior. They also reinforce the psychology of excusing and attitudes of premium giving to the victimization in the West. Especially its relationship with Russia, which can be defined by an analogy of clinging and dependent relationship between parent and child, is legitimized by this state of being surrounded. It is seen that religious and historical bonds between the two states result in Russia giving a privileged position to Armenia among other states which have gained their independence by separating from the USSR in the Caucasus. From this angle, Russia uses its power over Armenia in order to consolidate its operative effect in economic, political and military areas in the Caucasus.¹³

In summary, the “identity” stands out as an important factor in the problem between Armenia and Turkey. The psychology of victimization, which constitutes the identity of the “victim” or identity of the suppressed nation and creates the perception of the group in need of protection, influences international relations regarding the Turkish-Armenian issue. The group reflexes operate in the Armenian identity on the basis of the perennial enmity of Turks. Turks and Turkey constitute the essential “other” for the Armenian side to project its aggressive parts and maintain the identity of wretchedness. Armenia seeks legitimization for this phenomenon in juridical, political and economic areas of international relations.

The Role of Large-Group Identity in the Turkish-Armenian Issue

Large group identity is constructed by mental codes, which are acquired through an internalization mechanism within the development and socialization processes of an individual by the members of the group. They are the mental representations that help to make adjustments in the relations with the social world. Large group identity is intermixed with the individual’s personal identity. Because this large group identity is “ego-syntonic,” which means that the beliefs, thoughts, emotions, behaviors and attitudes pertaining to large group identity are compatible with the person’s own mental world, the individual is not aware of its existence unless there is an evident threat to this identity. Yet, it underlies and determines the thoughts, emotions, attitudes and behaviors of an individual as much as the personal identity. In his tent model,¹⁴ Vamık D. Volkan defines large group identity with an image of a tent canvas covering different individuals of the same group who might not see or meet other members any time. This canvas covers the personal clothes of the individual, which represents the personal identity. It actually brings people together by creating the we-ness in the group and draws the borders of the group by defining the in-group and out-group. This border protects the group from outer dangers. The group leader functions as the pole of the tent, which keeps the tent in an upright position and determines its

¹³ Sedat Laçiner, *Türk Ermeni İlişkileri*, İstanbul: Kaknüs Yayınları, 2004, pp. 237-246.

¹⁴ Vamık D. Volkan, *Kanbağı Etnik Gururdan Etnik Teröre*, İstanbul: Bağlam Yayınları, 1999, p. 40.

direction. When the canvas or the pole of the tent is threatened, the shared we-ness within the group increases, which will eventually create the awareness of being a member of that large-group. Large group identity becomes to be even more important than the personal identity in threatening, dangerous situations.

The characteristics of the threatening event for the large group, which is not a mentioned factor in the model, are important determinants of how the group will react to this event. The danger can be anything; a real danger that could threaten the group existence or just an event “perceived” to be threatening to the group, yet it may not be dangerous in reality. The important thing here is the sharing of this perception by the group members as the amplifier of we-ness.

The 1915 Armenian relocation has been an important traumatic event, especially for the innocent Armenians who were not involved in the rebellion actions. Besides being faced with the risk of death due to the war context, they fought with poverty, starvation and epidemic diseases caused by the migration as well. Survivors experienced traumatic events or witnessed such events throughout the way to their destination. As a matter of fact, it is not difficult to expect that this relocation, all by itself, was a great traumatic event that would strengthen and magnify the large group identity of Armenians.

Trauma has great impact in the human mind and psychology. The perception of the event, beside its characteristics in reality, determines its degree of influence. In order for the human mind to resolve the effects of trauma, it needs to be able to process the disturbing information like the digestion process of food that is required for the organism to absorb it. The existing mental structures are broken down into pieces by the trauma. The reconstruction of these shaken belief system and schemas of the individual is the main object to be achieved. The individual needs to live and complete his or her grief by means of accepting his or her loss and grief in order to achieve a new set of beliefs and reconstructed identity. In order to complete the grief process, the lost object should be retained in the past as memories and should not be carried into the present issues.

Societal traumas also result in similar consequences for the large group identity, like the effects of loss and trauma to the personal identity. If the members of the group perceive themselves as weak, helpless, damaged, desperate, and victimized, the group carries the past traumatic event into the future as a “chosen trauma.” This event is transmitted throughout the generations and is made to be kept alive until the grief process is completed.¹⁵ “Transgenerational transmission is when an older person unconsciously externalizes his traumatized self onto a developing child’s personality. A child then becomes a reservoir for the unwanted, troublesome parts of an older generation. Because the elders have influence on a child, the child absorbs their wishes and expectations and is driven to act on them. It becomes the child’s task to mourn, to reverse the humiliation and feelings of helplessness pertaining to the trauma of his forebears.”¹⁶ The transmission of the trauma-related affective

¹⁵ Vamik D. Volkan, *Politik Psikoloji*, Ankara: Ankara Üniversitesi Yayınları, 1993, p. 70.

¹⁶ Vamik D. Volkan, *Bloodlines: From Ethnic Pride to Ethnic Terrorism*, Colorado: Westview Press, 1997, p. 43.

and cognitive material to the child does not need to occur intentionally and verbally. The mental images are delivered through non-verbal communication or while transmitting family history by stories, fairy tales, songs, etc. unconsciously. Messages such as “you mourn for my pain instead of me,” “I was humiliated, you reverse this for me,” “be assertive and protect yourself and your rights instead of me,” “idealize our victimization,” “take revenge of violence against me,” “repair our trauma”¹⁷ are given to the next generations.

The group leader can exacerbate the chosen trauma during the generational transmission. One of the easiest ways to mobilize and direct a group in a desired way is to create a perception that there is threat outside and to enhance we-ness in the group. The group identity, which may have been dormant for a while, can be mobilized and enlivened by means of prompting the group to remember the past trauma or loss again. The trauma or loss, for which the grief process could not have been completed by the group in the past, can be a very potent tool to manage the group. Even if there is a great time lag between the traumatic event and the present, the trauma can be vividly re-experienced by the group as if it happened to them. “Time collapse” occurs when the past collapses onto the present and affective responses given by the group are nearly as powerful as the time that traumatic event was initially experienced.¹⁸ Especially in the times of stress, the group regresses to a lower level of functioning whereby the emotional and other mental processes shared by the group become more “primitive,” thus more easily controlled by leaders or other political actors. These vigorous emotions experienced within the group are used with the intention of social mobilization.

From this point of view, the 1915 Armenian relocation is functioning as “chosen trauma” for the Armenians. It has a major role in strengthening the Armenian identity. It is an important source of we-ness and group identity, especially for the Armenian Diasporas. This historical event occupies a great place in the Armenian domestic politics. A significant part of the Armenian Diaspora’s activities is constituted by the struggle for the recognition of this event as “Armenian genocide.” These can show that although the event has occurred at least four generations ago, the relocation has a great impact on Armenians today and influences the group emotionally. Although second and third generations have not experienced the relocation, they show greater enmity toward Turkish people than the first generation Armenians. They are also more radical about and insist more harshly on the “Armenian genocide” than the preceding generations. These observations are enough to state that there are

¹⁷ Vamik D. Volkan, “Psychoanalysis and History,” *Psychoanalytic View 2: History of the Person, History of the World Symposia*, 24-26 April 2004, İstanbul.

¹⁸ Vamik Volkan gave the example of time collapse that Milosevic and his followers showed around the bones of Lazar, who was a Serbian prince, killed in the Kosovo War in 1389 by the Ottomans. Milosevic had the bones of Lazar dug out of the grave for the 600th anniversary of this war. The bones have been carried from village to village and city to city throughout the country. This was the beginning of the process causing the genocide of Muslims in Bosnia Herzegovina. For a more detailed examination, see Volkan, *Kanbağ*..., pp. 65-100. In addition, it is known that monuments, literature, and films can be used to maintain feelings of we-ness and keep group identity alive and powerful for certain purposes by using chosen traumas.

psychological processes operating behind the reality in the Turkish-Armenian issue. Armenian policies try to reinforce the transgenerational transmission and time collapse for the 1915 relocation by means of the disinformation procedures, which can take place through media and national education in order to make the society homogeneous enough to control the group in the desired manner. Actually, they seem to achieve their purpose. These kinds of psychological processes and mechanisms can be used as a manipulation device in the international relations by macro actors as well. For example, Armenian theses and demands from Turkey have been stated by different authorities who are against Turkey's membership to the European Union. The demands for the acceptance of the "Armenian genocide" have been put in front of the Turkish side as an obstacle for starting the negotiations. This historical issue is made to be used as a political tool in international relations.

The results of the field research, which has been conducted by the Turkish Economic and Social Studies Foundation (TESEV) in Turkey and Armenia, support the abovementioned opinions.¹⁹ For instance, Armenians stated press/media, history books, and old generations/family seniors in that sequence as their information resources about Turks and Turkey.²⁰ As the education level of the Armenians is increased, the rate of giving erroneous answers about Turkey's characteristics such as religious structure or political system is also increased.²¹ These results indicate that government ideology and perspective may distort the information given to the Armenians about Turkey by disinformation mechanisms.

Careful examination of research results reveals that Armenians were more prejudiced in their responses than the Turks. For example, while many Turks have answered the questions measuring their level of knowledge about Armenians by the response of "I don't know" generally, Armenians generally and consistently have given negative responses for the same questions about Turks.²² This shows that the Turkish side was more neutral toward Armenians, whereas Armenians were more biased in their responses; hence, the Armenian side uses more projective mechanisms than the Turkish side.²³ Similarly, for the questions measuring the attitudes of two sides towards each other, while a

¹⁹ Ferhat Kentel and Gevorg Poghosyan, *Ermenistan ve Türkiye Vatandaşları Karşılıklı Algılama Projesi*, Erivan, İstanbul, 2005.

TESEV web site, http://www.tesev.org.tr/etkinlik/Turk_ermeni_rapor.pdf.

²⁰ *Ibid*, p. 18.

²¹ *Ibid*, pp. 11-12.

²² *Ibid*, pp. 16-18.

²³ Projection: It is one of the defense mechanisms that human beings use during early development. The infant projects unwanted negative mental representations, which are not integrated into a whole object yet, to the outside in order to get rid of the destructiveness of his/her aggressive impulses and to survive. He/she experiences them as they come from outside. The human projects its own destructiveness and badness to the outside and creates an illusive perception that "the bad and evil is he/she/it, not me." The projection has important functions in the construction and development of being a nation as well. The group needs to project its bad parts onto the other and to create an enemy outside in order to set the feelings of we-ness, to gather around shared and idealized issues. For more detailed information, see Erol Göka, F. Sevinç Göral and F. Volkan Yüksel, "Birbirimize Ne Yapıyoruz? İnsan İlişkilerini Kavramanın Bir Aracı Olarak Yansıtımlı Özdeşim," *Avrasya Dosyası*, Vol 10, No. 1, Spring 2004, pp. 279-314.

variety of the answers of the Turkish side is broad, ranging from negative to positive, Armenians gave stereotypically negative answers; thus, the variety of their responses is small and restricted negatively. This indicated that Armenians are a more homogeneous group than Turks in terms of their attitudes towards them. When they were asked to report their expectations about the other side's attitudes towards themselves, Armenians expected the Turks to have more negative attitudes towards Armenians than in reality; thus, their expectations were negatively biased. On the contrary, to a lesser extent, Turks expected that Armenians have more positive attitudes towards Turks than in reality; thus, their expectations were positively biased.²⁴ In the questions assessing the mental representations of Armenians and Turks about each other, two-thirds of the answers of Armenians consisted of negative adjectives, such as "enemy, barbarian, bloodthirsty, murderer, wild...", whereas only one-third of Turks' responses involved negative adjectives such as "egoist, self-centered, prejudiced, enemy..." The remaining two-thirds of Turks' responses contained definitions such as "good people, endeavoring, a friendly nation, very clever, human, Christian, Armenian..."²⁵

According to a result revealing "transgenerational transmission," while Armenians aged 18-29 were the group that defined the Turks with the most negative terms, the group aged 30-44 defined the Turks in more neutral and even in more positive terms.²⁶ Similarly, for the question "Would you purchase Turkish products?," the younger the age group, the higher the rate of the response of "no."²⁷ These results show that there is higher rate of enmity and prejudice toward Turks in the third generation than the first and second generations. Consequently, unresolved trauma and mourning of the first generation of Armenians after the 1915 relocation is transmitted to the third generation through grandfather/grandmother and grandchild relationships. Based on these results, it can be said that Armenian policy, which was transformed toward policies that promote enmity against Turks and demands of the recognition of the "Armenian genocide" especially after the 1950s, uses mass communication for disinformation about the Turkish side and promoting Turkish enmity among Armenians.

Conclusion

In attempting to understand the psychological dynamics of Turkish-Armenian issue the main aim of this paper has been to examine the psychological dynamics operating within the policies and group identity of Armenian side rather than the Turkish side. In order to make a broad and comprehensive evaluation of the issue, psychological factors affecting the Turkish side should also be taken into account because transactional, reciprocal and interactive processes take place in the international system, like in all other systems. Thus, the analysis,

²⁴ Kentel and Poghosyan, op. cit., p. 27.

²⁵ Ibid, 28-29.

²⁶ Ibid, p. 29.

²⁷ Ibid, p. 33.

which does not take both sides into account, will be incomplete to understand the whole. In addition, it would be in error to state that all the factors affecting the Turkish side are de facto. Some characteristics arising from the psychological dynamics of the Turkish side have a maintaining effect for the Armenian-Turkish issue as well. These characteristics and related psychological dynamics should be explored in another paper, which will complete this review.

The main argument in this paper is that the reality in international relations can be biased by many psychological mechanisms. There are ancient psychological mechanisms and dynamics behind the demands of “Armenian genocide” recognition, not the reality.

These psychological mechanisms operating behind the conflictive structure of Turkish-Armenian relations provide important tools for the “archaeological digging up” of the etiology of the problem. This problem, which seems to be affected by the international relations dimension, can only be fully comprehended by taking the human factor into account. Rather than reality, humans’, groups’, or nations’ “perceived” reality exert strong influence over the policies. In the international system, where macro actors’ manipulations have important effects, the human factor may cause unexpected effects occasionally, and sometimes these psychological backgrounds and resources can be used and controlled by the macro actors in line with their benefits. The victimization psychology and group identity, which have become fully developed in the last fifty years, operating in the Armenian group psychology, function as a manipulation tool in the political maneuvers of these international actors intentionally or unintentionally.

Turkey needs to develop a more efficient way and more skillful ability to deal with the Armenian side’s projections of threat and enmity in order to gain a better position in the political circumstances related to the Turkish-Armenian issue. This cannot be achieved through reactive and polarizing policies. On the other hand, it cannot be realized with excusing and accepting approaches either. Turkey’s action plan regarding the Armenian issue can be formed by using the methods of Armenians such as disinformation and lobbying, but the governing principles should be changed and the issue should be removed from the duality of accepting or rejecting the “genocide” hypothesis. The new policy style should be reframed around the awareness that there are important psychological mechanisms operating within the Turkish-Armenian issue and they have the potential to distort the reality. The other part of this new policy should contain various methods of influencing the actors by prompting them to accept this point of view inside and outside Turkey.

ETIOLOGY OF RACISM IN EUROPE*

Gündüz AKTAN**

Introduction

The Monograph on Racism entitled “The Psychology of Western-European Neo-Racism” (Thomson, Harris, Volkan) briefly reviews various reports prepared by international organizations on the contemporary forms of racism. It attempts to define racism, racial discrimination and racial prejudice as well as ethnicity and ethnocentrism. The monograph dwells on individual and group psychologies in order to understand the underlying mechanisms which may lead to racism in times of acute stress. (The definitions from the abovementioned monograph will be used in this monograph.)

We shall attempt in this study to examine the causes of racism in Europe from a historical perspective. As Encyclopaedia Britannica¹ points out and we summarize in the following paragraphs, not only is racism a recent phenomenon in history and the exception rather than the rule as compared to the universal nature of ethnocentrism, but also it seems to occur in some parts of the world and not in others.

The evidence that the Indian caste system is racial in origin and that India is or was a racist society is unconvincing. The basic caste dichotomy between “once-born” and “twice-born” was probably related to the cultural distinction between Aryan conquerors and Dravidian conquered. The latter were probably darker skinned than the former, but it is not established that this physical distinction was the socially significant one.

The Bible contains no positive suggestion that the ancient Semites were racist. The same is true of the Qur’an and the Islamic tradition. Even the devastation brought about by the Arab slave trade in East Africa in the middle of the 19th century does not appear to have been rationalized on racial terms as European slavery was.

Despite narcissistic canons of physical beauty and highly ethnocentric judgments of other cultures, East Asian civilizations (Chinese, Japanese, etc.) do not exhibit what might properly be called racism.

* This article was originally published by the Turkish Political Psychology Center in 1993.

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¹ Encyclopaedia Britannica, Macropaedia V.15, 1985, pp. 359-366.

There are a few documented cases of indigenous systems of racism not attributable to relations with Western societies. The most notable one is the racism between Tutsi and Hutu in Rwanda and Burundi.

Far and away the most widespread, enduring and virulent form of racism and the costliest one in terms of human suffering has been that which developed in Western Europe and its colonial extensions in Africa, Asia, Australia and the Western Hemisphere. Western racism is of relatively recent origin. In ancient Greece and Rome, the status criteria were cultural and not racial. Slavery was a juridical and economic condition unrelated to racial and ethnic origin. There is no evidence that the blacks who had reached Rome were regarded as inherently inferior.

In the Middle Ages, the religious criterion of membership in the ingroup became paramount. Anti-Semitism was clearly religious and not racial, and continued to be so through the Renaissance, the Reformation and the Wars of Religion.

The Spanish conquest of the New World was more than averagely brutal, and the economic exploitation was thorough. Today, racism, though not totally absent in Spanish America, is certainly much less prevalent than in other parts of the continent. Cultural criteria are far more important than physical ones in most of Spanish America, even in the heavily Indian countries.

Generally, the Portuguese claim that its colonialism in Africa has been nonracial is correct, at least by comparison with the British, Belgian and Dutch. This is not to say that the Portuguese regime in Africa has been any less oppressive and exploitative than the regimes of the other colonial powers, but whereas the latter have frequently applied the racial test of discrimination, the Portuguese have been ethnocentric rather than racist.

In Brazil, race relations are quite complex and vary greatly from one region to another. Brazil might be described as a highly racially conscious country but without a well-defined form of racial discrimination. Such discrimination, as exists, is usually a subtle combination of racial, ethnic and social-class factors, with race frequently not being the most important component.

The French, like the Portuguese and Spaniards, tended to be more ethnocentric than racist in their colonial policy. It should be noted, however, that in Algeria, the French exhibited considerable racism vis-à-vis the Arabs.

The Netherlands and Great Britain were responsible for the growth of the most racist colonial societies that the world has ever known – namely, South Africa, the United States, and Australia.

The anti-Semitic wave that swept Germany in the 1930s and ended with the Holocaust was the most heinous documented manifestation of racism in human history. Although Nazi anti-Semitism grew out of a long tradition of religious intolerance in Europe, Hitler's theory of the master race gave it a hitherto unknown genocidal virulence.

Religion has also been shown to be related to the amount of prejudice and discrimination. There is an undeniable difference between the more racially tolerant Catholic countries of Europe and their colonial extensions and the more racist Protestant countries. The Catholic Church has frequently taken a more universalistic position and rejected racism, whereas many Protestant denominations, especially the more fundamentalistic and puritanical ones, have often interpreted the Scriptures in a racist fashion.

In view of the above, one could understand the rationale underlying the geographic focus on “North America and Europe” in the resolutions of the UN Sub-Commission for the Promotion and Protection of Minorities and on “developed countries” in the final resolution of the Commission. Consequently, this monograph explains how and why racism has developed in a specific part of the world where a brilliant civilization was created. This question becomes all the more valid in view of the fact that neo-racist manifestations resurfaced almost half a century after the immense sufferings of the 2nd World War and the Holocaust.

At first sight, there seems no reason in Europe for deep frustration, regression and projection such as wars, economic depression, political instability or crisis of security. Indeed, Europe is enjoying one of the longest periods of peace and prosperity in its turbulent history. The economic integration process has already reached an advanced stage. Having achieved the Customs Union and the Single Market, the EC is heading for the establishment of a common monetary unit, the last phase of an economic union. Europe is already the largest and strongest economic and commercial power in the world. Unemployment is relatively high, but the social security and welfare network is quite effective. In the economic field, Europe has high hopes and great ambitions, justifiably so.

Steps towards political union follow the economic integration with a reasonable time-lag. In addition to goods, services and capital, European citizens circulate freely in the EC rendering borders increasingly porous. Even if the physical borders of the countries remain, as a result of the political union, psychological borders will further fade and eventually disappear. It is true, the ratification of the Maastricht Treaty which envisages political and defense integration has encountered difficulties. But, the slowdown could prove to be only temporary.

Internally, Europe is a remarkable success story. The European balance of power system, which is the primary source of instability leading to two suicidal wars in less than half a century, seems to be eliminated for good. Historical enmities, fears and suspicions between European nation-states, especially between France and Germany, are forgotten, making room for intensive cooperation.

Considering the upheaval created by the unification of Germany roughly a century ago, the reunification of Germany this time has had almost no perceptible effect in and out of Europe.

Externally, Western Europe has won the greatest victory of all times without firing a shot in the air. The strongest totalitarian state of history crumbled within, removing by itself the lethal threat it represented for Europe. Newly independent states turned into satellites emulating European-Western values in terms of political democracy, respect for human rights and free market economy.

Under these circumstances, one expected that Europe should slowly savour the victory. But the resurging racism spoiled the bliss. It also shook the confidence in humanity's future. Were there a potential danger of racism even in these conditions, we could never enjoy any respite in human affairs. We should perhaps study more closely the undercurrents of this situation in order to comprehend the incomprehensible and make it intelligible so as to restore a measure of certainty and determinism to life.

The number of foreigners is on the constant increase in Europe. Migration and racism suggest that there is a special correlation between these two phenomena. This would imply that, even if migration does not inevitably produce racism, the former at least contributes to the latter, as the anti-migrant nature of the present racism indicates clearly.² European racism is a phenomenon speeded up by the European construction which is in turn sustained by a certain ideal of Europe. The most obscure question is whether "to define Europe" necessitates "to define Europeans." This question is essential for the analysis of the institutional and ideological aspects of racism. Europe is a historic problem without a pre-determined solution. Migration and racism constitute elements of this problem.

Europe will be not a closed entity (like a federal state or multi-national empire), but an open gathering where various economic-cultural groups encounter each other. This externally open gathering will not be less closed because of some internal borders which are invisible, but impossible to abolish. Not only political borders of the states, but also social borders based on the division of labor between different populations will exist. Migrants from the South and the East will have a different status for economic and ideological reasons. Hence a European melting-pot or an unstable hierarchical structure of ethno-social groups is emerging.

Europe will be the place where political problems of the world will be reflected. Among all European nations, Germany will be the one which will face the crisis of the nation-state in the most acute form. Not only because the reconstituting of one nation out of the populations of République Fédérale Allemande (RFA) and République Démocratique Allemande (RDA) is an uncertain enterprise, but also because the Germany of tomorrow, short of an impossible blocking of immigration, will represent almost all ethnic and social conflicts and tensions of the surrounding world in a condensed form. Under these circumstances, the national (and nationalist) tradition of Germany which has been forgotten or ostensibly forgotten will resurface as the determinant factor of European history.³

² Etienne Balibar, *Les Frontières De La Démocratie* (Chapter 10), Paris: La Découverte, 1992, p. 170.

³ *Ibid.*, p.177.

Racism we face is not a variant of the old forms of racism. It is a new configuration which reflects the characteristics of the social structures and relations of power of the contemporary Europe. For this racism, three factors have come together:

1. existence of a tradition (of racism) or collective memory, partly conscious, partly unconscious, marked by traumatic incidents, impregnated within the history of the culture and institutions, periodically reactivated by historical events which testify to its persistence;

2. existence of a discriminatory social structure, not stable, but fulfilling the necessary functions of economic power structure and at least partially embodied in the organization of the State;

3. finally an institutional crisis involving the state and its ideological foundations, the individual and the institutions, affecting his or her identity, which is deeply disturbed, bringing about an intellectual and moral insecurity at the level of masses.

First of all, we shall look into the situation in which the “tradition” (of racism) has taken root in Europe.

Evolution of European Identity and Racism

Although nationalism dates back to the middle of the 18th century and at least one hundred years earlier than racism, the evolution of the nation-state had started much before. The nation-state was born to history in Europe. Understanding the nation-state may help to solve the riddle of racism. Emotional investment of raw and primordial character in the land which the nation inhabited has increased enormously in the course of European history. This has gone hand in hand with the inception and development of private ownership. As a result, the diffused borders of ancient empires have turned into the present day frontiers, which are well-defined and rigidly honored. It is clear that the emotional meaning of one's country's borders, unconsciously, is fused with that of one's own boundaries.⁴ In other words, state borders which are much better defined in nation-states are unconsciously identified with the boundaries of the individual and the group. This, in turn, contributed to building a more distinct and stronger individual and national identity than had ever been possible in the earlier species of states. European integration, which aims for political union (meaning common European borders becoming more important than national borders), threatens overwhelmingly invested state borders on a psychologically unconscious level. Emotions released as a result of disinvestment from state borders strengthen national group identity in a compensatory manner, leading some groups to extreme forms of nationalism and even racism.

The individual in the sense of individualism was also born – or after Classical Greece, reborn – to history in Europe. The evolution of the nation-state cannot

⁴ Vamik Volkan, *The Need to Have Enemies and Allies*, Northvale, NJ, London: Jason Aronson Inc., 1988, p. 128.

be dissociated from the evolution of the individual. The individual gradually acquired rights and freedoms which protected him from the arbitrary acts and actions of the political authority. This development helped the evolution of the civil society. Eventually, the people made up of individuals destroyed the mythical and mystical foundations of the political power, increased their participation in and finally took over the governance of their countries. Thus, they became citizens in the constitutional sense. They secularized the religious ethic and morals, and legislated laws designating right and wrong, good and bad for themselves.

As a result of this process, a new type of individual and group identity was created in Europe. This identity enjoyed much greater freedom of choice and action, and was much better protected against the political authority. European individuals and nations became stronger, more productive and more creative actors of history. Yet, this identity is not more secure and stable. On the contrary, it is quite possible that the European individual feels more insecure because of the fear to lose all these gains. Historical memory bears the scars of extraordinary violence of the struggle involved in building this individual and group identity. Its creation required a more cohesive, even homogenized cultural (including religious) social environment. (Church and the Inquisition made the effort, the bloody ones, to create such a homogeneous society especially in the Middle Ages.) It took revolutions to establish democracy and respect for human rights. Promotion of economic rights, especially right of ownership of land, called for painful adjustments in value scales, especially in religious ones to acquiesce in the enormous inequalities in wealth and income distribution. Coupled with the expanding role of the human intellect at the expense of the faith, these developments reduced the legitimizing, sanctioning and redeeming power of the religion.

The main characteristic of this process of identity-building (and identity maintenance) of Europe was and is the generation of much greater unwanted and un-integrated self- and object representations because of recession in times of stress and crises which were not infrequent. (It is an inevitable part of identity-building in individuals and groups to have unwanted elements, but in this case it is much greater.) Therefore, projection, displacement and externalization mechanisms have overdeveloped and overused as a means of restoring homeostasis or reducing anxiety in the European psyche (by attributing the unwanted parts of this identity to "others.")

The ethnic groups, which for one reason or another did not partake in the same process (individualization) and failed to create similar identity structures, were unconsciously perceived as potential dangers to this identity-building process. The presence of these ethnic groups in the midst of European societies apparently reminded them by way of example of the fatal dangers of failure in identity-building (psychological annihilation). This is also true of today's European societies. Guest workers, refugees, and asylum seekers who immigrate in these societies do not have the same or similar identities as Europeans. This difference engenders anxiety in the European individual.

Nevertheless, the presence of other ethnic groups in Europe which are different from the identity-building point of view, served and is still serving – or perhaps put to use by – European societies as suitable targets of externalization onto which they project their unwanted parts. This enhances the stability and security of the European identity.

Ethnic, religious and minority groups that were dominated by Europeans in Europe or in other parts of the world during colonization failed to resist massive projections sustained for long periods and gave in by introjecting them. Once overloaded with European's unwanted parts, their identity structures broke down and self-hatred installed.⁵ Naturally, they craved for a stronger identity, that of the European. They converted to Christianity, or simply apostatized. They rejected their own identities. They wanted to merge into the dominant society. They emulated all the values of the Europeans.

The denial by the target groups of their own identity and their aspiring to the European identity brought about, not what was sought for, but catastrophe. The return of the projected material to the European (by forced or volunteered assimilation) was felt as psychological annihilation of his identity. The European had then two options in the depth of the crisis, either to expel or to exterminate the target group.

As a result, homogenizing forces in Europe have over centuries created religiously, culturally, socially and politically cohesive societies within well-delineated territories (homelands, fatherlands or motherlands).

Western Jews were expelled from England in 1290, from France in 1394 and from Spain in 1492. It is true that the Jews were not considered as a race, but as a religious community. Nevertheless, psychological mechanisms at work in Spain for almost two centuries which eventually ended up in expelling the Jews showed many similarities with the later patterns of racism. Massive projections onto Jews have been operated in times of particular stress such as wars, famines and epidemics. (During these times, Christians thought they were subjected to the scourge of God; they claimed that Jews, the source for all evil, were responsible for these sins and they were punished in vain.) Jews have been beaten, killed and compelled to live in segregated quarters (ghettos). Forced conversions have been frequently resorted to. Once converted, however, their problem has worsened contrary to expectations. The unwanted parts of the Christian, which had been projected onto the Jew, came back through the Jew's conversion (boomerang effect). Then the Inquisition was established to judge whether the conversion of the Jew was genuine or not, i.e. whether he carried the unwanted parts of the Christian in which case he was subjected to torture in order to exorcise him of "his" evil parts. Eventually, the expulsion of Jews eliminated for good the boomerang effect of conversions which had become a vital threat to the identity of the Christian.

Even after conversion, Jews were not allowed to hold public offices on the basis of "limpieza de sangre" (purity of blood), which foreshadowed one of the

⁵ Theodor Lessing, *La Haine de Soi*, Paris: Berg International, 1990.

most important aspects of racism later on. The Muslims were expelled from Spain in 1502 and Moriscos (converts to Christianity from Islam) in 1609. Thus, “reconquista” of the Iberian Peninsula from the Muslims was achieved.

The Church, as the main homogenizing force in Europe, dealt effectively with heresies. After having eliminated Arianism, the Crusades were organized as of 1208 to eradicate the Cathars in Southern France. The Crusades to the Holy places, which had been launched in 1097, lasted two centuries creating “us and them” in Europe. Ottoman advances in the Balkans and European responses imprinted on the identity of Europeans through chosen glories and traumas had reinforced the differentiation between “Christian Europe” and “Muslim enemy.” Crusades served as an occasion for vast stereotyping against Muslims, Arabs and Turks whose effects are still perceptible. We think it is a valid question whether the same homogenizing forces are at work once again, this time, against the followers of another monotheist religion, namely Muslim migrant workers in Europe.

Religion and Racism

Racism developed in Western Europe and its colonial extensions in Africa, Asia, Australia and Northern America. Since in all these parts of the world, Christianity was the predominant religion, it would be interesting to look into this very important aspect of the culture to see whether it had anything to do with racism.

In the Bible, doctrine and liturgy of Christianity, there is no trace of racism. On the contrary, racism is an anathema to a religion based on a profound love of God and on love between human beings. Indeed, from the religious point of view, it is an enigma that racism has developed in Christian societies.

To Mr. Turgut Özal, the President of Turkey, the Jewish problem is the key for understanding the role of religions in racism. In his book *Turkey in Europe*, he states “it is of the utmost importance that we understand objectively the roots of the Jewish problem for the salvation of a world which is being rapidly westernized.”

The Christian perceives himself in the image of God. Historically, this identification with God through Christ crucified for the sins of mankind requires an exceptionally strict ethic which renders it very difficult to house in the soul some vital natural instincts and impulses together with God. (It is natural for the Christian, who has identified with the Christ who died for the sins of man, to feel very disturbed by his instincts.) This ethic, with the need to tackle the evil which is embodied in everything, used Jewry, together with other groups, as a target of projection, and hence subjected them to segregation, inquisition and even genocide. In this context, Islam, on the other hand, sanctifies natural instincts provided that their activities be regulated and their abuse prohibited. Historically, this aspect of Islam has been sarcastically criticized. Nevertheless, Muslims had little need for a projection mechanism.

One may say that it is contradictory that the Holocaust took place at a time when the grip of religion on natural instincts had been greatly relaxed following the vast secularizing effects of the Enlightenment. This is obviously true. Yet, there might be two connected processes here. Firstly, despite the fact that religion which in the beginning determined the ethics lost ground, ethical behavior patterns that were against the instincts mostly survived, although they had been emptied of religious content. Paralleling this social process, the more the individual deviated from ethical premises in his behavior, the more deeply he felt unconscious guilt on a psychological level. (The absence of religious influence eliminated the opportunity for the man to be forgiven for his sins by repenting the God.) In other words, cultural continuity provided the inner need for sanctions in case of breach despite apparent rationalization of the ethics. The only way out was the use of the culturally well-established projection mechanism.

During the era of the Enlightenment, which is mentioned together with Christianity as the basis of Western civilization, the outburst of reason did not only destroy the irrational elements in the religion, but partly the religion itself. Deism, even atheism, as by-products implied a return to pre-Christian conditions with an emphasis on Mother Nature. Is it because of this excessive “desacralization” that the sacrificial cycle of primitive religion has been revived (this time not only for lower-class heretics such as “witches” who had already been subjected to inquisition, but for intellectual elites also) as a result of which hostility was generated towards target groups in the form of persecution and ultimately genocide along with the increase in wars between nation states?

“I do not defend the superiority of one civilization over another. All I try to do is to point out the social cost involved in what is called progress.”⁶

Considering that Western Europe roughly comprises a Latin Mediterranean and another north-western mostly “Germanic” part (in historical sense), one should perhaps look for an answer why the latter was more apt to racism despite the fact that both regions have undergone the same or similar individual and national identity-building processes.

Le Monde of 26 December 1992, in its editorial column, in reference to the racist and xenophobic waves of the last autumn in Germany, questions whether these were only a fit of high fever without a future. The column states:

Although many wished to believe it, the reality was less innocent. Demonstrations, no matter how spectacular and impressive, did not lead to calling into question the relations with... ‘the other’ which remains fixed in the soul. These demonstrations rather reflected in this country impregnated with Lutheranism, the need of public redemption of a nation which feels sinful.

It is beyond the scope of this monograph to expound upon the relationship between Protestantism and the increased feelings of sin. It would perhaps be enough to point out the concepts of “strict ethic,” “call” and “predestination” as main characteristics of this creed.

⁶ Turgut Özal, *Turkey in Europe and Europe in Turkey*, London: K. Rüstem & Brother, 1991, pp. 106-108.

“Combined with the harsh doctrines of the absolute transcendentalism of God and the corruption of everything pertaining to the flesh (in Protestantism), the inner isolation of the individual contains, the entirety negative attitude... to all the sensuous and emotional elements in culture and in religion..”⁷ [T]he Catholic ethic (on the other hand) was an ethic of intentions rather than ethic of actions. Quite realistically, the (Catholic) Church recognized that man was not an absolutely clearly defined unity to be judged one way or the other, but that his moral Ute was normally subject to conflicting motives and his actions are contradictory. Of course, it required as an ideal a change of life in principle. Yet, it weakened just this requirement by “the sacrament of absolution.”⁸ The (Catholic) priest dispensed atonement, hope of grace, certainty of forgiveness and thereby granted release from that tremendous tension to which the Calvinist was doomed. The God of Calvinism demanded of his believers not single good works, but a life of good works. There was no place for the very human Catholic cycle of sin, repentance, atonement, release, followed by renewed sin in Calvinism.⁹

One should study whether the extreme requirements of Protestantism which were humanly almost impossible to fulfill increased the feeling of sin and the need to externalize it onto suitable targets both inside and outside the society.

Another topic of investigation could be the relationship between the strict Protestant (and Calvinist) ethic and the intrusive modes of childrearing including especially excessive cleaning, deliberate and systematic corporal or psychological punishment (as against hitting with rage) and breaking the will of the pupil in education, etc.

North-Western European societies are usually extremely orderly, clean and well-regulated. This can be partly explained with the needs of modern technology, public or personal hygiene, aesthetic requirements of architecture and city-planning or safety and security of traffic. Nevertheless, compulsive traits of this kind of orderliness do not escape notice. An American novelist who lived in Germany for 13 years writes in an article about three “insignificant” personal incidents to point out the potential danger. He concludes:

If Germans get this orderly, even, more anal than usual, it's time to worry. When they start into their orderly mode, watch out, because what is first or foremost not in order are all these foreigners, and when Germans start looking for the causes of their societal problems, the scapegoats have the unfortunate fate of turning into lamp shades and medical experiments.¹⁰

Compulsive attitudes of excessive orderliness and perfectionism have little to do with the reasonable and logical requirements of order. Compulsive people feel

⁷ Max Weber, *The Protestant Ethic and The Spirit of Capitalism*, New York: Charles Scribner's Sons, 1958, p. 105.

⁸ *Ibid.*, p. 116.

⁹ *Ibid.*, p. 117.

¹⁰ Michael Peterson, “Germany: The Descendants are Plain Dangerous,” *International Herald Tribune*, 8 January 1993.

bound to comply with the “rules” under the censure of primitive super-ego, and hate those who are “disorderly,” “dirty,” “untidy,” etc. Moreover, compulsive character is rigid, intolerant and conventional, especially in face of relaxed, casual, carefree and unconformable foreigners.¹¹

Development of Nationalism, Ethnocentrism and Racism in Germany

Are there other particular causes of racism in Germany? In West German society, the trend-setters and go-getters scrambled after the war to leave behind their German identity. People so Europeanized themselves as to become quite *unrecognizable* as traditional home-spun Germans.

Call it a case of almost self-hatred, engendered by the chilling realization of what had been perpetrated in Germany’s name under Hitler’s rule. With freedom handed back to a numbed populace, escape from “Germanness” and the affectations of a culture of “World Citizens” seemed to many the most tempting route to redemption from the past.

The bills for so much self-alienation are now falling due. Suddenly, Germans are looking at themselves and wondering once more about their identity.¹²

The denial and rejection of national identity can never be without cost. A universal identity cannot substitute for the national one. A universal identity can make sense only if it is supplementary to a well-founded national identity. In the post-Second World War era, Germany became a fully democratic country and buried the Nazi identity in history. Powerful human rights circles in the country have taken on the task to defend respect for human rights in the world. Most probably, these circles split off this undesirable past from their identity and project onto those who are supposed to commit human rights violations in other countries.

With new generations and especially with the reunification, German people might have felt the need to reconstruct the German identity, this time on the basis of democracy and respect for human rights. The search for a new German identity was bound to draw on the historical experience of German nationalism which had been culturally handed down by one generation to another. Therefore, one should look into the history of German nationalism in order to see whether it has anything to do with neo-racism.

British and French forms of nationalism grew from pre-existing bureaucratic structures (states). For “Germany” on the eve of the French Revolution, the over three hundred and fifty separate petty sovereignties which then comprised the nearly defunct Holy Roman Empire prevented any “natural growth” of the idea of nationalism.¹³

¹¹ Compulsive personalities tend to project their strongly repressed desires for dirt or rejected anality and anal aggression onto others who have no compulsive anxieties.

¹² Thomas Kielinger, “A Storm Over Asylum,” *The European*, 11 October 1991.

¹³ David R. Beisel, “German Nationalism,” *The Journal of Psychohistory*, Vol. 8, No. 1, Summer, 1980, p. 3.

In the Napoleonic Wars, the Germans were “humiliated” by the dissolution of the Holy Roman Empire (1806), and the later defeat of Prussia (1807).¹⁴ Historians have long known that the conversion of the intellectuals, from European cosmopolitanism or parochial particularism to nationalism, clustered around the years, 1805-1807, was a time in which Germany was being assaulted by French armies. It had happened before, sometimes with disastrous consequences, as in the Thirty Years War, but the assaults had never resulted in the actual political death of the Holy Roman Empire. Although the First Reich was, in reality, more fiction than fact, on unconscious levels, it symbolized permanence, stability and immortality, and it had, after all, been in existence for a thousand years. Although the German nationalists did not give much conscious allegiance to it, its dissolution could only have been understood as a death episode. The ardour with which the studies in Old German were pursued helped overcome the spiritual depression. Because the nationalists identified with Prussia, its reduction in size after the “humiliating” defeat of Jena was experienced as amputations: “By the Peace of Tilsit,” wrote Jahn, “Prussia lost some of her limbs.”¹⁵

The struggle for Germany was an oedipal- and sibling-conflict on a monumental scale. “(M)other Germany” had been “penetrated” by the French (who) were understood, partly consciously, partly unconsciously, as Teutonic brothers. The French were “the other branches of the race,” wrote Fichte. The French were the hated sibling-rivals who had by violence and military occupation achieved fusion with and sexual possession of the German “mother.”

Such oedipal fantasies and primitive splitting of maternal images into “good” and “bad” self objects are reflected in the extraordinary preoccupation of the German nationalists with the theme of purity. As Arndt wrote:

The Germans are not bastardized by alien peoples, they have not become mongers. They have preserved their original purity more than many other people... Tacitus saw... how important was for the future greatness and majesty of the German people that they were pure and resembled only themselves, that they were not mongrels.¹⁶

Fichte believed that the nation should exist “without admixture of or corruption by any alien element,” and he spoke repeatedly of an “original German stock.”¹⁷

The fact that the idea of a German nation was artificially constructed is suggested by many factors, not the least of which was the extraordinary energies devoted to proving it had an objective reality. One way was to insist that the nation was an organic entity. It was not the product of reasoned choice, history, social contract, or rational constitution making, but it was imagined to be a natural, organic body pre-existent in nature. “What binds all members into a whole,” wrote

¹⁴ Ibid, p. 5.

¹⁵ Ibid, p. 13.

¹⁶ Ernst Moritz Arndt, “Fantasien zur Berichtigung der Urteile über künftige deutsche Verfassungen.” In Heinrich Meisner and Robert Geerds (Eds.), *Ausgewählte Werke*, Leipzig, 1815, p. 115.

¹⁷ Beisel, op. cit., p. 14.

Görres, “is the law of nature which takes precedence before all artificial contracts.”¹⁸ Fichte wrote, “People and fatherland ... far transcend the State”¹⁹ which was dead anyway in the politico-legal person of the Holy Roman Empire.

The title of Arndt’s 1813 poem “Where is the German Fatherland?” reflects not simply a rhetorical device used for poetic impact, but an anxiety-producing confusion. Reflective of the insecurity Arndt felt in identifying with a “nation” which had no political reality was his taking twice as much space to tell his audience where the German fatherland *is not*, as he took in telling them where it *is*.²⁰

Defining the uncertain existence of the German nation by defining what Germanism is not means projecting all the negative qualities the Germans despised in themselves onto the French. They prepared long-lists of the negative qualities of all Frenchmen, so that the Germans might vent their rage against a split-off part of themselves, a feared and despised external object. The French were: “Incapable of eternal ideas, of deep enthusiasm, of blissful ecstasy and human longing, for which they even lack words; making fun of the holiest and highest of mankind (presumably the Germans) for the sake of wittiness.” Apparently the Germanic virtues, most of which were *emotional*, were the opposite of these negative French characteristics.

Because the nation was not yet a political unit, since it was transcendent, organic, and defined in negative terms, and because it was, therefore, an artificially constructed (entity), the only way the nationalist could actually be certain of its existence was to *feel* it.²¹

The only concrete example ever offered by the German nationalists to prove the existence of the German nation is the German language, as the bearer and proof of Germanic *kultur*.²²

German nationalists were interested in language because of the clear connection it had to their own childhoods. The obvious equation is: Maternal group fantasy of the German nation = the German mother tongue = mother. As Jahn wrote in 1807: “Every man has a mother; a mother tongue is enough for him. Mother love is the first translator of speech; the mother tongue is the open door to the heart, memory and reason.” Modern psychology has demonstrated how profoundly language mastery among children, ages 2 to 4, is contingent upon an intimate, loving interchange between mother and child. The German nationalists’ obsession with language, with German as the only *Ursprache* (original language) left in Europe, was an effort to recapture a maternal intimacy earlier experienced. For the original German nationalists – and perhaps for all nationalists – the issue is always an issue of a particular kind of maternal love.²³

¹⁸ Quoted from Hans Kohn, *Prelude to Nation States: French and German Experience, 1789-1815*, New Jersey: Princeton University Press, 1967, pp. 294-295.

¹⁹ Blandine Kriegel, Marc A. Lepain and Jeffrey C. Cohen, *The State and the Rule of Law*, New Jersey: Princeton University Press, 1995, p. 106.

²⁰ Beisel, op. cit., p. 7.

²¹ Ibid, p. 6.

²² Ibid, p. 7.

²³ Ibid, p. 9.

Whenever individuals in groups experience high stress levels, either in fantasy or in reality, the individuals tend to regress to very early levels of childhood ideation. (Regression is a kind of psychological defense mechanism in which the person reverts to earlier stages of development, like taking shelter in the period when he was protected by his parents. However, it is true that overused, deep and prolonged regression most of the time creates serious psychological problems.) The German nationalists in the Napoleonic period were involved in nothing less than a regressive maternal fusion with the pre-oedipal mother.²⁴ We know that, in fantasy (or on unconscious level), groups are often perceived as mothers. When the Germans set out to create a fantasy about their own group (nation), they were, in effect, creating a fantasy which, by definition, would be maternal. Since belonging to, and merging with, maternal groups can be tremendously anxiety producing (because they are, in part, experiences that awaken incest fears), the German nationalists tried to protect themselves from these anxieties by euphemistically labeling “mother” Germany “the fatherland.”²⁵

Because of the particular conditions, such as the absence of a unified state structure and clear-cut borders, German nationalism put overwhelming emphasis on the nation, not as a politically objective reality, but as “natural,” “organic body” “pre-existent in nature” and “subject to laws of nature.” This definition of nation, based mainly on biological concepts, was already very close to racism. As a result, purity of the race and the original or unadulterated character of the German language became rallying points of nationalism. Now, the question is whether the foreigners, not only with their different manners and ways of life, but also with their creole German are disturbing the obsessive and perfectionist purity of German language.

Germany achieved unification roughly half a century after the emergence of German nationalism. Having defeated the Austria Hungarian Empire and France, it became the dominant power in Europe at the Berlin Conference of 1878.

It is beyond the scope of this study to speculate as to whether the particular brand of German nationalism led to the 1st World War. The enormous stress created by the war and post-war conditions helped the Nazi regime to come to power. This regime displayed the most malignant forms of racism which culminated into the Holocaust.

Unlike the Napoleonic wars, Germany was not invaded by the allied countries at the end of the 1st World War. Nevertheless, the conditions of the Versailles Treaty were not only humiliating, but also not conducive to a recovery from the post war problems. War debts caused hyper-inflation. The Great Crash had an adverse impact on the economy. Unemployment rose. Ideological polarization and political instability ensued.

The depressive mood created by the trauma of the defeat seemed primarily responsible for the rise of Nazism. Contrary to the situation following the

²⁴ Ibid, p. 11.

²⁵ Ibid, p. 9.

Napoleonic wars, at this time, the defeated Germany was a major power in Europe with a unitary state structure and a large “fatherland” with well-established borders. Its fledgling ethnocentrism of the early nationalist era had become the main bastion of the Bismarkian Germany. Therefore, the defeat of the 1st World War was a free fall from the very heights of this ethnocentrism. The regression was equally profound.

Analysis of Racist Theories

Some other factors had contributed to the depth of regression as well.

The 19th century was swayed by racist theories. German nationalism with conceptual roots of biological nature must have been particularly vulnerable to these theories. Therefore, the response of Germany to the trauma of the 1st World War was in the form of a deep regression from an overgrown ethnocentrism down to the level of a (primitive) nationalism which had been largely impregnated with racist theories.

In his book *The Aryan Myth: A History of Racist and Nationalistic Ideas in Europe*, Leon Poliakov presents the very serious problem created by the scientism of the 17th and 18th century. In their efforts to apply newly discovered empirical methods to the human world, scientists and thinkers made heroic and dangerous generalizations on the basis of such discrete morphological and physiological facts as skin color, shape of the skull, and so forth. In such a manner, Poliakov says, a rudimentary racism was sewn into the very fabric of that scientific revolution which so many have seen as being a primary characteristic of the Enlightenment.

The generalizations which were made at this time served, as a rule, to place European man at the very pinnacle of human grandeur and achievement. So-called “lesser breeds,” such as Negroes and Jews, tended more and more to be viewed not as being merely somehow different from the Europeans, but rather, as being virtually separate species. The overall effect of this attitude was, as Poliakov points out, to strip man of his divinity. From the so-called “Age of Reason” on, man was, for many, part of the natural world, a fact to be studied, classified and, on occasion, controlled and condemned. This approach resembles the nature acts to deal with species too grossly ineffectual or too unfit to survive (natural selection).²⁶

The Mosaic Law had emphasized the fundamental distinction between man, as having been made in the image of God, and all other forms of life on earth. The somewhat crude “science” of the Enlightenment had started a process by virtue of which man came to be seen as not in any way divine, but rather as a peculiarly hairless ape, gratuitously endowed with a trifle more gray matter than his arboreal relatives.²⁷

²⁶ Robert A. Pois, “Psychohistory and the National Socialist Revolution in Symbolism,” *The Journal of Psychohistory*, Vol. 7, No. 3, Winter 1979/80, p. 309.

²⁷ *Ibid.*, p. 310.

The particular Mythos of race was itself a product of that reaction to the astringent world of reasoned scientism referred to as Romanticism. Romanticism's world was one of visions, some of them nightmarish to be sure, but a world to be tapped by intuition, imagination and emotion. With illusions damaged or destroyed, men sought refuge from the harsh light of reason in the comforting twilight of feelings and imagination. Despite their rebellion against reason, the Romantics generally did not seek to restore a lost dignity to mankind *as a whole*. The assumption was that each people had something of this quality in it. With Fichte and such devotees of lost Aryan India as Schlegel, the Romantic dream became directed towards that hoary search for origins. The dream of return, part of a dangerous longing for the maternal, according to Poliakov, eventually assumed the form of a search for racial origins. An extremely unfortunate tendency to confuse language with racial groups was responsible for the concretization of the *Aryan Myth*.²⁸

This scientific racism, while rebelling against the Judeo-Christian tradition, contained those elements necessary for the establishment of a new religion, the religion of nature. While it is true that, between 1850 and the 1st World War, these phenomena were well-represented throughout the Western World, it is also true that they were more heavily represented in Germany. The National Socialists were the inheritors of this legacy and the religion of nature guided the thought and actions of Hitler, and the others in the movement. Nazi ideologists persistently claimed that their movement was rooted in health-giving "principles of nature," and thus adherence to it and to its purposes put one in conformity with natural laws. The Judeo-Christian tradition was being replaced by a new religiosity, one in which a putatively biological approach had been fused with mysticism. The actions of "natural men," actions undertaken in conformity with so-called "laws of life," would be self-justifying; and pernicious and soulless representatives of the Mosaic Code could be exterminated without a qualm, since, after all, these subcreatures existed at the very lowest level of existence. It was thus that Himmler could declare that the "struggle" with the Jews was a "natural one." The new "life-course" (*Lebensweg*) proffered by the National Socialist *Weltanschauung* posited an organic approach in which magic-infused mystery and the natural world had been brought together in inviolable synthesis.²⁹

Poliakov in the *Aryan Myth* offers an explanation for the tendency to attempt to identify man with nature. Psychoanalysis, he says, describes the source of this "dream" as follows: It (psychoanalysis) relates that dream to the urge to recover the euphoria which characterizes the most archaic state before individuation – the stage of "primitive narcissism" – when as we are told by those who investigate these obscure beginnings, human beings feel that they are at one with the surrounding universe, and each individual feels himself to be organically the Whole as though he were god in a pan theistic sense. Thus, the childish paradise of total happiness is, in the final analysis, that of the preconscious life in the womb, before the "fall" into the world.³⁰

²⁸ *Ibid.*, p. 312.

²⁹ *Ibid.*, p. 314.

³⁰ *Ibid.*, p. 315.

If an ingroup regresses in the face of extraordinary stress to such a primitive level as complete maternal fusion, everything in daily life, every adult activity, be it sexual or not, engenders pervasive feelings of guilt. They have to split off and project all parts of self- and object representations, which are unconsciously linked with the sense of guilt and punishment, onto the outgroup. The purpose of this projection is to create an extreme cohesion in the ingroup that a maternal fusion requires. For if it is impure, maternal fusion becomes extremely dangerous. So long as the ingroup remains at such primitive level of regression, the process of projection has to be very active. When the outgroup is overloaded with the unwanted parts of the ingroup, the symbiosis between the ingroup and outgroup becomes dangerously complete. Psychologically speaking, the outgroup becomes identical with the ingroup. Then the ingroup has two alternatives: to expel or to exterminate the outgroup in order to save itself from the feelings of guilt or sin.

Self-Denial of the Target Group and Racism

Another aspect of the problem is the attitude of the outgroup towards the projections of the ingroup.

It is interesting to note that the emergence of racism in Europe coincided with or followed the emancipation of Jews in the aftermath of the French Revolution. Having been profoundly frustrated with the long discrimination and persecution, emancipated Jews tended in great numbers to deJudaize in the prevailing atmosphere of the Enlightenment and to become assimilated into European societies.

The striving middle-class Jews had tried to prove that they were not “little,” “ghetto” Eastern European Jews, made out as abasive, constricted, uncivil, uncultured, alien, grandiosely and egocentrically given to magical religion. The secular Jew, craving assimilation, tended to repudiate in considerable measure his/her Jewish identity and heritage. Thus, with Jewish identity maimed the secular Jew had little inner protection from the noxious psychic implants injected by way of threat and deriding definitions of Jews coming from the host society.³¹

Until their emancipation in Western and Central Europe during the eighteenth century, Jews were in groups that were assigned a corporate character with obligations, rights, economic functions, and many restraints by the larger society. With emancipation, individuation and self-actualization came dizzying possibilities. Excited by “the impossible abundance of the new” (Kafka, 1920); governed by ambition, a drive for self-fulfillment, and a gritty determination to reach the apparently newly available goals; exulting that their unique talents were giving rise to one of those rare cultural flowerings of history; attempting to dissociate themselves from Yiddish culture, “tearing asunder the chain of generations” Kafka remarked; having ceded their own tongue, culture, and the

³¹ Stanley Rosenman, “The Late Conceptualization of the Self in Psychoanalysis: The German Language and Jewish Identity,” *The Journal of Psychohistory*, Vol.11, No.1, Summer 1983, pp. 13-14.

knowledge of their past, thus lacking the power to be in charge of their self-delineation; unsupported by their erstwhile institutions and customs, and therefore standing naked in the face of any crisis; often subject to terror, identification with the terrorizer, and self hatred, a psychological sequence that in turn made them know shame because of the perennial yen to convert; seeking status and an identity in the host society only to find themselves, whatever their attainments, ambivalently regarded when not disregarded; and enduring chronically the worry that sanctuary would forever elude them. In the air was the foreboding that they and their descendants would be hunted down, cankered, and killed (cf. Appelfeld, 1980). They had surrendered their past, and there was to be no future. In his diary Kafka comments that since the inspiration for their creativity derived from a uniquely Jewish despair, the creation could not be part of German culture because the problem was not really German. Kafka's *Metamorphosis* depicted that the Jew's own definition of himself reflected the appraisal by the host people: he was a bug, vermin, a pollutant, sub-human, an embarrassment in the host's home.³²

Despite some similarities between the expulsion of the Jews from Spain and the Holocaust, there are some important qualitative and quantitative differences. Unlike the forced conversions in the Spain in the 14th and 15th centuries, the Jews of the 19th and the early 20th centuries chose to merge with the Christians by themselves. By doing so, they abandoned the last and most important bastion of their identity, the religion. The disappearance of the borders between the Jewish and the Christian identities brought back to the Christian psyche the centuries-old unwanted parts which had been projected onto the Jews. The unwanted parts that returned to the Christian had to be reprojected onto the Jews in greater volume and mass, dangerously destabilizing inter-ethnic relations which were further exacerbated in the aftermath of the First World War, and led to the Holocaust. What had happened during two centuries in Spain was condensed into two decades in Germany which greatly enhanced the density of the violence.

Another, perhaps, more important reason why the Holocaust was incomparably more savage was that the level of regression (due to post-war stress) of the ingroup (Germans) was much deeper in the second case. The discourse of the genocide was no longer religious, but biological, blood-based and nature-oriented. This regression level represents in humanity's evolution more primitive, pre-culture, even primordial phase much earlier than monotheist religions. Expulsion of Jews from Spain, on the other hand, was the result of a basically religious conflict with racist overtones.

Half a century has elapsed since the 2nd World War. Germans, probably like all other groups attaining a strong identity, initially went through a binary, narcissistic, contempt-laden, competitive process with anxiety discharging fashion marked by excessive projections and introjections in relation to another group.³³ The challenge for a maturing group is to go beyond this early

³² Ibid, pp. 16-17.

³³ cf. Klein, 1932, 1948; Jacobson, 1964; Friedlander, 1978; Stein, 1980.

developmental stage, to realize that the negatively regarded outside group possesses some virtues and the native group is subject to defects ascribed to the other; in short, the two groups possess a common humanity.

Nevertheless, Germans had to confront, after the 1st World War, yet another devastating trauma in the 2nd World War which impeded this maturing process. In the aftermath of this war, they regressed almost to the pre-national stage, that is to say, European cosmopolitan nationalism of the early 19th century. They repudiated their German identity for the sake of a Europeanized or universal identity. This coincided with the European integration which mobilized efforts to build up a new European identity, if necessary, at the (partial) cost of national identities. At this juncture, ultra-right centripetal forces emerged in Germany as in some other EC member countries. They presently strive to reinforce the German national identity. It is evident that the return of the national identity cannot be dissociated from the historical experience of nationalism which has been intimately mingled with racism. In other words, German nationalism comes back once again together with the symptoms of racism. The search for the national identity which has been repudiated because of its connection with humiliating events (war crimes and Holocaust) cannot be achieved without feeling the pains of the narcissistic wounds that these events have caused (in some kind of social psychoanalysis framework). Narcissistic wounds, in turn, trigger defensive mechanisms especially in the form of ethnocentrism. Considering ethnocentrism or its regressed form, racism, had brought about these catastrophes in the first place, it is possible to understand the reason why panicky tears of all Europeans accompany the resurgent racism.

Neo-Racism in Europe and European Integration

Since racist incidents do not occur only in Germany, but in other West European countries as well, albeit on smaller scale, one should look into the causes of racism in other countries of Europe which do not entirely share the same historical experience with Germany in terms of nationalism and identity-building.

Racism with reference only to the past cannot explain the causes and the structures of new racism. As has been pointed out earlier, presently, there is no visible stress-generating situation. On the contrary, the EC Europe is living a prosperous and peaceful period. It has already become the largest economic and commercial entity in the world and is moving fairly successfully towards political union. Under these circumstances, what is causing regression and projection in Europeans is not easy to understand.

In Europe there is an institutional discrimination based on the structure of employment. Private sectors in Europe reduce the cost of labor by importing one part of manpower from peripheral regions of the world where there has been no trade union rights as those enjoyed by European workers for more than a century. Apparently, the EC officially maintains this differential system which constitutes "ethnification" of the hierarchy and the inequities in the labor force.

The “subjective” counterpart of this objective reality is the institutionalization of racist and cultural prejudices between the dominant and the dominated segments.³⁴

Migrant workers had been massively recruited and employed in certain jobs. Now they seem to have settled in Europe for good. Family reunifications have been realized. The second, in some cases, the third generation started to enter the labor market. Just at this moment, they have to face rising unemployment created by the advancement of technology which reduced the need for unskilled labor. This unemployment does not only affect the guest workers. Rapid technological change impairs the job security of all workers, and necessitates recurrent training for frequent change of profession together with all its inconveniences. The consequent competition between “national” and “foreign” workers in the manpower market also contributes to racism.

Foreign workers deprived of the protective umbrella of their own states and enjoying only restricted rights are also racially despised and treated as sub-humans. Indignation and contempt they feel induce them to embrace more closely their traditions and religion in a defensive mood. Host people naturally sense this defiant reaction and react, in turn, with increased racism. As a result, both sides engage in an escalation in their respective attitudes.

In this context, the effects of the crisis the state concept in Europe undergoes on the host people comes into the picture. The contemporary form of racism is not a simple relationship with the “other” based on a perverted perception of cultural or social difference. It is a relationship with the “other” mediated by the intervention of the state. More clearly (this is basically an unconscious dimension), it is a conflictual relationship with the state which is experienced in a deviated manner by means of “projection” onto the other (migrant workers).

In this light, one can explain the slogan of “national preference” (over foreigner) raised by the French extreme right. This preference is both a fantasy and an institution within which citizens perceive their special relationship of dependence on the state. None of us can totally escape this situation, especially if we are less privileged, discriminated against, treated as subjects by the administration, school, political machinery, etc.

The state in Western Europe established a correlation between the rights of the citizen and nationality on the one hand, and individual and collective social rights on the other. As a result, only the nationals of a state enjoy full social rights.

The question of “What is presently the state in Europe?” is essential in understanding racism. The state in Europe is neither national, nor supranational, and this ambiguity is growing instead of diminishing. In the distribution of power between national states and EC institutions, it seems, there is competition. Yet, in reality, this is a process in which the state is disintegrating. The powers and responsibilities of the nation state are shrinking. It is striking that in the

³⁴ Balibar, *op. cit.*, p. 183.

construction of Europe there is no real social dimension, except in rhetoric: the European State as social state is sought neither by market forces, nor by national governments.

As a result, there is the state with all its administrative practices, repressive capacity and arbitration role between interests (including those between the nations and those of the classes) while there is no welfare state (*état-providence*) in the real sense of the word. In many respects, it looks like a situation we are used to seeing in the Third World. Thus, all the conditions come together to produce a collective sentiment of identity crisis. Although one may say that individuals, especially those who are deprived of and distanced from political power, fear the State, but the same individuals fear more from its disintegration and disappearance.

In today's Europe, there are individuals who are citizens and others who are subjects (without political rights). But while the former are the citizens of a nonexistent – or disappearing – state, the latter cannot be maintained in a situation of “no rights.” This untenable situation which contributes to racism will last so long as the question of what the people are in Europe is not answered.

The state in the psyche of the individual and the group represents both paternal and maternal characteristics. Generally speaking, the state which protects the population against foreign enemies and maintains law and order is paternal. The state that provides jobs, education and health services and ensures social security and justice is perceived as maternal. On the other hand, the individual and the group selves are identified with the state as the sovereign power representing the nation and the country. Volkan finds closer to modern psychoanalytic stand the view that the state itself represents in the long run an idealized self.³⁵ Therefore, the disintegration of the state, be it real or imaginary, is felt as the disintegration of the identity.

However, the erosion of the state identity is a long-running process. The phenomenon of globalization in the world economy gradually reduced the efficiency of economic policy instruments of the nation-state. Parities of national currencies are floating. Interest rates can hardly be determined nationally. Half of the world output is produced by multinational companies which make investment decisions in place of the governments. Employment in a given country is becoming increasingly dependent on the labor force with high productivity, discipline and low real wages, for international investment prefers only the countries with such labor force. Full employment has become an obsolete objective.

Despite noises of protests against protectionist pressures or measures, tariffs of industrial goods have gone down from an average of 40% in the 1950s to 6% now. The volume of trade has increased annually twice as high as the output, thus becoming the engine of economic growth. Countries which have adapted their economies to trade liberalization and competition become successful. Yet,

³⁵ Volkan, *op. cit.*, p. 131.

the structural adjustment required by international competition leads to the phasing out of obsolete or inefficient industries or lines of production and to massive lay-offs.

The neo-classical economic policies based on the “smaller state” and “non-interventionism” together with the reduced scope and efficiency of government economic policies are perceived by the people, especially by those who suffer unemployment and insecurity, as the gradual disappearance of the state, or rather the maternal and protective aspects of the state.

EC countries, like other countries in similar situation, have to face these challenges of the modern world. Thus, there is nothing special with this for Europe, except that European workers have to compete with foreign workers in their own countries as well. Yet, this argument should be qualified in view of the fact that the division of labor in the manpower market is affected by ethnic lines, e.g. unskilled jobs left mostly for foreign workers.

Racism cannot be reduced to competition between national and foreign workers in times of economic stagnation and unemployment. Otherwise, it would be difficult to explain why there is no racism in other countries in similar or even worse situation. Moreover, national workers could vent their grievances against foreigners in more peaceful ways than beating, burning and killing them. Let us not forget that racist incidents are not perpetrated by workers who are supposed to face the competition of foreigners.³⁶

In the EC Europe, we have all these phenomena and something else. As has been pointed out, Europe is heading for a political union through economic integration. Integration is achieved through a process of transferring state powers and prerogatives to Brussels. As a result, the Community institutions have acquired many attributes of the state as a supranational authority.

³⁶ It is important to distinguish racism from other conflicts. In the resolutions of the Sub-Commission, we are given to understand that racism is directed against “indigenous peoples, migrant workers, other minority and vulnerable groups.” However, if these groups were involved in a conflict with majorities over political power, economic resources or land, we could not always talk about racism when we refer to the treatment given by the majority to the target group. For instance, two ethnic groups may wage an atrocious war over a territory and commit all kinds of crimes including ethnic cleansing. Mutual hatred thus generated looks very much like racial hatred. Nevertheless, in this case, there is “real” reason for hatred, for mutual violence is bound to breed mutual hatred. The ideal form of racism, however, pre-supposes the “innocence” of the target group in terms of the absence of a conflict over a tangible asset with the rest of the society. In its purest form, victims even do not fight back. Their very existence or presence seems to be the only cause of racist attacks. Although target groups do not constitute a “real” threat to the society, racists genuinely perceive them as a threat and try to rationalize their racial hatred and related violence. Historically, Jews have been accused of committing deicide, ritual child murder, poisoning wells, etc. Presently, as in the past, members of the target group are despised as ugly, smelly, lustful, dirty, disorderly, noisy, lazy, sinister, criminal, terrorists, etc. In the new forms of racism, “invasion” of foreigners and the resulting economic cost and job loss for the host country peoples are added to the list to explain racist incidents. The alleged causes of racism do not look very convincing, and normally should not justify racist violence of such disproportionate nature. In view of the fact that cause-effect relationship in racist arguments is greatly missing, pseudo-causation underlying racial hatred and violence appears one of the essential features of racism.

Nevertheless, Brussels has not yet become the source of the new European identity replacing the identities of the nation-states or embracing them. Allegiance of individuals is still directed towards their states. Thus, a tension emerged between the center becoming depository of state power without primary allegiance of the peoples, and nation-states being deprived of power but retaining the source of national identity. (This is an important aspect of the identity crisis of European nations regarding state.)

Any integration into a broader entity presupposes a parallel disintegration into smaller entities. This is what has been happening in Europe for the last 35 years on a real or imaginary plane. The importance of historical regions and the long forgotten identities of ethnic groups are on the constant rise. They claim to be the building blocks of the new European architecture. In other words, not only the state disappears in Europe, but the national unity is consciously or unconsciously perceived as disintegrating into regions and ethnic minorities. (This is an example for the erosion of the paternal characteristic of the state.)

As we have said, the disintegration of the nation-state is psychologically identified with the disintegration of individual identity and felt as an extremely painful process. It is true that, at first sight, there is no trauma which can cause regression in European people and trigger projection mechanisms against outgroups. There has been no suicidal war like the First World War nor can we talk about the disintegration of the state in the sense of the dissolution of the Holy Roman Empire. On the contrary, Europe is marching triumphantly towards the age-old dream of politico-economic union, becoming one of the most powerful entities in the world. Yet, the process of integration-cum disintegration brings about a regression as profound as only a disastrous trauma can do.

Ultra-right parties or movements emerged as a reaction to this process and started defending the integrity and the unity of the country. These forces seemed to be more against foreigners than separatist tendencies of the ethnic groups. They regard foreigners as a real threat to their national existence. At first sight, this may look bizarre. However, in democracy, respect for human rights and freedoms may discourage attacks against ethnic groups. The hatred one feels towards disintegrating forces can be displaced onto foreigners. By asking for their expulsion, one unconsciously aims at cleansing the ethnic groups of separatist intentions and thus restoring the lost cohesion to the country. In this respect, racism of the extreme right, but also of the majorities in EC countries, may be a response, though deflected and distorted, to the disintegration of the nation-state, by putting the blame on foreigners for spoiling the purity, if not the unity of the nation.

Racial Violence of the Lowest Segment of the Society

As the UN report puts it, the manifestations of xenophobia, rejection or latent conflict are the expressions of an existential discontent and have spread

throughout the country and into all social strata, threatening to leap across the barrier into genuine, aggressive and assertive racism at any moment. We have tried to explain above society-wide racism and its causes in Europe.

Although a noticeable number of people from the higher strata also express racist feelings about foreigners, such as “repulsive like bugs,” “littering everywhere,” “soiling our country,” racial violence in many European countries, especially in Germany, is generally manifested by the lower strata of the society. These strata consist mainly of unemployed, dropout, rejected and marginalized young people in a highly competitive and compulsive society. Apparently, in the absence of an ethnic group such as Jews who could serve as a target for externalization, European peoples, in general, Germans, in particular, redirected some of their projections at the lowest strata of their societies.

In a country where a universal or Europeanized identity has replaced a historically crippled national identity, and the state as maternal entity (especially for this group) is disappearing, it is understandable, if not acceptable, for the lowest segment to try to show its loyalty and attachment to the society with extreme and aggressive nationalism.

In this process, the racists project onto the foreigners all the accusations their compulsive societies make towards them. They say not us, but foreigners, are dirty, disorderly, lazy, ugly, lustful, etc. Nevertheless, by projecting these qualifications onto foreigners, they do not try to become any cleaner, orderly, hardworking, etc. They keep these negative character traits which now constitute their identity as a result of the projections onto them by the society and introjection by them. Instead, they put emphasis on racist and ultra-nationalist concepts as forces binding them to the society while maintaining their identity.

Declining Inter-European Hostility and Racism

A major objective of the European integration was to eliminate hostilities between the European nation-states which brought about suicidal wars. Franco-German enmity which played such an important part in German nationalism and in the subsequent wars seems to fade away and make room for intensive cooperation within the EC. The same development is observed in other member countries' relations with Germany, and in the relations between themselves. It is quite possible that these historical feelings of hostility between European nations which have been gradually released by the process of European integration might be greatly displaced onto the Soviet Union during the Cold War. It is also possible that, especially after the fall of Communism, these rejected or redundant feelings of hatred might be externalized onto countries where human rights violations are committed. Perhaps, it is not a coincidence after all that most immigrants who are subjected to racism are from the latter group of countries. Hence, foreigners in Europe might be facing racism which partly draws on the displaced hostility onto their countries of origin or vice versa.

Especially after the collapse of the Soviet “enemy” which served as a stabilizing factor for the European identity by receiving projections, the unconscious need for new enemies must be deeply felt. The fall of Communism has had different effects on different parts of the world. For example, the ideological terrorism in Turkey turned into ethnic terrorism as soon as the bells of doom rang for the Communist ideology in the Soviet Union. Likewise, European nations in the process of integration may now be withdrawing their hostile projections from the Soviet Union as the embodiment of the anti-national Communist ideology, and reprojecting them onto groups with growing extreme nationalism or fundamentalism, among them, Muslim ones.³⁷

The Middle-East conflict has kindled, for half a century, profound sentiments of hostility not only between the Muslims and the Jews, but between the former and the Christian West. Terrorism resorted to by the weaker party has increased the resentment and damaged the image of the Arab in the West. Religious fundamentalism partly as a reaction to the West, partly as a response to the disappearance of the ideological alternative to the West, has further widened the gap of mutual misunderstandings.

It is a gimmick of history that at this moment the majority of the foreigners living in Europe are Muslims, followers of another monotheistic religion who replaced the Jews that had been exterminated only 50 years ago. These foreigners, moreover, are concentrated in Germany, Belgium, the Netherlands, France and Great Britain, countries where there have always existed traditional forms of racism, though in varying degrees. Therefore, there is now an intensifying interaction and overlapping between the projections made onto Muslim groups in Europe and onto the Muslim fundamentalist enemy image developing with respect to their countries.

Because of these developments, migrant workers in Europe display an increasingly profound attachment to their nationalism, cultural traditions and faith. We observe that Europeans, in general, and Germans, in particular, can respond less and less emphatically to this basically regressive defense of the foreigners. Indeed, their response is becoming equally, if not more, regressive, i.e. racism. All of us have to keep in mind that assimilation of an ethnic group is an abysmal trap that Europe has fallen for several times in the past. Since expulsion or extermination is out of the question in the contemporary world, the only exit is to develop empathy towards foreigners. Empathy, in turn, calls for the withdrawal of one's projections of one's unwanted parts and sharing the humanity of others.

³⁷ Abdulkadir Cevik, Professor of Psychiatry, University of Ankara Medical School, Turkey after the Collapse of Soviet Empire – Psychopolitical Observations, Conference paper in Charlottesville, USA on 6 August 1992.

V
PROBLEMS OF TURKEY AND
AZERBAIJAN WITH ARMENIA

TURKISH – ARMENIAN RELATIONS (1918-2008)

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Yıldız DEVECİ BOZKUŞ**

Introduction

The relations of Turkey with Armenia, is a rarely studied subject in the literature, in general. When speaking of the relations between the two countries, the first thing that often comes to mind is the Armenian “genocide” claims, which has resulted in the undermining of the political, economic and socio-cultural dimensions of the Turkish-Armenian relations. Recently, during the period when the “genocide” claims have frequently been put in front of Turkey, Turkish-Armenian relations, especially the last ten years, has become a subject of study and some articles have been published on this issue. Nevertheless, the publications, especially concerning the relations in the early years of the establishment of Armenian Republic, have remained limited.

This article is written to examine the relations between Turkey and Armenia as a whole and to analyze how these countries perceive and assess each other. In doing this, the structure of the problems between the two countries, including the “genocide” issue, and the proposals for a solution that have been developed throughout the years are examined without ignoring the roles of different political actors in foreign policy making. In other words, the aim of this article is to chronologically analyze the relations of Armenia with Turkey since the year 1918 when the Armenian state first gained its independence until today.

The article is mainly composed of four parts. In the first part, the direct relations of Democratic Republic of Armenia (1918-1920) – the short-lived state that appeared on the historical scene – and the indirect relations established with Turkey after it fell under Soviet control (1920-1991) is examined. This is followed by the second part where Turkish-Armenian relations in the period of Levon Ter-Petrossian (1991-1998), the first President of the State of Armenia that again

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became an independent republic, are analyzed. The third part, which is the focal point in the article, constitutes an examination of the course of relations between the two countries in the period of Robert Kocharian, who has occupied the seat of the Armenian Presidency after Ter-Petrossian. In the final part, Turkey-Armenia relations during the period of Serzh Sarkisyan's Presidency (2007 and after) is analyzed.

As it is stated above, the article will continue in a chronological structure. However, from time to time, different dimensions of the relations between the two countries will be displayed with thematic subsections. This chronological classification is made by considering Armenian history, not Turkish history; while Turkish foreign policy with regard to Armenia exhibits continuation despite some nuances, it is possible to observe a relative differentiation with regard to political factors, especially in the Armenian Republic's foreign policy for Turkey. Emphasis of this differentiation will be extremely useful for a better understanding of the course of relations between the two countries.

This article does not claim to make a detailed analysis of all the events within this long time period. While some issues are excluded since they are not well-suited for the general course of the article, some issues are merely examined narrowly when emphasizing some periods or themes. If the transformations experienced in the relations between the two countries can be generally presented to the reader, then it can be said that this article achieves its purpose.

1. The Historical Background of the Turkish-Armenian Relations: From the Democratic Republic of Armenia to the Independence of Armenia (1918-1991)

When examining Turkish-Armenian relations, it will be useful to return to the era of the first independent Armenian Republic rather than starting immediately from 1991 and to examine the historical background of the relations between the two countries by departing from this point in order to understand the subject better. For this reason, in this part, Turkish-Armenian relations from 1918 to 1991 will be analyzed on the basis of the relations of the independent governments of Armenia and the subsequent Soviet administration with Turkey.

The Russian government, which was established after the October Revolution that had started in 1917 and had abolished the Tsarist regime in Russia, aimed to institute control in the periphery regions after it had gained control at the center. Within this regard, a mission that was composed of three delegates who were representing the three communities of the region (Turkish, Armenian, and Georgian) was sent to Caucasus.¹ Meanwhile, the peoples of the region, who perceived the turmoil that was created as a result of the October Revolution as an opportunity, attempted to establish independent states. The convening of the Armenian National Assembly in 1917 September was one of the

¹ This mission was composed of Babajanian from Armenian origin, Chengeli from Georgian origin, and Caferof from Turkish origin. See Esat Uras, *Tarihçe Ermeniler ve Ermeni Meselesi*, İstanbul: Belge Yayınları, 1998, p. 639.

examples of these independence movements. However, the revolutionaries did not initially allow for independence and established an administrative structure in the region under the name of the Caucasus Executive Assembly. They tried to prevent these separatist movements by giving the right of representation to the three major communities living in the region. The Transcaucasian Democratic Federative Republic was proclaimed with the establishment of this Assembly. After the proclamation of this state, a government was established among the Caucasus Executive Assembly where five of the ministers were Georgian, three were Armenian, and three were Turkish.²

Following the Russian peace proposal to the Ottoman State to quit the war, the Brest-Litovsk Treaty was signed with this state on 3 March 1918 and the Ottoman State took Kars, Ardahan, Batum and Erzurum back from the Russians. This situation led to a great conflict between the three states that formed the Transcaucasian Democratic Federative Republic. Especially the Armenians were reacting against the silence of the other two communities by claiming that the territories which the Ottomans had taken back were theirs. As a result of this disagreement, the Transcaucasian Democratic Federative Republic was dissolved on May 1918 by seizing the opportunity while the revolutionaries were in conflict among themselves. Georgia and Azerbaijan declared independence on 26 May, and Armenia on 28 May. Thus, the Democratic Republic of Armenia, whose life lasted only in two years, was established. The Prime Minister of the Armenian Government, which was mainly composed of the Dashnaks, became Hovhannes Katchaznoui.

Just after its establishment, Armenia began to come into conflict with almost all of its neighbors. It firstly attacked Georgia under the pretext of the border conflict in the Lori and Cevahati regions. When it was defeated, a ceasefire was signed between the two states with the mediation assistance of Britain. In 1919, Armenia attacked Azerbaijan this time and invaded the surroundings of Shusha; but the Azerbaijan army flung back the Armenians from the occupied territories in early 1920.³

Meanwhile the Ottoman State withdrew from Kars, Ardahan and Batum by signing the Armistice of Mudros in 1918. The Armenians seized this opportunity to attack Kars and Ardahan and capture them; they held the *de facto* control of the region for nearly one and a half years. Beginning from the summer of 1920, the Turkish forces under the command of Kazım Karabekir took action to put an end to the Armenian occupation. They took back Oltu on 3 September, Sarıkamış and Kağızman on 29 September; they surrounded Kars on 28 October. On 30 October they took Kars back. This was followed by the seizure of Gumru on 7 November. On 8 November, Armenians demanded peace from Kazım Karabekir who had set up his headquarters in Gumru.

Following the peace negotiations that had started on 26 November, the Gumru Treaty was signed on the night between 2 and 3 December. According to

² Uras, op. cit., p. 640.

³ Richard Hovannisian, "The Republic of Armenia." In Richard Hovannisian (Ed.), *Armenian People from Ancient to Modern Times*, Volume 2, New York: St. Martin's Press, 2004, p. 318.

this treaty, the Kars region would be handed back to Turkey; all the agreements that Armenia signed with the other states against Turkey would be nullified; the line lying from Aras River to Çıldır Lake would be drawn as the Eastern border; the Armenian government would not accept the Treaty of Sèvres and the treaties which were contradictory to the Turkish interests; the Armenians in Turkey and the Muslims in Armenia would enjoy the equal rights like other citizens; diplomatic relations, telegraph and telephone communications would be established between the two countries at the earliest time; the Iğdır and Nakhcivan cities, to which local autonomy would be granted under the guardianship of Turkey, would determine their own destiny; Turkey would give military help to Armenia if Armenia was attacked and demanded help; Armenia would not import arms; both sides would not demand war reparations from each other; and the Turkish army would evacuate the Armenian soil if the Armenian army would be decreased to the number that had been determined by the agreement.⁴

In the day following the signing of this treaty, the Russian army, which had begun to invade Armenia since 29 November, entered in Yerevan and the Democratic Republic of Armenia virtually came to an end. For this reason, the Gumru Treaty was not ratified and could not be put into force. After four months, with a treaty signed in Moscow with the Soviet Union, which had become the sole dominant power of the region, the present borders between the two states were accepted; therefore, the provisions of the Gumru Treaty were confirmed with regard to the borders. With the concern that the federal structure of the Soviets could cause cloudy interpretations with regard to the structure of the borders, the government of Ankara demanded the acceptance of the Eastern borders by the Soviet administrations of Georgia, Armenia and Azerbaijan. This was provided with the Treaty of Kars on 13 October 1921.⁵ In sum, the Treaties of Moscow and Kars determined the Armenian-Turkish border precisely; therefore, it is assured that each country would respect the territorial integrity of the other.

Armenia was tied to the Soviet Union under the name of the Transcaucasian Soviet Federative Socialist Republic in 1922. Upon the disintegration of this union in 1936, Armenia took the name of Soviet Socialist Republic of Armenia and remained a part of the Soviet Union until regaining its independence in 1991. During this period, although there was not a direct relationship between Armenia and Turkey, the Soviet Union resorted to pursuing some policies that could denounce Turkey and favor Armenia from time to time, or at least permitting the pursuance of such policies.

Just after the Second World War, the Soviet Union started to pressure Turkey by not renewing the Treaty of Friendship and Neutrality of 1925 which it had signed with the Turkish Republic. Afterwards, the Soviet Union demanded that Turkey give Kars and Ardahan to the Soviet Union and to establish a Russian base in the Bosphorous Straits. The Russian Minister of Foreign Affairs

⁴ About the Treaty see http://tr.wikisource.org/wiki/G%C3%BCmr%C3%BC_Antla%C5%9Fmas%C4%B1.

⁵ For the full text of the Treaty of Kars see http://en.wikisource.org/wiki/Treaty_of_Kars.

explained the territorial demand by stating that the 1921 Treaty of Moscow was signed in a period when the Soviet Union was weak and now it should be corrected. Moreover, he claimed that Armenia and Georgia were in need of territory. These demands were also supported by the newly elected Catholicos of Echmiadzin in Armenia.⁶

Under the Soviet Union, opposition to Turkey was revitalized as a national policy starting from the early 1960s. The year 1965, which coincided with the 50th anniversary of the 1915 incidents, was presented as the 50th anniversary of the Armenian “genocide” not only in Armenia but also all over the world as a result of the efforts of the Armenian Diaspora.

In Yerevan, a commemoration was organized on 24 April 1965 in which thousands of Armenians joined. The group, which initially moved quietly in the mood of commemoration, quickly went out of control and the meeting turned out to be an anti-Turkish activity. The crowd demanded in its slogans from the Turks “to give back the Armenian land to them and to accept her responsibility in the events of 1915.”⁷

In short, even though the Armenian problem had been solved by the Treaty of Lausanne signed in 1923 in legal terms, it was again brought into question all over the world and specifically in Armenia especially in the 1960s owing to the Armenian Diaspora at large. In the beginning of the 1990s, Armenian national independence movements frequently used “genocide” as a leitmotiv. The developments after the independence of Armenia will be analyzed in detail in the following part.

2. The Levon Ter-Petrossian Period and the Turkish-Armenian Relations (1991-1998)

Before examining the relations of the Republic of Armenia with Turkey in its initial years, it will be useful to briefly look at the life of the first Armenian President, Levon Ter-Petrossian, who had been the most important political actor of the period. Ter-Petrossian was born in Syria in 1945 and immigrated to Armenia with his family when he was one year-old. As a graduate of the Yerevan University Oriental Studies Department, he received his doctorate degree in 1987. Ter-Petrossian, who became famous mostly with his studies on the areas of literature and history, authored more than 70 academic publications in the Armenian, Russian and French languages.

He entered politics quite late. At the end of the 1980s he joined the Karabakh Committee who was struggling for the independence of Karabakh. In 1989 he joined the Pan-Armenian National Movement and he became the leader of the movement in a very short time. Ter-Petrossian, who was elected as deputy of the

⁶ Ömer Engin Lütem, “Lozan’dan Günümüze Ermeni Sorunu,” for the full text of the article see www.eraren.org, Temel Bilgi ve Belgeler.

⁷ Sedat Laçiner, “1965: Ermeni Sorununda Dönüm Noktası,” for the full text of the article see <http://www.usakgundem.com/makale.php?id=178>.

Armenian Supreme Soviet in 1989, became the Chairman of the Armenian Supreme Soviet a year later. He was elected as the first President of the independent Republic of Armenia on 16 October 1991 and he continued his duty until his resignation in 1998.⁸

Armenia declared its independence by accepting a Declaration of Independence on 23 August 1990. However, the declaration of Republic of Armenia as an independent state was realized on 21 September 1991. It would be proper to examine closely Article 11 of this Armenian Declaration of Independence, which is a document that affected the Turkish-Armenian relations deeply.⁹ This article is as such:

The Republic of Armenia stands in support of the task of achieving international recognition of the 1915 Genocide in Ottoman Turkey and Western Armenia.

Two points, which have affected the relations between the two countries, draw the attention in this article. The first one is that the notion of “genocide” is clearly mentioned and it is emphasized that there will be efforts to ensure the recognition of the Armenian “genocide” by the international community. In other words, a historical claim is presented as a “reality” and Turkey is charged with the “genocide” crime indirectly. The second point is that the Eastern Anatolian Region is denoted as “Western Armenia.” According to this, Armenia does not recognize the territorial integrity of Turkey and perceives the east of Turkey as its own territory. This situation is clearly contradictory to the norms of international law and the treaties signed between the two states. In short, Armenia accused Turkey of the “genocide” crime in the declaration of independence and did not recognize the territorial integrity of Turkey; therefore, relations between the two countries would be tense. However, these relations would deteriorate with the Karabakh conflict which broke out just after Armenia had proclaimed its independence.

Two months after the election of Ter-Petrosian as the President on 16 October 1991, the Armenians of Karabakh declared their independence on 10 December 1991. The government of Azerbaijan did not recognize this *fait accompli* and by terminating the autonomous status of Karabakh it declared that Karabakh was joined with Azerbaijan. Upon this, Armenia began to invade the territory of Azerbaijan. In February 1992, the skirmishes between the two sides were completely intensified. With the mediation assistance of Iran, a temporary ceasefire was declared on 15 March.

In this period, when the Turkish foreign policy regarding this conflict is examined, it can be seen that the Turkish government of the time initially tried to pursue the strategy of helping Azerbaijan without disturbing the relations with Armenia and preserving its neutrality as much as possible. However, when Armenia captured Shusha by breaching the ceasefire and then attacked Nakhcivan, the skirmishes began to come near to the Turkish border. The

⁸ For the biography of Ter-Petrosian see http://en.wikipedia.org/wiki/Levon_Ter-Petrosyan.

⁹ For the full text of the Armenian Declaration of Independence, see the official website of Armenian Ministry of Foreign Affairs: <http://www.armeniaforeignministry.com/htms/doi.html>.

Turkish government was determined to overcome this crisis through diplomatic means. To this end, it contacted with all countries and international organizations and according to the expression of the Prime Minister of the time, Süleyman Demirel, Armenia was put into diplomatic clamps. At the end of these diplomatic initiatives, the USA, Great Britain, Iran, Georgia, the European Union and NATO declared that the borders would not be changed through use of force. The condemnation of Armenia by the Russian Federation, which stated that it would not support these outrageous activities, put an end to the Nahchivan crisis.¹⁰

However, Armenia did not stop its attacks and in May 1992 it captured the Lachin Rayan (an administrative unit whose size is between a district and a province) which was the territory of Azerbaijan. Therefore, a corridor was opened between Armenia and Karabakh. Furthermore, the Armenian forces began their attacks in the last week of March 1993 and they captured the Kelbecer Rayan and its surroundings on 4 April. Therefore, a second corridor was opened between Karabakh and Armenia. Like Lachin, Kelbecer and Fuzuli Rayans were also part of the Azerbaijani territory outside Karabakh. Upon the fall of Kelbecer, Turkey took two decisions. First, it suspended all the air flights departing from and arriving to Armenia whether scheduled or non-scheduled. Second, Turkey took the matter to the UN Security Council. The President of the Council made a statement on 7 April and indicated that there were serious concerns in the face of the developments; he demanded a ceasefire and withdrawal of all Armenian forces from the invaded regions. However, he refused the Turkish demand to condemn the Armenian attack on Azerbaijan.¹¹

Although there was an attempt to quench this aggressive policy of Armenia with the four resolutions issued by the United Nations Security Council, Armenia did not abide by these resolutions and continued its invasions. The conflict between the sides had ended in 1994, yet, Armenia still keeps the 20% of the Azerbaijani territory under *de facto* occupation which is in contradiction with the norms of international law.

In the initial phases of the Karabakh conflict, Turkey did not act against Armenia. Conversely, it donated 100,000 tons of wheat to the Armenian people who were fighting against hunger under winter conditions. Yet, Armenia did not respond in kind to this positive attitude and continued the occupation policy. For Turkey what could not be tolerated was the Armenian occupation of Kelbecer on 3 April 1993. After this occupation, as it is stated above, the Minister of Foreign Affairs of the period, Hikmet Çetin, declared in his statement to the press that after the last attacks of Armenia on Azerbaijan, all humanitarian aid flights over Turkey were suspended, no flights would be allowed, and the planes that wanted to fly despite this would be landed by opening fire upon them.¹² Just after this, the land border with Armenia was closed.

¹⁰ Ömer Engin Lütem, "Karabağ Sorunu," for the full text of this article see www.eraren.org, Temel Bilgi ve Belgeler.

¹¹ Ibid.

¹² Araz Arslanlı, "Türkiye-Ermenistan Sınırı Açılmalı mı?," for the full text of this article see <http://www.ermenisorunu.gen.tr/turkce/makaleler/makale59.html>.

After the ceasefire in 1994, Ter-Petrossian tried to initiate some openings for the restoration of Armenian-Turkish relations. Ter-Petrossian was in the view that the “Turkish threat,” which was continuously being revived as the principal problem of his country, was an artificial one. He was a pragmatist politician who aimed at making use of his country’s resources to eliminate underdevelopment instead of wasting them for an endless policy such as the recognition of the “genocide” claims. He was aware that continuation of the conflict with Turkey and Azerbaijan turned Armenia into an isolated state in the Caucasus. He was conscious that Armenia should especially position itself to be released from the control of the Armenian Diaspora and Russia.

However, the pacifist policies of Ter-Petrossian gave rise to reactions from especially the Armenian Diaspora and its extension in Armenia, the Dashnak Party. Ter-Petrossian’s closure of the Armenian Revolutionary Federation (the Dashnak Party) in December 1994 by claiming that the founders of this party were living abroad and this was contradictory with the Armenian constitution led to harsh reactions from members of Dashnak. In January 1995, the Armenian Supreme Court declared that the Dashnak Party was involved in the opium smuggling and in the terrorist activities together with the secret “Dro” organization.¹³ Thus, Ter-Petrossian ceased the links with the Armenian Diaspora. As the result of this policy, the Armenian Diaspora, which had previously supported anti-Ter-Petrossian movements indirectly, started to support them explicitly and it began to work to change the existing government.

Meanwhile, the positive initiatives of Ter-Petrossian and the steps that he took to develop the Turkish-Armenian relations were also responded to positively by the Turkish side. For instance, on 19 April 1995, the Prime Minister of the period, Tansu Çiller, declared that one of the existing air corridors was opened for Armenian commercial flights.¹⁴

However, when Ter-Petrossian signaled that he would attempt to solve the Karabakh problem peacefully, this situation received a huge reaction in Armenia. The people, who were provoked by especially the Diaspora and the Dashnak and were depressed by the existing economic conditions of the country and by the claims of corruption, poured into the streets to demand the resignation of Ter-Petrossian. The Prime Minister of the time, Robert Kocharian, also declared that he did not endorse the policies of Ter-Petrossian by claiming that any initiative for the resolution of the Karabakh conflict meant compromise in the foreign policy of Armenia. Upon this, in February 1998 Ter-Petrossian announced his resignation.

3. The Period of Robert Kocharian and the Turkish-Armenian Relations (1998-2007)

With the elections held in Armenia in March 1998, Robert Sedraki Kocharian became the President. This would be interpreted as the beginning of a new era in Armenia; since Kocharian gave signals that he would pursue a different line of

¹³ See <http://www.aaainc.org/info/armChrono.php>.

¹⁴ See <http://www.aaainc.org/info/armChrono.php>.

policy from his predecessor Petrossian, not only with his political stance but also with his vision.

In order to understand the background of his political stance, it is necessary to get to know closely this politician who had led Armenia in the last ten years. Kocharian was born in 1954 in the Stepanakert,¹⁵ the capital of the Autonomous Oblast of Karabakh which was attached to the Azerbaijan Soviet Socialist Republic. Kocharian started to work as an engineer in the electric station of this city in 1971. In 1982, he graduated from the Yerevan Polytechnic Institute, earning an M.S. degree in mechanical engineering. However, this technical career path could not prevent him from being interested in politics. Kocharian took office in various echelons of the Nagorno-Karabakh Communist Party from the mid-1980s; he was rapidly promoted within the party and attracted the attention of the administrators of the Soviet Union. He entered Armenia's Supreme Soviet as deputy in 1989. Afterwards, he entered the Nagorno-Karabakh Republic's Supreme Soviet, which had been declared in 1991, as a deputy. In 1992, which was a period of intensified conflicts between Azerbaijan and Armenia, he became the Chairman of the State Defense Committee of the Nagorno-Karabakh Republic and the main actor in the attacks organized against Azerbaijan. Following this duty, in 1994, he was elected as the President of the Karabakh Republic, which was not recognized by the international community. He remained in this position until he was appointed Prime Minister of Armenia in 1997.¹⁶

Contrary to the pacifist policies of Levon Ter-Petrossian, the active role that he played in the Armenian-Azerbaijani conflict which had marked the last ten years of the 20th century had a great impact upon the tough and uncompromising foreign policy of Kocharian. The fact that Kocharian, who occupied both military and political positions, is from Karabakh origin has largely shaped his attitude concerning Karabakh.

Kocharian strongly criticized the smoothing of relations between Turkey and Armenia in the period of Ter-Petrossian, for he perceived this policy as a policy of compromise. The first examples of this new policy were Kocharian's refusal to meet the Azerbaijani President of the time, Haydar Aliyev, just after his appointment to office on the issue of Karabakh; his demand to decrease the number of Turkish functionaries in the international commission who were inspecting the conventional weapons of Armenia in accordance with the Agreement to Decrease the Conventional Weapons in Europe; his giving permission to the reopening of the Armenian Revolutionary Federation (the Dashnak Party), which was known for its anti-Turkish views and its engagement in political activity.¹⁷

However, a year and a half after the presidential elections, on 27 October 1999, Armenia experienced a great shock. A small Armenian group under the

¹⁵ The Armenians called this city Stepanakert while the Azerbaijanis called it Hankenti (Khankendi).

¹⁶ For the biography of Robert Kocharian, see the official website of the Presidency of Armenia <http://www.president.am/library/presidents/eng/?president=2>.

¹⁷ Kamer Kasım, "Armenia's Foreign Policy: Basic Parameters of Ter-Petrosian and Kocharian Era," *Review of Armenian Studies*, Vol. 1, No. 1, 2002, pp. 90-103.

leadership of a former Dashnak member, Nairi Hunanian, entered the Armenian Parliament building and attacked the deputies, who were in session, with automatic guns. They killed eight people including Armenian Prime Minister Vazgen Sarkisian, Speaker of the Parliament Karen Demirjian, Deputy Speakers of Parliament Yuri Bakshian and Ruben Miroian, and wounded nearly 30 other people. The aggressors, who took nearly 40 deputies hostage, surrendered and were charged with life sentences as the result of the bargain that they entered into with Kocharian. The fact that Karen Demirjian and Vazgen Sarkisian, who had been killed in the offensive, were the strongest political rivals of Kocharian and that Demirjian ran against Kocharian in the presidential elections one year before, led to the rumors that Kocharian was behind the attack. Reaction was so strong that on the second anniversary of the attack, in a meeting of commemoration arranged in Yerevan with the participation of 7,000 people, the resignation of Kocharian was demanded.¹⁸

Although these rumors could not be verified in any way, Kocharian was uncontested to a great degree in the beginning of the 2000s. The fact that the opposition was fragmented further eased the work of Kocharian. Kocharian preferred to silence the existing weak opposition through suppression if it was necessary. For instance, in October 2000, Arkadi Vardanian, a Russian businessman of Armenian origin who financed some of the meetings arranged against Kocharian, was arrested and sent to jail with a thin excuse. Despite the campaign that he initiated with the help of his immense wealth, he stayed in jail for four months before he was tried, he was released only because his health had deteriorated.¹⁹

To understand Kocharian's views on Turkey, his interview with Mehmet Ali Birand on 1 February 2001 is very helpful. In this interview, Kocharian especially stressed Turkey's recognition of the Armenian "genocide" and its asking for pardon from Armenia. He emphasized over and over if this would be done, legally speaking, it would not result in the demands of reparation and territory for the Armenian State from Turkey. Kocharian said that, "with such a simple step you can eradicate the problem and you can change the future of our relations."²⁰

It is especially striking that this interview of Kocharian coincided with the decisions of some European Parliaments to recognize the Armenian "genocide." In fact, the interview was conducted two weeks after the acceptance of a law in France on 18 January 2001, which consisted of the sentence that "France explicitly recognizes the 1915 Armenian genocide." It is possible that Kocharian departed from the assumption that these developments in the international arena prompted Turkey to at least be prepared for negotiations on the "genocide" issue. It comes to mind that he wanted to benefit from the international atmosphere and although he was insistent on the reparation and territory demands, he searched for a solution that would be accepted by everyone by thinking that if he continued

¹⁸ BBC News, 26 October 2001, "Rally demands Armenian head's resignation," see <http://news.bbc.co.uk/2/hi/europe/1622868.stm>.

¹⁹ Ömer Engin Lütem, "Olaylar ve Yorumlar," *Ermeni Araştırmaları*, Issue 1, Spring 2001, for the full text of the article see <http://www.eraren.org/index.php?Page=Dergilicerik&lcerikNo=156>.

²⁰ CNN-Türk, 1 February 2001.

to assert these demands he would not sit at a table with Turkey in any means. For this reason, he maintained that Armenia would not demand territory and reparation from Turkey.²¹

Not only the Dashnaks, but also the Hinchaks, reacted to this interview harshly. They stated that they found this policy of Kocharian insufficient and the recognition of “genocide” “constituted the first step in the solution of the Armenian case.”²² In other words, both groups underlined that they would not give up their demands for the reparations and territory by any means.

Although the officials of Turkey did not respond to this interview, a statement in the characteristics of a response was issued by the President of the period, Bülent Ecevit in June 2001. As it is known, the reason for Turkey not establishing diplomatic relations with Armenia is that the “genocide” claims are always asserted by Armenia and that Armenia’s occupation of 20% of Azerbaijani territory including Karabakh. In the Ankara visit of the US Secretary of Defense of the time, Donald Rumsfeld, Ecevit listed the conditions for the establishment of diplomatic relations with Armenia as Armenia’s complete evacuation from the Nagorno-Karabakh and the opening of a secure corridor between Nahchivan and Azerbaijan.²³ Response to this statement immediately came from Armenia and the Armenian Minister of Foreign Affairs, Vartan Oskanian, mentioned that Turkey’s proposal of preconditions to establish diplomatic relations with Armenia were unacceptable.²⁴

In this period, on the one hand, these kinds of severe disputes were going on between officials; on the other hand, there were some civil initiatives to reach reconciliation between Turkish and Armenian societies. One of the most important examples of these initiatives was the public announcement of the establishment of the “Turkish-Armenian Reconciliation Commission” (TARC) on 9 July 2001 in Geneva by six Turks and four Armenians²⁵ with the aim of taking a step to normalize the relations between Turkey and Armenia in the middle of 2001.²⁶ As it has been stated in the declaration of the establishment named “Terms of Reference,” the aim of this commission was:

to develop mutual understanding and goodwill between the Turks and the Armenians; to promote the betterment of Armenian-Turkish relations; to make use of the desire for peace in the Turkish-Armenian civil society

²¹ Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 1, Spring 2001.

²² Massis Weekly Online, 17 February 2001.

²³ Hürriyet, 6 June 2001.

²⁴ Prime News, 13 June 2001.

²⁵ The participants of the Turkish side were Retired Ambassadors Gündüz Aktan, Özdem Sanberk and İlter Türkmen and the Retired Lieutenant General Şadi Ergüvenç, the former Rector of the Boğaziçi University Üstün Ergüner and from Virginia University Department of Psychiatry Prof. Vamık Volkan. The participants of the Armenian side were the Head of the American Armenian Assembly Trustee Committee Van Krikorian, the former Minister of State of Armenia Alexander Arzumanyan, from the Yerevan State University the former Armenian Ambassador to Damascus Prof. David Hovhannissian and one of the former advisors to Boris Yeltsin, Andranik Migranian.

²⁶ For a detailed evaluation on the Turkish-Armenian Reconciliation Commission, see Kamer Kasım, “Turkish-Armenian Reconciliation Commission: A Missed Opportunity,” *Armenian Studies*, Issue 1, No. 4, December 2001-January-February 2002, pp. 256-273.

organizations and in the Armenian Diaspora and to support communication, dialogue and collaboration between these organizations; to take some initiatives directly and to help other organizations in realizing their projects; to develop some recommendations to be presented to the governments; to support the unofficial collaboration in business world, tourism, culture, education, research, environment, media and in the field of the trust-building measures, to provide expert examination for some projects in history, psychology, law and other areas if it is requested.²⁷

Although the establishment of TARC did not provoke much interest in Turkey, its repercussions were great in Armenia and especially for the Armenian Diaspora. The participants from both sides did not have an official title and duty, but the commission was constituted from the people who were well-known in especially politics and diplomacy. Although the commission affirmed that it would not mention the "genocide" issue, which was very sensitive, for Armenia and the Armenian Diaspora it was perceived as a compromise from the Armenian policy that has been sustained until today. Especially the active support of the American Armenian Assembly in the foundation of this commission was harshly criticized by another important Diaspora institution, the ANCA.²⁸

After its first meeting in Geneva, TARC held its second meeting in Istanbul on 23-25 September 2001. Among the decisions taken in this meeting were to increase the numbers of the Armenian members of the Commission, to institute a secretariat for the Commission, to build a web site and to invite the International Center for Transitional Justice to organize a seminar on the juristic matters including the international peace models. There was a severe reaction to the meeting, especially by the Armenian Diaspora, like the first one in that the Armenian Unions of Europe Forum, which gathers the major Armenian organizations, called for the resignation of the Armenian members of the Commission.²⁹ Besides this, some claims asserting that the Commission was financed by the US Department of State were put forth.³⁰

In fact, TARC was designed as a platform where the "genocide" issue would not be raised and should be refrained from specifically. However, the Armenian Diaspora characterized the aim of the Commission as a blow to the recognition of the Armenian "genocide" and aimed to assert a public pressure on the Armenian members of the Commission. This pressure quickly showed its impact and in the Istanbul meeting, the Armenian members began to clamor for the "genocide" issue to be dealt with directly or indirectly, especially giving this topic priority in the meeting reports.³¹

²⁷ For the full text of the document "Terms of Reference," see *Ermeni Araştırmaları*, Issue 2, Summer 2001, pp. 267-268.

²⁸ Asbarez, 14 July 2001, "ARF Bureau Declaration Regarding the Turkish-Armenian Reconciliation Commission."

²⁹ AZG, 6 November 2001.

³⁰ Armenian National Committee of America, Press Release, 13 October 2001.

³¹ Ömer Engin Lütem, "Olaylar ve Yorumlar," *Ermeni Araştırmaları*, Issue 4, Winter 2001, for the full text of the article see <http://www.eraren.org/index.php?Page=Dergilcerik&IcerikNo=265>.

The third meeting of the Commission, which was held in New York on 18-21 November 2001, was shaded with these debates. In the meeting, it was accepted that the International Center for Transitional Justice, which is an independent institution, would examine whether or not the United Nations Convention on the Prevention and Punishment of the Crime of Genocide could be applied to the events of 1915.³² However, the statements of the American chairman of the meetings, David L. Phillips, on this issue were reflected in the international press as “determination of the mass murder and deportation of the Armenians living under the Ottoman Empire in 1915 were genocide or not.”³³ In short, a relatively simple juridical point of whether the agreement would be retrospective or not turned out to be a historical assessment determining whether the events were “genocide” or not according to the agreement. When the Turkish members of the Commission relayed this point to the International Center for Transitional Justice, the Armenian members of the Commission sent a letter to David L. Phillips indicating that this Commission would not continue. Therefore, the legal existence of TARC ended.

After the termination of this initiative which tried to make the mutual understanding between the two countries prevail, the Dashnak Party issued a memorandum and stated that the dialogue between the Turks and Armenians could be established only after Turkey had recognized the Armenian “genocide,” that the responsibility of Turkey in the Armenian “genocide” could not be separated from Turkish-Armenian relations; for this reason, the recognition of the Armenian “genocide” was an indispensable element of the Armenian foreign policy and that efforts now should be directed to the recognition of the Armenian “genocide” more than ever.³⁴

Despite these negative statements, which can even be defined as aggressive, Turkey restarted the issuance of visas at the border in January 2002 as a sign of goodwill toward Armenia. The practice that compelled the Armenian citizens to go to Tbilisi or Moscow to obtain visas and as a result decreased the number of the Armenians who came to Turkey was terminated and the practice that enables the Armenian citizens who wanted to come to Turkey to obtain visas at the border began to be performed. This practice of Turkey was welcomed positively in Armenia and the Spokesman of the Ministry of Foreign Affairs stated that, “This would effect the communication between the two peoples positively and would heal the tense Turkish-Armenian relations.”³⁵ Richard Boucher, the US State Department Spokesman of the time, pointed out that the US welcomed the decision of Turkey on this issue. By affirming their hope that this would contribute to the amelioration of the Turkish-Armenian relations, spokesman stated that the US encouraged the governmental and private enterprises with the purpose of the normalization of relations.³⁶

With the impact of the mild environment created by this practice, the relations between the two states and the two peoples, which were carried on by the

³² Gündüz Aktan, “TARC: Çıkılmaz Sokak,” *Radikal*, 12 December 2001.

³³ RFE/RL Armenia Report, 28 November 2001.

³⁴ *Yerkir*, 13 December 2001.

³⁵ RFE/RL Armenia Report, 16 January 2002.

³⁶ Armenian National Committee of America, Press Release, 16 January 2002.

non-official channels such as TARC, were brought to the highest level and 2002 became the year during which various meetings were held at the level of Foreign Ministers. The first of these meetings was realized when the Turkish and Armenian Foreign Ministers were in New York to participate in the World Economic Forum. The Armenian Minister of Foreign Affairs, Vartan Oskanian, stated in an interview about this meeting that, “In a near future this meeting would perpetuate,” and he affirmed that both sides were in a mood to try to address their bilateral issues through a direct dialogue.³⁷

The second meeting was held upon the Turkish initiative by gathering the Turkish, Armenian and Azerbaijani Ministers of Foreign Affairs in the meeting of Foreign Ministers of NATO on 15 May 2002 in Reykjavik. After this meeting, the Foreign Minister of the time, İsmail Cem, stated in his press statement that the meeting was held upon the Turkish initiative and with the support of Armenia and Azerbaijan; that this was the first meeting between the foreign ministers of the three countries; that the ministers discussed the existing security problems and other regional problems and the issues such as what kind of a collaboration should be made for the solution of these problems; that the meeting constituted a positive step for future and that the ministers would meet again within the framework of the Black Sea Economic Cooperation.³⁸

Nearly one month after this meeting, Turkish and Armenian Foreign Ministers held a third meeting on 25 June 2002 in Istanbul on the prompting of a celebration gathering for the tenth anniversary of the establishment of the Black Sea Economic Cooperation. An authority from the Turkish Ministry of Foreign Affairs who gave a briefing about the meeting said that the conversations were focused on the general situation in the South Caucasus including the Karabakh problem, that the sides did not discuss the normalization of relations in detail, and that Oskanian affirmed the Armenian views on this issue. Another Turkish diplomat, after defining the relations as positive, stated that the sides decided to continue the negotiations.³⁹ In the Turkish press, news released about the meeting stated that Armenia demanded from Turkey to abolish the stipulation that the occupation of Karabakh would be terminated in order to develop relations; but the Turkish side affirmed that this was the essential policy of Turkey and transmitted the message that “first Karabakh, then the relations.”⁴⁰

Related to the meeting, Oskanian, the Foreign Minister of Armenia, said that the sides discussed the present situation of Turkish-Armenian relations, that instantaneous amelioration in these relations should not be expected; yet, meetings such as these would be beneficial for the development of relations. Oskanian also stated that the Turkish stance concerning Karabakh underwent an essential change in the last one year and Turkey wanted to act as a mediator in

³⁷ RFE/RL Armenia Report, 2 February 2002.

³⁸ Anadolu Agency, 15 May 2002.

³⁹ Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 6, Summer 2002, for the full text of the article see <http://www.eraren.org/index.php?Lisan=tr&Page=Dergilcerik&IcerikNo=82>.

⁴⁰ Ibid.

this issue in 2001, but Armenia did not accept this by claiming that the Minsk Group was acting as the mediator. He also expressed that the Turkish desire to play a constructive role in the solution of the Karabakh conflict required Turkey to take a more balanced approach in its attitude regarding the problem.⁴¹

In short, this meeting was very important in the sense that both sides presented their expectations from each other. The aim of the Armenian side was to ensure the establishment of diplomatic relations between Turkey and Armenia without any preconditions. Regarding the Karabakh conflict, Armenia did not want Turkey to intervene in this issue. However, departing from the point that without solving the Karabakh problem there would not be any amelioration in mutual relations, Turkey desired to participate in this solution actively and for this reason it gave priority not to the establishment of relations with the Armenians but to the negotiation of the Karabakh problem.⁴²

Meanwhile, the following day in the meeting with İsmail Cem, Armenian Foreign Minister Oskanian gave a speech on Turkish-Armenian relations at an event hosted by the Turkish Economic and Social Studies Foundation.⁴³ The speech by Oskanian can be summarized under the following three headings:

- **Azerbaijan and the Karabakh Conflict:** Oskanian implicitly stated his worries regarding the relations between Turkey and Armenia, which reached to the point of the isolation of Armenia. Moreover, Oskanian claimed that Karabakh had never been a part of independent Azerbaijan, except for in the Soviet period, this region had not been controlled by Azerbaijan, and the people of Karabakh were separated from Azerbaijan within the confines of the constitution.
- **The Closed Armenian Border:** Oskanian regarded the closed Turkish-Armenian border as a Turkish embargo on Armenia and affirmed that this embargo was initiated as a result of the convincing initiatives of Azerbaijan. However, he emphasized that the embargo did not affect the Armenian economy negatively and the economy was growing steadily.
- **“Genocide” and the Issue of Establishing Diplomatic Relations:** Oskanian did not use the word “genocide” in his speech; however, referred to this claim by the phrases such as “sorrowful memories,” “painful past” and “the injuries of being the victim.” Oskanian did not explicitly affirm the recognition of “genocide” by Turkey; instead, he used the expressions such as denial could not abolish the memory, the precondition of rebuilding the trust was the acceptance of the burden of responsibility in its real meaning; those who believed that the past was not important could not solve the centuries-old conflicts that were embedded in the common memory of the nations.

⁴¹ Ibid.

⁴² Ibid.

⁴³ For the full text of the speech, see the official website of the Armenian Minister of Foreign Affairs http://www.armeniaforeignministry.com/speeches/020626turk_econ_fnd.html.

In short, Oskanian stated in his speech that he regarded Azerbaijan as the root cause of the problems between Turkey and Armenia and he tried to justify the Armenian policies. Yet, the Turkish policy in this regard is so clear. For the normalization of the relations between the two countries, Turkey demands from Armenia the recognition of the territorial integrity of Turkey, to give up presenting the “genocide” claims as historical reality and to withdraw from the Azerbaijani territory by terminating its occupation in Azerbaijan that it pursued in contradiction with international law. These are the preconditions that Armenia continuously mentions and blames Turkey for not rendering the normalization of relations possible. When these stipulations are examined, it can easily be seen that they have no meaning other than fulfillment of the norms of international law. These demands, which can be summarized as the recognition of the territorial integrity of one country, the abandonment of a policy in contradiction with an international convention (The Convention on the Prevention and Punishment of the Crime of Genocide dated 1948), and giving back the lands occupied again in contradiction with the norms of international law, consist of the minimum conditions that have to be fulfilled for the normalization of relations between the two countries.

When turning back to the developments in Turkish-Armenian relations in 2002, for a long time there had not been any response from the Armenian authorities to the government of Justice and Development Party, which was established after the November 2002 elections. However, the Armenian President, Kocharian, who participated in the NATO Summit on 22 November 2002 in Prague, stated that “Armenia is ready to establish diplomatic relations with Turkey and open borders, to expand trade without any preconditions... Armenia is open for discussion with the new government of Turkey for all questions related to possible development of bilateral relations.”⁴⁴ By this statement, he showed that there is no change in his attitude towards Turkey.

In the last days of the 2002, there appeared news in the Armenian press that the Turkish Foreign Minister Yaşar Yakış had stated that Turkey would develop relations with Armenia even if Azerbaijan would not be pleased. The Armenian Foreign Minister Oskanian replied to the questions asked on this subject that the Armenian government welcomed this attitude positively and it was ready to cooperate with Turkey without any preconditions. Moreover, Turkey’s establishment of relations with Armenia and its lifting of the embargo on Armenia would realize the Turkish perspectives of becoming a member of the European Union.⁴⁵ However, it became evident in a very short time that this news was not reflecting reality. Especially during the visit of the leader of the Justice and Development Party, Tayyip Erdoğan, on 7 January 2003 to Azerbaijan, the speeches that he and his retinue offered clarified the policy of the Turkish government about Armenia and Karabakh, abolishing the possible worries of Azerbaijan on this subject. Erdoğan briefly and openly stated that the new Turkish government would continue to support the legitimate attitude of

⁴⁴ Armenpress News Agency, 25 November 2002.

⁴⁵ Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 8, Winter 2003, for the full text of the article see <http://www.eraren.org/index.php?Page=Dergiler&icerikNo=80>.

Azerbaijan in its controversy with Armenia; that Turkey would not develop relations with Armenia before the solution of the Karabakh problem; that the direct contacts between the presidents of Armenia and Azerbaijan for the solution of the Karabakh conflict is supported; and a trilateral dialogue between Armenia, Azerbaijan and Turkey would have a positive influence for the solution of the Karabakh conflict.⁴⁶ In other words, as a response to the harsh attitude of Armenia, Turkey clearly stated that there would not be any change in its policy regarding Armenia.

Beginning especially in the second half of 2002, Armenia focused on the presidential elections that were announced to be held in February 2003. Although there were many candidates in the presidential elections other than Kocharian, because of the reasons such as the fragmentation of the opposition, state pressure on media and the opposition and the relative improvement in the Armenian economy,⁴⁷ Kocharian swept 67.5% of the votes and was elected as the President for a second term. His closest rival, the leader of the People's Party, Stepan Demirjian, could obtain only the 32.5% of the votes. The international organizations who observed the elections discovered several instances of election fraud.⁴⁸

In a televised panel in which Kocharian and Demirjian participated during the election process on 3 March 2002, they touched upon Turkish-Armenian relations. In this program, a journalist named Petros Gazarian asked Demirjian and Kocharian about the odds of betterment of Turkish-Armenian relations and the cost of this development. Demirjian replied to this question by stating that "the betterment of our relations should not be contradictory with our national values and historical justice should be realized. Many countries recognized the Armenian 'genocide'. I believe that we should improve our relations with the regional states and with out neighbors." After sharing the view of the journalist about not making compromise on the "genocide" issue, he said that, "We campaigned for the recognition of the genocide during the time of the Soviet Union both inside and outside the country. This is a national cause." Kocharian, on the other hand, instead of clearly answering the question of the journalist, stated that the election campaigns of other candidates did not involve the "genocide" issue and by saying to Demirjian that "I do not understand why your election campaign does not involve this issue which has a vital importance for the Armenian people," he tried to emphasize that his rival did not care about this issue.⁴⁹ However, the fact that no candidates other than Kocharian had included the "genocide" issue in their election campaigns was not because they perceived the issue as unimportant or secondary, but because they accepted the admitted importance of this issue without questioning.

⁴⁶ Ibid.

⁴⁷ During the period of Ter-Petrossian, a rapid privatization program was initiated for the transition of the country to a liberal economic system, and it resulted in the rise of inflation which led to a decrease in the purchasing power of the individuals. In the period of this economic crisis, this became one of the reasons that forced Ter-Petrossian to resign.

⁴⁸ Among these organizations, there is also the Council of Europe and OSCE.

⁴⁹ "Armenian Presidential Candidates TV Debates," Public Television of Armenia, Yerevan, 3 March 2003.

The presidential elections in Armenia, which were held in February 2003, were followed by the parliamentary elections held on 25 May 2003. In this election, like the presidential elections, the charges of fraud were on the agenda and no party could gain the majority in the end. According to the election results, as the major partner of the ruling coalition, the Republican Party, won 31 chairs out of 131 in the Armenian Parliament by taking the 23.5% of the votes. Although the Justice Bloc, which was established by the associates of the politicians who had lost their lives in 1999 attacks on the Parliament, ranked the second highest in taking votes (13.6% of the total votes), it won 14 chairs because of the irregularities in the Armenian election system. The third winner of the elections, the Rule of Law Party (12.3% of the total votes), became the second party in the parliament with 19 chairs. The Armenian Revolutionary Federation (Dashnak Party) won 11 chairs by taking 11.4% of total votes. After the elections, the Republican Party, the Rule of Law Party and the Armenian Revolutionary Federation signed a memorandum on 11 June 2003 and formed a coalition government.⁵⁰ The Leader of the Republican Party, Andranik Margarian, became the Prime Minister, the 34-year old Leader of the Rule of Law Party, Artur Bagdasarian, was elected as the Speaker of the National Assembly, Tigran Torosian from the Republican Party and Vahan Hovannisian from the Dashnak Party became the Deputy Speakers of the Parliament.

After the elections, Vartan Oskanian, who was serving as the Minister of Foreign Affairs in the newly established government, met with the Turkish Minister of Foreign Affairs, Abdullah Gül, in the NATO Euro-Atlantic Partnership Council, held in Madrid in the beginning of June. According to the press release of the Armenian Ministry of Foreign Affairs about this meeting, the Ministers "...discussed regional problems, the process of resolution of the Karabakh conflict and bilateral issues. The Ministers agreed that the improvement of relations between the two countries will influence the regional stability and security in a positive way. The two ministers regarded such meetings useful for development of dialogue and they decided to meet again."⁵¹

The positive environment that this meeting had created for the future of the relations of the two countries impelled the Dashnaks to explain their own attitudes. One of the notables of the party, Armen Rustamian, affirmed as a response to the question of a journalist that "Turkey must first observe neutrality on the Karabakh issue; second it must recognize the Armenian 'genocide': if these two conditions are satisfied only then will it be possible to think about developing truly normal relations with Turkey."⁵² This statement is not consistent with the general discourse of the Armenian Government since the government each time advocated for the establishment of diplomatic relations between the two countries without any preconditions. Yet, Dashnaks asserted that they pursue a more radical approach than the other parties in the government by setting forth the Karabakh conflict and the recognition of the "genocide" as preconditions.

⁵⁰ For the statistics of the results of the 2003 elections, see http://en.wikipedia.org/wiki/Elections_in_Armenia.

⁵¹ Foreign Ministry of the Republic of Armenia, Press Release, 4 June 2003.

⁵² Asbarez, 12 June 2003.

In another Dashnak declaration, which was issued on June 30, the phrases included are:

The Armenian Revolutionary Federation has on numerous occasions announced that it supports the establishment of normal relations between Armenia and Turkey, but that this can come about only when Turkey accepts the historical truth. Armenian-Turkish dialogue can bear results only when Turkey accepts the fact of the Armenian “genocide,” which is not an object of negotiation. No Armenia-Turkey or Armeno-Turkish dialogue has any future prospect as long as Turkey continues to take sides on the question of Artsakh [Karabakh] and does not lift its blockade of Armenia.

Therefore, the Dashnaks increased the number of preconditions which they put forth for the reinstatement of relations between the two countries to three. These preconditions are Turkey’s recognition of the so-called Armenian genocide, not supporting Azerbaijan in the Karabakh conflict, and, as a new condition, lifting the embargo on Armenia.⁵³

After the Madrid meetings, some of the statements given by both Prime Minister Recep Tayyip Erdoğan and the Minister of Foreign Affairs Abdullah Gül on the issues of reestablishment of diplomatic relations with Armenia and the border gate were interpreted by the Armenian side that Turkey would offer some compromises and open the border gates. Upon these interpretations, the Armenian Minister of Foreign Affairs Oskanian stated in his speech on Armenian State Television that now Turkey put less emphasis on the Karabakh issue and underlined the development of relations between the two countries, expressing his pleasure from this. Furthermore, regarding the “genocide” issue, Oskanian affirmed that Armenia never put forth the recognition of the “genocide” as a condition for the normalization of Armenian-Turkish relations, and he explained that Armenia would tackle the “genocide” issue after the establishment of diplomatic relations with Turkey.⁵⁴ Therefore, both in the Armenian public opinion and in the international community, he tried to create an impression that Turkey wanted to make a move on this issue. Yet, in this period, there was no visible change regarding Karabakh and Armenia in the Turkish foreign policy.

The Ministers of Foreign Affairs of the two countries met for the second time in the year 2003 in New York on 25 September when they went for the United Nations General Assembly Meetings. Before this meeting, both Ministers gave a speech in the UN General Assembly. While the major theme of Armenian Foreign Minister Oskanian’s speech was his views concerning the Karabakh conflict, he ended his speech, as it had been every year, with expressions about the Armenian “genocide”:

On another matter, important for us and for all humanity, Armenia continues to engage countries and governments around the world to recognize and condemn the first Genocide of the 20th century. The survivors of the Genocide and their descendants are helping build a democratic Armenia, committed to a future, without forgetting the past.⁵⁵

⁵³ Asbarez, 30 June 2003.

⁵⁴ Armenian State Television, Yerevan, 2 July 2003.

⁵⁵ Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, Volume 2, Number 5, 2003, <http://www.eraren.org/index.php?Page=Dergiler&icerikNo=124&Lisan=en>.

The Minister of Foreign Affairs, Abdullah Gül, stated in his speech by referring just to the Karabakh conflict that:

Turkey expects Armenia to fully comply with the United Nations Resolution in this issue in order to find an urgent and just solution to the Karabakh conflict. The solution of this conflict through peaceful means will contribute positively to the normalization of both Turkish-Armenian relations and the regional cooperation.⁵⁶

When these expressions of the Minister are examined, it becomes apparent that Turkey does not take a path that will be characterized as “compromise” as the Armenian politicians claim.

The last meeting between the foreign ministers of the two countries in the year 2003 was realized on 5 December 2003 in Brussels where they went for the Ministers Meeting of the European-Atlantic Partnership Council. According to the information given by the Anadolu Agency, the two ministers discussed the issues of the situation in Georgia,⁵⁷ the stability of the countries in the Caucasus, the development of the relations of these countries with Europe and NATO, and adding more to the content of the Partnership for Peace activities.⁵⁸ However, Vartan Oskanian informed the Armenian press about the meeting, stating that the Brussels meeting was qualitatively different from the last two meetings, the initiative to develop Turkish-Armenian relations was soon to be taken, and although it was early to talk explicitly, in a few days there would be a positive, albeit minor, result in the border problem of Turkey and Armenia.⁵⁹

All these statements created a serious concern in Azerbaijan and led to the view that Turkey would compromise on its Karabakh policy by opening the Armenian border. Upon this, to eliminate these concerns and to emphasize that there was no change in Turkey’s Karabakh policy, the Minister of Foreign Affairs Abdullah Gül made an official visit to Azerbaijan on 9-10 January 2004. In his statements that he made during this visit, Gül remarked that it was difficult to solve the Karabakh problem as long as the Azerbaijani territory was under occupation, that there was no change in Turkey’s stance towards Armenia,⁶⁰ it was not the question at issue for now to open the Turkish-Armenian border, Turkey desired a peaceful solution and with this purpose a trilateral meeting could be arranged with the participation of Armenia, Turkey and Azerbaijan.⁶¹ However, in the speech given during his visit to President Ilham Aliyev, Gül clearly stated the Turkish position and used the following expressions:

As you know, Karabakh problem is not only yours but it is ours. Efforts are being made for peaceful solution of this problem in the frame of territorial

⁵⁶ Anadolu Agency, 26 September 2003.

⁵⁷ In November of 2003, the President of Georgia, Eduard Shevardnadze, was taken from the office as a result of a public movement called the “Rose Revolution” and one of the leaders of the revolution, Shakashvili was elected as the President of Georgia on 4 January 2004.

⁵⁸ Anadolu Agency, 5 February 2003.

⁵⁹ Mediamax News Agency, 6 February 2003.

⁶⁰ Baku Today, 9 January 2004.

⁶¹ Associated Press, 9 January 2004.

integrity of Azerbaijan. We hope, the other side will also demonstrate good will and constructive position and the world will assist to settle this conflict peacefully and fairly, and the occupied lands of Azerbaijan be liberated. Turkey will do its best in this direction. There should be no doubt.⁶²

All these statements display that, contrary to Vartan Oskanian's assertion, Turkey awaited the first step from Armenia regarding its policy towards Armenia.

Meanwhile, in the last period of 2003, two high level statements, which were displaying the Turkish attitude regarding the Armenian question, were issued. The first one of these was the speech of Turkish President Ahmet Necdet Sezer on the opening of the Turkish Grand National Assembly on 1 October 2003 where he mentioned the internal and external problems of the country and his declarations here about the relations with Armenia. In his speech, Sezer stated that,

In accordance with its willingness to develop good relations with all its neighbours, Turkey wants to normalize her relations with Armenia. However, the realization of this goal requires that Armenia pursues a foreign policy that is consistent with the principles of good neighbourliness and international law, exerts serious effort to resolve problems with its neighbours and opts for a final choice of making peace with its past and leaving the judgment of history to historians. Should Armenia display political will in this direction, Turkey would not remain unresponsive. Such a positive development would also contribute in a concrete manner to the stability and welfare of the Southern Caucasus.⁶³

The second statement that reflects the state's policy concerning Turkish-Armenian relations is mentioned in the speech of Abdullah Gül on 3 November 2003 in presenting the Budget Bill of the Ministry of Foreign Affairs for the 2004 Fiscal Year in the Budget and Planning Commission of the Turkish Grand National Assembly. In the section of this speech related to Armenia, Minister Gül stated:

Turkey wants to normalize its relations with Armenia and to improve the cooperation with this country within the framework of good neighborliness. Reaching this aim is dependent on Armenia's compliance with the norms of international law, to leave the judgment of history to the historians by making its ultimate choice to reconcile with the past, and to present an earnest will to solve the problems with its neighbors. If it openly declares that it adopts this approach, this attitude of Armenia will not be left unanswered and this situation will bring important contributions to the stability and prosperity of the South Caucasus region.⁶⁴

⁶² Azer Tag, 10 January 2004.

⁶³ For the full text of this speech, see the official website of the Presidency: http://www.tccb.gov.tr/sayfa/cumhurbaskanlarimiz/ahmet_necdet_sezer/konusma/.

⁶⁴ "The Booklet Prepared on the Presentation of the Plan of the 2004 Fiscal Budget Year to the Planning and Budget Commission of the Turkish Grand National Assembly by the Minister of Foreign Affairs and Deputy Prime Minister Abdullah Gül". Quoted from Ömer Engin Lütem, "Olaylar ve Yorumlar," *Ermeni Araştırmaları*, Issue 11, Fall 2003.

As it can be seen from these two expressions, Turkey's relations with Armenia can be evaluated within three main principles.⁶⁵ The first is the necessity of Armenia's recognition of Turkey's territorial integrity by complying with international law, not demanding any land from Turkey, and its withdrawal from the Azerbaijani territory that it invaded in violation of the principles of international law. The second one, however, is the necessity of Armenia's attempt to solve its problems according to the principles of international law. The third one is the necessity of Armenia to leave the solution of the historical problems to the historians by excluding them from the daily political matters. It is understood that if Armenia complies with the principles at hand, Turkey will normalize its relations with Armenia through its "desire to improve good relations with all its neighbors." In other words it will open the land border and establish diplomatic relations.⁶⁶

In the first months of 2004, a civil initiative was taken regarding the scientific research of the "genocide" claims. Dr. İnanç Atılğan from the Austrian-Turkish Forum of Sciences (OTW) stated in a commentary on 9 March 2004 that the Viennese Armenian Turkish Platform (VAT) was established. According to the statement, the aim of this unofficial initiative was to foster an environment of dialogue where the scientific material and methods about the events of 1915 would be used. The founders of the platform were two Austrians (Professor Wolfdieter Bihl and K. Tomenendal), an Armenian (Dr. A. Ohandjanian) and a Turk (Dr. İnanç Atılğan). In the platform it was decided that the events of 1915 would be researched by two scientists from the Turkish Historical Society and two scientists from the National Academy of Sciences of Armenia and the Austrian scientist Professor Bihl would assume the moderatorship of the discussion. Among the decisions taken were the participation of the President of the Turkish Historical Society at the time, Professor Yusuf Halaçoğlu, and the Head of the Armenian Desk of the institution, Professor Hikmet Özdemir, from Turkey, and the Director of the Genocide Museum in Yerevan, Professor Lavrenti Barseghian, and the National Academy of Sciences of Armenia Division of Armenology and Social Sciences Director of the Institute of History, Professor Ashot Melkonian, from Armenia to the meetings. Also, it was decided that both sides should present a hundred documents to the VAT in 2004, and in the further stages more documents should be presented if necessary. Another decision taken was that a meeting should be arranged regarding these documents submitted in the spring of 2005 and the results obtained in this meeting should be published.⁶⁷

In the first months of 2004, another issue that stimulated the relations between the two countries was the debates about the opening of the Turkish-Armenian border. As it is stated above, the Armenian press interpreted the statements of the Turkish politicians about the border in an exaggerated way and they tried to give the impression that Turkey was ready to open the Armenian border. Although this situation increased the discontent in Azerbaijan, the statements of both Azeri and

⁶⁵ Ömer Engin Lütem, "Olaylar ve Yorumlar," *Ermeni Araştırmaları*, Issue 11, Fall 2003, for the full text of the article see <http://www.eraren.org/index.php?Lisan=tr&Page=Dergilcerik&IcerikNo=46>.

⁶⁶ Ibid.

⁶⁷ Ömer E. Lütem, "Olaylar ve Yorumlar," *Ermeni Araştırmaları*, Issue 12-13, Winter 2003–Spring 2004.

Turkish authorities showed that the Turkish-Armenian relations would not change rapidly and radically and there would not be any serious change in the Turkish policy on this issue. Meanwhile, there was some internal unrest in Armenia and anti-Kocharian demonstrations accelerated. Kocharian announced that he would not attend the NATO Summit Meeting arranged on 29 June 2004 in İstanbul to gain the sympathy of the ultra-nationalists in his country and to attract the attention to the foreign policy by reacting harshly, especially to Turkey. He stated the reason for this decision as the present state of the Turkish-Armenian relations. In other words, the statements of Turkish and Azeri authorities were perceived as negative developments by Kocharian.

Moreover, Kocharian made a speech in the Parliamentary Assembly of the Council of Europe on 24 June 2004 and evaluated the Turkish-Armenian relations as such:

In this context I would also like to concentrate on the Armenian-Turkish relations, or rather on their absence. Those relations are shaded by the memories of the past: the genocide, its consequences and lack of repentance. Nowadays the situation is worsened by the blockade of Armenia by Turkey. I would like to outline two principals which in my view are crucial to finding the way out from this impasse. First of all: Developing practical ties and deliberations over the inherited problems shall take place in different dimensions and shall not influence one the other. Second: Armenian-Turkish relations shall not be conditioned by our relations with a third country (Azerbaijan). Any precondition terminates all positive expectations.⁶⁸

In other words, Kocharian held an unpromising view for the future of the negotiations that had been continuing for a long time. Similar statements were also made by the Armenian Prime Minister Margaryan. Margaryan, going one step further than Kocharian, affirmed indirectly the territorial claim of Armenia from Turkey with these words:

The problem of territorial demand from Turkey is not the in the foreign policy agenda of Armenia. The effort of Armenia is to establish diplomatic relations with Ankara without and preconditions; the problematic issues can be dealt with later. Within the framework of the national interests of the Armenian people, before everything, it is necessary to strengthen the Armenian state, to reach economic prosperity, and to increase her authority in international arena in order to find answers to the problems. A peaceful solution to the Karabakh conflict, the international recognition of the Armenian genocide that had happened in the Ottoman Turkey, and to obtain land from Ankara as reparation can be possible only after the establishment of a strong state in Armenia... If we want to get land from Ankara as reparation, it is not necessary to voice this loudly everywhere.⁶⁹

⁶⁸ Ömer Engin Lütem, "Olaylar ve Yorumlar," *Ermeni Araştırmaları*, Issue 14-15, Summer-Fall 2004, for the full text of the article see <http://www.eraren.org/index.php?Page=Dergilerik&icerikNo=22>.

⁶⁹ Ibid.

In the NATO Summit Meeting on 29 June 2004, Armenia was represented by the Minister of Foreign Affairs, Vartan Oskanian. After this meeting, Oskanian met with the Foreign Ministers of Turkey and Azerbaijan. Although Oskanian affirmed that it was a warm meeting, he said in his statement after the meeting that Armenia did not need Turkey; the Armenian economy continued to develop, albeit the Turkish embargo, and for this reason the betterment of relations with Turkey was not a matter of life and death – they only wanted to be in normal relations with their neighbors. On the other hand, without mentioning the serious problems between Turkey and Armenia such as the “genocide” claims and territorial claims, he stated that Armenia did not see any obstacles for the establishment of normal relations with Turkey. In short, Oskanian repeated, as every time, the efforts to excuse Armenia by charging Turkey with the responsibility of non-establishment of normal relations between the two countries.⁷⁰

When arriving to the year 2005, which was pronounced to be the ninetieth anniversary of the Armenian “genocide” by Armenians and by those who support the Armenian discourse, the Armenian Question and the Turkish-Armenian relations were able to be dealt with more seriously as compared to the previous years. Especially the “genocide” proposals accepted by the parliaments of foreign states led Turkey to take more serious measures on this issue. One of the first examples of this is the initiatives of the Republican People’s Party (RPP).

The Leader of the RPP, Deniz Baykal, proposed a new three-staged policy for the solution of the problem in a speech he gave in the Parliamentary Group on 1 March 2005. According to this, in the first stage, a commission would be established by Turkish and Armenian historians in equal numbers in order to examine the deportation matter; in the second stage, not only the Turkish and Armenian archives, but also the archives of all the parties to the conflict (the USA, Britain, Russia, Germany, France and others) would be opened; in the third stage, the minutes of the examination and discussions of the commission would be recorded by an international organization (e.g. UNESCO) and would be published by it.⁷¹

Within the framework of this policy, it was planned that on the one hand a study would be prepared to refute the British propaganda work originally entitled *The Treatment of Armenians in the Ottoman Empire* but came to be known as the *Blue Book*, and on the other hand, a conference by the famous American historian Professor Justin McCarthy in the Grand National Assembly of Turkey about the Armenian “genocide” claims to be delivered.

Meanwhile, Baykal visited Prime Minister Recep Tayyip Erdoğan on 8 March 2005. At the end of the meeting, parties stated that they agreed on the manner to be followed in the face of the Armenian genocide claims. According to this agreement, it was decided that a commission would be established by the Turkish and Armenian historians and other specialists and a policy would be announced for the opening up of all the archives without any restrictions; furthermore, a letter that would be prepared about the *Blue Book* would be sent to the British Parliament after it was signed by all the deputies.⁷²

⁷⁰ Haykakan Jamanak, 1 July 2004.

⁷¹ Radikal, 1 March 2005.

⁷² CNN-Türk, 8 March 2005.

Armenia did not remain silent upon all these developments and its response was announced through the agency of the Minister of Foreign Affairs by Vartan Oskanian. Oskanian made a statement after the release of this agreement to the press and by mentioning the proposal that the deportation issue would be examined by the historians, he stated that there was nothing left to the historians to do on this issue and Turkey had to determine its attitude. Moreover, the Armenian Minister stated that Turkey was acting with the aim of taking measures against the activities of the 90th anniversary of the Armenian “genocide.” Turkey was said to be trying to open a wide front against the Armenian claims; however, this front was not only against Armenia but also against the international society and humanity, that there was only one “reality” about the events of 1915 and Turkey had to live with this reality. Furthermore, Oskanian claimed that there was no relation between the recognition of the Armenian “genocide” by the international community and the Turkish-Armenian relations; the “genocide” issue was not the precondition for the normalization of relations with Turkey; and that Armenia was always ready for dialogue with Turkey, but Armenia would be persistent on the “genocide” issue.⁷³ In short, after Turkey had given signs that it would pursue a more active policy on the Armenian Question, Oskanian tempered his style and his expressions and he clearly revealed his worries about the scientific examination of the “genocide” issue.

This statement by Oskanian was followed by the *de facto* suspension of the work of the Viennese Armenian Turkish Platform, which was established in 2004. The parties, who presented a hundred documents each in the summer of 2004, decided to present a further eighty documents later. Although the Turkish side sent the second group of documents to the VAT, the Armenian side refused to participate in the second stage of the work. Therefore, such as the Turkish-Armenian Reconciliation Commission, the VAT process was also ended with the stepping out of the Armenian side.

As a result of the mutual agreement reached by the RPP and the JDP at the beginning of March, Professor Justin McCarthy gave a conference about the Armenian Question and the “genocide” in the Senate Hall of Grand National Assembly of Turkey on 24 March 2005. In his conference, McCarthy explained the conditions under which the Armenian Question had arisen and developed, and he touched upon the role played by the great powers within this framework. He pointed out the propaganda approach in the research concerning the Armenian Question and stated the first and foremost importance of the archives in history writing by giving some examples on this issue. McCarthy emphasized that the Turks would not accept an “untrue history” and they would “announce the reality to the world with its historical proofs” and they could abolish the prejudice which was still dominant in the European and American public opinion that the Turks were the guilty.⁷⁴

The last stage of all these initiatives was the general meeting held on 13 April 2005 in the Grand National Assembly of Turkey about the Armenian Question.

⁷³ Panarmenian News, 24 March 2005.

⁷⁴ For a broad summary of the speech, see http://www.meclishaber.gov.tr/develop/owa/haber_portal.aciklama?p1= 20204.

During this general meeting, the Minister of Foreign Affairs Abdullah Gül and deputies from different parties gave speeches in which they emphasized that the events which happened in 1915 could not be evaluated as “genocide,” that the discussion of this issue should be left to the historians, that the decisions of the foreign countries’ parliaments to acknowledge the “genocide” did not contribute to the solution of the problem, that Turkey would pursue a policy of taking the initiative and making every effort to discover the historical facts, Turkey was ready to face its history, that there was no period to be ashamed in Turkey’s history, that Turkey would remain engaged in this struggle and the efforts would be pursued with the widest and most effective cooperation and coordination between the institutions.⁷⁵

At the end of the general meeting, the Grand National Assembly of Turkey unanimously accepted a memorandum. In this memorandum, it is stated that the proposal of government and main opposition party regarding the establishment of a joint commission from the historians of Turkey and Armenia, the opening of national archives without restrictions, and the declaration of the results of the studies that would be pursued in the archives of the other countries to the world public opinion was fully endorsed and supported. Furthermore, in the memorandum, following expressions were included:

- the support of the Armenian government was necessary for the application of this initiative,
- Turkey and Armenia should be ready to face their histories,
- Armenia should accept the Turkish proposal for the establishment of the joint commission if it desired to establish good relations with Turkey and improve cooperation,
- it was expected that those states who sincerely wanted the improvement of the Turkish-Armenian relations and meanwhile especially those who took decisions in their parliaments concerning the Armenian claims should support this initiative,
- the Grand National Assembly of Turkey viewed these kind of decisions as improper, meaningless, arbitrary and unfair practices and Turkey would not accept the building of history upon one-sided and misleading assessments.⁷⁶

After the approval of this memorandum, Prime Minister Erdoğan sent a letter to the Armenian President Kocharian and proposed the opening of all archives that would be related to the Armenian issue including Turkish and Armenian archives and the joint working of a commission that would be composed of historians from both countries on these archives.⁷⁷ Kocharian chose not to respond to this letter promptly, and he first waited for the reactions.

⁷⁵ The full texts of these speeches are present in the Parliamentary minutes. For the minutes of 13 April 2005, see http://www.tbmm.gov.tr/develop/owa/tutanak_b_sd.birlesim_baslangic?P4=14205&P5=B&PAGE1=1&PAGE2=72.

⁷⁶ For the full text of this memorandum, see http://www.tbmm.gov.tr/develop/owa/tutanak_b_sd.birlesim_baslangic?P4=14205&P5=B&PAGE1=1&PAGE2=72.

⁷⁷ For the full text of the letter see Milliyet, 15 April 2005, <http://www.milliyet.com.tr/2005/04/15/siyaset/axsiy02.html>.

The Armenian reaction to this letter was extremely negative. The Speaker of the Armenian Ministry of Foreign Affairs, Hamlet Gasparian, replied to a question that there had been similar attempts before and Armenia had given the response to these initiatives that the “genocide” could not be debated; Armenia could only discuss the issue of elimination of the results of the “genocide.”⁷⁸ The Armenian Speaker of the Parliament, Artur Bagdasarian, stated that all the debates about the “genocide” were completed and it was not necessary to rehash this issue.⁷⁹ In a press conference that he arranged, Prime Minister Andranik Margaryan said that if the commission proposed by Turkey would investigate whether the “genocide” happened or not, he was against this, that there were victims of “genocide” in his family. He stated that if diplomatic relations with Turkey would be established, the borders would be opened and an environment would be created where all the problems would be discussed, then this would be progress and success.⁸⁰ The Minister of Foreign Affairs, Vartan Oskanian, pointed out that the proposal in the Prime Minister’s letter had been in existence for years, their response had always been the same, they would not discuss the reality of “genocide” with anybody at least at the governmental level; however, they were ready for dialogue.⁸¹

Meanwhile, on the occasion of the 90th anniversary of the Armenian “genocide,” an international conference entitled “Ultimate Crime, Ultimate Challenge - Human Rights and Genocide” was organized on 20-22 April 2005. This conference, in which the prominent individuals of Armenian politics and some foreigners and Turks who accepted the genocide claims participated, turned out to be a propaganda platform where the Armenian views were supported and Turkey was heavily reviled.⁸² In the opening speech of the conference, Kocharian stated that Armenia did not comprehend the response of the Turkish side, which was represented not only by Turkey’s denial of the past, but also by the blockade of Armenia. He further stated that the international recognition of genocide would prompt Turkey to come to terms with its past and to overcome the complex, which is inherited from generation to generation and which creates problems with Armenia.⁸³

In fact, this opening speech clearly provides hints about the respondent letter of Kocharian. Immediately after the activities for the commemoration of the “genocide,” Kocharian sent a respondent letter to Erdoğan on 25 April 2005. In this letter, Kocharian refrained from giving a clear response to Erdoğan’s proposal of joint work, but he implied that he did not welcome this proposal by expressing that the responsibility of the improvement of bilateral relations could not be left to the historians. Kocharian proposed to form an intergovernmental

⁷⁸ Asbarez, 15 April 2005.

⁷⁹ Panarmenian News, 15 April 2005.

⁸⁰ Agence France Press, 14 April 2005.

⁸¹ NTV, 21 April 2005.

⁸² Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 16-17, Winter 2004-Spring 2005, for the full text of the article, see <http://www.eraren.org/index.php?Page=Dergilicerik&IcerikNo=11>.

⁸³ Armenpress, 20 April 2005. For the full text of the speech of President Kocharian, see <http://www.armeniaforeignministry.com/conference/index.html>.

commission that would examine not only the Armenian Question but also all the issues between the two countries and by doing this he tried to pave the way for the examination of the “genocide” issue on its own.⁸⁴

While the first half of 2004 passed with these studies and debates, in the second half, another issue came into question in the relations of Turkey and Armenia: the acceleration of the work regarding the establishment of the railway line between Turkey and Azerbaijan excluding Armenia. The agreement between Turkey and Georgia about the establishment of Kars-Tbilisi railway with the aim of constructing a direct railway line that would provide the railway connection between the Caucasus and Central Asian Turkish Republics, which had first come to the agenda in the Georgia-Turkey Joint Transport Commission meeting in 1993, was reached and after this agreement there were negotiations between the technical board of the two sides in 1994 about the details of constructing the railway project.⁸⁵ These works could not be carried on for many years because of the lack of external finance; however, the project was revitalized when the presidents of Azerbaijan, Georgia and Turkey signed “The Declaration on Creation of International Transport Rail Corridor Kars-Tbilisi-Baku” on 25 May 2005 after their meeting in Baku to inaugurate the Baku-Ceyhan oil pipeline.

The implementation of the project alarmed Armenia; the Armenian authorities took some initiatives to stop the project both in the European Union and in the United States. For instance, one week after the Baku Declaration, on 21 May, the Armenian Minister of Foreign Affairs, Vartan Oskanian, applied to Jacques Barrot, Vice President of the European Commission in charge of transport, by letter and stated that: There is a railway line that connects Kars to Tbilisi transpassing Gyumri. This line was within the international transport corridor program, TRACECA, of the European Union, but it could not be used because of the Turkish decision to apply an embargo on Armenia. The construction of a new railway will require huge economic resources and will serve the Turkish blockade policy. The Armenian-Turkish border is the only border in Europe that is subjected to blockade. The opening of the Kars-Gyumri line will contribute to the best possible cooperation in the Caucasus if the European Union wants this. The disuse of this line will set barriers for the application of the new neighborhood policy in Europe.⁸⁶

A similar initiative was taken in the US Congress. The Co-Chairs of the Congressional Caucus on Armenian Issues, Joe Knollenberg and Frank Pallone, together with George Radanovich, who had been cooperating with the Armenian Diaspora in the USA, introduced a bill to the House of Representatives on 21 July 2005 with the number H.R. 3361 and the title “South Caucasus Integration and Open Railroads Act of 2005.” In the justification part of this bill, after the

⁸⁴ For the full text of this letter, see Panarmenian News, 26 April 2005, <http://www.panarmenian.net/news/eng/?nid=13056&date=2005-04-26>.

⁸⁵ Oya Eren, “Kars-Tiflis-Bakü Demiryolu Projesi ve Engellemeler”, 11 December 2006, for the full text of this commentary article, see <http://www.eraren.org/index.php?Page=Makaleler&MakaleNo=957>.

⁸⁶ Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 18, Summer 2005, for the full text of the article, see <http://www.eraren.org/index.php?Page=Dergilerik&icerikNo=2>.

above-mentioned Armenian views were repeated about the Kars-Ahalkalek railway project, in its operative section “the prohibition of US assistance to develop or promote any rail connections or railway-related connections that do not traverse or connect with Armenia but do traverse or connect Baku, Azerbaijan; Tbilisi, Georgia; and Kars, Turkey” is demanded.⁸⁷ As a matter of fact, in 2006, a resolution was passed by the House of Representative that prohibited the support of this project by the US Eximbank. However, since the countries involved in the project did not demand such loan, this resolution did not mean anything other than being the proof of the existing influence of the Armenian lobby in the House of Representatives.

Both studies conducted in the Turkish Grand National Assembly in March and April and the revitalization of the Kars-Ahalkalek railway project led Armenia to pursue a more harsh policy towards Turkey. The negotiations that had been carried on between the two states on the level of foreign ministers since 2003 were suspended in 2005. For instance, Kocharian did not accept the invitation to participate in the annual meeting of the NATO Parliamentarian Assembly in November in Copenhagen although it was known beforehand that Prime Minister Erdoğan would participate. The Minister of Foreign Affairs Oskanian went a step further on this issue and said in an interview with the German newspaper *Suddeutsche Zeitung* that he did not want to hold protocol meetings with the Turkish side, that these kinds of meetings were aimed at convincing the world that Turkey and Armenia were negotiating, that the truth was that there could be no results in these meetings, that Ankara was not ready to take serious steps, that Turkey was bind to third country interests and for this reason Turkey did not have the courage to do those that would be in its interest.⁸⁸

In the year 2006, there was not serious activity in the relations between Turkey and Armenia. The most important reason for this is that the agenda in this year was preoccupied with the bill adopted in France that punishes the denial of the Armenian “genocide.” The adoption of this bill, which meant the limitation of freedom of speech in a European Union country such as France, led to protests not only by Turkey but also by all the countries that advocate for the freedom of speech. It is noteworthy that while even in Armenia there was not such a legal arrangement concerning the punishment of the denial of the “genocide,” France had taken such a decision. Indeed, the Armenian Parliament silently adopted a similar bill following France.⁸⁹

The first months of 2007 was marked by the funeral of the chief editor of the newspaper Agos, Hrant Dink, who was assassinated in İstanbul, and the reflections of this event in Turkish-Armenian relations. Armenia’s Deputy Minister of Foreign Affairs, Arman Kirakosian, who came to İstanbul for the funeral ceremony of Hrant Dink, said to journalists that Armenia was ready to establish diplomatic relations with Turkey without any preconditions, and these words

⁸⁷ Ibid.

⁸⁸ Ömer Engin Lütem, “Olaylar ve Yorumlar,” *Ermeni Araştırmaları*, Issue 19, Fall 2005, for the full text of the article, see <http://www.eraren.org/index.php?Page=Dergiler&icerikNo=361>.

⁸⁹ Milliyet, 7 October 2006.

reverberated in the Turkish press as a new initiative of the Armenian side to normalize the relations between the two countries. However, Armenia had been proposing the unconditional diplomatic relations for years and by this way it was trying to give the impression to the international community that Turkey was the one that did not want a solution.

Another development concerning the relations between the two countries at the end of the presidency of Kocharian is initiation of concrete steps about the Kars-Tbilisi-Baku railway. The “Framework Agreement” of the Kars-Tbilisi-Baku Railway Line Project, labeled as the “Iron Silk Road,” was signed on 7 February 2007 in Tbilisi in the Georgian Parliament. Prime Minister Erdoğan, Georgian President Mikhail Shakhshvili and Azerbaijani President İlham Aliyev attended the ceremony marking the signing of agreement, in which the importance of the project for the three countries, the economic benefits and the stability it would provide for the region were emphasized. The construction of the line, which was expected to be started in August 2007, is planned to be finished in a very short time. The Kars-Tbilisi-Baku Railway Line has turned out to be a project of prestige for the three countries and the completion of this project will increase the geopolitical importance of these countries besides its economic benefits. Moreover, the project will contribute to the regional cooperation in the Caucasus.⁹⁰ The factors that Armenia did not contribute to the security and stability process in the Caucasus and Armenia did not resolve its problems with Azerbaijan prevented this country from taking part in this project. This situation increased the feelings of isolation of Armenia in the region, which will be strongly felt in Serzh Sarkisyan’s presidency and will bring new opening towards Turkey.

4. The Premiership and Presidency of Serzh Sarkisyan (2007 onwards)

After the death of the leader of Republican Party and Armenian Prime Minister Andranik Margaryan due to a heart attack on March 25, 2007, the Defense Minister Serzh Sarkisyan was elected as the leader of the Republican Party, which paved the way for his premiership and later his presidency. On May 12, 2007, as a result of Armenian parliamentary elections, Republican Party won 23.5% of the total votes and acquired 40 seats in the parliament out of 131. Since Republican Party could not win enough votes to form a single party government, a coalition government, composed of Republican Party, The Rule of Law Party (Orinats Yerkir) and Armenian Revolutionary Federation (Tashnak Party), was established under the premiership of Sarkisyan on April 21, 2008.

Like Kocharian, Sarkisyan was also of Karabakh descent and he actively fought during the Armenian-Azeri contention over the region by the end of 1980s and during early 1990s. He was then elected as deputy to the Armenian Parliament and appointed as Defense Minister in various Armenian governments. He was a close aide of Kocharian and followed a similar orientation regarding Turkish-Armenian relations as well as Karabakh problem.

⁹⁰ Oya Eren, “Kars-Tiflis-Bakü Demiryolu Projesi’nde Bir Adım Daha”, 9 February 2007, for the full text of this commentary article, see <http://www.eraren.org/index.php?Page=Makaleler&MakaleNo=1682>.

Soon after his appointment as Prime Minister, he declared his candidacy for presidency which clearly demonstrated his ambitions. Indeed, Kocharian himself perceived Sarkisyan as a legitimate heir for presidency after the end of his tenure in 2008.

Towards the end of 2007, in November, Turkish President Abdullah Gül visited Azerbaijan and together with Azeri President İlham Aliyev he declared further cooperation between Turkish and Azeri Diasporas in combating against genocide allegations and for a peaceful resolution of the Karabakh problem. The two presidents emphasized that there was no intention to exclude Armenia from regional economic initiatives such as natural gas pipelines and Baku-Tbilisi-Kars railway project if Armenia prompted to change its reactive foreign policy towards her neighbors.⁹¹ This visit was replied in Armenia with a conference organized by Foreign Relations Committee of Armenian Parliament on 19-20 December, entitled "Armenia-Turkey Relations: Problems and Expectations" which immediately turned out to be a platform where Armenian activists, particularly from Tashnak Party declared their long-lasting dreams such as re-demarcation of Turkish-Armenian border or the demand of reparations from Turkey due to Armenian casualties as a result of the Armenian "genocide."⁹² This conference once more demonstrated that Armenian activists were insistent on pursuing a policy allowing no reconciliatory initiative between Turkey and Armenia.

In January 2008, an interesting debate was aired by some Turkish newspapers, namely an alleged Armenian support to the PKK terrorist organization.⁹³ Accordingly, it was argued that after Turkey clearly declared that she would launch an attack on the bases of the terrorist organization, PKK decided to locate itself in Karabakh and direct its operations through the support of Armenia. What is more, it was also argued that Armenia intentionally settled Kurds in Karabakh region to disturb population balance against Azeri population living in the region.⁹⁴ However, Armenian government rejected all these claims and this debate was soon dropped from the agenda.

On February 19, Armenian presidential elections were held in which former President Ter-Petrosyan and Prime Minister Serzh Sarkisyan fiercely competed for presidency. Sarkisyan was able to win the elections; however the opposition refused to accept the election results with the claim of enormous frauds during the electoral process. The demonstrations held after the elections were violently suppressed by security forces and during the clashes eight persons were killed by the policemen. The intensification of clashes forced the government to declare state of emergency on March 1. Meanwhile Sarkisyan was vowed as the new

⁹¹ Oya Eren, "Cumhurbaşkanı Gül'ün Azerbaycan Ziyareti Heyecan Uyandırdı", *Stratejik Analiz*, Cilt 8, Sayı 92, Aralık 2007, pp. 16-17.

⁹² Yıldız Deveci Bozkuş, "Ermenistan-Türkiye İlişkileri: Sorunlar ve Beklentiler' Konulu Toplantının Düşündürdükleri", *Stratejik Analiz*, Cilt 8, Sayı 94, Şubat 2008, pp. 90-91.

⁹³ "PKK Kandil'i boşaltıyor", <http://eurasiaforum.de/showthread.php?tid=181>, 3 Kasım 2007; "Musavat: Karabağ'daki PKK'ya Türk-Azeri operasyonu yapılacaktır", <http://www.usakgundem.com/haber.php?id=18142>, 8 Mart 2008; "Azeri basını: PKK, Karabağ'a yerleşiyor", *Hürriyet*, 19 Şubat 2008; "PKK'nın yeni yuvası Ermenistan", <http://www.samanyoluhaber.com/haber-81805.html>, *Akşam*, 3 Aralık 2007.

⁹⁴ Yıldız Deveci Bozkuş, "PKK, Dağlık Karabağ'a Yerleşebilir mi?", *Stratejik Analiz*, Cilt 8, Sayı 93, Ocak 2008, pp. 8-9.

President of Armenia on April 9, 2008, while new government was established by Tigran Sarkisyan on April 9, 2008. Sarkisyan's choice of Tigran Sarkisyan was quite surprising since the latter Sarkisyan was the former president of the Armenian Central Bank and had no prior political experience. This choice was therefore evaluated as the President would continue to control the political structure of the country.

The early hopes in Turkey for a new period in Turkish-Armenian relations under the new president and new government of Armenia soon disappeared with the demonstrations held in Yerevan on April 24. Particularly, the anti-Turkish mood of the demonstrations and burning of Turkish flag resulted in a cooler reception of Turkey of the new administration in Armenia.⁹⁵

However, soon after these demonstrations President Sarkisyan made an interesting and quite surprising move by inviting his Turkish counterpart to the Turkish-Armenian football match within the framework of 2010 World Cup, which would be held in Yerevan on September 6. The reason of this opening towards Turkey could be found when the mood of international community towards Armenia in these days was taken into consideration. Three developments had a particular influence with this regard. First of all, the fraud allegations in the Armenian presidential elections and violent suppression of opposition as well as the declaration of state of emergency decreased the credibility of Armenia in the eyes of foreign public opinion. What is more, two international organizations took significant decisions regarding Armenian genocide allegations and Karabakh question. The first one was taken by United Nations General Assembly on March 14, which demanded Armenia to withdraw its forces from occupied territories, to allow the Azeri refugees to return their homes and to support a prospective resolution of the conflict through the efforts of Minsk Group.⁹⁶ The other international organization adopting a decision concerning Armenia was the Parliamentary Assembly of OSCE. Accordingly in the final communiqué of the 17th meeting of the Parliamentary Assembly of OSCE in Astana, Kazakhstan, between June 29 and July 3, it was declared that the events which were to be claimed as "genocide" had to be defined as a result of archival studies made by historians and the Turkish proposal for the establishment of a joint historians commission for the evaluation of what had really happened in 1915 was thereby indirectly supported.⁹⁷

All in all, the bad record of Armenia in handling the demonstrations after the presidential elections as well as two aforementioned decisions alarmed Sarkisyan that Armenian credibility in the eyes of international community diminished to a considerable extent. Therefore he felt himself obliged to make a new opening to demonstrate the international public opinion that it was Armenia that desired for a reconciliation between Turkey and Armenia. Hence he invited President Gül as a gesture for his good intentions towards Turkey.

⁹⁵ Today's Zaman, 25 Nisan 2008, "Ankara Condemns Disrespect for its Flag in Armenia Commemoration".

⁹⁶ For a detailed analysis of this decision see, Ömer Engin Lütem, "Olaylar ve Yorumlar", *Ermeni Araştırmaları*, Sayı 30, 2008, pp. 52-58.

⁹⁷ Yıldız Devenci Bozkuş, "AGİT'in Kararı 1915 Olayları Konusunda Yeni Bir Başlangıç Olabilir mi?", <http://www.asam.org.tr/ryazigoster.asp?ID=2350&kat1=44&kat2=>.

The Georgian crisis and subsequent Russian occupation of Abkhazia and Southern Ossetia exacerbated the situation for Armenia as well. Since Turkish and Azeri borders of Armenia were closed and since Iranian border was geographically unavailable for profitable trade, the only outlet of Armenia to the external world was Poti harbor of Georgia. After the Russian-Georgian crisis, with the temporary closure of Poti harbor and subsequent volatile situation in Georgia was perceived as a disaster for Armenian economy, since Armenian trade was primarily done through this country. Thus a reconciliation between Turkey and Armenia and a prospective opening of Turkish-Armenian border was thought by Sarkisyan as the only option to recover Armenian economy and to ameliorate Armenian image in the eyes of international community.

In early September, Abdullah Gül declared that he accepted the invitation of Sarkisyan and he would attend to the football match. The reason of this acceptance was the Turkish desire of preservation of the relatively favorable perception of Turkey as the demander of Turkish-Armenian reconciliation since the active foreign policy towards Armenian genocide allegations shaped after the proposal of establishment of joint historical commission in 2005. In other words, Abdullah Gül did not want to reverse the recently established image of the Turks wishing for good neighborly relations between Turkey and Armenia. However, both the Turkish opposition and Azerbaijan reacted to this decision of attending a football match in Yerevan. Opposition parties argued that before the resolution of three significant problems between Turkey and Armenia (namely Armenian non-recognition of the territorial integrity of Turkey, her attempts for prompting the international community to recognize the genocide allegations and the occupation of Karabakh and adjacent Azeri territories), it would not be a wise idea to pay such a high-level visit to Armenia, which would be perceived as a significant concession.⁹⁸ Although there was not much official reaction, the general public opinion in Azerbaijan was also against Gül's visit to Yerevan, particularly because there was no indication on the Armenian side regarding the resolution of the Karabakh problem.

Indeed, beyond replying a gesture from Armenia, President Gül went to Yerevan not only to ameliorate Turkish-Armenian relations, but also to make Armenia involved to the Caucasian Stability and Cooperation Platform (CSCP), a Turkish initiative for resolving disputes in Caucasus and for prompting the regional states to cooperate intensively in political and economic matters.⁹⁹

Gül's visit to Yerevan was welcomed by international community. Both American and European decision makers appreciated this reconciliation initiative between Turkey and Armenia.¹⁰⁰

⁹⁸ Hyetert, 1 Eylül 2008, "Baykal'dan Gül'e Ermeni Taşı!"; Akşam, 2 Eylül 2008, "Tarihi Gaflet".

⁹⁹ Yıldız Deveci Bozkuş, "Kafkas İttifakı Önerisi Türkiye-Ermenistan İlişkilerinde Yeni Bir Başlangıç mı?", <http://www.asam.org.tr/tr/yazigoster.asp?ID=2503&kat1=44&kat2=>.

¹⁰⁰ "Turkey, Armenia Mend Ties Through Football", Associated Press, 5 Eylül 2008; "Gul's Yerevan Visit Welcomed by All But Extremist Opposition", Today's Zaman, 4 Eylül 2008; "EU Hails Turkey's 'historic' Armenia visit", EUobserver, 5 Eylül 2008; "Turkey's President Makes Historic Visit to Armenia", The New York Times, 6 Eylül 2008; "Turkish President To Visit Armenia", International Herald Tribune, 4 Eylül 2008.

In order to appease Azeri public opinion and to assure Azeri President İlham Aliyev that the new reconciliatory relationship between Turkey and Armenia would not mean a concession for Armenia and against Azerbaijan, soon after his return from Yerevan, Gül paid an official visit to Baku. In this visit, Gül not only convinced Azeri authorities for Turkey's support of the Azeri cause regarding Karabakh question but also tried to involve Azerbaijan to the CSCP.

The positive mood achieved after Gül's visit to Yerevan and Baku was furthered with the meeting of foreign ministers of the three countries, Turkey, Azerbaijan and Armenia, in New York on September 26, during the United Nations General Assembly meeting. Accordingly, Armenia reiterated its long-lasting policy of establishment of diplomatic relations with Turkey without any preconditions, while Azerbaijan once more demanded withdrawal of Armenian troops from Azerbaijan. Turkey supported Azeri cause on the one hand and tried to convince Armenia that if Armenia took concrete steps for a peaceful resolution of the Karabakh conflict, then she would be involved in regional energy and transportation projects.¹⁰¹

Although the meeting ended without a tangible result as usual, still preservation of diplomatic channels for communication is important. Turkish media has generally reflected these recent developments as a "new period" in Turkish-Armenian relations which would ultimately result in resolution of the problems between two states as well as between Azerbaijan and Armenia.¹⁰² However, it would be an optimistic account to argue that all these matters will be resolved overnight since they are quite complex and historically established problems. Hence, extremely optimistic targets regarding Turkish-Armenian relations are very difficult, if not impossible, to achieve. Still, if Armenian authorities will answer Turkish good intention in developing neighborly relations with Armenia and if some concrete steps will be taken for the peaceful resolution of the Karabakh questions bilateral relations between Turkey and Armenia as well as between Azerbaijan and Armenia will develop to a great extent in the medium and long term.

Conclusion

The interstate relations between Turkey and Armenia that were established with the formation of the Democratic Republic of Armenia in 1918 hitherto continued by passing through various stages. This first independent Armenian Republic preferred to pursue a revisionist foreign policy and departing from the

¹⁰¹ "Türkiye-Ermenistan-Azerbaycan görüşmeleri", Cumhuriyet, 27 Eylül 2008; "Barış üçgeni: Ermenistan Türkiye Azerbaycan", Yeni Şafak, 11 Eylül 2009; "New York Görüşmelerinin Ardından Türkiye-Ermenistan-Azerbaycan İlişkileri", <http://www.asam.org.tr/tr/yazigoster.asp?ID=2861&kat2=2>, 6 Eylül 2008; "Türkiye-Azerbaycan-Ermenistan Zirvesinde Tarafların Beklentileri", <http://www.asam.org.tr/tr/yazigoster.asp?ID=2634&kat1=44&kat2=>, 12 Eylül 2008.

¹⁰² "Kafkas İttifakı Önerisi Türkiye-Ermenistan İlişkilerinde Yeni Bir Başlangıç mı?", 20 Ağustos 2008, <http://www.asam.org.tr/tr/yazigoster.asp?ID=2503&kat1=44&kat2=>; "Ermenistan'ın Kafkas İttifakı Önerisine Yaklaşımı ve Türkiye'nin Tavrı", 22 Ağustos 2008, <http://www.asam.org.tr/tr/yazigoster.asp?ID=2510&kat1=44&kat2=>.

perception that it was confined to a small region and that it controlled only on a part of the lands of the state referred as the "Great Armenia," it had territorial claims on its neighbors. However, it lost the border conflicts both with Azerbaijan and Georgia, its invasion of the Turkish land was repelled by the Turkish army under the command of Kazım Karabekir, and the Armenian Republic was ended with the invasion of the Soviet army.

Under the Soviet Union, Armenian nationalism had been revitalized in the Armenian state since the beginning of the 1960s, and this situation led to the consolidation of extremely negative prejudices about Turkey. In the text of Declaration of Independence dated 23 August 1990, reference is made to the "genocide" and the Eastern Anatolian land of Turkey is mentioned as "Western Armenia." In other words, the impression that the territorial integrity of Turkey would not be accepted signaled that problematic nature of the relations between Turkey and Armenia on the eve of independence.

Immediately after the independence, Karabakh's declaration of independence, which had been an autonomous republic of Azerbaijan, and the Armenian invasion of Karabakh and its surroundings upon the Azerbaijani refusal of this *fait accompli*, mark a serious turning point in Turkish-Armenian relations. The reason for Turkey's closure of its land border with Armenia is this unjust invasion.

Nevertheless, especially after the conflicts between Armenia and Azerbaijan were settled to a degree, the Armenian president at the time, Levon Ter-Petrossian, tried to initiate the realization of the normalization of relations with Turkey and to convince others that this would be to the benefit of Armenia. Yet, he was forced to resign when this situation was met with reactions from members of the radical nationalists of the Armenian Diaspora and those in Armenia.

Robert Kocharian, who became the Armenian president in 1998, rather than working for the normalization of relations with Turkey like his predecessor Levon Ter-Petrossian, he preferred to work to persuade the international community that the side that did not want a solution was Turkey. For this reason, he permanently put forward the proposal to establish unconditional relations with Turkey; however, he ignored the daunting fact of actually how the relations with a country that he did not even recognize the territorial integrity of could be normalized.

Although Sarkisyan's presidency is seen as a "new era" in Turkish-Armenian relations by both Turkey and Armenia, the opinion that it is yet too soon to be optimistic is prevailing because it seems that the problems of two countries with a long historical background cannot be resolved in a short period of time.

In conclusion, the reasons for not establishing diplomatic relations with Armenia and keeping the land border with this country closed are clear. To emphasize once again, these are Armenia's attempts to make the "genocide"

issue accepted as a historical reality, its non-recognition of the territorial integrity of Turkey officially, and its unjust invasion of the 20% of the Azerbaijani territory. The solution of all these problems is dependent firstly on the steps that will be taken by Armenia. In short, Turkey is ready to establish good relations with Armenia as with all its neighbors; however, for this, the Armenian side should also be ready for the solution to the problems mentioned above. When these problems are resolved, there is no obstacle for the betterment of relations between Turkey and Armenia in the long term.

THE KARABAKH PROBLEM

Ömer Engin LÜTEM*

This article offers a brief history of the Karabakh problem, which constitutes the most important conflict in the South Caucasus, and analyzes the invasion of Azerbaijani territories by Armenian forces, international efforts directed at the solution of the problem, the main resolutions adopted by international organizations on this issue and the benefits that regional countries stand to gain from the settlement of the conflict.

Karabakh and Nagorno-Karabakh are two different geographical terms. Karabakh is the approximately 18,000 km² area between the Kura and Arax Rivers of Azerbaijan and Lake Sevan (Gökçe Gölü) of Armenia. Of this region, 4300 km² is mountainous and commands strategic value. This region has been called Nagorno (mountainous) Karabakh by the Russians and constitutes today the point of conflict between the Azerbaijanis and Armenians. This area is now called Karabakh only, mainly for practical reasons (for the Karabakh map, see Appendix, Map 5).

The Karabakh problem was created by the Russian Empire, primarily due to geo-strategic concerns, approximately two centuries ago. At the outset of the 19th century, Turkic peoples, especially Azerbaijanis, were in the majority and Armenians were in the minority in the regions that comprise today's Karabakh and Armenia. Most of the Armenians lived in the Ottoman Empire and Iran. Karabakh was a Khanate composed mainly of Azerbaijanis.

After gaining control of the Caucasus, the Russian Empire followed a policy of increasing the Armenian population in the region, as it was convinced that this would ease the administration of the area.¹ With this aim, the Russian Empire especially tried to move those Armenians living in Iran and the eastern part of the Ottoman Empire to the Caucasus. Parallel to this, a part of the Muslim population of Karabakh was forced to migrate to the other regions of Azerbaijan and to the Ottoman territories. Eventually, the Russian policy of moving Armenians to the Caucasus was successful in changing the ethnic composition of the area and

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¹ Ömer Göksel İşyar, *Sovyet-Rus Dış Politikaları ve Karabağ Sorunu*, İstanbul: Alfa Publications, 2004, pp.207-216.

particularly of Karabakh. While the Armenians continued to move to the Southern Caucasus throughout the 19th century, they did not become a majority in many regions except for some areas. However, the flow of Armenians from Eastern Anatolia to the Caucasus after the Balkan Wars and the migration of approximately 420,000 Armenians² to the region, especially during and following World War I, led Armenians to form the majority in the regions that comprise today's Armenia.

The Russian policy of settling Armenians in the Caucasus yielded the following results: the increase of Armenians in the Caucasus made it difficult for the Moslem peoples in the region to unite against the invading Russian forces and prevented them from cooperating against the Russians with Iran and the Ottoman Empire - the two Moslem powers in the region. The Armenians, under Russian control, played an important role in the revolt of the Ottoman Armenians and the propagation of the idea of an independent Armenia. It was under the same influence that the Ottoman Armenians sided with the Russian army in the First World War. On the other hand, settling Armenians in Karabakh also led to a serious conflict between Azerbaijan and Armenia that occasionally escalated into armed conflict.

With the collapse of the Russian Empire, an Armenian state was created in the Caucasus in 1918. The Treaty of Sèvres, which essentially liquidated the Ottoman Empire, granted vast territories in East Anatolia to the Armenians. The Armenians initiated a war to take possession of these territories but were defeated by the Turkish forces and accepted present boundaries. Soon, Armenia ceased to exist as an independent state and joined the Soviet Union.

After the Soviet Union took control of all of the Caucasus, the Nagorno-Karabakh Autonomous Oblast (region) was established and was incorporated within Azerbaijan. According to Armenian sources,³ the main reason for this region, with an overwhelmingly Armenian population, being attached to Azerbaijan was the Soviet's policy of "divide and rule." Stalin, who knew the conditions in the Caucasus very well as a native of Georgia, drafted the following map: Nakchivan was separated from Azerbaijan through an Armenian passage. Thus, Azerbaijan lost direct contact with one of its important provinces. Furthermore, Turkey was prevented from becoming a neighbor of Azerbaijan. Karabakh, though autonomous, was attached to Azerbaijan, thereby creating a source of continuous discontent between Azerbaijan and Armenia, forcing the two parties to resort to the mediation of Moscow. While Karabakh was given autonomy because of the fact that the majority of the population was Armenian, no such privilege was given to those Muslims living in Armenia and Georgia. Likewise, Armenians in the Ahılkelek region of Georgia were not given autonomy.

During the Stalin era, Moscow harshly reacted to the occasional demands with regard to Karabakh being attached to Armenia. For instance, it has been

² Kamuran Gürün, *Ermeni Dosyası*, Ankara: Türk Tarih Kurumu, 1983, p.227; Avetis Aharonian, Armenian Delegation at 1919 Paris Peace Conference, gives the number of Armenians coming from the Ottoman Empire as 400,000 to 500,000, Arşiv Belgeleri, *Ermeni Araştırmaları*, No. 22, p. 205.

³ P. Donebédian and C. Moutafian, *Artash: Histoire du Karabagh*, Paris: Sevig Press, 1991, p. 93.

claimed that one of the reasons for the assassination of Khanjian, the First Secretary of the Armenian Communist Party, in 1936 was the Karabakh problem.⁴ After the Second World War, the demands of the USSR from Turkey, which included not only the control of the Turkish Straits but also the provinces of Kars and Ardahan and its simultaneous calls for the Armenians of the Diaspora to settle in Armenia, further strengthened the existing nationalism in Armenia. However, the Soviets diligently attempted to direct this nationalism to be operative abroad only (in other words towards Turkey) while attempting to keep the same sentiment from impacting national problems such as Karabakh.

The Karabakh problem could reemerge only in the atmosphere of relative freedom that followed the death of Stalin. Karabakh applied to Moscow on numerous occasions and demanded that the area be joined with Azerbaijan. Clashes that erupted in 1968 between Azerbaijanis and Armenians in Khankendi – the capital of the region that is now known as Stepanakert – showed that there was a strong tendency in Karabakh for joining Armenia. It also appears that this tendency was being covertly supported by Armenia. The Armenian Diaspora, which always pursued dreams of creating a Greater Armenia, also wanted Karabakh to be a part of Armenia. Moscow disregarded these requests, which would disrupt the existing order if granted. In 1973, Boris Kevorkov became the head of the Karabakh Communist Party. During his 15 years of service, he maintained the status quo as demanded by Moscow. In this period, those asking to join Armenia were accused of engaging in Dashnak propaganda.

Mikhail Gorbachev became the General Secretary of the Communist Party of the Soviet Union in 1985 and tried to implement the very essential reforms that the country needed but the conservative party cadres had been preventing. Gorbachev demanded these reforms to be founded on certain basic principles such as *perestroika* (restructuring), *glasnost* (openness), *demokratizatsiia* (democratization) and *novoe mysshlenia* (new thinking). Thus, an era of relative liberalization started in the USSR, causing long unvoiced complaints and demands to be put forth and nationalistic sentiments to gain strength. Strong nationalistic movements emerged quickly in Armenia and Karabakh; demands that Karabakh be annexed to Armenia were made and street protests were organized.

A serious crisis broke out between Azerbaijan and Armenia when the latter supported the demands of Karabakh. Going through the dissolution process, the USSR could not act in a decisive and determined manner to overcome the crisis. Later, it became more concerned with trying to preserve its presence in the region and to that end implemented policies that often supported Armenia but sometimes Azerbaijan as well. The USA and European powers had no significant influence over the region at that time. While stating to be supportive of peace initiatives, overall, they followed a policy of non-intervention. This created a very conducive environment for Armenia.

In February 1988, protests were being held in Karabakh and in Armenia. The Armenian deputies of the National Council of Nagorno-Karabakh (110 of the 140

⁴ Ibid, p.95.

members) voted to unify the region with Armenia on February 18, 1988. However, the Central Committee of the Communist Party of the USSR rejected this decision citing that it would be harmful to relations between nationalities and that it was a product of the provocation of national extremists. In the meantime, the protests had intensified and 100,000 persons were gathered in the Opera Square in Yerevan on February 22. The protests only stopped after Gorbachev delivered a calming speech on February 26 and agreed to meet with representatives of the "Committee for Karabakh" that had been elected in Yerevan. However, clashes erupted between Azerbaijanis and Armenians in Baku and Sumgait when Azerbaijanis living in Armenia had to flee because of the attacks. The clashes in Sumgait on 28-29 February resulted in the deaths of 26 Armenians and 6 Azerbaijanis. A total of 197 people were wounded.⁵

Despite the ban, protests continued and on March 12, 1988 another decision was taken by the Karabakh Parliament renewing the demand to unify with Armenia. On May 21, 1988 the First Secretaries of the Azerbaijani and Armenian Communist Parties, Bagiraov and Demirchyan respectively, were relieved of their duties by Moscow, ostensibly for health reasons. Suren Haroutunian in Armenia and Abdul Rakhman Vezirov in Azerbaijan replaced them.⁶

On June 15, the Armenian Parliament decided to request from the Azerbaijani Parliament and the Supreme Soviet of the USSR that Karabakh be incorporated into Armenia. This decision was based on Article 70 of the Soviet Constitution which stated that the USSR was an integral, federal, multinational state formed on the principle of socialist federalism as a result of the free self-determination of nations and the voluntary association of equal Soviet Socialist Republics. On the other hand, the Azerbaijani Parliament decided on June 17 that the decision of the Armenian Parliament was null and void, based on Article 78 of the Soviet Constitution which stated that the territory of a Union Republic could not be altered without its consent. From a purely legal perspective, it is clear that the region of Karabakh, which is not a Soviet Republic, could not resort to the provisions of Article 70 of the Soviet Constitution.

After the Parliament of Armenia, on July 12, 1988, the Parliament of Karabakh also demanded immediate secession from Azerbaijan and incorporation into Armenia as an autonomous oblast to be known by its ancient name Artsakh.⁷ On July 18, the demand was discussed in the Presidium of the Supreme Soviet of USSR and it was rejected. This decision prompted large protests and strikes in both Armenia and Karabakh.

Moscow, considering the inability or unwillingness of the local administrators of Armenia and Azerbaijan in resolving the Karabakh issue, established the "Special Administrative Committee for Nagorny Karabakh" and appointed Arkady Volsky of the USSR Communist Party Central Committee as its chairman.

⁵ *Keesing's Contemporary Archives, Record of World Events*, London, 1988-2000, Vol.34, p.36034.

⁶ *Ibid*, p.36035.

⁷ *Ibid*, p.36036.

On November 24, 1988, a state of emergency was declared in Ganja City of Azerbaijan (then known as Kirovabad) and in Nakhichevan. Three days later, the party leaders of the aforementioned town and region were dismissed. Troops began evacuating Armenians from these regions. In the weeks following this event, tens of thousands of Azerbaijanis fled Armenia and a similar amount of Armenians fled Azerbaijan. According to statements made in Moscow, 87 people died in the incidents and 1,500 were wounded. A total of 158,000 Armenians fled Azerbaijan while 141,000 Azerbaijanis fled Armenia and 15,855 weapons were seized.⁸

On December 7, 1988, an earthquake struck Armenia and caused the death of approximately 25,000 persons. Even this tragic incident did not stall the protests in Armenia. In a television address on December 11, Gorbachev denounced those who were trying to exploit the earthquake for political aims. Armenian nationalists had spread rumors that evacuation of the devastated areas would be used as a pretext for dispersing large numbers of Armenians outside of their homeland.

In the face of the incessant turmoil, Moscow adopted a tougher stance in the beginning of 1989. The members of the Karabakh Committee in Armenia who had been organizing the protests were arrested and a curfew was declared. Furthermore, a significant number of changes were implemented in the Communist Parties and local governments in Azerbaijan and Armenia. On January 28, 1989 the Prime Minister of Azerbaijan Hasan Seyitov was relieved of his position due to health reasons and replaced by Ayaz Mütalibov. In Karabakh, the First Secretary of the Communist Party Genrik Pogosian also resigned due to health reasons. Furthermore, Karabakh was placed under direct rule of Moscow on January 12, 1989.⁹ It was stated that Karabakh would retain its status as part of Azerbaijan.

These drastic measures implemented by Moscow brought about relative calm for some time. However, a few months later protests started in Armenia demanding the release of those members of Karabakh Committee who had been arrested previously. In Karabakh – now under the direct rule of Moscow – clashes between the Azerbaijanis and Armenians in May could only be prevented through the intervention of Soviet troops. On August 16, 1989 a National Council was established in Karabakh in which only Armenians participated.

The Presidium of the Supreme Soviet of USSR ended the direct ruling of Karabakh by Moscow on November 28, 1989. The Special Committee for Nagorno-Karabakh was also dissolved. However, Soviet troops remained in Karabakh. Thus, theoretically Karabakh returned to Azerbaijan administration. Yet, the Supreme Soviet demanded from Azerbaijan that it would pass new legislation guaranteeing full and real autonomy for Karabakh in two months time. As a reaction to Karabakh being returned to Azerbaijani rule, the Armenian Parliament and the Karabakh National Council passed a resolution on December

⁸ *Keesing's...* Vol.35, pp.36471, 36490.

⁹ *Ibid*, p.36402.

1, 1989 stating that Karabakh was a part of a unified Armenian Republic. According to this resolution, Armenian laws would apply in Karabakh and the Karabakh National Council was accepted to be the legitimate government for the region. In Azerbaijan, this decision was protested at a rally organized by the Popular Front, which was increasingly gaining strength as a political movement. Approximately half a million people attended the rally. Furthermore, the railroad to Armenia was blocked for a week.

In January 1990, the Armenian Parliament decided to extend the provisions of its budget and election laws to cover Karabakh. When the Armenian decision regarding a "Unified Armenia" was found to be unconstitutional by the Supreme Soviet in Moscow, the Armenian Parliament voted to allow itself to veto the legislation approved by Moscow.¹⁰ These decisions displayed clearly that Armenia was on its way to independence and that it had the desire to annex Karabakh.

In Azerbaijan, during protests organized by the Popular Front that was composed of the refugees from Karabakh and Armenia mainly, the government was called upon to reassert full sovereignty over Karabakh or to resign. Karabakh was returned to the administration of Azerbaijan on November 28 but the order could not be restored.

On January 13, 1990, fighting erupted between Azerbaijanis and Armenians in Baku. Sixty people died in a few days and most of them were Armenians. On January 15, the Supreme Soviet in Moscow decreed the dispatch of armed forces to Azerbaijan to stop the violence. The troops were authorized to use firepower. The Supreme Soviet also declared a state of emergency in Karabakh and the adjacent regions of Azerbaijan as well as in Baku. In the meantime, in Baku, protests demanding the resignation of the government were still underway and barricades were being erected on the outskirts of the city. The USSR deployed 11,600 troops to Azerbaijan. Along with the 6,000 troops already in the country, the total number of Soviet troops exceeded 17,000. These units launched an attack on Baku from sea and land on January 19. According to official sources, 82 people died in street battles. The figure was as high as 600 according to the Popular Front. On January 20, the First Secretary of the Azerbaijan Communist Party Abdul Rakhman Vezirov resigned and Ayaz Mutaibov was assigned to replace him. Hasan Hasanov became the Prime Minister.¹¹

The fact that 750,000 gathered in the largest square of Baku for the funeral of those killed by the Soviet troops displayed that the resistance against the USSR enjoyed wide popular support. However, Soviet troops continued to resort to force and 43 leading members of the Popular Front were arrested on January 24. A military decree banned all strikes and protests and introduced a 30-day administrative detention period without trial. Baku returned to relative peace. Evacuation of the Armenians and Russians in Baku was suspended after the

¹⁰ *Keesing's...* Vol.36, p.37169.

¹¹ *Ibid*, p.37169.

Popular Front agreed to guarantee their safety but more than 30,000 had already been evacuated. According to official figures, the death toll in the clashes in Azerbaijan and the Azerbaijani and Armenian borders in January 1990 exceeded 200. The representatives of the Popular Front of Azerbaijan and the National Movement of Armenia met in Riga, the capital of Latvia, on January 24. On February 15, they agreed to a cease-fire and the release of prisoners. However, low intensity hostilities continued between the two sides. On February 13, railway traffic resumed. The Supreme Soviet in Moscow pointed out that efforts of the central authorities to normalize the situation in the Transcaucasus had achieved no positive results and ordered authorities of Armenia and Azerbaijan to enter into talks to conclude a treaty aimed at restoring trust. Upon this, the Azerbaijani and Armenian Prime Ministers met in Tbilisi but could not produce any results.

In the meantime, Moscow issued a decree ordering all illegal armed groups in the Soviet Union to disband and surrender their weapons or face a crackdown by security forces or army units. This decision pertained not only to the armed groups in the Caucasus but for those in Central Asia as well. It was also a warning for the Baltic States where unrest was rising. The newly elected Armenian Parliament voted to suspend the application of this decree on Armenian territory.

The newly established parliament following elections in Armenia convened on July 20. On August 4, 1990 Levon Ter-Petrosian was elected as the Speaker of the Armenian Parliament. This office was the equivalent of Head of State. The candidate of the Communist Party, Vladimir Movsisian, received only 80 votes whereas Ter-Petrosian received 140. Vazgen Manukian was appointed as the Prime Minister.¹² Both Ter-Petrosian and Manukian were members of the Karabakh Committee mentioned above. The fact that these persons were elected to the highest offices in Armenia showed that Communist rule in Armenia had effectively come to an end.

On August 23, 1990, the Armenian Parliament adopted the Declaration of Independence. According to this, the Armenian Soviet Socialist Republic was renamed the Republic of Armenia. It was stated that Armenia was a self-governing state, endowed with the supremacy of state authority, independence, sovereignty and plenipotentiary power. It was also stated that only the constitution and laws of the Republic of Armenia were valid for the whole territory of the Republic of Armenia. According to the declaration, Armenia was to create its own armed forces, internal troops, organs of state and public security; military units of other countries and their military bases and building complexes could be located on the territory of the Republic of Armenia only by the decision of Armenia's Supreme Council. The Republic of Armenia was to conduct an independent foreign policy and could establish direct relations with other states and national state units of the USSR. Armenia was to create its own currency, national bank, finance-loan system, tax and custom services and its own system of education. As is evident, Armenia would become a fully independent state. However, the declaration did not state that Armenia was declaring independence

¹² Ibid, p.37664.

from the USSR. It appears that while becoming *de facto* independent, Armenia tried at the same time to preserve the protection of the USSR.

In the Armenian Declaration of Independence, only a passing reference is made to the union of Armenia and Karabakh because it is assumed that the two were already united. In fact, this union was not legal since it had been approved neither by Azerbaijan, to which Karabakh was attached, nor the USSR which had a say over the status of the “autonomous region.”

It must be mentioned that the Armenian Declaration of Independence also contains an article on Turkey. Article 11 of this document states: “The Republic of Armenia stands in support of the task of achieving international recognition of the 1915 Genocide in Ottoman Turkey and Western Armenia.” This article not only accepted the claims of “genocide” which Turkey categorically rejected, but also went further to state that international recognition would also be sought. By referring to Eastern Anatolia as Western Armenia, the same article also indirectly infringes upon Turkey’s territorial integrity. Indeed, Armenia still has not declared that it recognizes the Treaty of Kars of October 13, 1921, which established the border between the two states and which had been signed by the Armenian SSR. However, it did not repudiate it either.

In brief, the Declaration of Independence has embroiled Armenia in conflict with Azerbaijan due to Karabakh and with Turkey due to “genocide” claims and Turkish territorial integrity.

A few months later when the hostilities between Azerbaijan and Armenia in the border regions intensified, Soviet troops helped Azerbaijani forces in accordance with the aforementioned Moscow decree. This was met by the protests of Armenians. Ter-Petrosian blamed the Soviet leader for both punishing the nationalistic government of Armenia and upholding the Communist regime in Azerbaijan by cooperating with Azerbaijan. Gorbachev had prepared a new Union Treaty, in a last effort to save the crumbling USSR. Azerbaijan signed this treaty alongside eight other Soviet Republics while Armenia refused to become party to it.¹³

As the hostilities were continuing, Russian President Yeltsin and Kazak President Nur Sultan Nazarbayev were able to achieve the signing of a cease-fire agreement between Armenia, Azerbaijan and Karabakh on September 24, 1991. According to this agreement, all armed groups were to disarm and withdraw from Karabakh until the end of the year, leaving behind only Soviet troops. Hostages were to be freed and people would return to the villages they had been obliged to abandon. An estimated 800 people had died in clashes since 1988; therefore, the cease fire agreement was received well. Yet, in the clashes that occurred two days later, 15 people were killed. It was difficult to claim that either Azerbaijan or Armenia was in complete control of the armed groups. On November 20, an Azerbaijani helicopter carrying a high ranking officer as well as civilians was shot down. Armenia did not accept Azerbaijani allegations

¹³ *Keasing's...* Vol.37, p.38078.

regarding the incident. It is worth noting that shortly before the incident Azerbaijan had cut off gas supplies to Armenia.

On November 26, 1991, the Azerbaijani Supreme Council adopted a resolution voiding the autonomous status of Nagorno-Karabakh which would be governed henceforth by the National Unity Council.¹⁴ The next day, the USSR called on Azerbaijan and Armenia to abstain from any act that would change Karabakh's legal status. Both states accepted this decision which was in favor of Azerbaijan since Karabakh was legally attached to it.

The Referendum on the independence of Armenia from the Soviet Union was held on September 21, 1991 and witnessed a record turnout of 95%, in which 94% of the participants voted in favor of independence from the Soviet Union.¹⁵ On September 23, Armenia declared full independence. The independent Armenian state covered 29,800 km² and had a population of 3,283,000. The Nationalist Party to which President Ter-Petrosian also belonged was ruling Armenia. The Armenian Communist Party had ceased its activities in August.

Only Ayaz Mütalibov joined the presidential elections held in Azerbaijan on September 9, 1991. The Popular Front, representing the rising political force in the country, was preoccupied with internal problems. On October 18, the Azerbaijani Parliament adopted the official Declaration of Independence. The referendum on December 29 affirmed this decision.¹⁶ The newly created Republic of Azerbaijan was 86,600 km² in size with a population of 7,023,000. The country was being administered by Ayaz Mütalibov's Communist Party.

The Armenians in Karabakh held a referendum in parts of the region under their control and declared their independence on December 10, 1991.¹⁷ On December 28, they held parliamentary elections. Eleven of the 81 seats in the new parliament were reserved for Azerbaijani parliamentarians. Yet, as the Azerbaijanis had not participated in the elections (as a matter of fact, they considered them to be illegitimate), the seats were left vacant. On January 3, 1992, the Armenian Parliament recognized the independence of Karabakh. On January 8, Artur Mkrtychyan became Head of State.¹⁸ In the meantime Karabakh applied for membership in the Commonwealth of Independent States but was not admitted.

According to the 1979 population census of the USSR, the population of Karabakh was 160,000, of which 75% were Armenians and the remaining were Azerbaijanis.¹⁹ As the Azerbaijanis fled or were forced to leave the region due to war, approximately 120,000 Armenians were dwelling in Karabakh when independence was declared.

¹⁴ Ibid, p.38582.

¹⁵ Ibid, p.38418.

¹⁶ *Keesing's...* Vol.38, p.R120.

¹⁷ Ibid, p.38733.

¹⁸ Mkrtychyan was shot death at his home on April 14, 1992. Karabakh Parliament called his death "an accident." On that subject see Patrick Karam and Thibault Mourges, *Les Guerres de Caucase, des Tsars à la Tchétchénie*, Paris: Librairie Perrin, 1995, p. 91.

¹⁹ Donabédian and Mutafian, op. cit., p. 93.

In response to Karabakh declaring its independence, Azerbaijan placed the region under direct Presidential rule on January 2, 1992 and Salam Memetov was appointed for the administration of the area. Yet, this appointment was of little consequence since Azerbaijan did not control a large part of the said territory.

The USSR ceased to exist on December 21, 1991. Eleven of the former republics, including Armenia and Azerbaijan, established a loose union amongst themselves under the name of the Commonwealth of Independent States (CIS). The Baltic States and Georgia did not join.

Turkey recognized the independence of Armenia two days before the United States on December 24, 1991. Turkish Prime Minister Süleyman Demirel sent a message to Armenian President Ter-Petrosian and asked that territorial integrity and the inviolability of borders be respected.²⁰ This message was a response directed towards the indirect claims on Turkish territories voiced in the Armenian Declaration of Independence. Turkey was also disturbed by the allegations of “genocide” in the same document. When Armenia did not change its position on these issues, Turkey did not establish diplomatic relations with Yerevan.

On the other hand, the Demirel Government tried to establish good relations with Armenia. Armenia was providing its energy in the form of natural gas from the USSR and also from the Metsamor nuclear power plant. Due to the difficult internal situation in Georgia, there was frequent interruption in the supply of gas. The nuclear power plant utilizing outdated technology had frequently been shut down as well. Turkey supplied Armenia with electricity during this economic hardship and donated 100,000 tons of grain. Turkey also undertook significant efforts for the peaceful resolution of the Karabakh conflict. Prime Minister Demirel summarized Turkish policy in the following statement: “To stay away from the conflict and to utilize diplomatic means to resolve it.”²¹ Yet, this moderate and constructive policy could not bring about a change in the Armenian stance on Karabakh or in its demands directed at Turkey.

When Armenian forces started the invasion of Karabakh, Turkey tried to help Azerbaijan without disrupting its existing good relations with Armenia. The USA and European countries had adopted a position favoring Armenia as they were under the influence of the Armenian Diaspora. The Demirel Government insistently cautioned that other states should not take sides in the Armenian-Azerbaijan conflict, that a new Israel should not be created in the Caucasus and that Armenia may become unwilling to negotiate if it felt the support of European states.²² On the other hand, Western states were providing large amounts of “humanitarian aid” to Armenia. Turkey allowed these aids to transit its territory through highways and airspace but strictly controlled the shipments fearing that they may contain weapons.

²⁰ Ayin Tarihi, December 24, 1991, The Turkish Directorate General of Press and Information, see www.byegm.gov.tr.

²¹ Ayin Tarihi, March 19, 1992.

²² Ayin Tarihi, February 12, 1992.

This moderate policy of the Demirel Government towards Armenia drew serious criticism in Turkey. On numerous occasions, Bülent Ecevit and Mesut Yılmaz, opposition leaders, accused the government of following a passive policy. As we shall see below, President Turgut Özal had a similar attitude. Also, in many Turkish cities, rallies against Armenia were organized.

When Turkey started helping Azerbaijan, disaccord arose among Armenian politicians about the policy to follow regarding Turkey. Raffi Hovannisian, the Foreign Minister of Armenia (who was also an American citizen), in his speech at the Istanbul meeting of the Council of Europe Committee of Ministers on September 10, 1992 voiced the claims of “genocide” and stated that Turkey had lost the neutral position it had initially displayed on the Karabakh issue. Hovannisian also said that Turkey should not make the resolution of the Karabakh conflict a pre-condition for normalization of relations with Armenia.²³ Furthermore, Hovannisian was critical of President Bush for US neutrality in the Karabakh conflict. Hovannisian resigned at the request of President Ter-Petrosian on October 16, 1992.

The disintegration of the USSR had negatively affected the Karabakh conflict. The USSR could legally determine by whom and how this region would be administered. Problems had decreased when it had chosen to temporarily administer the region itself. On the other hand, the USSR also had the authority to send troops to the region. However, when it became clear that the USSR would disintegrate, the troops in and around Karabakh started to retreat, causing an escalation in the clashes between the Armenians and the Azerbaijanis. Marshal Yevgeny Shaposhnikov, Commander in Chief of CIS, after the Hodjali massacre, ordered the withdrawal of troops stationed in Karabakh and on the Armenia-Azerbaijan borders areas. He also told his troops to destroy all weaponry which could not be removed. However, withdrawal of Soviet troops took time and actually did not start until June. Some of these forces remained in Armenia and later Russian military bases were set up in this country.

Hostilities in Karabakh escalated in February 1992. Azerbaijani Foreign Minister Hüseyin Sadıkov and his Armenian counterpart, Raffi Hovannisian, met in Moscow on February 20 and called for a cease-fire. They also requested the granting of access for humanitarian aids. In the meantime, the Azerbaijani Parliament refused to endorse a peace plan of President Ayaz Mutalibov that called for cultural autonomy for Karabakh within Azerbaijan.

On February 25, 1992, Armenian forces took the town of Hodjali which lay to the north of Hankendi (Stepanakert). One source reported that more than 600 Azerbaijani civilians were killed, 127 wounded and 487 were taken prisoner by Armenians.²⁴ Some have observed that the 366th Regiment of the Soviet Army, which had not left the region yet, had also participated in the assault.²⁵ Yet there

²³ Ayın Tarihi, September 10, 1992.

²⁴ Araz Aslanlı, “Tarihten Günümüze Karabağ Sorunu,” *Avrasya Dosyası*, Volume 7, Number 1, 2001(Spring), Ankara, p.404.

²⁵ Thomas De Wall, *Black Garden, Armenia and Azerbaijan through Peace and War*, New York: New York University Press, 2003, p.170; Thomas Goltz, *Azerbaijan Diaries*, New York: M.E. Sharp, 1998, p.124; Aslanlı, op. cit., p.404.

is no indication that Moscow had ordered such an attack. There is hearsay indicating that discipline had broken down in numerous parts of the Soviet Army, with many of the troops deserting, selling their weapons or shelling one or the other side of the conflict in return for money.²⁶

The Hodjali massacre aroused great indignation in the Azerbaijani public. Ayaz Mutalibov, who was trying to find a solution to the conflict in line with Moscow's wishes, resigned following massive demonstrations and accusations of failing to save Azeri lives in Karabakh. Yakup Mehmetov was appointed as interim President.

The Hodjali massacre also evoked great sensitivity in Turkey. Protests were organized in Istanbul. In an interview with the *Financial Times*, President Özal proposed a blockade of Armenia to support Azerbaijan²⁷ but the Demirel Government was more cautious. Except the ones carrying food and medicine, no flights to Armenia were allowed. The Demirel Government sought the support of the Russian Federation, USA and France in obtaining a cease-fire. Minister of Foreign Affairs Hikmet Çetin proposed a six point peace plan to the concerned parties, international organizations and members of the UN Security Council in Brussels. However, Armenia refused to examine this plan, accusing Turkey of not being neutral in the Karabakh conflict.

On the other hand Iran succeeded in bringing representatives of Azerbaijan and Armenia together in Teheran on March 15, 1992 and had them sign an agreement envisaging a cease-fire and the lifting of economic sanctions. Although there were some skirmishes, generally the provisions of the said agreement were implemented for sometime.

During the CSCE Foreign Ministers meeting held in March 1992 in Helsinki, it was agreed that a peace conference in Minsk comprising Azerbaijan and Armenia would be convened with the participation of Karabakh delegation as observer. Furthermore, the USA, Russian Federation, Germany, France, Italy, Czechoslovakia and Turkey would also join the conference. Preparatory meetings were held in Rome, but the conference could not be held because the Armenian Administration of Karabakh did not accept the observer status. The countries that were to join the conference accepted to work together for the resolution of the Karabakh conflict under the name of the Minsk Group. Despite the fact that it has not been successful in ensuring peace, the Minsk Group has remained the primary party responsible for the resolution of the conflict until today.

On May 8, 1992, Armenian forces took the town of Shusha and the skirmishes resumed. With the loss of this town, which is historically important for Azerbaijan, almost all of Karabakh was now in Armenian hands. Armenian forces then targeted regions outside of Karabakh and on May 17 they took Lachin, thereby enabling Armenia and Karabakh to be joined by a land corridor.

²⁶ De Wall, op. cit., p. 312.

²⁷ Ayin Tarihi, March 7, 1992.

The loss of the historic city of Shusha caused upheaval inside Azerbaijan. The Azerbaijani Parliament blamed acting President Yakub Mehmetov for setbacks and reinstated ex-president Mutalibov on May 14. Mutalibov cancelled the presidential elections scheduled for June 7 and declared a state of emergency in Baku. The next day, 20,000 Popular Front supporters occupied the Parliament and Presidential Palace. Mutalibov fled and Isa Kamber was made President until elections.

In the meantime, the day after the fall of Shusha, Armenian troops launched an attack on the town of Sadarak in Nakhichevan, near (10 km) the Turkish border. Like Karabakh, Nakhichevan was an autonomous region attached to Azerbaijan. Armenian nationalists have always claimed the region, stating that it was a part of "historical Armenian lands." The simple fact that like Karabakh, the word Nakhichevan is not known as a word with meaning in the Armenian language should be sufficient to counter this claim. Furthermore, unlike Karabakh, the population of Nakhichevan is Azerbaijani.

Turkey took a close interest in Nakhichevan because of the common border with this region as well as due to the fact that it was one of the parties that established the status of the said region with the Soviet Union, Armenia and Azerbaijan in 1921 with the Treaty of Kars. The assault on Sadarak caused concern in Ankara. Since the Armenians had easily occupied Karabakh, there were fears that they could do the same in Nakhichevan. The Council of Ministers met and decided that Armenia had to be warned that Turkey would not allow the occupation of Nakhichevan and would not accept a change in the present borders.²⁸ At the same time, the President of Nakhichevan, Heydar Aliyev, requested military assistance from Turkey. Azerbaijani interim President Isa Kamber stated that the 1921 Treaty of Kars authorized Turkey to militarily intervene in Nakhichevan. The Commander of the Turkish Army General, Muhittin Fisunoğlu, said that the armed forces were prepared for a potential operation.²⁹

Bülent Ecevit, one of the leaders of the opposition, was demanding that Turkey intervene in Nakhichevan as soon as possible, warning that if Armenia were to occupy the region, it would also demand territories from Turkey.³⁰ Prime Minister Demirel was stating that an immediate military operation was not in question.³¹ President Özal, on the other hand, was in the opinion that the territories that Armenians had occupied in both Karabakh and Nakhichevan must be taken back and that Turkey, too, had some responsibility in this matter.³²

At the same time, the Commander in Chief of the Forces of the Commonwealth of Independent States, Yevgeny Shaposhnikov, was expressing that a third country entrance into the conflict could lead to World War III.³³ On 15

²⁸ Ayın Tarihi, March 18, 1992.

²⁹ Idem.

³⁰ Ayın Tarihi, May 19, 1992.

³¹ Idem.

³² Ayın Tarihi, May 21, 1992.

³³ Kamer Kasım, "The Nagorno Karabagh Conflict from Its Inception to the Peace Process," *Ermeni Araştırmaları*, Issue 2, 2001, p. 174.

May 1992 – three days before the assault in Sadarak – a collective security treaty had been signed in Tashkent between five CIS countries, including Russia and Armenia but excluding Azerbaijan. According to this treaty, the signatory states would assist each other if their security would be endangered. This meant that the Russian Federation would have to assist Armenia if its security would be threatened because of Nakhichevan.

The Turkish Government seemed determined to resolve this crisis through diplomatic means. With this aim, it contacted all concerned states and international organizations. To quote Prime Minister Demirel, Armenia was “placed in a diplomatic straight jacket.”³⁴ This initiative resulted in statements issued by the USA, England, Iran, Georgia, the EU and NATO stressing that borders could not be changed with the use of force. The Nakhichevan crisis finally ended when the Russian Federation also criticized Armenia and declared that it would not support illegal activities.

One issue that needs to be addressed regarding Nakhichevan is whether, in fact, the provisions of the Treaty of Moscow and Treaty of Kars (both concluded in 1921) enable Turkey to militarily intervene in the said region. With the Treaty of Moscow, Turkey and the USSR agreed to Nakhichevan becoming an autonomous entity under the protection of Azerbaijan. Turkey, Azerbaijan and Armenia agreed to the same status with the Treaty of Kars. There are no provisions in these treaties regarding how the parties are to act if the treaties are violated and there is also no mention of whether the parties have a right to use military force. This being the case, each state will have to determine what course of action it will take if the autonomous status of Nakhichevan is violated.

Returning to events relating to Karabakh, Abulfaz Elchibey, the leader of the Popular Front, won the presidential elections in Azerbaijan that were held on June 7, 1992. Azerbaijani forces launched a counteroffensive on June 12 and in the followings days took the town of Mardakert (Ağdara) in the north east of Karabakh as well as about 15 villages in the same region. The success of the Azerbaijani forces can partially be attributed to the fact that they had received their share of weapons from the disintegrated USSR.³⁵

Azerbaijan reclaiming Mardakert caused a crisis in Karabakh and the government resigned. A state of emergency was declared. A Defense Committee, which was invested with governmental power until the end of the war, was established and Robert Kocharian was appointed to the presidency. He was a close associate of Armenian President Ter-Petrosian.

The success of Azerbaijani forces in Karabakh led Armenia to review its fundamental policy regarding Karabakh. On July 8, the Armenian Parliament

³⁴ Ayın Tarihi, May 22, 1992.

³⁵ The military “heritage” of the USSR was distributed among the former Soviet Republics by the Tashkent Agreement May 15, 1992. Azerbaijan obtained 220 tanks, 285 guns and 220 military vehicles. But its share of 100 planes and 50 helicopters was not delivered. On that subject, see Nazım Cafersoy, *Elçibey Dönemi Azerbaycan Dış Politikası, Bir Bağımsızlık Mücadelesinin Diplomatik Öyküsü*, Ankara: ASAM, 2001, p. 73.

passed a resolution in which it pledged consistent support for Karabakh and the rights of its population and also stated that any document referring to Karabakh as being within the structure of Azerbaijan would be unacceptable.³⁶ Thereby, Armenia refused any solution to the Karabakh conflict which provided that the said territory would remain within the boundaries of Azerbaijan.

The fighting concentrated in Lachin, namely around the corridor that had been established between Armenia and Karabakh. The cease-fire mediated by Kazakhstan on August 28 was violated, as was the second one, brokered by Russia on September 25. The offensive that Azerbaijani forces staged on October 4 with the aim of taking control of the Lachin corridor was repulsed. In December, the Armenian forces initiated an attack through which they regained most of the territories which they had previously lost.

As was pointed out above, Azerbaijan had signed an agreement to join the CIS. However, in a vote on October 7, 1992, the Azerbaijani Parliament decided not to ratify this Agreement. A few days later on October 12, Russian President Boris Yeltsin and Azerbaijani President Abulfaz Elchibey signed a Treaty of Friendship, Cooperation and Mutual Security in Moscow.³⁷ According to this treaty, the parties would respect each other's territorial integrity, inviolability of their borders and their independence. They were also pledged to conduct relations within the framework of principles such as not resorting to use of force or the threat thereof, not intervening in internal affairs and respecting human rights. The principles regarding territorial integrity and the respect for the inviolability of borders were in favor of Azerbaijan. It is noteworthy that since Armenia claimed that Karabakh had never been a part of independent Azerbaijan, it did not consider itself to be violating of any of the mentioned principles.

The year 1993 started with a joint peace initiative of Presidents Bush and Yeltsin. On January 3, the two leaders issued a statement calling for an immediate end to the bloodshed and resumption of peace negotiations under the aegis of the CSCE. Yet the hostilities continued, albeit at a lower intensity, as it was winter.

Armenia in particular went through a difficult winter that year. Industrial production ceased for two weeks. On January 23, the entire country was left without lighting when Azerbaijanis in Georgia blew up a section of pipeline bringing gas to Armenia. Prime Minister Khosrov Haroutunian resigned. The new Prime Minister Hrand Bagratian stated that the top priority was to solve the food and energy crisis. With the help of the U.S., Armenia received \$13 million in credit from the World Bank and \$59.4 million in credit from the European Bank for Reconstruction and Development.³⁸

While the opposition in Turkey continued to criticize Karabakh policies, the government pursued its peace initiatives. During a visit to Azerbaijan, Minister of

³⁶ *Keesing's...* Vol.38, p.39018.

³⁷ *Ibid*, p.39156.

³⁸ *Keesing's...* Vol.39, p.39332.

Foreign Affairs Hikmet Çetin declared that Turkey and Russia had drafted a three-stage plan aimed at ending the Armenia-Azerbaijan conflict. According to this plan, in the first phase, the parties would declare a cease-fire. In the second phase, all foreign military personnel around Karabakh would withdraw and finally, in the third phase, all roads to Azerbaijan, Armenia and Nakhichevan would be opened. However, ongoing fighting prevented the plan from being considered.

The Armenian forces captured the town of Kelbajar on April 4, as well as its surroundings, thereby establishing a second corridor between Karabakh and Armenia. About 40,000 Azerbaijanis fled the region as a result of the assault. Armenian troops also attacked southwards from Karabakh towards the town of Fizuli. Like Lachin, both Kelbajar and Fizuli were Azerbaijani lands outside Karabakh. The fact that fighting had spilled over from Karabakh into Azerbaijan constituted an escalation. Armenia denied that its regular troops were involved in the fighting and pretended that those fighting in this campaign were Armenians from Karabakh. However, it was difficult to believe that the Armenians of Karabakh, who numbered at most 120,000 people, could easily overcome Azerbaijan with a population of 7 million.

When Kelbajar fell, Turkey took two decisions: First it stopped all scheduled and charter flights to or from Armenia. Second, it brought the matter to the Security Council. The Chairman of the Council issued a statement on April 7, expressing serious concern about developments as well as calling for a cease-fire and withdrawal of Armenian forces from occupied areas. However, Turkey's proposal that the Security Council condemn Armenian aggression against Azerbaijan was rejected.

The fall of Kelbajar once again displayed the differences of opinion between President Özal and the Demirel Government. Prime Minister Demirel continued to state that there would be no Turkish military intervention in Armenia³⁹ while President Özal stressed that the Azerbaijani-Armenian conflict was no longer defined by the issue of Karabakh and had taken the form of the "dream of Greater Armenia," therefore forcing Turkey to take military precautions. He stated that military maneuvers could be conducted on the Armenian border and pointed out that in this day and age nothing could be achieved without taking a certain amount of risk.⁴⁰

Turgut Özal died unexpectedly on April 17, 1993. Elchibey and Ter-Petrosian met when both came to Ankara to attend his funeral. It was decided that negotiations should resume under the auspices of the OCSE.

The UN Security Council passed Resolution 822 on April 30, 1993 (see Appendix, Document 69) and demanded the immediate cessation of all hostilities and hostile acts in order to establish a durable cease-fire as well as immediate withdrawal of all occupying forces from the Kelbajar district and other recently occupied areas of Azerbaijan. The Council furthermore urged all parties

³⁹ Ayın Tarihi, April 8, 1993.

⁴⁰ Ayın Tarihi, April 7 and 13, 1993.

concerned to immediately resume negotiations for the resolution of the conflict within the framework of the peace process of the Minsk Group of the CSCE. The Resolution reaffirmed also the respect for sovereignty and territorial integrity of all states in the region, the inviolability of international borders and the inadmissibility of the use of force. As there was no doubt that Kelbajar and its surroundings were Azerbaijan territories, this wording was in favor of Azerbaijan. On the other hand, the mention of the invasion of the Kelbajar district by the "local Armenian forces" left the impression that Armenia was not responsible for the occupation of Azerbaijani lands. Furthermore, the usual criticism of the aggressor was not included in this Resolution. Finally, there was no mention of what the Security Council would do if its demands would not be met. In short, this Resolution had no impact to deter the aggressors.

Three days after the adoption of this Resolution, Turkey, Russia and the U.S. proposed a peace plan. The plan called for the withdrawal of Armenian forces from Kelbajar by mid-May which would be followed by a two month cease-fire during which OSCE sponsored negotiations would resume. Azerbaijan accepted the plan. The Armenian government described the plan as positive but refused to approve it, claiming that the "Republic of Karabakh" required clarifications. A slightly amended version of the plan was approved by Azerbaijan and Armenia on May 26 but Karabakh's Armenian Administration rejected it on the grounds that it failed to provide guarantees for the safety of the Karabakh population and failed also to end the Azerbaijani economic blockade.⁴¹

Meanwhile the Elchibey regime in Baku was losing power due to military defeats sustained in the wars with Armenians. Colonel Suret Huseinov, who had been demoted in the rank for disobeying orders, rebelled in Ganja. He repelled the forces of the Azerbaijani Army and began advancing on Baku. This event led to the resignments of Prime Minister Panah Huseinov and the Speaker of Parliament Isa Kamber. On June 15, 1993 the President of Nakhichevan, Heydar Aliyev, was elected as the Speaker of the Azerbaijani Parliament. Unable to prevent the advance of the forces of Huseinov, Elchibey left for Nakhichevan on June 18 but he did not resign. On June 21, Huseinov's forces entered Baku and he declared himself to be holding all the powers of the Head of State. The Parliament handed over presidential powers to Aliyev stating that Elchibey was incapable of effective control over the situation in the country or of performing his function. Huseinov was appointed Prime Minister and Supreme Commander.⁴²

This disorder in Azerbaijan had presented the Armenians with the opportunity to attack once again. Mardakert, the last major town in Karabakh still held by the Azerbaijanis, fell on June 27 and a Russian brokered cease-fire was declared. Three weeks later, on July 24 Armenian forces attacked again, this time taking the town of Aghdam to the east of Karabakh as well as its surroundings.

The UN Security Council was called into emergency session by Turkey, convened on July 29, 1993, and passing Resolution 853 that contained the same

⁴¹ *Keesing's...* Vol.39, p.39475.

⁴² On October 6, 1994, President Aliyev dismissed Suret Huseinov as Prime Minister in the wake of a coup attempt.

elements as Resolution 822 (see Appendix, Document 70). It only differed from the previous one by condemning the seizure of the district of Agdam and all other recently occupied areas of Azerbaijan as well as all hostile actions in the region, in particular attacks on civilians and bombardments of inhabited areas but the wording did not clarify who the aggressor was or who was being condemned. Furthermore, the Resolution urged the government of the Republic of Armenia to exert its influence on the Armenians of the Karabagh region of the Azerbaijani Republic to achieve their compliance with Resolution 822 and their acceptance of the proposals of the Minsk Group of the CSCE. This wording allowed one to infer that the aggressors were the Armenians of Karabakh. The only substantial positive aspect of the Resolution was that, indirectly, it affirmed that Karabakh belonged to Azerbaijan.

It was clear that with such wording, Resolution 853 would have as little effect on the Armenians as Resolution 822. Indeed, shortly after Resolution 853 was passed, Armenian forces took Jebrail on August 18, Fizuli on August 23, Kubatly on August 31 and Goradiz on September 3. With the intervention of Russia, a cease-fire was established.

The abovementioned towns are very close to Iranian border and the Azerbaijanis fleeing from the Armenians had to take refuge there. Since this region of Iran is inhabited by ethnic Azerbaijanis, the Iranian government wanted to prevent the influx of refugees and to do so, approximately 1,000 Iranian troops entered Azerbaijani territory. This was seen as an escalation in the Karabakh conflict and was met with the protests of concerned parties, including Turkey. The problem was overcome when Iran agreed to build facilities to house 100,000 Azerbaijani refugees displaced by the Karabakh war.⁴³

In the meantime, it was observed that the Armenian side felt uneasy when the Turkish military units on the Armenian border were reinforced. President Ter-Petrosian called President Demirel on September 6 and voiced his concern, pointing out that it was not Armenia that was responsible for the events but the Armenians of Karabakh. Demirel responded by saying that the occupation of Azerbaijani territories was arousing indignation in Turkey and that the occupation had to be stopped immediately.⁴⁴

At the same time, there were important internal developments taking place in Azerbaijan. In a referendum held on August 29, 1993, 97.5% of the participants stated that they had no confidence in Elchibey. Aliyev won the presidential elections on October 3, 1993, securing 98.8% of the votes.⁴⁵

After coming to power, Aliyev took two important decisions. The first was to make Azerbaijan a member of the CIS. The most important criticism Russia directed at the Elchibey Government had been its attitude to exclude Armenia from the CIS. It was speculated that the Russian policy of siding with Armenia on the Karabakh conflict could be traced to Azerbaijani unwillingness to join the CIS.

⁴³ *Keesing's...* Vol.39, p.39650.

⁴⁴ *Ayin Tarihi*, September 6, 1993.

⁴⁵ *Keesing's...* Vol.39, p.39694.

Now it was expected that Russia would implement a more balanced policy regarding Karabakh. However, Azerbaijan continued to suffer defeats in Karabakh, though its relations with Russia were ameliorated.

Aliyev's second important decision was to sign an agreement with a consortium of western oil companies led by BP on November 2, 1993. Thereby Azerbaijan not only opened a path to significant financial resources but also found the opportunity to voice its views easily especially in the United States.

On October 14, 1993, the United Nations Security Council passed another Resolution calling upon all concerned parties to make the cease-fire effective and permanent (see Appendix, Document 71). This new Resolution numbered 874 reiterated the main points of Resolutions 822 and 853. It furthermore called for the implementation of the timetable set by the Minsk Group concerning the withdrawal of forces from recently occupied territories and the removal of all obstacles to communication and transportation. None of the parties was condemned in Resolution 874.

Ten days after Resolution 874 was passed, Armenian forces violated the cease-fire and attacked the Zengelan region of Azerbaijan. Approximately 50,000 Azerbaijanis crossed the Arax River and fled to Iran. The Security Council passed Resolution 884 on November 12, 1993, and as had become standard practice at this point, reiterated the principles of the previous Resolutions (see Appendix, Document 72). Furthermore, it stated that continuation of the conflict in and around the Karabakh region of Azerbaijan and the tensions between Armenia and Azerbaijan would endanger peace and security in the region. It also condemned the violations of the cease-fire and particularly the occupation of the Zengelan district and the city of Goradiz, the attacks on the civilians and the bombardments of the territory of Azerbaijan. The resolution demanded immediate cessation of armed hostilities, withdrawal of occupying forces from the Zengelan district, the city of Goradiz and other recently occupied areas of Azerbaijan, and strongly urged the concerned parties to make the cease-fire effective and permanent and to continue to seek a negotiated settlement of the conflict within the context of the CSCE Minsk Process.

On December 21, 1993, Azerbaijani forces launched a counter-attack. They succeeded in retaking Goradiz and Agdam and seized some territory in the Kelbajar region as well. Although a cease-fire that would come into effect on March 1, 1994 was signed as a result of a Russian initiative, low intensity fighting continued. On March 22, Armenian forces mounted an offensive and retook almost all of the above mentioned regions in April. These last hostilities showed that Azerbaijan could not liberate its occupied territories while also proving that Armenian forces could not advance any further. This situation made a lasting cease-fire possible.

On May 9, 1994, Rasul Guliev, the Chairman of the Azerbaijani National Assembly, signed in Bishkek a cease-fire protocol which had been previously signed by the Chairman of CIS Inter-Parliamentary Assembly and the Chairs of Armenia, Karabakh and Kyrgyzstan legislatures. In summary, the protocol called

for a cease-fire and deployment of international forces to act as peacekeepers. There had been some difficulties in the ratification of the protocol in the Azerbaijani Parliament. Some opposition deputies claimed that the protocol had effectively recognized Karabakh as an independent entity and that it sanctioned the deployment of Russian troops in the region under the guise of a peace keeping force. After reassurances given by President Aliyev that Russian troops would not be permitted into the conflict zone, the Parliament of Azerbaijan ratified the protocol.⁴⁶ (For the map showing the Azerbaijan territories under the occupation of Armenia, including Karabakh, see Appendix, Map 6.)

Thus the hostilities that had been ongoing for six years came to a halt. Yet, although fourteen years have passed since then, peace could not be established between Azerbaijan and Armenia.

The main reasons for the defeat suffered by Azerbaijan in Karabakh are the internal turmoil in the country and the implementation of inconsistent policies. Starting from independence until cessation of hostilities while a single president ruled Armenia, Azerbaijan saw three. Furthermore, Mutalibov and Elchibey did not leave their offices under normal circumstances and the country witnessed numerous power struggles that, at times, superceded the conflict in Karabakh. Yet another factor that complicated affairs for Azerbaijan was that its successive presidents did not follow similar policies regarding Karabakh. Mutalibov's pro-Moscow policies did not bring about a solution. Indeed, the Karabakh region was out of control during Mutalibov's presidency. Elchibey disregarded Moscow entirely and his pan-Turkish policies were not met with significant support either in Turkey or in the Turkic states of Central Asia. It was during his tenure that the Armenians took certain Azerbaijani territories outside Karabakh. Heydar Aliyev made Azerbaijan a member of the CIS, hoping that Russia would then be willing to assist to only find that this would not be the case and that he would have to witness the Armenian occupation of Azerbaijani towns such as Agdam, Fizuli, Jebrail, Kubatly, Goradiz and Zengelan.

As for Armenia, the insistent policy it had been pursuing to separate Karabakh from Azerbaijan since the 1920s finally paid off during the disintegration of the USSR. It has been argued that since an annexation of Karabakh to Armenia would have constituted a violation of universal principles such as the inviolability of borders and respect for territorial integrity, the Armenians of Karabakh were used as proxies that could utilize the argument of peoples right to self-determination, thereby separating Karabakh from Azerbaijan and declaring an independent state. This fictitious state, however, was not recognized by anyone.

On the other hand, economic measures implemented by Azerbaijan and Turkey against Armenia coupled with frequently shut roads due to internal unrest in Georgia quickly turned Armenia into a country under a blockade. The economic crisis caused about one million Armenians to move to other countries, mainly to the Russian Federation. The Armenian economy could not develop and funds sent by the diaspora and aids received with the help of the U.S. from the

⁴⁶ *Keesing's...* Vol.40, pp.40019, 40020.

World Bank and the European Bank for Construction and Development became vitally important.

Another result of the Karabakh conflict was that Armenia became dependent on the Russian Federation. Russia became Armenia's primary economic partner. Armenia needed Russian support and auspices in nearly all fields and gave this country military bases. In time, Armenian authorities saw the benefits of a more balanced approach and tried to develop closer ties with the U.S. and EU states. This policy termed "complementarity" could not be properly implemented due to the dependence of Armenia on Russia. Today, Armenia essentially is a satellite of the Russian Federation.

Turkey tried to establish and maintain good relations with Armenia. With this aim, Turkey became one of the first states to recognize Armenia, supplying this country with electricity and delivering 100,000 tons of grain despite the Karabakh crisis. Armenia however, was captive to its historic prejudices and strived to gain recognition for its claims of "genocide" while at the same time it avoided recognizing the borders of Turkey. On the other hand, Turkey's assistance to Azerbaijan was limited. In order to compensate for this almost passive policy, Turkey conducted intense diplomatic activities aimed at halting the fighting in Karabakh and reaching a lasting solution that would take Azerbaijani interests into consideration. These efforts did not yield any tangible results. In short, the Turkish policy of establishing good relations with Armenia while simultaneously contributing to the resolution of the Karabakh conflict was unsuccessful.

The Caucasus policy of the Russian Federation can be summarized as regaining the influence that the USSR had had in this region. However, Moscow had problems with Georgia since it supported the separatist activities in Abkhazia and Adjara, and with Azerbaijan because of the policies pro-Armenian policies it followed in Karabakh conflict. This made Armenia Russia's sole ally in the region and this status was further augmented when Russia obtained military bases in Armenia. Today, the two states are stated to be in a strategic partnership. This close relationship shows that the Karabakh conflict cannot be resolved without the contribution of Moscow.

Regarding the U.S., certain facts must be taken into consideration when analyzing its Caucasus policy in general and Armenia policy in particular. Due to strategic considerations, the U.S. wishes to see that security is established in the region and the countries are governed with democracy. Therefore, it supports the solution of the Karabakh conflict. However, a politically active Armenian Diaspora in the United States operates as much in favor of Armenia and Karabakh as it does against Turkey and Azerbaijan. For instance, although it was Azerbaijan that was attacked, Congress cited the Azerbaijani blockade of Armenia to make an amendment in the Freedom Support Act (Section 975) in 1992, thereby prevented the U.S. government from granting humanitarian assistance to Azerbaijan. One factor that is in favor of Azerbaijan in the eye of the U.S. is its very significant oil reserves. The fact that Azerbaijan gave the right to produce and transport its oil to western companies was highly appreciated in the United States.

After the cease-fire in Karabakh, the CSCE Minsk Group accelerated the negotiation process. Starting from 1997, the group conducted its efforts through the Russian, American and French Co-Chairs. Azerbaijan complained that these countries looked more favorably upon the Armenian position; Russia due to strategic considerations and France and the U.S. due to the Armenian Diaspora. Nevertheless, these three states have continued to guide the peace process until today.

A plan prepared by the Minsk Group Co-Chairs in May 1997 gave Karabakh an autonomous status within Azerbaijan and the right to its own constitution. It also called for the withdrawal of Armenian forces from Azerbaijani provinces except for Karabakh and the town of Shusha, which would be policed by OSCE forces. Karabakh would be granted the status of a free economic zone.⁴⁷ This plan was accepted by Azerbaijan.

The President of the region of Karabakh, Robert Kocharian, became Prime Minister of Armenia in May 1997. Arkady Gukasian won the presidential elections in Karabakh in September and he rejected the Minsk Group plan, claiming that it prevented the achievement of independence. He then proposed the creation of a federal or common state in which Azerbaijan and Karabakh would be of equal status.

In December 1997, the Minsk Group presented to the parties a second plan that was said to contain a few stages. According to this plan, Armenian forces would first retreat from all Azerbaijani territories except for Shusha and Lachin and the refugees would be allowed to return. The status of the Shusha and Lachin corridors would be determined later.

In Armenia, there were differences of opinion regarding the proposal of the Minsk Group. Armenian President Ter-Petrosian found the demands for independence for Karabakh unrealistic⁴⁸ and favored a step-by-step approach to the resolution of the conflict. The Armenian administration in Karabakh stressed that all issues relating to the conflict should be resolved simultaneously and insisted on independence. As expected, Prime Minister Kocharian advocated the view voiced in Karabakh. When his opinions on Karabakh were not supported by the Armenian Parliament, President Ter-Petrosian resigned on February 3, 1998. Under the terms of the Armenian Constitution, Prime Minister Kocharian became acting President until the presidential election. On March 30, in the second round of voting, Kocharian was elected President.

A third peace plan of the CSCE Minsk Group tabled in November 1998 envisaged the formation of a "common state" comprising Azerbaijan and Karabakh. However, this plan was rejected by Azerbaijan on the claims that it threatened its territorial integrity. Azerbaijan stated that it supported the earlier proposal of the Minsk Group which provided broader autonomy for Karabakh within Azerbaijan.⁴⁹ Later, on February 21, 2001, Azerbaijan made public the

⁴⁷ *Keesing's...* Vol.43, p.41710.

⁴⁸ *Ibid*, p.41878.

⁴⁹ *Keesing's...* Vol.44, p.42636.

plans prepared by the Minsk Group. It became evident that the envisaged “common state” formula gave Karabakh *de facto* independence, with its own constitution and armed forces and the right to veto any legislation enacted by the Azerbaijani Parliament.

The mistrust that Azerbaijan felt towards the Minsk Group led the two Heads of State of Azerbaijan and Armenia to meet directly. The Minsk Group only played the role of facilitator. According to press reports, during their intense meetings in March 2001 in Paris and in April in Key West in the U.S., the two Presidents agreed on the following formula: Karabakh will legally belong to Azerbaijan but will enjoy a very broad autonomy. Armenia will be connected to Karabakh and Azerbaijan will be connected to Nakhichevan via a corridor. It appeared that these corridors would be in Lachin and Meghri.⁵⁰ Armenian forces would withdraw from the areas they had occupied and the railroad would resume its operations. This formula failed to yield a result.

Another plan that was proposed in 2005 envisaged the withdrawal of Armenians from five out of seven Azerbaijan cities that were occupied around the Karabakh region and the linkage of Nakhichevan region Azerbaijan via a road passing through Armenia and Karabakh. The control of this road and the border regions of Armenia and Azerbaijan would be given to an international peacekeeping force. The status of Karabakh, whether it will be independent, or annexed to Armenia or Azerbaijan, would be determined with a referendum that will be held 10 or 15 years later.

This formula is based on the compromise that Azeri rayons, though partially, is to be given to Azerbaijan and the solution to Karabakh conflict to be postponed for 10-15 years time. At the end of this time, since the status will be determined with referendum in which people of Karabakh will vote for Armenia for sure, it is understood that Armenia will legally annex Karabakh which it controls *de facto*. In sum, with this plan, although Azerbaijan takes back the rayons which belongs to it, Karabakh is given to Armenia in 10-15 years.

The Minsk Group has long been encouraging presidents and foreign ministers of the two countries to hold meetings to solve the Karabakh conflict. This approach, starting from Heydar Aliyev, has continued during his son İlham Aliyev’s presidency. Since 2003, presidents met 6 times and foreign ministers met many times, yet no results could be achieved.

It is possible to say that the optimism that is created with the intense communication between parties is shadowed by the referendum held on December 10, 2006 in Nagorno-Karabakh, which resulted in the approval of a constitution that envisages Nagorno-Karabakh to be an “independent, sovereign, democratic, legal and social state.” This referendum provoked reactions of some countries and some international organizations and it is stated to be against the Azerbaijani constitution. Georgia, Ukraine and Moldova, the members of GUAM organization in addition to Azerbaijan, also condemned the referendum in

⁵⁰ Ömer E. Lütem, “Olaylar ve Yorumlar“ *Ermeni Araştırmaları*, Issue 1, 2001, pp. 30-31.

question and stated that this initiative, which is against the Azerbaijani constitution, is not valid according to international laws. Turkey also reacted to the referendum. Terry Davis, Secretary General of the Council of Europe, issued a statement declaring the referendum organized by the “*de facto*” authorities of Nagorno-Karabakh is not recognized by the international community and will not lead to any legal results.

The view that countries should work for the resolution of the Karabakh conflict in the year 2006 was generally adopted by the parties, including the Minsk Group Co-Chairs, because parliamentary elections would be held in Armenia in 2007 and presidential elections would be held both in Armenia and Azerbaijan in 2008, so it would be difficult to have progress in these years concerning the Karabakh problem. Therefore, countries engaged in intense activities for the resolution of the Karabakh conflict in 2006. In addition to several meetings held by the foreign ministers of the two countries in 2006, Aliyev and Kocharian met in Rambouillet, France in February, in Bucharest in June, and in Minsk in December, yet they could not reach an agreement on the status of Karabakh.

On June 22, 2006 the Minsk Group Co-Chairs made a statement to the OSCE Permanent Council on the key principles they proposed for the Karabakh conflict settlement. These principles can be summarized as follows:

- Redeployment of Armenian troops from Azerbaijani territories around Nagorno-Karabakh
- Linking Armenia to Karabakh via a corridor
- Demilitarization of those territories and deployment of an international peacekeeping force
- A referendum or population vote to determine the final legal status of Nagorno-Karabakh
- International financial assistance for demining, reconstruction, and resettlement of internally displaced persons in the formerly occupied territories and the war-affected regions of Nagorno-Karabakh
- Renouncement by the two sides of the use or threat of use of force
- International and bilateral security guarantees and assurances by the two sides

The fact that the final status of Karabakh was not determined prevented the two sides from reaching an agreement. However, the negotiations have continued in 2007 and 2008, which were the election years.

The presidential elections, which were held in Karabakh in 2007, brought up the status of the region issue to the agenda. Robert Kocharian was the first president of Karabakh, which declared independence in 1991. In 1997, Kocharian became Prime Minister of Armenia (and President a year later) and Arkady Gukasian became the new president of Karabakh. He won the elections in 2002 and continued his presidency. Gukasian could not enter the presidential elections in 2007 since he could not be a candidate for the third time. Bako

Saakian became president receiving 85% of the votes in the elections on July 19, 2007.

The “presidential elections” of Karabakh was not recognized by any country except for Armenia. Turkish Ministry of Foreign Affairs issued a statement⁵¹ before the elections declaring that “This election is viewed as part of the efforts to unilaterally legitimize the unlawful situation in Nagorno Karabagh, and is an explicit violation of the principles of international law, UN Security Council Resolutions and the OSCE principles.” Turkey denounced the election stressing that it would not recognize the outcome of such illegitimate “Presidential Elections” that would have no binding effect whatsoever under international law. The Minsk Group Co-Chairs, too, stated that they do not recognize Nagorno Karabakh as an independent state.⁵²

On September 29, 2007, at the OSCE Ministerial Council in Madrid, Minsk Group Co-Chairs presented a document named “Basic Principles for a Peaceful Settlement of Nagorno-Karabakh Conflict” to the foreign ministers of Armenian and Azerbaijan. The Co-Chairs stated that the two sides had significantly narrowed their differences through the mediation of the co-chair countries and that only a few differences remained to be settled, that the joint proposal that was transmitted to the parties offered just and constructive solutions to these last remaining differences. In addition, Co-Chairs urged the two sides to endorse the proposed Basic Principles and commence as soon as possible to draft a comprehensive Peace Agreement.⁵³

The said Basic Principles were not disclosed. According to press news,⁵⁴ this document included three issues: the points on which agreement was ensured, the issues on which no agreement was reached and solutions suggested for them.

The main agreed issues are summarized as follows:

- Armenian troops are to be withdrawn from five out of seven Azerbaijani regions surrounding Karabakh
- The Azerbaijani population displaced during the war in 1993-1994 is to return to these regions
- Kelbajar, will be freed at a later stage, with subsequent return of the Azerbaijani population. This step is conditioned by the progress of the process of determining the future status of Karabakh.
- The Lachin region or part of it will serve as a corridor to secure a permanent land communication between Armenia and Karabakh.

⁵¹ No 106- 16 July 2007, Press Statement Regarding the “Presidential Election” in Nagorno Karabagh, http://www.mfa.gov.tr/_p_no_106---16-july-2007_-press-statement-regarding-the-presidential-election-in-nagorno-karabagh_-_unofficial-translation_-_p_en.mfa

⁵² PanARMENIAN.Net, 13 June 2007, “OSCE MG: Preservation of the Status Quo in the Karabakh Conflict May Seem Less Difficult for Sides Than Mutual Compromises”, <http://www.panarmenian.net/news/eng/?nid=22983&date=2007-07-13>.

⁵³ “OSCE Minsk Group Co-Chairs Issue Statement on Nagorno-Karabakh”, Madrid, 29 November 2007, <http://www.osce.org/item/28515.html>.

⁵⁴ Haroutiun Khachatryan, “Karabakh in Madrid: Great Powers Seek Continuity in the Peace Process Turbulent Year Ahead” *Central Asia-Caucasus Institute Analyst*, Sayı 10, 9 Ocak 2008, <http://www.cacianalyst.org/files/080109Analyst.pdf>.

- Some international peacekeeping forces will be involved to keep stability along the border of the territories and preventing renewed conflict

The non-agreed point, as can be expected, is the status of Karabakh. To repeat again, in opposition of the Azerbaijan view that Karabakh, although having broad autonomy, should continue to legally belong to Azerbaijan, Armenia insists on the idea that this region should be given independence.

The nature of the proposals put forward by the Minsk Group Co-Chairs to determine the status of Karabakh is not known. However, it is possible that they are not far from the referendum idea that was propounded before. Also another possibility is being contented with the withdrawal of Armenian forces from the occupied Azerbaijan cities around Karabakh and deferring the task of determining the status of Karabakh to an indefinite time. In this case, while Armenian control over Karabakh will continue, Azerbaijan will continue to claim the region since its status is not determined.⁵⁵

The event that marked the first half of the year 2008 was the presidential elections in Armenia. The Karabakh issue was more intensely debated at this election compared to previous one because of the accusations of Levon Ter Petrosyan and Robert Kocharian. Levon Ter-Petrosian, the former President of Armenia who had declared his candidacy for this election, brought up the issues that led his resignation from the presidency in 1998 relating to the Karabakh conflict to the agenda and Robert Kocharian, the Prime Minister then who had been the primary actor in the resignation of Ter-Petrosian, also made accusations against him while addressing those criticisms.

The turmoil seen after the elections also affected the Karabakh issue, clashes started in the border regions with Azerbaijan and there were concerns about outbreak of war.⁵⁶ US Government urged Armenia and Azerbaijan not to violate the cease-fire.⁵⁷ In a short time Minsk Group Co-Chairs made a similar demand and called the two sides for meeting.⁵⁸ After the elections meetings were held at foreign ministers level first, then in April, Aliyev and Sarkisian met in NATO Summit, yet no results could be obtained.

In a press statement concerning the principles that the resolution of Nagorno Karabakh conflict should be based,⁵⁹ Edward Nalbandian, new Foreign Minister of Armenia, stated in the first place that Nagorno Karabakh cannot be under the authority of Azerbaijan. In his speech in August,⁶⁰ President Aliyev reiterated the

⁵⁵ Eurasia Daily Monitor, 3 Nisan 2008, Emil Danielyan, "Karabakh Peace in Question After Armenian Vote," http://www.jamestown.org/edm/article.php?volume_id=427&issue_id=4443&article_id=2372942.

⁵⁶ Armenews, 8 Mart 2008, "Vers une nouvelle guerre au Haut Karabakh?", http://www.armenews.com/article.php?id_article=39233.

⁵⁷ Agence France Press, 5 Mart 2008, "US Urges Azerbaijan, Armenia to Avoid Further Ceasefire Violation" <http://www.thenews.com.pk/updates.asp?id=39329>.

⁵⁸ <http://www.osce.org/item/30349.html>.

⁵⁹ Armradio, 23 Haziran 2008, "Just and Peaceful Resolution of Nagorno Karabakh Conflict Remains a Priority of Armenia's Foreign Policy."

⁶⁰ Itar-Tass, 5 Agustos 2008. "Azerbaijan Territorial Integrity vital in Karabakh Settlement."

attitude of his country by stating that Azerbaijan will never grant Karabakh with any status outside its territorial integrity.

President Gül's visit to Armenia on September 6, 2008 created a positive atmosphere bringing up the role of Turkey in assisting the resolution of Karabakh conflict to the agenda. To this end, Foreign Ministers of Turkey, Armenia and Azerbaijan held a meeting in New York in September 2008 to discuss the possibilities. Hereby, it should be stated that Minsk Group Co-Chairs will continue the conciliation efforts in the Karabakh conflict and Turkey will assist the resolution attempts by making contacts with Azerbaijan and Armenia.

Lastly it should be noted that after the presidential elections held in Azerbaijan on September 15, 2008, there is a widespread belief that successful attempts can take place regarding the resolution of the Karabakh issue.

The Karabakh Problem in International Organizations

The Karabakh conflict was dealt with by some international organizations as well. Above described were the Resolutions passed by the UN Security Council. In these resolutions, affirmation of the respect for sovereignty, territorial integrity of all states in the region, the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory were laid out as principles to be adhered to. Statements demanding the withdrawal of all occupying forces from occupied areas of Azerbaijan and expressing that Karabakh is a region of the Republic of Azerbaijan run contrary to the Armenian claims that Karabakh is an independent state that has taken territories that are in fact its own. However, the Security Council Resolutions did not point out Armenia as an aggressor and did not condemn this state for its actions.

The Council of Europe

The Council of Europe started taking a close interest in the Karabakh conflict after Azerbaijan and Armenia became members of this organization in 2001. Regarding this conflict, most recently the Parliamentary Assembly of this organization passed Resolution 1416 on January 25, 2005 (see Appendix, Document 73). This Resolution deserves close examination since it is recent and all European states are represented in the Council of Europe.

In this Resolution, it is stated that the Parliamentary Assembly regrets that more than a decade after the armed hostilities started, the Karabakh conflict remains unresolved. It goes on to point out that hundreds of thousands of people are still displaced, living in miserable conditions and stresses that considerable parts of the territory of Azerbaijan are still occupied by Armenian forces and that separatist forces control the Karabakh region. The Resolution also states that hostilities led to ethnic expulsion and the creation of mono-ethnic areas which resemble the results of ethnic cleansing. The Resolution adds that independence and cessation of a regional territory from a state may only be achieved through a lawful and peaceful process based on democratic support by the inhabitants of

such territory and not as a consequence of an armed conflict leading to ethnic expulsion and the *de facto* annexation of the territory to another state.

Furthermore, the resolution reads as follows: “The Assembly reiterates that the occupation of a foreign territory by a member state constitutes a grave violation of that state’s obligations as a member of the Council of Europe” and goes on to recall that Armenia and Azerbaijan committed themselves upon their accession to the Council of Europe to use only peaceful means for settling the conflict and to refrain from any threat of using force against their neighbors.

In the Resolution, reference is made to UN Security Council Resolutions 822, 853, 874 and 884; Resolution 853 is particularly stressed. Also, member states are urged to refrain from the supply of any weapons and munitions which might lead to the intensification of the conflict or continued occupation of territory.

The Resolution goes on to reaffirm the right of displaced persons from the area of conflict to return to their homes safely and with dignity and calls all members to provide humanitarian aid to the hundreds of thousands of displaced people.

In the Resolution, regarding the future status of the region, the Assembly calls on the government of Azerbaijan to establish contacts without preconditions with political representatives of both communities from the Karabakh region.

In the Resolution, the Assembly suggests that if the negotiations under the auspices of the Co-Chairs of the Minsk Group fail, Armenia and Azerbaijan should consider resorting to the International Court of Justice.

Clearly, Resolution 1416 of the Parliamentary Assembly of the Council of Europe is not in accordance with Armenian views. Particularly, two aspects are to the disadvantage of the Armenian side; the first is that Karabakh cannot have an independent status since a lawful and peaceful process based on democratic support by the inhabitants of this territory, as required by the Resolution, did not take place in Karabakh. On the contrary, the ethnic Azerbaijanis of Karabakh were expelled from their homes and some were killed. This meant that an “armed conflict leading to ethnic expulsion” had taken place as stated in the Resolution. Secondly, the Resolution expressed that considerable parts of the territory of Azerbaijan were still occupied by Armenian forces and went on to stress that the occupation of a foreign territory by a member state constituted a grave violation of that state’s obligations as a member of the Council of Europe. While falling short of being an open condemnation of Armenia, these words were nonetheless harsh criticism.

The Organisation of Islamic Conference

The Organisation of the Islamic Conference (OIC) has taken numerous decisions regarding the conflict since 1994 at annual sessions of Foreign Ministers and Summit Conferences held in every two or three years. All these decisions support the views of Azerbaijan. Here, the last one of these decisions,

the resolution taken at the Summit Conference held in Dakar on 13-14 March 2008 (see Appendix, Document 74) will be touched upon to give an idea. In the Resolution No. 10/11-P(IS) on the Aggression of the Republic of Armenia against the Republic of Azerbaijan OIC:

- strongly condemns the aggression of Armenia against Azerbaijan,
- considers the actions against civilian Azerbaijani population as crimes against humanity,
- strongly condemns any looting and destruction of the archeological, cultural and religious monuments in the occupied territories of Azerbaijan,
- strongly demands the implementation of the Un Security Council resolutions 822, 853, 874, 884 and the immediate and unconditional withdrawal of all Armenian forces from all occupied Azerbaijani territory including Karabakh and urges Armenia to respect the sovereignty and territorial integrity of Azerbaijan,
- calls on the UN Security Council to recognize the existence of aggression against Azerbaijan; to take necessary steps under Chapter VII of the Charter of UN,
- urges all states to refrain from providing any supplies of arms and military equipment to Armenia, the territories of the member states should not be used for transit of such supplies,
- calls for a peaceful settlement of the conflict between Armenia and Azerbaijan on the basis of respect for the principles of territorial integrity of states and inviolability of internationally recognized borders,
- expresses its support to the activities of the OSCE Minsk Group and consultations held at the level of the Foreign Ministers of Azerbaijan and Armenia and that a step-by-step solution will help to ensure gradual elimination of the consequences of the aggression against Azerbaijan.

As explained above, this resolution and all other resolutions taken by the OIC organs reflect the Azerbaijan views and strongly support the demands of Azerbaijan concerning Karabakh issue. Aforesaid resolutions, as the OIC resolutions on other issues, can get media coverage neither in world nor in Turkey primarily because they are advisory in nature but not binding.

Yet, the support of the OIC – with more than 50 members – of Azerbaijan regarding Karabakh conflict shows that Azerbaijan views will be in demand in international organizations with Muslim members and Armenian views will have a low chance of acceptance. As will be explained, this was the case in UN General Assembly.

UN General Assembly Resolution

Azerbaijan achieved to bring the Karabakh issue to the UN General Assembly and have a decision taken in line with its views. It should be noted that the resolutions of General Assembly, as the resolutions of European Parliament or Parliamentary Assembly of the Council of Europe or the Parliamentary Assembly of the OSCE, are not binding but rather reflect the opinion of the majority in these organizations that are advisory. However, the resolutions of the UN General Assembly have significance because the governments are represented in this Assembly. The parties that can have the Assembly adopt a resolution in favor of their views have a strong hand in the negotiation process.

On March 14, 2008, UN General Assembly passed Resolution 62/243 entitled Situation in the Occupied Territories of Azerbaijan (see Appendix, Document 75). The main points of this Resolution are summarized as follows:

UN General Assembly;

- reaffirms respect and support for the sovereignty and territorial integrity of the republic of Azerbaijan within its internationally recognized borders (“Internationally recognized borders” refer to the territories of Azerbaijan when it established its independence from Soviet Union. Karabakh is also in within these borders.)
- demands the immediate, complete and unconditional withdrawal of all Armenian forces from the occupied territories of Azerbaijan (“All Armenian forces” here refer to the military forces both in Armenian and in Karabakh)
- reaffirms the inalienable right of the population expelled from the occupied territories of Azerbaijan to return to their homes
- reaffirms the necessity of providing normal, secure and equal conditions of life for Armenians and Azerbaijani communities in Nagorno-Karabakh region of Azerbaijan which will allow an effective democratic system of self-governance to be built up in this region within the Azerbaijan (It is stated that in contrast with present Armenian and Azerbaijani people will live together and be self-governed, in other words they will be autonomous, in Karabakh and it is also emphasized that this region will remain within Azerbaijan territory. These statements end Armenian dreams of an independent Karabakh, at least they show that an independent Karabakh will not be recognized.)
- reaffirms that no state shall recognize as lawful the situation resulting from the occupation of the territories of Azerbaijan nor render assistance in maintaining this situation (These statements also mean that changing the status of the Azerbaijan territories surrounding this region, as in Karabakh, via independence or annexation to Armenia is not acceptable.)
- expresses support to the international mediation efforts, in particular of the Co-chairmen of the Minsk Group aimed at peaceful settlement of the

conflict in accordance with the norms and principles of international law and recognizes the necessity of intensifying these efforts (Here it is important that not only Minsk Group but also all international mediation efforts are encouraged. Indirect reference to sovereignty and territorial integrity is made by stating the resolution of the conflict should be in accordance with the norms and principles of international law.)

- calls upon member states and international organizations contribute to the process of settlement of the conflict
- requests the Secretary-General to submit a comprehensive report at the 63rd session on the implementation of this resolution and decides to include in the agenda of that session the item “Situation in the Occupied Territories of Azerbaijan” (Including the issue in the agenda of the next session and submission of a report by the Secretary-General shows that Karabakh and the occupied territories of Azerbaijan issue will also be discussed next year (2009) and Armenia will be under great pressure unless the problem is resolved by then.)

Resolution was adopted by 39 votes in favor to 7 votes against, with 97 abstaining. Forty-six countries did not attend the voting. Since abstaining votes are not counted, the resolution was adopted.

Thirty-one out of 39 countries which voted in favor are OIC members. The remaining 8 countries are Cambodia, Colombia, Georgia, Moldova, Myanmar, Serbia, Tuvalu and Ukraine. These countries have neither geographical nor political unity. Rather, it can be said that they voted with the effect of Turkey and/or Azerbaijan. None of the European Union member countries voted in favor. From the Turkic republics only Uzbekistan voted in favor along with Azerbaijan.

Three countries of the 7 which voted against are Co-Chairs of Minsk Group, namely USA, Russian Federation and France. Naturally, Armenia also voted against. The reason why Angola (located in Africa) and Vanuatu (located in the South Pacific Ocean) voted against is not known. Yet, it is common that small countries vote on issues not concerning themselves at all as taking sides, which usually results from the lack of knowledge or responsibility.

Abstaining 97 countries constitute nearly half of the UN members. All EU member countries, except France, abstained. Important countries such as Japan, China, Brazil and Israel are also among the abstaining countries. The primary reason for the high number of abstaining is the advice of the Minsk Group Co-Chairs, USA, Russian Federation and France. Since the members of OIC adopted the aforementioned Dakar Summit Conference Resolution unanimously, these countries should also have voted in favor in UN General Assembly or at least it would be consistent that they have done so. However, 8 OIC member countries – Albania, Algeria, Cameroon, Egypt, Kazakhstan, Mozambique, Suriname and Togo – abstained. It is possible to see the effect of France on Algeria, Cameroon, Suriname and Togo and Russian Federation on Kazakhstan.

Some UN member countries are too small in size that it is not possible for them to attend all meetings and vote. The remaining members are expected to attend all sessions and vote in favor, against or abstaining. Yet, 17 OIC members, including Iran and Syria, and Kyrgyzstan and Turkmenistan from Turkic countries did not vote in Azerbaijan resolution.

The most striking point in this voting is the negative votes given by the Minsk Group Co-Chairs. Under normal conditions, these countries should have abstained considering their mediating role in the Karabakh issue. Voting against this resolution also means objecting the respect for autonomy and territorial integrity of Azerbaijan; immediate, complete and unconditional withdrawal of Armenian forces from the occupied territories of Azerbaijan and return of populations forcibly expelled from the occupied territories to their places of origin. However, Minsk Group Co-Chairs interpreted their negative voting in a different way in the press statement they held after the voting. It is stated that Minsk Group jointly proposed a set of "Basic Principles" for the peaceful settlement of the Karabakh conflict to Armenia and Azerbaijan in November 2007 on the OSCE Ministerial Council in Madrid and they voted against Azerbaijan resolution because it contained only some part of these principles.⁶¹ A closer look at the differences reveals that the only principle that the Azerbaijan resolution did not include was "self-determination." Azerbaijan rightly opposes to a referendum to be held in Karabakh only with Armenians after Azerbaijani population was forcibly expelled. In my opinion, the actual reason for the opposition of Co-Chairs to this resolution is the fear that they will lose their existing control if the Karabakh problem is discussed in international organizations other than OSCE, especially in UN General Assembly in which Muslim countries have a significant power. Yet, they could not prevent the adoption of resolution. In 2009, same issue will also be discussed in the General Assembly and probably a similar resolution will be adopted.

The resolutions passed by the UN Security Council, Council of Europe and OIC regarding Karabakh conflict are not of a compulsory nature. However, it is not realistic to assume that international conflicts can be settled without adherence to principles adopted by these organizations. These include the respect for territorial integrity, the inviolability of borders, conflict resolution by peaceful means and refraining from the use of force to gain territory. That is why although it has been occupying Karabakh and some Azerbaijani territories for twelve years, Armenia has been unable to attain the acceptance of any party regarding its claims that Karabakh is an independent state or that it requires parts of Azerbaijani territory to defend Karabakh.

A prompt resolution of the Karabakh conflict will be very beneficial for Armenia. The economic restrictions that Turkey and Azerbaijan are currently applying will be lifted and Armenia will be able to reach Europe and the near east via Turkey. This, in turn, will have a profound effect on the Armenian economy.

⁶¹ State News Service, 14 Mart 2008, Explanation of Vote by Ambassador Alejandro D. Wolff, U.S. Deputy Permanent Representative, on Draft Resolution: Situation in Occupied Territories of Azerbaijan, to the General Assembly.

For Armenia, solving its problems with its neighbors will signify an improvement in the capacity for obtaining credit as well as bilateral and international aid. On the other hand, this country will be able to divert significant funds now allocated to defense expenditures to urgently needed development projects. In short, Armenia will develop rapidly if it resolves the problems with its neighbors. For all this to be possible, it is expected from Armenia to accept that Karabakh is attached to Azerbaijan within the framework of a very broad autonomy and to withdraw from the occupied territories of Azerbaijan. It is economically more advantageous for Karabakh to be incorporated into Azerbaijan and not Armenia.

Azerbaijan also stands to benefit significantly from the resolution of the Karabakh conflict. The war psychology that has been evident for almost 15 years will be dispelled, solutions will be found for the problems of the internally displaced persons and refugees and vast resources used for defense will be utilized in other areas. It is only to be expected that Azerbaijan, having solved the Karabakh conflict and with the oil revenue it stands to collect, will become the most powerful state in the South Caucasus.

If the conflict is resolved, the influence of the Russian Federation over Armenia will gradually weaken. It can also be expected that the Russian bases in Armenia will close down eventually. It is also possible that the resolution of the conflict and the peaceful atmosphere it will create will have a positive reflection on the other conflicts in the region such as in Abkhazia, South Ossetia and Chechnya. This would be to the benefit of both the Russian Federation and Georgia.

Iran has supported Armenia because it feared the possibility that its own 15 million-strong Azerbaijani community may want to unite with those Azerbaijanis across the border. Therefore, an Azerbaijan that has solved the Karabakh conflict and has attained a higher economic standard will not be welcomed by Iran. Yet, since this conflict cannot continue forever, Iran must work on resolving its potential ethnic problems by establishing good relations with Azerbaijan and by granting its non-Farsi population broad cultural rights.

The resolution of the Karabakh conflict will be in the interest of Turkey in the geopolitical sense since it would signify a major improvement in security in the Caucasus and signal the emergence of a more powerful Azerbaijan. In addition, the opening of the border with Armenia will increase trade with this country and will also allow the utilization of Armenian roads for transportation to Azerbaijan. However, the main problem for Turkey in its relations with Armenia is not the Karabakh conflict but the fact that Armenia does not recognize the territorial integrity of Turkey and continues its allegations of "genocide." Therefore, the resolution of the Karabakh conflict will not be sufficient for the normalization of Turkish-Armenian relations and it will be necessary to ensure a parallel solution to these bilateral issues as well.

APPENDICIES

A - DOCUMENTS

LIST OF ARMENIAN REBELLIONS IN THE OTTOMAN EMPIRE

INCIDENT	DATE
Anavatan Müdafileri Incident	8 December 1882
Clash with Armenakan Gangs	May 1889
Musa Bey Incident	August 1889
Erzurum Rebellion	20 June 1890
Kumkapı Incident	15 July 1890
Merzifon, Kayseri, Yozgat Incidents	1892-1893
First Sasun Rebellion	August 1894
Zeytun (Süleymanlı) Rebellion	1-6 September 1895
Divriği (Sivas) Rebellion	29 September 1895
Babıali Incident	30 September 1895
Trabzon Rebellion	2 October 1895
Eğın (Mamuratü'l Aziz) Rebellion	6 October 1895
Develi (Kayseri) Rebellion	7 October 1895
Akhisar (İzmit) Rebellion	9 October 1895
Erzincan (Erzurum) Rebellion	21 October 1895
Gümüşhane (Trabzon) Rebellion	25 October 1895
Bitlis Rebellion	25 October 1895
Bayburt (Erzurum) Rebellion	26 October 1895
Maraş (Halep) Rebellion	27 October 1895
Urfa (Halep) Rebellion	29 October 1895
Erzurum Rebellion	30 October 1895
Diyarbakır Rebellion	2 November 1895
Siverek (Diyarbakır) Rebellion	2 November 1895
Malatya (Mamuratü'l- Aziz) Rebellion	4 November 1895
Harput (Mamuratü'l- Aziz) Rebellion	7 November 1895
Arapkir (Mamuratü'l- Aziz) Rebellion	9 November 1895
Sivas Rebellion	15 November 1895
Merzifon (Sivas) Rebellion	15 November 1895
Ayıntab (Halep) Rebellion	16 November 1895
Maraş (Halep) Rebellion	18 November 1895
Muş (Bitlis) Rebellion	22 November 1895
Kayseri (Ankara) Rebellion	3 December 1895
Yozgat (Ankara) Rebellion	3 December 1895
Zeytun Rebellion	1895 -1896
First Van Rebellion	2 June 1896
Raid on the Ottoman Bank	14 July 1896
Second Sasun Rebellion	July 1897
Assassination attempt on Sultan Abdülhamid	21 July 1905
Adana Rebellion	14 April 1909

**TREATY OF SÈVRES (ARTICLES REGARDING ARMENIA, PROTECTION
OF MINORITIES AND PUNISHMENT OF THE WAR CRIMINALS)**

PART VI.

ARMENIA

ARTICLE 88.

Turkey, in accordance with the action already taken by the Allied Powers, hereby recognizes Armenia as a free and independent State.

ARTICLE 89.

Turkey and Armenia as well as the other High Contracting Parties agree to submit to the arbitration of the President of the United States of America the question of the frontier to be fixed between Turkey and Armenia in the vilayets of Erzerum, Trebizond, Van and Bitlis, and to accept his decision thereupon, as well as any stipulations he may prescribe as to access for Armenia to the sea, and as to the demilitarization of any portion of Turkish territory adjacent to the said frontier.

ARTICLE 90.

In the event of the determination of the frontier under Article 89 involving the transfer of the whole or any part of the territory of the said Vilayets to Armenia, Turkey hereby renounces as from the date of such decision all rights and title over the territory so transferred. The provisions of the present Treaty applicable to territory detached from Turkey shall thereupon become applicable to the said territory.

The proportion and nature of the financial obligations of Turkey which Armenia will have to assume, or of the rights which will pass to her, on account of the transfer of the said territory will be determined in accordance with Articles 241 to 244, Part VIII (Financial Clauses) of the present Treaty.

Subsequent agreements will, if necessary, decide all questions which are not decided by the present Treaty and which may arise in consequence of the transfer of the said territory.

ARTICLE 91.

In the event of any portion of the territory referred to in Article 89 being transferred to Armenia, a Boundary Commission, whose composition will be determined subsequently, will be constituted within three months from the

delivery of the decision referred to in the said Article to trace on the spot the frontier between Armenia and Turkey as established by such decision.

ARTICLE 92.

The frontiers between Armenia and Azerbaijan and Georgia respectively will be determined by direct agreement between the States concerned.

If in either case the States concerned have failed to determine the frontier by agreement at the date of the decision referred to in Article 89, the frontier line in question will be determined by the Principal Allied Powers, who will also provide for its being traced on the spot.

ARTICLE 93.

Armenia accepts and agrees to embody in a Treaty with the Principal Allied Powers such provisions as may be deemed necessary by these Powers to protect the interests of inhabitants of that State who differ from the majority of the population in race, language, or religion.

Armenia further accepts and agrees to embody in a Treaty with the Principal Allied Powers such provisions as these Powers may deem necessary to protect freedom of transit and equitable treatment for the commerce of other nations.

PART IV.

PROTECTION OF MINORITIES.

ARTICLE 140.

Turkey undertakes that the stipulations contained in Articles 141, 145 and 147 shall be recognized as fundamental laws, and that no civil or military law or regulation, no Imperial Iradeh nor official action shall conflict or interfere with these stipulations, nor shall any law, regulation, Imperial Iradeh nor official action prevail over them.

ARTICLE 141.

Turkey undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey without distinction of birth, nationality, language, race or religion. All inhabitants of Turkey shall be entitled to the free exercise, whether public or private, of any creed, religion or belief.

The penalties for any interference with the free exercise of the right referred to in the preceding paragraph shall be the same whatever may be the creed concerned.

ARTICLE 142.

Whereas, in view of the terrorist regime which has existed in Turkey since November 1, 1914, conversions to Islam could not take place under normal conditions, no conversions since that date are recognized and all persons who were non-Moslems before November 1, 1914, will be considered as still remaining such, unless, after regaining their liberty, they voluntarily perform the necessary formalities for embracing the Islamic faith.

In order to repair so far as possible the wrongs inflicted on individuals in the course of the massacres perpetrated in Turkey during the war, the Turkish Government undertakes to afford all the assistance in its power or in that of the Turkish authorities in the search for and deliverance of all persons, of whatever race or religion, who have disappeared, been carried off, interned or placed in captivity since November 1, 1914.

The Turkish Government undertakes to facilitate the operations of mixed commissions appointed by the Council of the League of Nations to receive the complaints of the victims themselves, their families or their relations, to make the necessary enquiries, and to order the liberation of the persons in question.

The Turkish Government undertakes to ensure the execution of the decisions of these commissions, and to assure the security and the liberty of the persons thus restored to the full enjoyment of their rights.

ARTICLE 143.

Turkey undertakes to recognize such provisions as the Allied Powers may consider opportune with respect to the reciprocal and voluntary emigration of persons belonging to racial minorities.

Turkey renounces any right to avail herself of the provisions of Article 16 of the Convention between Greece and Bulgaria relating to reciprocal emigration, signed at Neuilly-sur-Seine on November 27, 1919. Within six months from the coming into force of the present Treaty, Greece and Turkey will enter into a special arrangement relating to the reciprocal and voluntary emigration of the populations of Turkish and Greek race in the territories transferred to Greece and remaining Turkish respectively.

In case agreement cannot be reached as to such arrangement, Greece and Turkey will be entitled to apply to the Council of the League of Nations, which will fix the terms of such arrangement.

ARTICLE 144.

The Turkish Government recognizes the injustice of the law of 1915 relating to Abandoned Properties (Emval-i-Metroukeh), and of the supplementary provisions thereof, and declares them to be null and void, in the past as in the future.

The Turkish Government solemnly undertakes to facilitate to the greatest possible extent the return to their homes and re-establishment in their businesses of the Turkish subjects of non-Turkish race who have been forcibly driven from their homes by fear of massacre or any other form of pressure since January 1, 1914. It recognizes that any immovable or movable property of the said Turkish subjects or of the communities to which they belong, which can be recovered, must be restored to them as soon as possible, in whatever hands it may be found. Such property shall be restored free of all charges or servitudes with which it may have been burdened and without compensation of any kind to the present owners or occupiers, subject to any action which they may be able to bring against the persons from whom they derived title.

The Turkish Government agrees that arbitral commissions shall be appointed by the Council of the League of Nations wherever found necessary. These commissions shall each be composed of one representative of the Turkish Government, one representative of the community which claims that it or one of its members has been injured, and a chairman appointed by the Council of the League of Nations. These arbitral commissions shall hear all claims covered by this Article and decide them by summary procedure.

The arbitral commissions will have power to order:

(1) The provision by the Turkish Government of labor for any work of reconstruction or restoration deemed necessary. This labor shall be recruited from the races inhabiting the territory where the arbitral commission considers the execution of the said works to be necessary

(2) The removal of any person who, after enquiry, shall be recognized as having taken an active part in massacres or deportations or as having provoked them; the measures to be taken with regard to such person's possessions will be indicated by the commission;

(3) The disposal of property belonging to members of a community who have died or disappeared since January 1, 1914, without leaving heirs; such property may be handed over to the community instead of to the State

(4) The cancellation of all acts of sale or any acts creating rights over immovable property concluded after January 1, 1914. The indemnification of the holders will be a charge upon the Turkish Government, but must not serve as a pretext for delaying the restitution. The arbitral commission will, however have the power to impose equitable arrangements between the interested parties, if any sum has been paid by the present holder of such property.

The Turkish Government undertakes to facilitate in the fullest possible measure the work of the commissions and to ensure the execution of their decisions, which will be final. No decision of the Turkish judicial or administrative authorities shall prevail over such decisions.

ARTICLE 145.

All Turkish nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language or religion.

Difference of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as for instance admission to public employments, functions and honors, or the exercise of professions and industries.

Within a period of two years from the coming into force of the present Treaty the Turkish Government will submit to the Allied Powers a scheme for the organization of an electoral system based on the principle of proportional representation of racial minorities.

No restriction shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the press or in publications of any kind, or at public meetings. Adequate facilities shall be given to Turkish nationals of non-Turkish speech for the use of their language, either orally or in writing, before the courts.

ARTICLE 146.

The Turkish Government undertakes to recognize the validity of diplomas granted by recognized foreign universities and schools, and to admit the holders thereof to the free exercise of the professions and industries for which such diplomas qualify.

This provision will apply equally to nationals of Allied powers who are resident in Turkey.

ARTICLE 147.

Turkish nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as other Turkish nationals. In particular they shall have an equal right to establish, manage and control at their own expense, and independently of and without interference by the Turkish authorities, any charitable, religious and social institutions, schools for primary, secondary and higher instruction and other educational establishments, with the right to use their own language and to exercise their own religion freely therein.

ARTICLE 148.

In towns and districts where there is a considerable proportion of Turkish nationals belonging to racial, linguistic or religious minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational or charitable purposes.

The sums in question shall be paid to the qualified representatives of the communities concerned.

ARTICLE 149.

The Turkish Government undertakes to recognize and respect the ecclesiastical and scholastic autonomy of all racial minorities in Turkey. For this purpose, and subject to any provisions to the contrary in the present Treaty, the Turkish Government confirms and will uphold in their entirety the prerogatives and immunities of an ecclesiastical, scholastic or judicial nature granted by the Sultans to non-Moslem races in virtue of special orders or imperial decrees (firmans, hattis, berats, etc.) as well as by ministerial orders or orders of the Grand Vizier.

All laws, decrees, regulations and circulars issued by the Turkish Government and containing abrogations, restrictions or amendments of such prerogatives and immunities shall be considered to such extent null and void.

Any modification of the Turkish judicial system which may be introduced in accordance with the provisions of the present Treaty shall be held to override this Article, in so far as such modification may affect individuals belonging to racial minorities.

ARTICLE 150.

In towns and districts where there is resident a considerable proportion of Turkish nationals of the Christian or Jewish religions the Turkish Government undertakes that such Turkish nationals shall not be compelled to perform any act which constitutes a violation of their faith or religious observances, and shall not be placed under any disability by reason of their refusal to attend courts of law or to perform any legal business on their weekly day of rest. This provision, however, shall not exempt such Turkish nationals (Christians or Jews) from such obligations as shall be imposed upon all other Turkish nationals for the preservation of public order.

ARTICLE 151.

The Principal Allied Powers, in consultation with the Council of the League of Nations, will decide what measures are necessary to guarantee the execution of the provisions of this Part. The Turkish Government hereby accepts all decisions which may be taken on this subject.

PART VII.
PENALTIES.

ARTICLE 226.

The Turkish Government recognizes the right of the Allied Powers to bring before military tribunals persons accused of having committed acts in violation of the laws and customs of war. Such persons shall, if found guilty, be sentenced to punishments laid down by law. This provision will apply notwithstanding any proceedings or prosecution before a tribunal in Turkey, or in the territory of her allies.

The Turkish Government shall hand over to the Allied Powers or to such one of them as shall so request all persons accused of having committed an act in violation of the laws and customs of war, who are specified either by name or by the rank, office or employment which they held under the Turkish authorities.

ARTICLE 227.

Persons guilty of criminal acts against the nationals of one of the Allied Powers shall be brought before the military tribunals of that Power.

Persons guilty of criminal acts against the nationals of more than one of the Allied Powers shall be brought before military tribunals composed of members of the military tribunals of the Powers concerned.

In every case the accused shall be entitled to name his own counsel.

ARTICLE 228.

The Turkish Government undertakes to furnish all documents and information of every kind, the production of which may be considered necessary to ensure the full knowledge of the incriminating acts, the prosecution of offenders and the just appreciation of responsibility.

ARTICLE 229.

The provisions of Articles 226 to 228 apply similarly to the Governments of the States to which territory belonging to the former Turkish Empire has been or may be assigned, in so far as concerns persons accused of having committed acts contrary to the laws and customs of war who are in the territory or at the disposal of such States.

If the persons in question have acquired the nationality of one of the said States, the Government of such State undertakes to take, at the request of the Power concerned and in agreement with it, or upon the joint request of all the

Allied Powers, all the measures necessary to ensure the prosecution and punishment of such persons.

ARTICLE 230.

The Turkish Government undertakes to hand over to the Allied Powers the persons whose surrender may be required by the latter as being responsible for the massacres committed during the continuance of the state of war on territory which formed part of the Turkish Empire on August 1, 1914.

The Allied Powers reserve to themselves the right to designate the tribunal which shall try the persons so accused, and the Turkish Government undertakes to recognize such tribunal.

In the event of the League of Nations having created in sufficient time a tribunal competent to deal with the said massacres, the Allied Powers reserve to themselves the right to bring the accused persons mentioned above before such tribunal, and the Turkish Government undertakes equally to recognize such tribunal.

The provisions of Article 228 apply to the cases dealt with in this Article.

**TREATY OF FRIENDSHIP BETWEEN TURKEY, THE SOCIALIST SOVIET
REPUBLIC OF ARMENIA, THE AZERBAIJAN SOCIALIST SOVIET
REPUBLIC, AND THE SOCIALIST SOVIET REPUBLIC OF GEORGIA**

Done in Kars, October 23, 1921

Ratified in Yerevan, September 11, 1922

(Original in French and Russian)

The Government of the Grand National Assembly of Turkey, on the one side, and the Governments of the Socialist Soviet Republic of Armenia (SSRA), the Azerbaijan Socialist Soviet Republic (ASSR), and the Socialist Soviet Republic of Georgia (SSRG), on the other side,

Agreeing on the principle of the fraternity of the nations and on the right of the peoples to dispose freely of their destiny; desirous to establish cordial affinity and sincerely amicable relations between them, based upon reciprocal interest;

Have decided to enter into negotiations, with the participation of the Government of the Russian Socialist Federative Soviet Republic (RSFSR), to conclude a Treaty of Friendship and for this purpose have appointed as their plenipotentiaries:

The Government of the Grand National Assembly of Turkey:

Kiazim Kara Bekir Pasha, Deputy to the Grand National Assembly from Adrianople and Commander of the Eastern Front; Veli Bey, Deputy to the Grand National Assembly from Bordour; Mouhtar Bey, former Undersecretary of State for Public Works; Memdouh Shevket Bey, Turkish Plenipotentiary Representative in Azerbaijan;

The Government of the Socialist Soviet Republic of Armenia:

Askanaz Mravian, People's Commissar for Foreign Affairs; Poghos Makintsian, People's Commissar for Internal Affairs;

The Government of the Socialist Soviet Republic of Azerbaijan:

Behboud Shahtahtinskiy, People's Commissar for State Control

The Government of the Socialist Soviet Republic of Georgia:

Shalva Eliava, People's Commissar for War and Navy; Alexander Svanidze, People's Commissar for Foreign Affairs and People's Commissar for Finance;

The Government of the Russian Socialist Federative Soviet Republic:

Jacques Hanetzky, Plenipotentiary Representative in Lithuania, Who, having communicated their powers that have been found to be in due form, have agreed as follows.

Article I

The Government of the Grand National Assembly of Turkey and the Governments of the Socialist Soviet Republics of Armenia, Azerbaijan, and Georgia consider as null and void the treaties concluded between the Governments which have previously exercised sovereign rights over territory actually forming part of the territory of the Contracting Parties and concerning the above-mentioned territories, as well as the treaties concluded with third states concerning the Transcaucasus Republics. It is understood that the Turkish-Russian Treaty signed in Moscow on March 16, 1921 (1337) will be exempted from the terms of this Article.

Article II

The Contracting Parties agree not to recognize any treaty of peace or other international act imposed upon one any of them against its will. In virtue of this agreement, the Governments of the Socialist Soviet Republics of Armenia, Azerbaijan and Georgia agree not to recognize any international act concerning Turkey which has not been recognized by the National Government of Turkey, actually represented by its Grand National Assembly. (By the term Turkey is meant, in the present Treaty, the territories included in the Turkish National Pact of January 28, 1920 (1336), developed and proclaimed by the Ottoman Chamber of Deputies in Constantinople and communicated to the press and to all States). For its part, the Government of the Grand National Assembly of Turkey agrees not to recognize any international act concerning Armenia, Azerbaijan, and Georgia that may not be by the respective Governments of these countries, actually represented by the Soviets of Armenia, Azerbaijan, and Georgia.

Article III

The Governments of the Socialist Soviet Republics of Armenia, Azerbaijan and Georgia, recognizing that the system of capitulations is incompatible with the free life of the national development of all countries, as well as with the full exercise of sovereign rights, consider as null and abrogate the exercise, in Turkey, of all offices and rights included in this system.

Article IV

The northeast border of Turkey (according to the map of the Russian General Staff, on a scale of 1:210000.5 verstes to the inch) is determined by the line which, beginnin at the village of Sarp on the Black Sea, passes by the Mt. Khedis

Mga, the watershed line of at Mt. Shavshet- Mount Kana Dagħ; from there, it always follows the former northern administrative borders of the sanjaks of Ardahan and Kars, the thalweg of the Arpachai River and that of the Arax as far as the mouth of the Nijni Kara Su river. (For details of the border and questions pertaining to it, see Annexes I and II and the map inclosed, signed by the two Contracting Parties. In the event of discrepancies between the text of the Treaty and the Map, the text of the treaty shall prevail over the map).

A mixed commission of delimitation, comprised of equal number of members, with the participation of a representative of the RSFSR, is directed to determine in detail and to establish the actual border of the state, and to erect boundary markers. (Annex IV: the map). [not reproduced]

Article V

The Turkish Government and the Soviet Governments of Armenia and Azerbaijan are agreed that the region of Nakhichevan, within the limits specified by Annex III to the present Treaty, constitutes an autonomous territory under the protection of Azerbaijan.

Article VI

Turkey agrees to cede to Georgia suzerainty over the town and port of Batum, with the territory to the north of the frontier, indicated in Article IV of the present Treaty, which formed part of the district of Batum, on condition:

1. That the population of the localities specified in the present Article shall enjoy a greater measure of local administrative autonomy, that each community is guaranteed its cultural and religious rights, and that this population may introduce in the above-mentioned places an agrarian system in conformity with its own wishes.

2. That Turkey be assured free transit through the port of Batum for commodities and all materials destined for, or originating in, Turkey, without customs duties and charges, and with the right for Turkey to utilize the port of Batum without special charges. For the application of this Article, a commission of representatives of the interested Parties shall be created immediately after the signing of the present Treaty.

Article VII

The Government of the Grand National Assembly of Turkey and the Government of SSRG agree to facilitate the crossing of the border by the inhabitants of the bordering zones, on condition of the observance of the customs, police, and sanitary regulations which shall be established in this regard by a mixed commission.

Article VIII

The Government of the Grand National Assembly of Turkey and the Government of SSRG consider that it is necessary for the inhabitants of the bordering districts of two countries to make use of summer and winter pastures on the other side of the border, and agree to accord to these inhabitants the right to cross the border with their animals and to avail themselves of the customary pasturage. Customs formalities, and police, sanitary, and other measures applying to border crossings shall be determined by a mixed commission.

Article IX

With the view to assuring the opening and free passage through the Straits for the commerce of all peoples, Turkey and Georgia agree to submit the definitive elaboration of the international regulations for the Black Sea and the Straits to a subsequent conference composed of delegates from the littoral states, unless the decisions there reached encroach upon the sovereignty and security of Turkey and of Constantinople, its capital.

Article X

The Contracting Parties agree not to admit upon their territories the formation or sojourn of organizations or groups pretending to assume the role of government of the other country or a part of its territory, nor the sojourn of groups having for their purpose war against the other country. It is clearly understood that the Turkish territory mentioned above in the present Article is the territory under the direct civil and military administration of the Grand National Assembly of Turkey.

Article XI

Nationals of each of the two Contracting Parties, residing in the territory of the other Party, shall be treated in accordance with the duties and obligations decreed by the laws of the country in which they reside, with the exception of those concerning the national defense, from which they shall be exempt. Questions of family right, inheritance, and legal capacity are also excepted in the present Article, and shall be settled by a special agreement.

Article XII

The Contracting Parties will apply the most favored nation rule to nationals of one of the Contracting Parties residing in the territory of the other. This Article does not affect the rights accorded reciprocally by the Soviet Republics to citizens of allied Soviet Republics on their territory, as well as to the rights accorded by Turkey to nationals of the Moslem states allied with Turkey.

Article XIII

All inhabitants of territory that was part of Russia before 1918, and over which the sovereignty of Turkey is affirmed, shall have the opportunity, if they desire to relinquish their Turkish nationality, to leave Turkey freely, taking with them their possessions and goods, or the proceeds of their sale. Likewise, all inhabitants of territory whose sovereignty has been ceded to Georgia by Turkey shall have the opportunity, if they desire to relinquish Georgian nationality, to leave the territory of Georgia freely, taking with them their possessions, goods, and capital.

The inhabitants mentioned in the above sentences shall be granted a deferment of one month from military service, beginning on the date on which they shall have signified in due form their intention of leaving the territories in question.

Article XIV

The Contracting Parties agree to conclude, within the period of six months from the signature of the present Treaty, special arrangements with regard to the refugees of the wars of 1918 and 1920.

Article XV

Each of the Contracting Parties agrees to promulgate, immediately after the signature of the present Treaty, a complete amnesty to citizens of the other Party for crimes and offenses committed during the course of the war on the Caucasian front.

Article XVI

The Contracting Parties agree to effect reciprocally, within the period of two months after the signature of the present Treaty, the repatriation of former military and civilian prisoners residing in the territory of one of the Contracting Parties.

Article XVII

In order to ensure the continuance of relations between their countries, the Contracting Parties agree to take, in a common agreement, all the measures necessary to maintain and develop as quickly as possible railway, telegraphic, and other communications, as well as to assure free transit of persons and commodities without any hindrance. It is understood, however, that the entry and departure of travelers and commodities will be governed by the full application of all the regulations established in this regard by each of the Contracting Parties.

Article XVIII

With a view to organizing commercial relations and regulating economic, financial, and other questions necessary to strengthen the friendly relations

between the two countries, a commission of representatives from the interested countries shall convene at Tiflis immediately after the signature of the present Treaty.

Article XIX

The Contracting Parties agree to conclude consular conventions within the period of three months from the signature of the present Treaty.

Article XX

The present Treaty, concluded between the Governments of Turkey, Armenia, Azerbaijan, and Georgia, shall be subject to ratification. The exchange of ratifications shall take place at Yerevan within the shortest possible time.

The present Treaty shall enter into force immediately after the exchange of the acts of ratification, exception being made to Articles VI, XIV, XVI, XVIII, and XIX, which enter into force immediately after the signature of the Treaty.

ANNEX I

Northeast Frontier (follows verbatim Annex 1(a) of the Turkish-Russian Treaty of March 16, 1921)

The northeast border of Turkey is fixed as follows (according to the map of the Russian General Staff, on a scale of 1:210,000.5 verstes to the inch):

The village of Sari on the Black Sea, Mt. Kara-Shalvar (5014), crosses Chorokh to the north from the village of Maradidi, passes to the north of Sabur, Mt. Khedis Mga (7052), Mt. Kva-Kibe, village of Kavtareli, line of watershed Medzibna Mountain and Mt. Great-Kessun (6468), follows the line of the watershed Mt. Korda (7910), goes along the western part of the ridge Shavshet to the administrative border of the former Artvin district, goes to the Mt. Sari Chai (Kara-Issal) (8478), summit of the mountain Kvirial, then follows the administrative border of the former Ardahan district by Mt. Kana-Dagh, thence, turning to the north, goes to Mt. Tlil (Grmani) (8357), and following the former border of Ardahan, goes to the northeast of the village of Badela, to the river Poskov-Chai, and follows to the south along this river to a point to the north of the village of Chap Chakh, then it leaves the river, follows the watershed to Mt. Airlian-Bashi, goes over the Mts. Kella-Tana (9709), reaches Mt. Kasris-Seri (9681), and follows along the river Karzamet Chai until it reaches the river Kura, thence it goes along the line of the watershed of Mt. Kara-Ogli (7259), whence, dividing in two parts Lake Khazapin, it goes to the elevation 7580, then to Mt. Geg-Dagh (9152), goes over Mt. Uch-Tapoylar (9783), and Mt. Taila-Kala (9716), ridge 9065, where it leaves the border of the former Ardahan district and passes over the Mts. B. Akh Barba (9963), 8828 (8827), 7602, goes to the east of the village of Ibish, reaches elevation 7518, and then Mt. Kizil Dash (7439) (7440), village of New Kizil-Dash

(Kizel-Dash), passes to the west from the Karamemeda, goes to the river Jambushu Chai (which is to the east of the village of Delaver, B. Kikli, and Tikhnis), and through the village of Vartanli and Bashi-Shuragel; following the above-named river, it goes to the river Arpa Chai to the north of Kayalala, from there follows all the time the thalweg of the river Arpa Chai and arrives at the river Araxes, following its thalweg to the mouth of the river Lower Kara Su.

ANNEX II

Withdrawal of Troops in Arpa-Chai and Araxes Regions (follows verbatim Annex 1(b) of the Turkish-Russian Treaty of March 16, 1921)

Taking into consideration that the border line, as it is shown in Annex I, is the thalwegs of the rivers Arpa Chai and Araxes, the Government of the Grand National Assembly undertakes to remove the line of block-houses to the distance of 8 versts from the Alexandropol-Yerevan railway line in the district of the Arpa Chai river, and to the distance of 4 versts from the above-named railway in the district of the river Araxes. The lines which enclose the above-named districts are shown below: the district of the river Arpa Chai at sections (a) and (b) of Paragraph 1, and the district of the river Araxes in Paragraph 2.

Paragraph 1: District of the river Arpa Chai

(a) To the southeast from Vartanli, to the east from Uzun-Kilisa over Mt. Bozyar (5096), 5082-5047, to the east from Karmir-Vaik-Uch-Tapa (5578), to the east from Arzaz Oghlu, to the east from Ani, reaches Arpa Chai to the west from Yeni-Ki.

(b) Leaves Arpa Chai to the east from elevation 5019, goes straight to elevation 5481, at the distance of 4.5 versts, to the east from Kizil Kula at 2 versts, to the east from Bojali, and then the river Digor Chai, follows along this river to the village of Duz-Kechut, and goes straight to the north from the ruins of Karabat and to Arpa Chai.

Paragraph 2: District of the river Araxes

A straight line between Kharaba Alijan and the village of Suleiman (Diza). In the districts bordered on one side by the line of the Alexandropol-Yerevan railway and on the other by the lines which are 8 and 4 versts from the above-named railway, the Government of the Grand National Assembly undertakes not to build any fortification and not to keep the regular army except the number which is essentially necessary for the maintenance of order and security. Those lines are not in the above-named districts.

ANNEX III

Territory of Nakhichevan Village of Ourmia, from there by a straight line to the Azerdaian station (leaving it to SSRA), then by a straight line to Ms. Dash-Burun west (3142), watershed of Mt. Dash-Burun east (4108), crosses the river Kyahaanam-Darassi to the south of the inscription "Rodne" (Boulakh) (South), following the watershed of Mt. Bgarsik (6607) or (6587), and from there follows the administrative border of the former districts of Erivan and of Sharur, Daralagyaz, by the elevation 6629 to the mountain Kemurlu Dagh (6839) or (6930), and from there to the elevation 3080, Sayat Dagh (7868), village Kurt Kulag (Kyurt Kulak), Mt. Gamessur Dagh (8160), elevation 8022, Kuri Dagh (10,181), and the eastern administrative border of the former district of Nakhichevan.

**ARTICLES RELEVANT TO THE ARMENIANS
IN THE TREATY OF LAUSANNE**

**SECTION III.
PROTECTION OF MINORITIES.**

ARTICLE 37.

Turkey undertakes that the stipulations contained in Articles 38 to 44 shall be recognized as fundamental laws, and that no law, no regulation, nor official action shall conflict or interfere with these stipulations, nor shall any law, regulation, nor official action prevail over them.

ARTICLE 38.

The Turkish Government undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey without distinction of birth, nationality, language, race or religion.

All inhabitants of Turkey shall be entitled to free exercise, whether in public or private, of any creed, religion or belief, the observance of which shall not be incompatible with public order and good morals.

Non-Moslem minorities will enjoy full freedom of movement and of emigration, subject to the measures applied, on the whole or on part of the territory, to all Turkish nationals, and which may be taken by the Turkish Government for national defense, or for the maintenance of public order.

ARTICLE 39.

Turkish nationals belonging to non-Moslem minorities will enjoy the same civil and political rights as Moslems.

All the inhabitants of Turkey, without distinction of religion, shall be equal before the law.

Differences of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employments, functions and honors, or the exercise of professions and industries.

No restrictions shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the press, or in publications of any kind or at public meetings.

Notwithstanding the existence of the official language, adequate facilities

shall be given to Turkish nationals of non-Turkish speech for the oral use of their own language before the Courts.

ARTICLE 40.

Turkish nationals belonging to non-Moslem minorities shall enjoy the same treatment and security in law and in fact as other Turkish nationals. In particular, they shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein.

ARTICLE 41.

As regards public instruction, the Turkish Government will grant in those towns and districts, where a considerable proportion of non-Moslem nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language. This provision will not prevent the Turkish Government from making the teaching of the Turkish language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Turkish nationals belonging to non-Moslem minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious, or charitable purposes.

The sums in question shall be paid to the qualified representatives of the establishments and institutions concerned.

ARTICLE 42.

The Turkish Government undertakes to take, as regards non-Moslem minorities, in so far as concerns their family law or personal status, measures permitting the settlement of these questions in accordance with the customs of those minorities.

These measures will be elaborated by special Commissions composed of representatives of the Turkish Government and of representatives of each of the minorities concerned in equal number. In case of divergence, the Turkish Government and the Council of the League of Nations will appoint in agreement an umpire chosen from amongst European lawyers.

The Turkish Government undertakes to grant full protection to the churches, synagogues, cemeteries, and other religious establishments of the above-mentioned minorities. All facilities and authorization will be granted to the pious

foundations, and to the religious and charitable institutions of the said minorities at present existing in Turkey, and the Turkish Government will not refuse, for the formation of new religious and charitable institutions, any of the necessary facilities which are guaranteed to other private institutions of that nature.

ARTICLE 43.

Turkish nationals belonging to non-Moslem minorities shall not be compelled to perform any act which constitutes a violation of their faith or religious observances, and shall not be placed under any disability by reason of their refusal to attend Courts of Law or to perform any legal business on their weekly day of rest.

This provision, however, shall not exempt such Turkish nationals from such obligations as shall be imposed upon all other Turkish nationals for the preservation of public order.

ARTICLE 44.

Turkey agrees that, in so far as the preceding Articles of this Section affect non-Moslem nationals of Turkey, these provisions constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of the majority of the Council of the League of Nations. The British Empire, France, Italy and Japan hereby agree not to withhold their assent to any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

Turkey agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction or danger of infraction of any of these obligations, and that the Council may thereupon take such action and give such directions as it may deem proper and effective in the circumstances.

Turkey further agrees that any difference of opinion as to questions of law or of fact arising out of these Articles between the Turkish Government and any one of the other Signatory Powers or any other Power, a member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Turkish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

SECTION II.**MISCELLANEOUS CLAUSES.****ARTICLE 58.**

Turkey, on the one hand, and the other Contracting Powers (except Greece) on the other hand, reciprocally renounce all pecuniary claims for the loss and damage suffered respectively by Turkey and the said Powers and by their nationals (including juridical persons) between the 1st August, 1914, and the coming into force of the present Treaty, as the result of acts of war or measures of requisition, sequestration, disposal or confiscation.

Nevertheless, the above provisions are without prejudice to the provisions of Part III (Economic Clauses) of the present Treaty.

Turkey renounces in favor of the other Contracting Parties (except Greece) any right in the sums in gold transferred by Germany and Austria under Article 259 (I) of the Treaty of Peace of the 28th June, 1919, with Germany, and under Article 210 (I) of the Treaty of Peace of the 10th September, 1919, with Austria.

The Council of the Administration of the Ottoman Public Debt is freed from all liability to make the payments which it was required to make by the Agreement of the 20th June, 1331 (3rd July, 1915) relating to the first issue of Turkish currency notes or by the words inscribed on the back of such notes.

Turkey also agrees not to claim from the British Government or its nationals the repayment of the sums paid for the warships ordered in England by the Ottoman Government which were requisitioned by the British Government in 1914, and renounces all claims in the matter.

PART III.**ECONOMIC CLAUSES.****ARTICLE 64.**

In this part, the expression "Allied Powers" means the Contracting Powers other than Turkey.

The term "Allied nationals" includes physical persons, companies and associations of the Contracting Powers other than Turkey, or of a State or territory under the protection of one of the said Powers.

The provisions of this Part relating to "Allied nationals" shall benefit persons who without having the nationality of one of the Allied Powers, have, in consequence of the protection which they in fact enjoyed at the hands of these Powers, received from the Ottoman authorities the same treatment as Allied nationals and have, on this account, been prejudiced.

SECTION I.

PROPERTY, RIGHTS AND INTERESTS.

ARTICLE 65.

Property, rights and interests which still exist and can be identified in territories remaining Turkish at the date of the coming into force of the present Treaty, and which belong to persons who on the 29th October, 1914, were Allied nationals, shall be immediately restored to the owners in their existing state.

Reciprocally, property, rights and interests which still exist and can be identified in territories subject to the sovereignty or protectorate of the Allied Powers on the 29th October, 1914, or in territories detached from the Ottoman Empire after the Balkan wars and subject to-day to the sovereignty of any such Power, and which belong to Turkish nationals, shall be immediately restored to the owners in their existing state. The same provision shall apply to property, rights and interests which belong to Turkish nationals in territories detached from the Ottoman Empire under the present Treaty, and which may have been subjected to liquidation or any other exceptional measure whatever on the part of the authorities of the Allied Powers.

All property, rights and interests situated in territory detached from the Ottoman Empire under the present Treaty, which, after having been subjected by the Ottoman Government to an exceptional war measure, are now in the hands of the Contracting Power exercising authority over the said territory, and which can be identified, shall be restored to their legitimate owners, in their existing state. The same provision shall apply to immovable property which may have been liquidated by the Contracting Power exercising authority over the said territory. All other claims between individuals shall be submitted to the competent local courts.

All disputes relating to the identity or the restitution of property to which a claim is made shall be submitted to the Mixed Arbitral Tribunal provided for in Section V of this Part.

ARTICLE 66.

In order to give effect to the provisions of the first and second paragraphs of Article 65 the High Contracting Parties will, by the most rapid procedure, restore the owners to the possession of their property, rights and interests free from any burdens or encumbrances with which such property, rights and interests may have been charged without the consent of the said owners. It will be the duty of the Government of the Power effecting the restitution to provide for the compensation of third parties who may have acquired the property directly or indirectly from the said Government and who may be injured by this restitution. Disputes which may arise in connection with such compensation shall be dealt with by the ordinary courts.

In all other cases it will be open to any third parties who may be injured to take action against whoever is responsible, in order to obtain compensation.

In order to give effect to these provisions all acts of transfer or other exceptional war measures, which the High Contracting Parties may have carried out in respect of enemy property, rights and interests, shall be immediately cancelled and stayed when liquidation has not yet been completed. Owners who make claims shall be satisfied by the immediate restitution of their property, rights and interests as soon as these shall have been identified.

When at the date of the signature of the present Treaty the property, rights and interests, the restitution of which is provided for in Article 65. have been liquidated by the authorities of one of the High Contracting Parties, that Party shall be discharged from the obligation to restore the said property, rights and interests by payment of the proceeds of the liquidation to the owner. If, on application being made by the owner, the Mixed Arbitral Tribunal provided for by Section V finds that the liquidation was not effected in such conditions as to ensure the realization of a fair price, it will have the power, in default of agreement between the parties, to order the addition to the proceeds of the liquidation of such amount as it shall consider equitable. The said property, rights and interests shall be restored if the payment is not made within two months from the agreement with the owner or from the decision of the Mixed Arbitral Tribunal mentioned above.

ARTICLE 67.

Greece, Roumania and the Serb-Croat-Slovene State on the one hand, and Turkey on the other hand undertake mutually to facilitate, both by appropriate administrative measures and by the delivery of all documents relating thereto, the search on their territory for, and the restitution of, movable property of every kind taken away, seized or sequestered by their armies or administrations in the territory of Turkey, or in the territory of Greece, Roumania or the Serb-Croat-Slovene State respectively, which are actually within the territories in question.

Such search and restitution will take place also as regards property of the nature referred to above seized or sequestered by German, Austro-Hungarian or Bulgarian armies or administrations in the territory of Greece, Roumania or the Serb-Croat-Slovene State, which has been assigned to Turkey or to her nationals, as well as to property seized or sequestered by the Greek, Roumanian or Serbian armies in Turkish territory, which has been assigned to Greece, Roumania or the Serb-Croat-Slovene State or to their nationals.

Applications relating to such search and restitution must be made within six months from the coming into force of the present Treaty.

ARTICLE 68.

Debts arising out of contracts concluded, in districts in Turkey occupied by the Greek army, between the Greek authorities and administrations on the one hand

and Turkish nationals on the other, shall be paid by the Greek Government in accordance with the provisions of the said contracts.

ARTICLE 69.

No charge, tax or surtax to which, by virtue of the privileges which they enjoyed on the 1st August, 1914, Allied nationals and their property were not subject, shall be collected from Allied subjects or their property in respect of the financial years earlier than the financial year 1922-23.

If any sums have been collected after the 15th May, 1923, in respect of financial years earlier than the financial year 1922-1923, the amount shall be refunded to the persons concerned, as soon as the present Treaty comes into force.

No claim for repayment shall be made as regards sums encashed before the 15th May, 1923.

ARTICLE 70.

Claims based on Articles 65, 66 and 69 must be lodged with the competent authorities within six months, and, in default of agreement, with the Mixed Arbitral Tribunal within twelve months, from the coming into force of the present Treaty.

ARTICLE 71.

The British Empire, France, Italy, Roumania and the Serb-Croat-Slovene State or their nationals having begun claims or suits with regard to their property, rights and interests against the Ottoman Government before the 29th October, 1914, the provisions of this Section will not prejudice such claims or suits.

Claims or suits begun against the British, French, Italian, Roumanian or Serb-Croat-Slovene Governments by the Ottoman Government or its nationals will similarly not be prejudiced. These claims or suits will be continued against the Turkish Government and against the other Governments mentioned in this Article under the conditions existing before the 29th October, 1914, due regard being had to the abolition of the Capitulations.

ARTICLE 72.

In the territories which remain Turkish by virtue of the present Treaty, property, rights and interests belonging to Germany, Austria, Hungary and Bulgaria or to their nationals, which before the coming into force of the present Treaty have been seized or occupied by the Allied Governments, shall remain in the possession of these Governments until the conclusion of arrangements between them and the German, Austrian, Hungarian and Bulgarian Governments or their nationals who are concerned. If the above-mentioned property, rights and interests have been liquidated, such liquidation is confirmed.

In the territories detached from Turkey under the present Treaty, the Governments exercising authority there shall have power, within one year from the coming into force of the present Treaty, to liquidate the property, rights and interests belonging to Germany, Austria, Hungary and Bulgaria or to their nationals.

The proceeds of liquidations, whether they have already been carried out or not, shall be paid to the Reparation Commission established by the Treaty of Peace concluded with the States concerned, if the property liquidated belongs to the German, Austrian, Hungarian or Bulgarian State. In the case of liquidation of private property, the proceeds of liquidation shall be paid to the owners direct.

The provisions of this Article do not apply to Ottoman limited Companies.

The Turkish Government shall be in no way responsible for the measures referred to in the present Article.

SECTION II .

CONTRACTS, PRESCRIPTIONS AND JUDGMENTS.

ARTICLE 73.

The following classes of contracts concluded, before the date mentioned in Article 82, between persons who thereafter became enemies as defined in that Article, remain in force subject to the provisions of the contracts and to the stipulations of the present Treaty:

(a) Contracts for the sale of real property, even if all formalities may not have been concluded, provided that delivery did in fact take place before the date on which the parties became enemies as defined in Article 82.

(b) Leases and agreements for leases of land and houses entered into between individuals.

(c) Contracts between individuals regarding the exploitation of mines, forests or agricultural estates.

(d) Contracts of mortgage, pledge or lien.

(e) Contracts constituting companies, excepting "societies en 'nom collective" which do not constitute, under the law to which they are subject, an entity separate from that of the persons of which they are composed (partnerships).

(f) Contracts, whatever may be their purpose, concluded between individuals or companies and the State, provinces, municipalities or other similar juridical persons charged with administrative functions.

(g) Contracts relating to family status.

(h) Contracts relating to gifts or bounties of any kind whatever.

This Article cannot be invoked in order to give to contracts a validity different from that which they had in themselves when they were concluded.

It does not apply to concessionary contracts.

ARTICLE 74.

Insurance contracts are governed by the provisions of the Annex to this Section.

THE DECLARATION AND PROTOCOL FOR A GENERAL AMNESTY ANNEXED TO THE TREATY OF LAUSANNE (ANNEX VIII)

VIII. Declaration of Amnesty.

The powers signatory of the Treaty of peace signed this day being equally desirous to cause the events which have troubled the peace in the east to be forgotten,

The Undersigned, acting in virtue of their full powers, have agreed to make the following Declaration:

I.

No person who inhabits or who has inhabited Turkey, and reciprocally no person who inhabits or who has inhabited Greece, shall be disturbed or molested in Turkey and reciprocally in Greece, under any pretext whatsoever, on account of any military nor political action taken by him, or any assistance of any kind given by him to a foreign Power signatory of the Treaty of Peace signed this day, or to the nationals of such power, between the 1st August, 1914, and the 20th November, 1922.

II.

Similarly no inhabitant of the territories detached from Turkey under the said Treaty of Peace shall be disturbed or molested either on account of his political or military attitude against or in favour of Turkey during the period from the 1st August, 1914, to the 20th November, 1922, or of the determination of his nationality under the said Treaty.

III.

Full and complete amnesty shall be respectively granted by the Turkish Government and by the Greek Government for all crimes or offences committed during the same period which were evidently connected with the political events which have taken place during that period.

IV.

Turkish nationals, and reciprocally nationals of the other Powers signatory of the Treaty of Peace signed this day who may have been arrested, prosecuted or sentenced by the authorities respectively, for reasons of a political or military nature previous to the 20th November, 1922, on territory which remains Turkish in accordance with the said treaty of peace, shall benefit from the amnesty, and, if

they are detained, shall be handed over to the authorities of the States of which they are the nationals. This stipulation is similarly applicable to Turkish nationals arrested, prosecuted or sentenced by the authorities of the Powers who have occupied a portion of the above-mentioned territory even for a transgression of the ordinary law committed before that date, and even if they have been removed from Turkey, excepting those who have committed, against a person belonging to the armies of occupation, an assault which has entailed death or a grievous wound.

V.

All sentences pronounced for the above reasons shall be annulled, and any proceedings already instituted shall be stayed.

VI.

The Turkish Government, sharing the desire for general pacification with which all the Powers are animated, declare their intention not to contest the measures carried out under the auspices of the Allied Powers during the period between the 20th October, 1918, and the 20th November, 1922, with the object of re-establishing families scattered owing to the war and replacing legitimate proprietors in possession of their goods.

However, this intention does not exclude the possibility of any revision of the above-mentioned measures in the event of a request to that effect being made by the interested parties. Claims respecting persons and goods shall be examined by a Commission composed of a delegate of the Red Crescent and a delegate of Red Cross. In the event of a dispute, these delegates will choose an umpire, will be appointed by the Council of the League of Nations.

VII.

The British, French, and Italian Governments, acknowledging the importance of the measure of pacification which forms the subject of Article 5 of the Agreement concluded on the 30th January, 1923, between the Greek Government and the Turkish Government relating to the return of interned civilians and to the exchange of prisoners of war, declare that they are prepared to adopt, subject to reciprocity on the part of the Turkish Government, the same measures for the benefit of Turkish prisoners of war and interned civilians as may still be in their hands, with the exception of those who may have committed crimes and offences against the ordinary law since the 20th November, 1922.

Done at Lausanne, the 24th July, 1923.

Horace Rumbold.
 Pelle.
 Garroni.
 G.C.Montagna.
 K. Otchai.
 E.K.Veniselos.
 D. Caclamano.
 Const.Diamandy.
 Const.Contzesco.
 M.Ismet.
 Dr. Rıza Nour.
 Hassan.

Protocol.

It is understood that, in spite of the terms of paragraph 1 of the Amnesty Declaration, the Turkish Government reserves to itself the right to prohibit sojourn in and access to Turkey to 150 persons included in the category of persons referred to in the said paragraph. Consequently, the Turkish Government will be entitled to expel from its territory such of the persons in question as may be there at the present time and to prohibit such as are abroad from returning. The names of these persons shall be annexed to the Amnesty Proclamation which, on the coming into force of the Treaty of peace signed this day, shall be promulgated by the said Government in order to give effect, in so far as that Government is concerned, to the above-mentioned declaration. It is further understood that, in the event of the Turkish Government deciding, as it has expressed the intention, that the persons must liquidate their property and other goods in Turkey, they shall be granted a period of nine months as from the date of the above-mentioned proclamation to effect this liquidation of their own accord, and in the event of liquidation by the Turkish Government after the expiry of this period the whole of the proceeds shall be paid to the said persons.

It is similarly understood that paragraph 1 of the Amnesty Declaration in no way affects the right of the Greek Government to prosecute non-Moslem Greek subjects belonging or having belonged to its army for acts which constituted failure in respect of their military duties during hostilities between Greece and Turkey.

Done at Lausanne, the 24th July, 1923.

HORACE RUMBOLD.
 PELLÉ.
 GARRONI.
 K. OTCHIAI.
 E. K. VENISELOS.
 D. CACLAMANOS.

CONST. DIAMANDY.
CONST. CONTZESCO.
M. ISMET.
DR. RIZA NOUR.
HASSAN.

**DIPLOMATS, OTHER OFFICIALS AND THEIR RELATIVES
ASSASSINATED BY ARMENIAN TERRORISTS**

Date	City	Post	Name Surname
27.01.1973	Santa Barbara	Consul General	Mehmet BAYDAR
27.01.1973	Santa Barbara	Consul	Bahadır DEMİR
22.10.1975	Vienna	Ambassador	Daniş TUNALIGİL
24.10.1975	Paris	Ambassador	İsmail EREZ
24.10.1975	Paris	Driver	Talip YENER
16.02.1976	Beirut	First Secretary	Oktar CİRİT
09.06.1977	Vatican	Ambassador	Taha CARIM
02.06.1978	Madrid	Spouse of the Ambassador	Necla KUNERALP
02.06.1978	Madrid	Retired Ambassador	Beşir BALCIOĞLU
12.10.1979	The Hague	Son of the Ambassador	Ahmet BENLER
22.12.1979	Paris	Tourisms Attaché	Yılmaz ÇOLPAN
31.07.1980	Athens	Administrative Attaché	Galip ÖZMEN
31.07.1980	Athens	Daughter of the Administrative Attaché	Neslihan ÖZMEN
17.12.1980	Sydney	Consul General	Şarık ARIYAK
17.12.1980	Sydney	Security Attaché	Engin SEVER
04.03.1981	Paris	Labor Attaché	Reşat MORALI
04.03.1981	Paris	Officer for Religious Affairs	Tecelli ARI
09.06.1981	Geneva	Secretary	M. Savaş YERGÜZ
24.09.1981	Paris	Security Attaché	Cemal ÖZEN
28.01.1982	Los Angeles	Consul General	Kemal ARIKAN
04.05.1982	Boston	Honorary Consul General	Orhan GÜNDÜZ
07.06.1982	Lisbon	Administrative Attaché	Erkut AKBAY
07.06.1982	Lisbon	Spouse of the Administrative Attaché	Nadide AKBAY
27.08.1982	Ottawa	Military Attaché	Alb. Attila ALTİKAT
09.09.1982	Burgas	Administrative Attaché	Bora SÜELKAN
09.03.1983	Belgrade	Ambassador	Galip BALKAR
14.07.1983	Brussels	Administrative Attaché	Dursun AKSOY
27.07.1983	Lisbon	Spouse of the Deputy Chief of Mission	Cahide MIHÇIOĞLU
28.04.1984	Tehran	Spouse of Secretary	Işık YÖNDER
20.06.1984	Vienna	Labor Attaché	Erdoğan ÖZEN
19.11.1984	Vienna	International Officer	Enver ERGUN

**TABLE OF COUNTRIES WHERE INCIDENTS OF DEATH, INJURY AND
HOSTAGE-TAKING WERE CAUSED BY ARMENIAN TERRORISM**

Countries	Deaths	Injured	Hostage	Total
France	18	206	68	292
Turkey	15	95	25	135
Spain	3	64	0	67
Switzerland	1	32	0	33
Italy	1	32	0	33
Lebanon	4	27	0	31
Germany	2	25	0	27
Canada	2	2	12	16
USA	4	10	0	14
Iran	3	7	0	10
Austria	3	5	0	8
Portugal	4	3	0	7
Denmark	0	6	0	6
Yugoslavia	2	4	0	6
Greece	3	2	0	5
Australia	2	2	0	4
Belgium	1	1	0	2
The Netherlands	1	1	0	2
Bulgaria	1	0	0	1
Total	70	524	105	699

EUROPEAN PARLIAMENT RESOLUTION – JUNE 18, 1987

"Believes that the tragic events in 1915-1917 involving the Armenians living in the territory of the Ottoman Empire constitute genocide within the meaning of the convention on the prevention and the punishment of the crime of genocide adopted by the UN General Assembly on 9 December 1948."

European Parliament

Resolution on a political solution to the Armenian question

Doc. A2-33/87

The European Parliament,

-having regard to the motion for a resolution tabled by Mr. Saby and others on behalf of the Socialist Group on a political solution to the Armenian question (Doc. 2-737/84),

-having regard to the motion for a resolution tabled by Mr. Kolokotronis on the Armenian question and the declaration of 24 April as Armenian Genocide Day (Doc. V 2-360/85),

-having regard to the report of the Political Affairs Committee (Doc. 2-33/87),

A. having regard to:

-the motion for a resolution by Mr. Jaquet and others on the situation of the Armenian people (Doc. 1-782/81),

-the motion for a resolution by Mrs. Duport and Mr. Glinne on behalf of the Socialist Group on a political solution to the Armenian question (Doc. 1-735/83), and

-the written question by Mrs. Duport on the Armenian question,

-the resolution of the Ministers with responsibility for Cultural Affairs, meeting within the Council of 13 November 1986 on the protection of Europe's architectural heritage, including that outside the territory of the Community.

B. convinced that recognition of the identity of the Armenian people in Turkey as an ethnic, cultural, linguistic and religious minority follows on from recognition of its own history,

C. whereas the Armenian side regards these events as planned genocide within the meaning of the 1948 UN Convention.

D. whereas the Turkish State rejects the charge of genocide as unfounded,

E. whereas, to date, the Turkish Government, by refusing to recognize the genocide of 1915, continues to deprive the Armenian people of the right to their own history,

F. whereas the historically proven Armenian genocide has so far neither been the object of political condemnation nor received due compensation,

G. whereas the recognition of the Armenian genocide by Turkey must therefore be viewed as a profoundly humane act of moral rehabilitation towards the Armenians, which can only bring honor to the Turkish Government;

H. profoundly regretting and condemning the mindless terrorism by groups of Armenians who were responsible between 1973 and 1986 of several attacks causing death or injury to innocent victims and deplored by an overwhelming majority of the Armenian people,

I. whereas the obdurate stance of every Turkish Government towards the Armenian question has in no way helped to reduce the tension,

1. Believes that the Armenian question and the question of minorities in Turkey must be resituated within the framework of relations between Turkey and the Community; points out that democracy cannot be solidly implanted in a country unless the latter recognizes and enriches its history with its ethnic and cultural diversity;

2. Believes that the tragic events in 1915-1917 involving the Armenians living in the territory of the Ottoman Empire constitute genocide within the meaning of the convention on the prevention and the punishment of the crime of genocide adopted by the UN General Assembly on 9 December 1948; Recognizes, however, that the present Turkey cannot be held responsible for the tragedy experienced by the Armenians of the Ottoman Empire and stresses that neither political nor legal or material claims against present-day Turkey can be derived from the recognition of this historical event as an act of genocide;

3. Calls on the Council to obtain from the present Turkish Government as acknowledgment of the genocide perpetrated against the Armenians in 1915-1917 and promote the establishment of a political dialogue between Turkey and the representatives of the Armenians;

4. Believes that the refusal by the present Turkish Government to acknowledge the genocide against the Armenian people committed by the Young Turk government, its reluctance to apply the principles of international law to its differences of opinion with Greece, the maintenance of Turkish occupation forces in Cyprus and the denial of existence of the Kurdish question, together with the lack of true parliamentary democracy and the failure to respect individual and collective freedoms, in particular freedom of

religion, in that country are insurmountable obstacles to consideration of the possibility of Turkey's accession to the Community;

5. Conscious of those past misfortunes, supports its desire for the development of a specific identity, the securing of its minority rights and the unrestricted exercise of its people's human and civil rights as defined in the European Convention of Human Rights and its five protocols;

6. Calls for fair treatment of the Armenian minority in Turkey as regards their identity, language, religion, culture and school system, and makes an emphatic plea for improvements in the care of monuments and for the maintenance and conservation of the Armenian religious architectural heritage in Turkey and invites the Community to examine how it could make an appropriate contribution;

7. Calls on Turkey in this connection to abide faithfully by the provisions for the protection of the non-Muslim minorities as stipulated in Articles 37 to 45 of the 1923 Treaty of Lausanne which, moreover, was signed by most Member States of the Community;

8. Considers that the protection of monuments and the maintenance and conservation of the Armenian religious architectural heritage in Turkey must be regarded as part of a wider policy designed to preserve the cultural heritage of all civilizations which have developed over the centuries on present-day Turkish territory and, in particular, that of the Christian minorities that formed part of the Ottoman Empire;

9. Calls therefore on the Community to extend the Association Agreement with Turkey to the cultural field so that the remains of Christian or other civilizations such as the ancient classical, Hittite, Ottoman, etc., in that country are preserved and made generally accessible;

10. Expresses its concern at the difficulties currently being experienced by the Armenian community in Iran with respect to the Armenian language and their own education in accordance with the rules of their own religion;

11. Condemns the violations of individual freedoms committed in the Soviet Union against the Armenian population;

12. Condemns strongly any violence and any form of terrorism carried out by isolated groupings unrepresentative of the Armenian people, and calls for reconciliation between Armenians and Turks;

13. Calls on the Community Member States to dedicate a day to the memory of the genocide and crimes against humanity perpetrated in the 20th century, specifically against the Armenians and Jews;

14. Commits itself to making a substantial contribution to initiatives to encourage negotiations between the Armenian and Turkish peoples;

15. Instructs its President to forward this resolution to the Commission, the European Council, the Foreign Ministers meeting in political cooperation, the EEC/Turkey Association Council and the Turkish, Iranian and Soviet Governments and the UN Secretary General.

Resolution discussed and approved by European Parliament on June 18, 1987.

**URUGUAY SENATE AND HOUSE OF REPRESENTATIVES RESOLUTION –
APRIL 20, 1965**

Law No. 13.326

Day of Remembrance for the Armenian Martyrs

Legislative Power.

The Senate and House of Representatives of Uruguay meeting in the General Assembly,

Decree

Article 1.

Declares the following 24th of April "Day of Remembrance for the Armenian Martyrs", in honor of the members of that nationality slain in 1915.

Article 2.

The stations of the Official Radio Service must on that date conduct part of their broadcast in honor of the mentioned nation.

Article 3.

Armenian descendants who are public servants are authorized to miss work on the mentioned date.

Article 4.

Designate with the name of "Armenia", the 2nd Grade School, No. 156, in the Department of Montevideo.

Article 5.

Communicate, etc.

Senate chambers, in Montevideo, the 20th of April, 1965

Martin R. Echevoyen

President

Jose Pastor Salvanach

Secretary

URUGUAY LAW – MARCH 26, 2004

Day of Recognition for the Armenian Martyrs

Bill Number 17.752

Article 1- The day of April 24 is declared as the “Day of Recognition for the Armenian Martyrs” in homage to the victims of this national massacre in 1915.

Article 2- The National Broadcasting Service of Uruguay (SODRE), and also other radio and television services, have the duty on this date to allocate part of their programming to the recognition of this event.

The President of the Republic of Uruguay and the Secretary of the Press and Broadcasting.

**SOUTHERN CYPRIOT HOUSE OF REPRESENTATIVES RESOLUTION –
APRIL 29, 1982**

Resolution Unanimously Adopted By The House of Representatives of the Republic of Cyprus on the 29th April, 1982

The House of Representatives

On the occasion of the Anniversary of the genocide of the Armenian people which was started in 1915 in an organized manner by the then Turkish regime,

1. Notes with abhorrence and condemns unreservedly the crime against the Armenian people which had the dimensions of genocide and which uprooted the Armenians from ancestral lands.

2. Supports the full restoration of the inalienable rights of the Armenian people.

3. Underlines the harmonious and long-standing coexistence and brotherly cooperation with the Armenians of Cyprus and their contribution to the political, economic and cultural life of our country.

4. Considers this coexistence as evidence of the real possibility for harmonious coexistence of all the people of Cyprus regardless of language, religion or national origin.

5. In parallel considers it necessary to condemn the crime committed against the people of Cyprus by the Turkish invasion of 1974.

ARGENTINEAN SENATE RESOLUTION – MAY 5, 1993

May 5, 1993

Number of Resolution: 1554/92

S-92-1554: Losada.

Resolution of Declaration

The Senate of the Nation

Declares:

Its complete solidarity with the Armenian community, which was the victim of the first genocide of the 20th century, in commemorating once again the anniversary of a crime against humanity that was to culminate with the death of 1,500,000 Armenians at the hands of the Turkish government between the years 1915 and 1917.

Likewise, it manifests its deep concern for the constant violations of human rights that have taken place in the autonomous region of Nagorno Karabakh against the majority Armenian population.

Mario A. Losada.-

ARGENTINEAN SENATE DECLARATION – AUGUST 20, 2003

Bill Number: 664/03
Type of Bill: Declaration
National Senate
Secretary of Parliament
Director of Publications

(S-664/03)

Declaration

The Honorable National Senate

It is declared

With deep sorrow we commemorate the 88th anniversary of the genocide of 1.5 million Armenians, perpetrated by the Turkish State between the years 1915 and 1923.

This is also a manifesto of much empathy repudiating the considerable crimes against humanity that are still unpunished.

ARGENTINEAN LAW – MARCH 18, 2004

Bill Number: 51/04
Type of Bill: Resolution
National Senate
Secretary of Parliament
Director of Publications

(S-0051/04)

Resolution

The National Senate and the Parliament,...

Article 1- To incorporate the subject matter of the Armenian Genocide into the primary, secondary and higher education curriculums of all countries and for educators to impart this issue in a comprehensive manner by assessing it within the framework of world peace, human dignity and human rights.

Article 2- To set April 24 as the day of remembrance for the Armenian Genocide victims of primary, secondary and higher education calendars.

Article 3- The executive organ shall be informed accordingly.

ARGENTINEAN SENATE DECLARATION – MARCH 31, 2004

Bill Number: 571/04
Type of Bill: DECLARATION
National Senate
Secretary of Parliament
Publications Director

(S-0571/04)

Declaration

National Senate:

Declares:

1. – In solidarity with the Armenian Community, the victims of the first genocide of the 20th century, to implement a new commemoration of the crime that ended the lives of more than 1.5 million Armenians by the Turkish State between the years 1915-1918.

2. – To condemn all forms of human rights violations of people, and not to allow crimes against humanity to go unpunished.

ARGENTINEAN SENATE RESOLUTION – APRIL 20, 2005

THE SENATE DECLARES THE FOLLOWING SUBJECTS

1. To pay homage to the victims of the Genocide by taking part in the ceremonies organized by the Armenian Community in Argentina (CAA) which are to commemorate the upcoming 90th anniversary of the Armenian Genocide on April 24.
2. To support the families of the victims of the genocide committed by the Turkish Government in the years of 1915-1923;
3. To condemn the systematic denial by various Turkish authorities of the events documented so as to leave no doubt regarding their truth;
4. To commemorate these events and to prevent their future repetition in the name of humanity by honoring the human rights of the victims of the Genocide within the framework of international law.

THESE DECISIONS WERE TAKEN IN THE SESSION HALL OF THE ARGENTINEAN SENATE IN THE CITY OF BUENOS AIRES ON APRIL 20, 2005.

ARGENTINEAN SENATE SPECIAL STATEMENT – APRIL 19, 2006

In accordance with Law number 13478, the Argentinean Senate and the City Parliament of Buenos Aires declare the following:

Article 1.- “The memorial day for the first Genocide of the XX. Century” by which the Armenian community was victimized, shall be organized every year within the provincial borders of Buenos Aires on April 24.

Article 2.- The executive organ shall be informed accordingly.

ARGENTINEAN LAW – JANUARY 15, 2007

January 15, 2007

"Law passed by the Argentine Congress declaring April 24 "The day of action for tolerance and respect among people" in commemoration of the Armenian Genocide."

LAW 26.199

MEMORIAL DAYS

BUENOS AIRES, December 13, 2006

OFFICIAL GAZETTE, January 15, 2007

MEMORIAL DAYS - GENOCIDE - ARMENIA

SUBJECT

MEMORIAL DAYS - GENOCIDE - ARMENIA

The Argentinean people, the Parliament and Senate, by assembling in the Congress have ratified the law.

FOR GENERAL INFORMATION ARTICLES WHICH CODIFY LAW NO. 5

ARTICLE 1: To commemorate the genocide by which the Armenian Community was victimized and in the spirit of its surviving memory, for these present initiatives and espoused future goals to set an example for future generations, the annual declaration of April 24th as "the day of action for respect and tolerance among people".

ARTICLE 2: To grant permission to all civil servants and public personnel of Armenian descent, to attend and support the ceremonies to commemorate the tragedies which affected their peoples.

ARTICLE 3: To grant permission to all students, even those attending primary and secondary school in accordance with Article 1.

ARTICLE 4: All provincial administrations are to be invited to fulfill the requirement of the present Law.

SIGNED

BALESTRINI-PAMPURO-Hidalgo-Estrada

BALESTRINI-PAMPURO-Hidalgo-Estrada

ARGENTINEAN SENATE RESOLUTION – APRIL 16, 2008

Senate of the Nation

DR=134/08

THE SENATE OF THE NATION,

D E C L A R E S:

Its adherence to the “Day of action for tolerance and respect among peoples”, on April 24, in commemoration for the genocide of which the Armenian people were victims.

That it manifests its solidarity with the victims and family relatives of the Armenian community.

That it rejects all forms of the crime of genocide, declared an imprescriptible crime against humanity by the United Nations.

That it condemns the diffusion of ideas or doctrines that deny or justify this crime.

PROVIDED AT THE HALL OF SESSIONS OF THE ARGENTINE SENATE, IN BUENOS AIRES, ON THE SIXTEENTH DAY OF THE MONTH OF APRIL OF THE YEAR TWO THOUSAND AND EIGHT.

RUSSIAN DUMA RESOLUTION – APRIL 14, 1995

Resolution by the State Duma of Federal Assembly of the Russian Federation

April 14, 1995

Based on irrefutable historic facts which attest to the extermination of Armenians on the territory of Western Armenia from 1915 to 1922 and, in accordance with the following Conventions adopted by the United Nations:

Convention on the Prevention and Punishment of the Crime of Genocide, December 9, 1948;

Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, November 26, 1968;

Aspiring to restore the humanitarian traditions of the Russian State and,

Emphasizing that through the initiative of Russia, the Great European Powers already in 1915 characterized the actions of the Turkish Empire against the Armenian people as a "Crime Against Humanity" and,

Noting that the physical extermination of the fraternal Armenian people in its historic homeland aimed at destroying Russia;

The State Duma of the Federal Assembly of the Russian Federation:

Condemns the perpetrators of the extermination of Armenians from 1915 to 1922;

Expresses its deep sympathy to the Armenian people and recognizes April 24 as a day of remembrance for the victims of the Genocide.

CANADIAN HOUSE OF COMMONS RESOLUTION – APRIL 23, 1996

That this House recognize, on the occasion of the 81st anniversary of the Armenian tragedy which claimed some 1.5 million lives that took place on April 24, 1915, and in recognition of other crimes against humanity, the week of April 20 to 27 of each year as the week of remembrance of the inhumanity of people toward one another.

The question was put on the main motion, as amended, and it was agreed to.

CANADIAN SENATE RESOLUTION – JUNE 13, 2002

Debates of the Senate (Hansard)

1st Session, 37th Parliament,

Volume 139, Issue 124

Thursday, June 13, 2002

That this House calls upon the Government of Canada:

(a) to recognize the genocide of the Armenians and to condemn any attempt to deny or distort a historical truth as being anything less than genocide, a crime against humanity, and

(b) to designate April 24th of every year hereafter throughout Canada as a day of remembrance of the 1.5 million Armenians who fell victim to the first genocide of the twentieth century.

CANADIAN HOUSE OF COMMONS RESOLUTION – APRIL 21, 2004

"That this House acknowledge the Armenian genocide of 1915 and condemn this act as a crime against humanity."

Private Members' Business

Pursuant to Standing Order 93(1), the House proceeded to the taking of the deferred recorded division on the motion of Ms. Dalphond-Guiral (Laval Centre), seconded by Mr. Assadourian (Brampton Centre), Mr. Kenney (Calgary Southeast) and Ms. McDonough (Halifax), — That this House acknowledge the Armenian genocide of 1915 and condemn this act as a crime against humanity. (Private Members' Business M-380)

The question was put on motion and it was agreed to on the following division:

YEAS: 153, NAYS: 68

GREEK (HELENIC REPUBLIC) RESOLUTION – APRIL 25, 1996

Private Members' Business

Hellenic Parliament Resolution 2397/1996

25 April 1996

The bill "For the establishment of the 24th of April as the day of commemoration of the genocide of Armenians by Turkey" was unanimously accepted in principle, in article and in its entirety in one discussion and is as follows:

The 24th of April is established as the day of commemoration of the genocide of Armenians by Turkey.

Article 1

The 24th of April is defined as the day of commemoration of the genocide of Armenians by Turkey.

Article 2

The character, content, bearer and manner of organization of the commemoration events are determined by a presidential decree that is issued with the proposal of the Ministries of the Interior, and of Public Administration and Decentralization, after taking into consideration the advice of the most recognized Armenian guilds and organizations.

Article 3

The present law will be in effect after its publication in the Official Gazette of the Hellenic Government.

LEBANESE CHAMBER OF DEPUTIES RESOLUTION – APRIL 3, 1997

Republic of Lebanon

Chamber of Deputies

The Lebanese Chamber of Deputies

Feeling the pains and suffering that the Lebanese-Armenian people lived through between 1915 and 1923, similar to the suffering of the Lebanese people and the peoples of the region, which continues until today, resulting from the organized extermination acts against our peoples at the hands of the colonizer in the beginning of the century.

Whereas the 24th day of April of each year constitutes an occasion to mark this catastrophe embodied by the massacres committed against the Armenian people.

The Chamber of Deputies calls upon the people of Lebanon to declare their solidarity with the Armenian people on this day.

LEBANESE PARLIAMENT RESOLUTION – MAY 11, 2000

On the occasion of the 85th anniversary of massacres perpetrated by the Ottoman authorities in the year 1915, as a result of which 1.5 million Armenians fell victim, the Lebanese Chamber of Deputies recognizes and condemns the genocide perpetrated against the Armenian people and expresses its complete solidarity with demands of its Armenian citizens. Furthermore, it believes that the international recognition of this genocide is a necessary condition for the prevention of similar crimes that may occur in the future.

BELGIAN SENATE RESOLUTION – MARCH 26, 1998

"...that the recognition of mistakes and crimes of the past is a precondition for reconciliation between peoples and that there cannot be peace without justice..."

26 March 1998

Belgian Senate

1997-1998 Session

Resolution 1-736/3 Concerning the 1915 Genocide of Armenians living in Turkey

The Senate,

Considering the numerous studies dedicated to the situation of the Armenian population in Turkey at the beginning of the 20th century;

Considering the UN convention on the prevention and punishment of genocide, which provides a definition of the concept of genocide;

Considering the judicial verdicts that have applied this term to describe the state of Armenians living in Turkey in 1915, more specifically the verdict of the 'tribunal de grande instance' in Paris on 21 June 1995;

Considering the resolution by the European Parliament on 18 June 1987 concerning a "political solution to the Armenian Question", wherein it is recognized that the Armenians living in Turkey in 1915 were the victims of a genocide perpetrated by the Ottoman government of the time;

Considering that there cannot be the slightest doubt over the historical evidence regarding the organized and systematic murder of the Armenians;

Considering that the recognition of mistakes and crimes of the past is a precondition for reconciliation between peoples and that there cannot be peace without justice, either in Armenia or elsewhere;

Furthermore considering that only through the recognition of crimes committed by previous regimes it is possible to distance oneself from their aims and strive politically for reconciliation;

Considering that the differences between the Turkish and Armenian nations continue to drag on and even today lead to the loss of human lives, to the eviction of ethnic groups and to numerous violations of human rights in that region;

Considering that the Turkish and Armenian peoples have no choice but to co-exist peacefully in the long term;

Considering the friendly ties and co-operation between, on the one hand, Turkey, Belgium and the European Union and, on the other hand, Armenia, Belgium and the European Union;

Remarking that the 1987 resolution by the European Parliament has not led the Turkish government to recognize the historic reality of the 1915 genocide;

Requests the Turkish government to recognize the historic reality of the genocide committed in 1915 by the last government of the Ottoman Empire;

Requests the parliaments of the member states of the European Union to contribute to the reconciliation between the Turkish and Armenian peoples;

Requests the European Union and its member states to lend their support to initiatives in all domains aimed at promoting a dialogue between the Armenian and Turkish peoples;

Asks the government to transmit this resolution to the prime minister of the Turkish government, to the chairman of the European parliament, to the chairman of the European Commission, to the chairmen of the parliaments of the member states of the European Union, as well as to the chairman of the parliament of the Republic of Armenia.

ITALIAN CHAMBER OF DEPUTIES RESOLUTION – NOVEMBER 16, 2000

November 16, 2000

Resolution

The Italian Chamber of Deputies has observed that on November 15, 2000, the European Parliament approved by a large majority a proposal deriving from the Periodic Review on the progress made by Turkey towards admission to the European Union, a review completed by the European Commission in 1999. The Turkish government has been encouraged to intensify its efforts towards democratization, especially in the fields of criminal law reform, independence of the judiciary, freedom of expression, and the rights of minorities.

The Italian Chamber of Deputies has also observed that the recent resolution deals with questions concerning the Armenian people in three paragraphs of particular significance: “we urge recognition of the genocide inflicted upon the Armenian minority [within the Ottoman Empire] committed before the creation of the modern Republic of Turkey (paragraph 10); improvements of relations with Turkey’s neighbors in the Caucuses, as proposed by the Turkish government itself (paragraph 20);” and, in support of the suggestions put forward in paragraph 21 by the Hon. D. Cohn-Bendit, President of the Bipartisan Parliamentary Commission on EU-Turkish Relations, “invites the Turkish government to open negotiations with the Republic of Armenia, restore diplomatic relations and trade between the two countries, placing an end to the blockade currently in place.”

The Chamber of Deputies therefore urges the Italian Government, in concordance with the proposals described above, to pursue energetically the easing of all tensions between peoples and minorities in that area [i.e. the Caucasus], in order to create, with due observance of the territorial integrity of the two states, pacific coexistence and respect for human rights, thereby expediting a more rapid integration of Turkey within the European Community.

**JOINT COMMUNIQUÉ OF POPE JOHN PAUL II AND
CATHOLICOS KAREKIN II –
NOVEMBER 10, 2000**

"...The Armenian genocide, which began the century, was a prologue to horrors that would follow. Two world wars, countless regional conflicts and deliberately organized campaigns of extermination took the lives of millions of faithful..."

Joint Communiqué of Pope John Paul II and Catholicos Karekin II

His Holiness Pope John Paul II, Bishop of Rome, and His Holiness Karekin II, Supreme Patriarch and Catholicos of All Armenians, give thanks to the Lord and Saviour Jesus Christ, for enabling them to meet together on the occasion of the Jubilee of the Year 2000 and on the threshold of the 1700th anniversary of the proclamation of Christianity as the state religion of Armenia.

They also give thanks in the Holy Spirit that the fraternal relations between the See of Rome and the See of Etchmiadzin have further developed and deepened in recent years. This progress finds its expression in their present personal meeting and particularly in the gift of a relic of Saint Gregory the Illuminator, the holy missionary who converted the king of Armenia (301 A.D.) and established the line of Catholicos of the Armenian Church. The present meeting builds upon the previous encounters between Pope Paul VI and Catholicos Vasken I (1970) and upon the two meetings between Pope John Paul II and Catholicos Karekin I (1996 and 1999). Pope John Paul II and Catholicos Karekin II now continue to look forward to a possible meeting in Armenia. On the present occasion, they wish to state together the following.

Together we confess our faith in the Triune God and in one Lord Jesus Christ, the only Son of God, who became man for our salvation. We also believe in One, Catholic, Apostolic and Holy Church. The Church, as the Body of Christ, indeed, is one and unique. This is our common faith, based on the teachings of the Apostles and the Fathers of the Church. We acknowledge furthermore that both the Catholic Church and the Armenian Church have true sacraments, above all – by apostolic succession of bishops – the priesthood and the Eucharist. We continue to pray for full and visible communion between us. The liturgical celebration we preside over together, the sign of peace we exchange and the blessing we give together in the name of our Lord Jesus Christ, testify that we are brothers in the episcopacy. Together we are jointly responsible for what is our common mission: to teach the apostolic faith and to witness to the love of Christ for all human beings, especially those living in difficult circumstances.

The Catholic Church and the Armenian Church share a long history of mutual respect, considering their various theological, liturgical and canonical traditions as complementary, rather than conflicting. Today, too, we have

much to receive from one another. For the Armenian Church, the vast resources of Catholic learning can become a treasure and source of inspiration, through the exchange of scholars and students, through common translations and academic initiatives, through different forms of theological dialogue. Likewise, for the Catholic Church, the steadfast, patient faith of a martyred nation like Armenia can become a source of spiritual strength, particularly through common prayer. It is our firm desire to see these many forms of mutual exchange and rapprochement between us improved and intensified.

As we embark upon the third millennium, we look back on the past and forward to the future. As to the past, we thank God for the many blessings we have received from his infinite bounty, for the holy witness given by so many saints and martyrs, for the spiritual and cultural heritage bequeathed by our ancestors. Many times, however, both the Catholic Church and the Armenian Church have lived through dark and difficult periods. Christian faith was contested by atheistic and materialistic ideologies; Christian witness was opposed by totalitarian and violent regimes; Christian love was suffocated by individualism and the pursuit of personal interest. Leaders of nations no longer feared God, nor did they feel ashamed before humankind. For both of us, the 20th century was marked by extreme violence. The Armenian genocide, which began the century, was a prologue to horrors that would follow. Two world wars, countless regional conflicts and deliberately organized campaigns of extermination took the lives of millions of faithful. Nevertheless, without diminishing the horror of these events and their consequences, there may be a kind of divine challenge in them, if in response Christians are persuaded to join together in deeper friendship in the cause of Christian truth and love.

We now look to the future with hope and confidence. At this juncture in history, we see new horizons for us Christians and for the world. Both in the East and in the West, after having experienced the deadly consequences of godless regimes and lifestyles, many people are yearning for the knowledge of truth and the way of salvation. Together, guided by charity and respect for freedom, we seek to answer their desire, so as to bring them to the sources of authentic life and true happiness. We seek the intercession of the Apostles Peter and Paul, Thaddeus and Bartholomew, of Saint Gregory the Illuminator and all Saintly Pastors of the Catholic Church and the Armenian Church, and pray the Lord to guide our communities so that, with one voice, we may give witness to the Lord and proclaim the truth of salvation. We also pray that around the world, wherever members of the Armenian and the Catholic Church live side by side, all ordained ministers, religious and faithful will "help to carry one another's burdens, and in this way obey the law of Christ" (Gal 6: 2). May they mutually sustain and assist one another, in full respect of their particular identities and ecclesiastical traditions, avoiding to prevail one over another: "so then, as often as we have the chance, we should do good to everyone, and especially to those who belong to our family in the faith" (Gal 6:10).

Finally, we seek the intercession of the Holy Mother of God for the sake of peace. May the Lord grant wisdom to the leaders of nations, so that justice and peace may prevail throughout the world. In these days in particular, we pray for peace in the Middle East. May all the children of Abraham grow in mutual respect and find appropriate ways for living peacefully together in this sacred part of the world.

**COMMON DECLARATION OF HIS HOLINESS JOHN PAUL II AND
HIS HOLINESS KAREKIN II AT HOLY ETCHMIADZIN,
REPUBLIC OF ARMENIA – SEPTEMBER 27, 2001**

The celebration of the 1700th anniversary of the proclamation of Christianity as the religion of Armenia has brought us together — John Paul II, Bishop of Rome and Pastor of the Catholic Church, and Karekin II, the Supreme Patriarch and Catholicos of All Armenians — and we thank God for giving us this joyous opportunity to join again in common prayer, in praise of his all-holy Name. Blessed be the Holy Trinity — Father, Son and Holy Spirit — now and for ever.

As we commemorate this wondrous event, we remember with reverence, gratitude and love the great confessor of our Lord Jesus Christ, Saint Gregory the Illuminator, as well as his collaborators and successors. They enlightened not only the people of Armenia but also others in the neighboring countries of the Caucasus. Thanks to their witness, dedication and example, the Armenian people in A. D. 301 were bathed in the divine light and earnestly turned to Christ as the Truth, the Life, and the Way to salvation.

They worshipped God as their Father, professed Christ as their Lord and invoked the Holy Spirit as their Sanctifier; they loved the apostolic universal Church as their Mother. Christ's supreme commandment, to love God above all and our neighbor as ourselves, became a way of life for the Armenians of old. Endowed with great faith, they chose to bear witness to the Truth and accept death when necessary, in order to share eternal life. Martyrdom for the love of Christ thus became a great legacy of many generations of Armenians. The most valuable treasure that one generation could bequeath to the next was fidelity to the Gospel, so that, with the grace of the Holy Spirit, the young would become as resolute as their ancestors in bearing witness to the Truth. The extermination of a million and a half Armenian Christians, in what is generally referred to as the first genocide of the twentieth century, and the subsequent annihilation of thousands under the former totalitarian regime are tragedies that still live in the memory of the present-day generation. These innocents who were butchered in vain are not canonized, but many among them were certainly confessors and martyrs for the name of Christ. We pray for the repose of their souls, and urge the faithful never to lose sight of the meaning of their sacrifice. We thank God for the fact that Christianity in Armenia has survived the adversities of the past seventeen centuries, and that the Armenian Church is now free to carry out her mission of proclaiming the Good News in the modern Republic of Armenia and in many areas near and far where Armenian communities are present.

Armenia is again a free country, as in the early days of King Tiridates and Saint Gregory the Illuminator. Over the past ten years, the right of citizens in the burgeoning Republic to worship and practice their religion in freedom has been recognized. In Armenia and in the diaspora, new Armenian institutions have been established, churches have been built, associations and schools have been founded. In all of this we acknowledge the loving hand of God. For he has made

his miracles visible in the continuing history of a small nation, which has preserved its particular identity thanks to its Christian faith. Because of their faith and their Church, the Armenian people have developed a unique Christian culture, which is indeed a most valuable contribution to the treasury of Christianity as a whole.

The example of Christian Armenia testifies that faith in Christ brings hope to every human situation, no matter how difficult. We pray that the saving light of Christian faith may shine on both the weak and the strong, on both the developed and developing nations of this world. Particularly today, the complexities and challenges of the international situation require a choice between good and evil, darkness and light, humanity and inhumanity, truth and falsehood. Present issues of law, politics, science, and family life touch upon the very meaning of humanity and its vocation. They call today's Christians no less than the martyrs of other times to bear witness to the Truth even at the risk of paying a high price.

This witness will be all the more convincing if all of Christ's disciples could profess together the one faith and heal the wounds of division among themselves. May the Holy Spirit guide Christians, and indeed all people of good will, on the path of reconciliation and brotherhood. Here at Holy Etchmiadzin we renew our solemn commitment to pray and work to hasten the day of communion among all the members of Christ's faithful flock, with true regard for our respective sacred traditions.

With God's help, we shall do nothing against love, but "surrounded by so great a cloud of witnesses, we shall lay aside every weight, and sin which clings so closely, and shall run with perseverance the race that is set before us" (cf. Heb 12:1)

We urge our faithful to pray without ceasing that the Holy Spirit will fill us all, as he did the holy martyrs of every time and place, with the wisdom and courage to follow Christ, the Way, the Truth and the Life.

Holy Etchmiadzin, 27 September 2001

His Holiness John Paul II

His Holiness Karekin II

FRENCH NATIONAL ASSEMBLY DRAFT LAW – MAY 29, 1998

Adopted Text no. 140

"Small law"

National Assembly

October 4, 1958 Constitution

Eleventh Legislature

Ordinary Session of 1997-1998

May 29, 1998

Law Proposal

Adopted in first reading by the National Assembly relating to recognition of the Armenian genocide of 1915.

The National Assembly adopted the law proposal, the content of which follows:

See numbers: 895 and 925.

Human rights and civil liberties.

Single Article

France publicly recognizes the Armenian genocide of 1915. Publicly deliberated, in Paris, on May 29, 1998.

The President,

Signed: Laurent Fabius.

FRENCH SENATE DRAFT LAW – NOVEMBER 7, 2000

N°22 SENATE REGULAR SESSION OF 2000-2001

PROPOSED LAW

Adopted by the Senate concerning the recognition of the Armenian Genocide of 1915.

Single article

France publicly recognizes the Armenian Genocide of 1915.

Deliberated in public session in Paris on November 7, 2000.

The President,

Signed: Christian

FRENCH LAW – JANUARY 29, 2001

Law no. 2001-70 of January 29, 2001, relating to the recognition of the Armenian Genocide of 1915:

The National Assembly and the Senate have adopted and the President of the Republic proclaims the following law:

France publicly recognizes the Armenian Genocide of 1915.

The present law shall be executed as a law of the state.

Done at Paris on January 29, 2001.

Jacque Chirac

For the President of the Republic:

Prime Minister Lionel Jospin

(1) Preparatory documents: Law no. 2001-70.

Senate: Proposed law no. 60, discussed and adopted on November 7, 2000.

National Assembly: Proposed law adopted by the Senate, No. 2688.

Report by François Rochebloine for the Ministry of Foreign Affairs, no. 2855, discussed and adopted on January 18, 2001.

**SWISS (HELVETIC CONFEDERATION)
NATIONAL COUNCIL RESOLUTION –
DECEMBER 16, 2003**

02.3069 -Postulate

Recognition of the Armenian genocide of 1915

Proposed by: Vaudroz Jean-Claude

Date of Proposal: 18-03-2002

Text proposed

The National Council recognizes The 1915 Armenian genocide. It requires the Federal Council to take this into consideration and to transmit its position with usual diplomatic ways.

Content

1. The extermination of the Armenians living in the Ottoman Empire during the First World War has led up to the death of over one million people deported and massacred by the Ottoman authority. These facts, unquestionably important when it comes to their signification and extent, served as a reference point to Raphael Lemkin, the jurist who defined the notion of “genocide”. The norms set by the UN in the 1948 Convention exactly correspond to the destruction process Armenians went through.

2. With the recognition of the Armenian genocide, Switzerland gives due to the victims, survivors and their descendants, and will contribute to preventing other crimes against humanity. This is a decisive gesture with which Switzerland will show its commitment to human rights, to the respect of minorities and to international criminal justice. Switzerland points out the imprescriptible characteristic of the crimes against humanity and extends the fight against denial.

3. The Armenian genocide was recognized by the UN in 1985 first with a report of one of its commission of experts passed (UN Sub-Commission on Prevention of Discrimination and Protection of Minorities), then by the European Parliament with a resolution adopted in 1987. During these last years, the French, Swedish, Italian and many European and other parliaments acted the same. The canton of Geneva did it twice: in 1998 via the Grand Council, and last December via the State Council. We can also cite the positions taken by the Ecumenical Council of Churches through the Declaration adopted in 1983.

4. On March 13 2001, the national Council, upon the unanimous decision taken by foreign policy Commissions of both Chambers, has passed the petition of the Association of opponents to the genocide (Francfort-sur-le-Main) to the federal Council so that ‘they take it into consideration’ and proposed ‘to approach

the genocide issue within the framework of political dialogue between Switzerland and Turkey'. It is only natural for the national Council to ratify this standing through a declaration.

5. The national Council wishes that this adopted postulate will contribute to a lasting peace between Turks and Armenians, peace which can only be built on a common vision and in conformity with historical truth.

Federal Council's position 15-05-2002

The federal Council many times in its answers to parliamentary interventions – including the recent Zisyadis postulate 00.3245 on June 6, 2000, “The Armenian genocide, Swiss recognition” – has regretted and condemned the tragic mass deportations and massacres which have marked the end of the Ottoman Empire and caused many victims in the Armenian population. Turkey does not contest these massacres, but bears it on the deliberate organization by the authorities of that time, a different judgment when compared to those of many historians. The federal Council estimates that this issue is a matter of historical research.

Switzerland's foreign policy aims a constant balance in the Caucasus, especially between Turkey and Armenia. In this context, it is important that a dialogue is established in the region itself. The Turkish-Armenian issue was raised many times during the bilateral contacts with Turkish officials, for instance, some activities of the Turkish Armenian Reconciliation Commission, and researchers' access to archives. Since it was a very painful historical episode, the conviction prevails that the effort of collective memory should be performed on the spot and especially in the concerned countries. Switzerland's foreign policy would also like to contribute to the Turkish-Armenian understanding through the political dialogue mostly based on human rights, founded between Switzerland and Turkey in the year 2000. Passing of the postulate might not only risk reflecting on the official but might also affect the constant dialogue which was established.

By addressing a justice message to the descendants of Armenian victims, the cosignatories of the postulate would like their initiative to contribute to a lasting peace between Turkey and Armenia. But the approval of this postulate might have a reverse effect and add to the emotional burden which already weighs on relations between Turkey and Armenia.

Federal Council's Declaration 15-05-2002

The federal Council proposes to reject this postulate.

SLOVAKIAN PARLIAMENT RESOLUTION – NOVEMBER 30, 2004

The Parliament of the Republic of Slovakia

Number: 1754/2004

1341

Declaration of the Parliament of the Republic of Slovakia

November 30, 2004

Upon the debate regarding the stance of the Republic of Slovakia on the initiation of accession negotiations with the Republic of Turkey to join the European Union (Article 962) upon behalf the subject being brought to the agenda by MP Františko Mikloški,

The Parliament of the Republic of Slovakia,

Recognizes the Genocide committed against the Armenians in 1915, as a result of which hundreds of thousands of Armenians died and regards this act as a crime against humanity.

Pavao Hrušovský,

President of the Parliament of the Republic of Slovakia

Approved by

Jozef Heriban

Igor Federic

∨

THE NETHERLANDS PARLIAMENT RESOLUTION – DECEMBER 21, 2004

December 21, 2004

The Second Chamber (House of Representatives) of the States General Assembly

Year 2004-2005

21 501-20 European Council

Nr. 270

MOTION OF THE MEMBER ROUVOET C.S.

Presented 21 December 2004

The Chamber,

on the advice of the deliberation,

Noting that the European Council, in the meeting on 16 and 17 December 2004 in Brussels, has decided the start of the accession negotiations with Turkey on 3 October 2005;

Noting that the European Council in its conclusion has settled that an intensive political and cultural dialogue will take place with Turkey, whereby civil society is also involved, in order to improve the reciprocal understanding by bringing together the people (conclusion 23);

Being of the opinion that herewith an honest acceptance of its own history of candidate member state is inextricably connected;

Asks the government within the framework of its dialogue with Turkey to continuously and expressly raise the recognition of the Armenian genocide;

and proceeds to the order of the day.

Rouvoet
Van Bommel
Van der Staaij
Van der Laan
Van Baalen
Herbens
Duyvendak
Wilders

POLISH PARLIAMENT RESOLUTION – APRIL 19, 2005

April 19, 2005
Memo # 3918
19th April 2005

The Polish Parliament, on the basis of Art.33 of the rules of the Polish Parliament - after agreement with the Senior's MP Club, presents the draft of the following resolution:

On the 90th anniversary of the Armenian Genocide in Turkey during the 1st World War.

The resolution is motivated by the representative of the Presidium of the Polish Parliament.

Signed

Włodzimierz Cimoszewicz

Parliament's President

Project

Resolution of the Polish Parliament

April 19, 2005-07-13

Art 33 of the Sejm regulation

On the 90th anniversary of the genocide committed on the Armenians in Turkey during the 1st World War.

Sejm/Parliament/of the Republic of Poland pays its respects to the victims of the genocide committed on the Armenians in Turkey during the 1st World War.

The memory of the victims, the crime committed and the need to condemn it is a moral obligation for the whole of humanity, all nations and people of good will.

GERMAN PARLIAMENT RESOLUTION – JUNE 15, 2005

German Bundestag Printed matter 15/5689 15th electoral period June 15, 2005

Motion by the parliamentary groups of SPD, CDU/CSU, BÜNDNIS 90/DIE GRÜNEN and FDP Commemorating the expulsion and massacre of the Armenians in 1915 – Germany must make her contribution to the reconciliation between Turks and Armenians.

The Bundestag may resolve:

The German Bundestag honors and commemorates the victims of violence, murder and expulsion among the Armenian people before and during the First World War. The Bundestag deplores the deeds of the Young Turkish government in the Ottoman Empire which have resulted in the almost total annihilation of the Armenians in Anatolia. It also deplores the inglorious role played by the German Reich which, in spite of a wealth of information on the organized expulsion and annihilation of Armenians, has made no attempt to intervene and stop these atrocities.

The German Bundestag honors and commemorates the efforts made both by Turks and Germans who, working under difficult circumstances and conditions and against the resistance of their respective governments, have committed themselves in word and deed to saving Armenian women, men and children. It is particularly the memory and the work of Dr. Johannes Lepsius, who fought vigorously and effectively for the survival of the Armenian people, which is to be redeemed from oblivion and cherished and maintained to improve the relationship between the Armenian, the German and the Turkish people.

The German Bundestag is painfully aware from its own national experience how hard it is for every people to face the dark sides of its past. But it also believes that facing one's own history fairly and squarely is necessary and constitutes an important basis for reconciliation. This is true, in particular, within the European culture of remembrance to which belongs the open discussion of the dark sides of each national history.

Against this Background, the German Bundestag deplores the fact that a full discussion of these events of the past in the Ottoman Empire is still not possible today in Turkey and that scientists and writers who wish to deal with this aspect of Turkish history are being prosecuted and exposed to public defamation. However, the German Bundestag also sees positive signs that Turkey, to an ever-increasing degree, approaches this subject within the above European culture of remembering. Examples include:

- The Great Turkish Assembly has, for the first time, invited Turkish people of Armenian descent to discussions involving the crimes committed against the Armenians and the Turkish-Armenian relationship

- A Turkish-Armenian women's dialog was held in Vienna

- Initial contacts between Turkish and Armenian historians resulted in a first exchange of documents

- Minister President Erdoğan inaugurated Turkey's first Armenian museum in Istanbul with the Armenian patriarch Mesrab and publicly suggested the establishment of a bilateral Turkish-Armenian panel of historians.

However, in this context, the German Bundestag perceives with great concern that the Armenian Conference of internationally renowned Turkish scientists, which was to be held in Istanbul from 25-27 May 2005, has been prevented by the Turkish Minister of Justice and that the positions taken by these scientists, which diverged from the government's opinion, were defamed as "a stab in the back of the Turkish nation". The proposal by Minister President Erdoğan to set up a joint Turkish-Armenian commission of historians can only succeed if it is implemented on the basis of a free and public scientific discourse.

Germany, which has also made its contribution to the crimes against the Armenian people falling into oblivion, is now obliged to face her own responsibility. This responsibility involves supporting Turks and Armenians in seeking reconciliation and mutual understanding over the trenches of the past.

Both major churches in Germany, in particular, have for many years advocated the integration of the Armenians from Turkey. The Armenian communities which have settled here offer the opportunity of reconciliation and remembrance. Particularly in view of the large number of Turkish Muslims living in Germany, it is an important task to bring to mind the past and so to make the first steps toward reconciliation.

But dealing with these historical events also has an immediate significance for the present. Today, the normalization of the relations between the Republic of Turkey and the Republic of Armenia is of paramount interest and importance for the future of the entire region. What is urgently needed is to establish trust-forming measures on both sides as defined in the OSCE principles. Turkey opening the borders to Armenia could, for instance, help to relieve Armenia's isolation and promote the taking up of diplomatic relations.

Due to its historic role in the Turkish-Armenian relations, Germany must assume a special responsibility as part of its neighborhood initiative of the EU. The aim must be to help normalize and improve the situation between Armenia and Turkey and so to help stabilize the Caucasus region.

One important contribution toward remembrance can be made by the German federal states. The duty of the information and education policy involves actions for facing the expulsion and annihilation of the Armenians as part of the whole history of ethnic conflicts in the 20th century, also in Germany.

The German Bundestag requests the Federal Government

- to help the Turks and Armenians to arrive at a settlement by remembering, reconciliation and forgiving historical guilt

- to ensure that Parliament, Government and society in Turkey deal without reservation with their role in relation to the Armenian people in the past and in the present

- to advocate the establishment of a commission of historians including Turkish, Armenian and international experts

- to ensure that not only the archives of the Ottoman Empire on this issue are made accessible to the general public, but also the copies of the German Foreign Office archives given by Germany to Turkey

- to insist on the actual organization of the conference scheduled in Istanbul but postponed under governmental pressure

- to press for freedom of opinion in Turkey, in particular with respect to the fate of the Armenians

- to help Turkey and Armenia to normalize their interstate relationships.

Berlin, June 15, 2005

Franz Müntefering and parliamentary group Dr. Angela Merkel, Michael Glos and parliamentary group Katrin Göring-Eckardt, Krista Sager and parliamentary group Dr. Wolfgang Gerhard and parliamentary group Reasons for the motion

Ninety years ago, on April 24, 1915, the Young Turkish movement controlling the Ottoman Empire ordered the Armenian cultural and political elite in Istanbul to be arrested, deported inland and for the most part murdered. This day has become the day of remembrance for Armenians throughout the world for the expulsion and massacre of the Armenian subjects of the Ottoman Empire which took place as early as the end of the 19th century and intensified during the First World War.

When the Ottoman Empire joined the war, the Armenian soldiers drafted into the Ottoman army were grouped into work battalions and most were murdered. Beginning in the spring of 1915, women, children and old people were sent on death marches through the Syrian desert. Those who had not died or been murdered on the way met this fate at the latest when they reached the inhuman camps in the desert near Deir ez Zôr. Massacres were also committed by units specially set up for this purpose. Resistance by high-ranking Turkish officials against this course of action, as well as criticism from the Ottoman parliament, was brutally suppressed by the Young Turkish regime. Many areas from which Christian Armenians had been expelled were later settled with Kurds and Muslim refugees from the Balkan wars. Members of other ethnic Christian groups, in particular Arameic/Assyrian and Chaldean Christians, but also certain Muslim minorities, were also affected by deportations and massacres.

According to independent estimates, more than 1 million Armenians fell victim to the deportations and mass murders. Many independent historians, parliaments and international organizations describe the expulsion and annihilation of the Armenians as genocide.

Until this day and contrary to the facts, the Turkish Republic as the legal successor of the Ottoman Empire denies that these atrocities had been well planned and organized and/or that the mass deaths during the resettlement treks and the massacres had been desired by the Ottoman government. The admitted severity of the actions against the Armenians has always been justified by the fact that many Armenians had fought on Russia's side against Turkey both in 1878 and in 1914/1915 and that there had supposedly been the danger that these Armenians would also have fallen into the back of the Ottoman Empire during WW I. Other Turkish defenses invoked the acts of violence committed by Armenians against Turks which occurred during the armed resistance to the Turkish resettlement measures. The terrorist attacks by Armenians against Turks perpetrated right into the eighties of the twentieth century are also used as justification for the Turkish position.

In all, the true extent of the massacres and deportations is still belittled and largely disputed in Turkey today. This Turkish attitude stands in opposition to the idea of reconciliation which guides the common values of the European Union. Even today, historians in Turkey are not free in coming to terms with the history of deportations and murder of Armenians and, in spite of some relaxation in the previous criminal liability, still find themselves under great pressure.

The German Empire as the major military ally of the Ottoman Empire was also deeply involved in these events. Both the political and the military leadership of the German Empire had been aware of the persecution and murder of the Armenians right from the beginning. The files of the German Foreign Office resting on reports by the German embassy and consulates in the Ottoman Empire document the planned and organized execution of the massacres and deportations. In spite of urgent requests by many German personalities in science, politics and the churches, among these politicians like Philipp Scheidemann, Karl Liebknecht or Matthias Erzberger, and eminent persons of the protestant and catholic churches such as Adolf von Harnack and Lorenz Werthmann, the German Reich government failed to exert pressure on its Ottoman ally.

When the protestant theologian Dr. Johannes Lepsius presented the outcome of his research in Istanbul to the German Reichstag on October 5, 1915, the whole of the subject of the Armenians was censored by the German Reich government. In 1916, the German military censorship banned and confiscated Johannes Lepsius' "Report on the Situation of the Armenian People in Turkey." The copies of this documentation which Lepsius had sent directly to the delegates of the German Reichstag were intercepted by the authorities and not handed to the delegates until after the war in 1919.

This almost forgotten policy of repression by the German Reich demonstrates that this chapter of history still waits to be dealt with in a satisfactory manner here in Germany.

VENEZUELAN PARLIAMENT RESOLUTION – JULY 14, 2005**July 14, 2005****The National Assembly of the Bolivarian Republic of Venezuela****President:** Nicolas Maduro Moros

Resolution: Agreement by means of which this Assembly expresses to the Armenian people, to its government, and to the strong and growing Armenian-Venezuelan community the endorsement in its just and delayed humanitarian vindications

Official Gazette: No. 38.230 of 7/18/2005**Whereas**

The first scientifically planned, organized and executed genocide in the history of humanity took place 90 years ago, perpetrated by the regime of the “Young Turks” and their ideology of “Panturkism”, against the Armenian People, involving the extermination of almost two million people.

Whereas

Crimes of this nature must be denounced in order to prevent them from happening again, in order to restore to the victims their human and national rights and to condemn the perpetrators.

Whereas

This genocide deserves repudiation from the Turkish People and all the peoples of the world.

Whereas

The People and the State of Venezuela have continuously condemned terrorism and racial, ethnical, religious and political discrimination.

Whereas

The People and the State of Venezuela fight permanently against all types of terrorism, including State Terrorism.

Whereas

Due to political causes and interests, there is an ongoing attempt to change history through the negation of this genocide.

The National Assembly Resolves

First: To express to the Armenian People, to their government and to the strong Armenian-Venezuelan Community, support on their valid and delayed humanitarian aspirations of justice.

Second: To request the European Union to postpone Turkey's membership bid, until the recognition by Turkey of the Armenian Genocide.

Third: To designate a Committee in charge of delivering this resolution to the Armenian Parliament and to the Armenian Religious Authorities.

Fourth: To form the Parliamentary Group of Friendship to the Armenian People.

Given, signed, and sealed, in the Federal Legislative Palace, headquarters of the National Assembly, in Caracas, on the 14th day of the month of July of 2005. Year #195 of the Independence and 146th of the federation

Nicolas Maduro Moros President

Ricardo Gutierrez First Vice President

Pedro Carreno Second Vice President

Ivan Zerpa Guerrero Secretary

Jose Gregorio Viana Undersecretary

LITHUANIAN PARLIAMENT (SEIMA) RESOLUTION – DECEMBER 15, 2005

Approved Seimas resolution “Acknowledgement of the genocide of the Armenian nation”

15 December 2005 VIR(3)

(from plenary sittings)

Evening plenary sitting

Algis Kasëta, the Liberal, presented (47 members of Seimas) the project of Seimas resolution No. XP-976. “Acknowledgement of the genocide of the Armenian nation” Votes: “in favor” – 48, abstainers – 3.

The text of the resolution:

“Seimas of the Republic of Lithuania,
commemorating 90th anniversary of the genocide of the Armenian nation,
condemning the genocide of the Armenian nation, committed by the Turkish Ottoman Empire in 1915,
calls on the Turkish Republic to acknowledge this historical fact”.

CHILEAN SENATE RESOLUTION – JUNE 5, 2007

Text of the Chile Senate Resolution Recognizing the Armenian Genocide

Adopted June 5, 2007

Honorable Senate Considering:

1. that 24th of April, 1915, in Constantinople, then the capital of the Turkish Empire, after the unjust arrest and later the disappearance of the entire leading class of the Armenian community, marks the beginning of a policy of systematic extermination of the Armenian population on the part of the imperial authorities;

2. that the brutal genocide, enacted between 1915 and 1923, resulted in the deaths of over 1.5 million Armenian citizens that lived in the lands of their ancestors for thousands of years;

3. that this reproachable action constituted the first ethnic cleansing of the 20th century and more than that or even any judgment or interpretation of it, signifies a flagrant violation of the human rights of that nation;

4. that in spite of the attempt to erase these acts from the collective memory of mankind and the insensitivity of the great powers to end them, the Armenians and their several organizations worldwide find themselves committed, on behalf of the international community, to acknowledge the genocide of which they were victims of;

5. that such a recognition was granted in 1985 by the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the UN that clarified the Armenian case as a genocide;

6. that nations such as Uruguay, Argentina, Greece, Bulgaria, Belgium, Russia, Italy, Lebanon, Sweden, Switzerland, Holland, Venezuela, Lithuania, Canada and France as well as the European Parliament, the World Council of Churches and the Permanent People's Tribunal have made their own resolutions;

7. that although our nation has not yet done it, in spite of permanently invoking the supremacy of Human Rights in international relations above any agreement or compromise, regardless of how important they may be, and

8. that consequently it constitutes an ethical and moral imperative that Chile makes a resolution along the lines of that from 1985 which recognizes that the Ottoman Empire committed a brutal genocide in Armenia against a defenseless people that now cry out for moral reparations from part of the international community and especially Turkey.

By virtue of these outlined issues, the Honorable Senate of the Republic has agreed:

1. To support the Armenian nation, condemning the genocide of its people and,
2. To request His Excellency that the government of Chile adheres to the 1985 United Nations agreement.

Communicated to His Excellency in virtue of the previous agreement.

US HOUSE OF REPRESENTATIVES JOINT RESOLUTION 148 –
APRIL 9, 1975

94th Congress

1st Session

H.J. Resolution 148 [House Joint Resolution 148]

In the Senate of the United States

April 9, 1975

Read twice and referred to the Committee on the Judiciary

Joint Resolution

To designate April 24, 1975, as "National Day of Remembrance of Man's Inhumanity to Man".

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 24, 1975, is hereby designated as "National Day of Remembrance of Man's Inhumanity to Man", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day as a day of remembrance for all the victims of genocide, especially those of Armenian ancestry who succumbed to the genocide perpetrated in 1915, and in whose memory this date is commemorated by all Armenians and their friends throughout the world.

Passed the House of Representatives April 8, 1975.

Attest: W. Pat Jennings, Clerk.

**US HOUSE OF REPRESENTATIVES JOINT RESOLUTION 247 –
SEPTEMBER 10, 1984**

98th Congress

2nd Session

H.J. Resolution 247 [House Joint Resolution 247]

In the Senate of the United States

September 12, 1984

Received; read twice and referred to the Committee on the Judiciary

Joint Resolution

To designate April 24, 1985, as "National Day of Remembrance of Man's Inhumanity to Man".

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 24, 1985, is hereby designated as "National Day of Remembrance of Man's Inhumanity to Man", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day as a day of remembrance for all the victims of genocide, especially the one and one-half million people of Armenian ancestry who were the victims of the genocide perpetrated in Turkey between 1915 and 1923, and in whose memory this date is commemorated by all Armenians and their friends throughout the world.

Passed the House of Representatives September 10, 1984.

Attest: Benjamin J. Guthrie, Clerk.

**US HOUSE OF REPRESENTATIVES RESOLUTION 3540 –
JUNE 11, 1996**

104th Congress

2nd Session

House Resolution 3540

An Act

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1997, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

...

LIMITATION OF ASSISTANCE TO TURKEY

SEC. 547. Not more than \$22,000,000 of the funds appropriated in this Act under the heading "Economic Support Fund" may be made available to the Government of Turkey, except when it is made known to the Federal official having authority to obligate or expend such funds that the Government of Turkey has (1) joined the United States in acknowledging the atrocity committed against the Armenian population of the Ottoman Empire from 1915 to 1923; and (2) taken all appropriate steps to honor the memory of the victims of the Armenian genocide.

...

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1997, and for other purposes, namely:

...

Passed the House of Representatives June 11, 1996.

Attest: Clerk.

STATEMENT OF JIMMY CARTER – MAY 16, 1978

Reception Honoring Armenian Americans

Remarks at the White House Reception, May 16, 1978

The first thing I want to say is that it is an honor for Rosalynn and me to have you here in our home, which is also your home.

In preparation for the previous meeting that I had with your group in the Roosevelt Room in the West Wing, I went back and studied some of the history of the Armenian people. And I, again, am impressed with the tremendous contribution that you've made to our own Nation, the high examples that you've set in leadership, in music, arts, in business, in politics, in education, and in your sound political judgment in choosing to be Democrats, also in your very early support of me when I ran for President. Yours was the first group that had confidence in me, and I will always remember it. And your help for our party and our country is something that I appreciate very much.

As one of the oldest people in the world, you have, I think, struggled with great courage and tenacity to preserve your own identity, your own customs, and, too, in a very modest way, let the world come to appreciate what you've accomplished.

I feel close to you because you were the first Christian people, first Christian nation, and because of that, your deep religious beliefs, I doubt that any other people have ever suffered more. I know that through the early years of the foundation of your people's home, you suffered a great deal. But it's generally not known in the world that in the years preceding 1916, there was a concerted effort made to eliminate all the Armenian people, probably one of the greatest tragedies that ever befell any group. And there weren't any Nuremberg trials. There weren't any high public figures who recognized how much you and your families had to suffer.

Well, I feel very deeply that I, as President, ought to make sure that this is never forgotten, not only the tragedy of your history but also the present contributions that you make and the bright future that you have.

Jimmy Carter

**STATEMENT OF RONALD REAGAN –
APRIL 22, 1981**

"Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it – and like too many other such persecutions of too many other peoples – the lessons of the Holocaust must never be forgotten."

Proclamation 4838 of April 22, 1981

Days of Remembrance of Victims of the Holocaust by the President of the United States of America

A Proclamation

The Congress of the United States established the United States Holocaust Memorial Council to create a living memorial to the victims of the Nazi Holocaust. Its purpose: So mankind will never lose memory of that terrible moment in time when the awful specter of death camps stained the history of our world.

When America and its allies liberated those haunting places of terror and sick destructiveness, the world came to a vivid and tragic understanding of the evil it faced in those years of the Second World War. Each of those names – Auschwitz, Buchenwald, Dachau, Treblinka and so many others – became synonymous with horror.

The millions of death, the gas chambers, the inhuman crematoria, and the thousands of people who somehow survived with lifetime scars are all now part of the conscience of history. Forever must we remember just how precious is civilization, how important is liberty, and how heroic is the human spirit.

Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it – and like too many other such persecutions of too many other peoples – the lessons of the Holocaust must never be forgotten.

As part of its mandate, the Holocaust Memorial Council has been directed to designate annual Day of Remembrance as a national, civic commemoration of the Holocaust, and to encourage and sponsor appropriate observances throughout the United States. This year, the national Days of Remembrance will be observed on April 26 through May 3.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby ask the people of the United States to observe this solemn anniversary of the liberation of the Nazi death camps, with

appropriate study, prayers and commemoration, as a tribute to the spirit of freedom and justice which Americans fought so hard and well to preserve.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of April, in the year of our Lord Nineteen hundred and eight-one, and of the Independence of the United States of America the two hundred and fifth.

Ronald Reagan

STATEMENT OF GEORGE BUSH – APRIL 20, 1990

April 20, 1990 — Armenian Remembrance Day

Throughout this century, the United States has had a special, enduring relationship with the Armenian people. Armenians around the world share with their friends in the United States a love of freedom, and as proud people they have a strong commitment to the preservation of their heritage and culture.

Their history, though marked by a number of tragedies, nonetheless reflects their faith and the strength and resilience of their tradition. Those tragedies include the Earthquake of 1988 and, most prominently, the terrible massacres suffered in 1915-1923 at the hands of the rulers of the Ottoman Empire.

The United States responded to the victims of the crime against humanity by leading international diplomatic and private relief efforts.

The Armenian-American community now numbers nearly one million people. Those who emigrated to the United States, and their descendants, continue to make significant contributions to the betterment of our country in many fields of endeavor.

On this seventy-fifth anniversary of the massacres, I wish to join with Armenians and all peoples in observing April 24, 1990 as a day of remembrance for the more than a million Armenian people who were victims. I call upon all peoples to work to prevent future acts of inhumanity against mankind, and my comments of June 1988 represent the depth of my feeling for the Armenian people and the sufferings they have endured.

George Bush

STATEMENT OF BILL CLINTON – APRIL 22, 1994

April 22, 1994 — Armenian Remembrance Day

On this solemn day, I join Armenians from around the world in remembering the victims of the 1915 massacres in the Ottoman Empire. The effects of that tragedy have profoundly touched all of us, and together we mourn the terrible loss of so many innocent lives.

Yet even in the face of this devastating event, the rich and vibrant Armenian culture has continued to thrive. Demonstrating remarkable resilience and courage, Armenian Americans have made enormous contributions to our development and success as a country. Now, with the creation of a new and independent Armenia under President Ter-Petrosyan's leadership, the Armenian people are bringing the same determination to creating a democracy and a modern economy in their native land. Recalling the brave spirit of those who died in the violence of 1915, these important efforts honor their lasting legacy.

As we rededicate ourselves to building an Armenia of great prosperity and lasting peace, I extend best wishes to all for a meaningful observance.

Bill Clinton

STATEMENT OF BILL CLINTON – APRIL 23, 1995

April 23, 1995 — Armenian Remembrance Day

On this solemn day, I join with Armenians throughout the United States, in Armenia, and around the world in remembering the 80th anniversary of the Armenians who perished, victims of massacres in the last years of the Ottoman Empire. Their loss is our loss; their courage a testament to mankind's indomitable spirit.

It is this spirit that kept the hope of Armenians alive through the centuries of persecution. It is this spirit that lives today in the hearts of all Armenians — in their church, in their language, in their culture. And, it is this spirit that underpins the remarkable resilience and courage of Armenians around the world. The Armenian American community — now nearly one million strong — has made enormous contributions to America. Now, with the emergence of an independent Armenia, the Armenian people are bringing the same determination to building democracy and a modern economy in their native land.

Even as we commemorate the past — which we must never forget — we commit ourselves today to Armenia's future as an independent and prosperous nation, at peace with its neighbors and with close ties to the West. That is why the United States has provided more than \$445 million in assistance to alleviate humanitarian needs and support democratic and economic reform. I will do everything in my power to preserve assistance levels for Armenia.

I continue to be deeply concerned about the conflict in the region surrounding Armenia. The terrible effects of this war have been felt throughout the Caucasus: tens of thousands have died, more than a million have been displaced, economies have been shattered, and security threatened. The United States is committed to working with the Organization on Security and Cooperation in Europe (OSCE) to encourage Armenia and Azerbaijan to move beyond their cease-fire to a lasting political settlement. I plan to nominate a Special Negotiator for Nagorno-Karabakh at the rank of Ambassador to advance those negotiations. And I pledge United States support of OSCE efforts to back that settlement with a peacekeeping force.

The U.S. also seeks to encourage the regional cooperation that will build prosperity and reinforce peace. I commend the recent decision of the Government of Turkey to open air corridors to Armenia, which will make assistance delivery faster, cheaper and more reliable. We had urged that it do so and hope this is a first step toward lifting other blockades in the region, initially for humanitarian deliveries and then overall. Open borders would help create the conditions needed for economic recovery and development, including construction of a Caspian oil pipeline through the Caucasus to Turkey, which is a key to long-term prosperity in the region.

The Administration's efforts — assistance in support of reform, reinforced

efforts toward peace settlement, building broad regional cooperation and encouraging the development of a Caspian oil pipeline through the Caucasus to Turkey — represent the key building blocks of U.S. policy to support the development of an independent and prosperous Armenia.

On this 80th anniversary of the Armenian massacres, I call upon all people to work to prevent future acts of such inhumanity. And, as we remember the past, let us also rededicate ourselves to building a democratic Armenia of prosperity and lasting peace.

STATEMENT OF BILL CLINTON – APRIL 24, 1996

April 24, 1996 — Armenian Remembrance Day

Eighty-one years ago today, in the city of Constantinople, more than two hundred Armenian civic, political, and intellectual leaders were arrested, deported and subsequently executed. That day marked the beginning of one of this century's darkest moments.

I join with Armenians around the world, on this solemn day, in commemorating the senseless deportations and massacres of one and a half million Armenians that took place from 1915-1923 in the Ottoman Empire. Tragically, our century has repeatedly borne witness to man's senseless inhumanity to man. Together we mourn the terrible loss of so many innocent lives.

Despite this tragedy, your faith and courage helped you survive and prosper. You never lost sight of your Armenian heritage; you preserved it and passed it on through the generations. As a result, Armenian Americans have made immense contributions to America's prosperity, science, and culture. Your great spirit also kept alive the dream of an independent Armenia and helped to overcome Soviet rule. Today, that same spirit is helping to build a free and prosperous state in your homeland. Your contributions around the world, and now especially in Armenia, honor the memory of those who died unjustly in the massacres.

As we rededicate ourselves to the future of Armenia as a free and prosperous state secured by lasting peace with its neighbors, I extend to Armenians across the globe my heartfelt wishes for a meaningful observance.

Bill Clinton

STATEMENT OF BILL CLINTON – APRIL 22, 1997

April 22, 1997 — Armenian Remembrance Day

Each year on Remembrance Day, we join Armenian-Americans across our nation and the Armenian Community around the world in solemnly marking one of the darkest chapters in the history of the twentieth century: the massacre of untold thousands of Armenians in the Ottoman Empire between 1915 and 1923. We remember the victims of that terrible time, some one and a half million innocent people who suffered deportation and death.

The Armenian people responded nobly to this tragedy. Holding fast to their heritage and their faith, Armenians established vibrant and prosperous communities throughout the world. The United States has benefited greatly from the contributions of the many Armenian-Americans who have played leadership roles in every aspect of our national life.

Over the decades of this century, Armenians around the world kept alive the vision of an independent Armenia, and in 1991 that dream became a reality. Today Armenia is a free and sovereign state, a living monument to the memory of those who died eighty-two years ago and a lasting pledge that such a tragedy never again will occur.

To preserve the historic establishment of a free Armenia, we must redouble our commitment to peace and stability in the Caucasus region. It is in this spirit of peace that I extend to all Armenians my best wishes as we solemnly observe Remembrance Day.

Bill Clinton

STATEMENT OF BILL CLINTON – APRIL 24, 1998

April 24, 1998 — Armenian Remembrance Day

This year, as in the past, we join with Armenian-Americans throughout the nation in commemorating one of the saddest chapters in the history of this century, the deportations and massacres of a million and a half Armenians in the Ottoman Empire in the years 1915-1923.

This painful event from the past also serves as a powerful lesson for the future: that man's inhumanity to man must not be tolerated, and that evil cannot conquer. The Armenian people have endured, surviving the ravages of two World Wars and seven decades of Soviet rule. Throughout the world, and especially in this country, Armenians have contributed to the material, intellectual and spiritual lives of their adopted homes. Today's Armenians are building a free and independent nation that stands as a living tribute to all those who died.

The United States will continue working to preserve a free Armenia in a peaceful, stable and prosperous Caucasus region. In that spirit, I extend to all Armenians my best wishes on Remembrance Day in the fervent hope that those who died will never be forgotten.

Bill Clinton

STATEMENT OF BILL CLINTON – APRIL 19, 1999

The White House

April 19, 1999

Office of the Press Secretary

STATEMENT BY THE PRESIDENT

This week marks the commemoration of one of the saddest chapters of this century: the deportations and massacres of one and a half million Armenians in the closing years of the Ottoman empire. We join with Armenian-Americans across the nation and with the Armenian community abroad to mourn the loss of so many innocent lives. Today, against the background of events in Kosovo, all Americans should recommit themselves to building a world where such events never occur again.

As we learn from the past, we also build for the future. In this country, Armenian-Americans have made great contributions to every field, from science, to commerce, to culture. Meanwhile, the people of Armenia, who suffered not only from the massacres, but the ravages of two world wars and the pain of seventy years of Soviet rule, at last have obtained their independence and their freedom. Armenia is pursuing democratic and market reforms, assuming its rightful place among the members of the Euro-Atlantic community of nations. We wish the people of Armenia – and all of their neighbors in the Caucasus region – success in their efforts to bring about the lasting peace and prosperity that they deserve. America will continue to support these efforts.

ON behalf of the American people, I extend my best wishes to all Armenians at this time of remembrance.

STATEMENT OF BILL CLINTON – APRIL 24, 2000

April 24, 2000

STATEMENT BY THE PRESIDENT

THE WHITE HOUSE

Office of the Press Secretary

(New York, New York)

For Immediate Release

Today we remember a great tragedy of the twentieth century: the deportations and massacres of roughly one and a half million Armenians in the final years of the Ottoman Empire. I join Armenians around the world, including the Armenian-American community, in mourning the loss of those innocent lives. I also extend my sympathy to the survivors and their descendants for the hardships they suffered. I call upon all Americans to renew their commitment to build a world where such events are not allowed to happen again. The lesson we must learn from the stark annals of history is that we must forge a more humane future for the peoples of all nations.

Our own society has benefited immeasurably from the contributions of Armenian-Americans. They have enriched every aspect of American life, from science, to commerce, to the arts. For the past eight and a half years, the Armenian people have been engaged in an historic undertaking to establish democracy and prosperity in the independent Republic of Armenia. Their courage, energy and resourcefulness inspire the admiration of all Americans, and we are proud to extend our assistance to help realize the dream of a vital and vibrant Armenia. The United States fully supports the efforts of Armenia and its neighbors to make lasting peace with one another and to begin an era of security and cooperation in the Caucasus region. We encourage any and all dialogue between citizens of the region that hastens reconciliation and understanding.

On behalf of the American people, I extend my best wishes to all Armenians on this solemn day of remembrance.

STATEMENT OF GEORGE W. BUSH – APRIL 24, 2001

Today marks the commemoration of one of the great tragedies of history: the forced exile and annihilation of approximately 1.5 million Armenians in the closing years of the Ottoman Empire. These infamous killings darkened the 20th century and continue to haunt us to this day. Today, I join Armenian Americans and the Armenian community abroad to mourn the loss of so many innocent lives. I ask all Americans to reflect on these terrible events.

While we mourn the tragedy that scarred the history of the Armenian people, let us also celebrate their indomitable will which has allowed Armenian culture, religion, and identity to flourish through the ages. Let us mark this year the 1700th anniversary of the establishment of Christianity in Armenia. Let us celebrate the spirit that illuminated the pages of history in 451 when the Armenians refused to bow to Persian demands that they renounce their faith. The Armenian reply was both courageous and unequivocal: "From this faith none can shake us, neither angels, nor men, neither sword, fire or water, nor any bitter torturers." This is the spirit that survived again in the face of the bitter fate that befell so many Armenians at the end of the Ottoman Empire.

Today, that same spirit not only survives, but thrives in Armenian communities the world over. Many Armenian survivors and their descendents chose to live in the United States, where they found safety and built new lives. We are grateful for the countless ways in which Armenian Americans continue to enrich America's science, culture, commerce and, indeed, all aspects of our national life.

One of the most important ways in which we can honor the memory of Armenian victims of the past is to help modern Armenia build a secure and prosperous future. I am proud that the United States actively supports Armenia and its neighbors in finding a permanent and fair settlement to the Nagorno-Karabakh dispute. I hope that this year we will see peace and reconciliation flourish in the south Caucasus region between Armenia and all its neighbors. The United States welcomes the opportunity to support the courageous efforts by the Armenian people to overcome years of hardship and Soviet repression to create a prospering, democratic, and sovereign Republic of Armenia.

Let us remember the past and let its lessons guide us as we seek to build a better future. In the name of the American people, I extend my heartfelt best wishes to all Armenians as we observe this solemn day of remembrance.

STATEMENT OF GEORGE W. BUSH – APRIL 24, 2002

Today, we commemorate an appalling tragedy of the 20th century, the massacre of as many as 1.5 million Armenians through forced exile and murder at the end of the Ottoman Empire. These horrific killings left wounds that remain painful for people in Armenia, in Turkey, and around the world. I join the Armenian community in America and across the globe in mourning this horrendous loss of life.

Today is an occasion for the world to reflect upon and draw lessons from these terrible events. It is a day for recognizing that demonizing others lays the foundation for a dark cycle of hatred. Transcending this venomous pattern requires painful introspection about the past and wise determination to forge a new future based on truth and reconciliation. In this spirit, I look forward to Turkey restoring economic, political, and cultural links with Armenia.

The United States greatly values the contributions that Armenians make to our national life. With faith and courage, generations of Armenians have overcome great suffering and proudly preserved their centuries-old culture, traditions, and religion. The United States is also deeply grateful for Armenia's swift and decisive cooperation in the war against terrorism.

Just as the United States reached out to the Armenian people to provide shelter and freedom early in the last century, so did Armenia extend a supportive hand to the American people in the immediate aftermath of September 11. Our two peoples stand together in this fight in support of values that define civilization itself.

I am also very proud of America's strong support for a free Armenian state, whose citizens enjoy the fruits of peace and increasing prosperity. In the months to come, America will continue to increase its security cooperation with Armenia and with Armenia's neighbors to combat terrorism and pursue a lasting and just settlement to the Nagorno-Karabakh conflict, which will strengthen peace and stability in the Caucasus. The United States will also continue its strong support for Armenia's efforts to develop democratic and free market institutions, and to deepen its integration into the Euro-Atlantic community.

On behalf of the American people, I send warm wishes and expressions of solidarity to the Armenian people on this solemn day of remembrance. Together, our nations look with hope and determination toward a future of peace, prosperity, and freedom.

STATEMENT OF GEORGE W. BUSH – APRIL 24, 2003

Presidential Message: Armenian Remembrance Day, 2003

Today marks the anniversary of a horrible tragedy, the mass killings and forced exile of countless Armenians in the final days of the Ottoman Empire. Many Armenians refer to these appalling events as the "great calamity," reflecting a deep sorrow that continues to haunt them and their neighbors, the Turkish people. The suffering that befell the Armenian people in 1915 is a tragedy for all humanity, which the world should not forget. I join the Armenian-American community and Armenians around the world in mourning the horrendous loss of life.

I also salute our wise and bold friends from Armenia and Turkey who are coming together in a spirit of reconciliation to consider these events and their significance. I applaud them for rising above bitterness, and taking action to create a better future. I wish them success, building on their recent and significant achievements, as they work together in a spirit of hope and understanding.

As we remember those who perished and suffered, we salute the nation of Armenia, and Armenians everywhere. The United States is grateful for the contributions of Armenian Americans to our national life. Generations of Armenians have employed wisdom, courage, and centuries-old traditions to overcome great suffering and enrich their adopted American homeland.

The United States is proud to be a friend of Armenia, a young state with an ancient heritage. We are deepening our partnership to help achieve a secure, prosperous, and dignified future for the citizens of Armenia. The United States is committed to achieving a just and lasting settlement to the Nagorno-Karabakh conflict. We will also continue to help Armenia as it strives to strengthen its democracy and market economy.

On behalf of the American people, I send solemn wishes to the Armenian people on this day of remembrance. Our nations stand together, determined to create a future of peace, prosperity, and freedom for the citizens of our countries, for our regions, and for the world.

Signed

GEORGE W. BUSH

STATEMENT OF GEORGE W. BUSH – APRIL 24, 2004

Armenian Remembrance Day

On this day, we pause in remembrance of one of the most horrible tragedies of the 20th century, the annihilation of as many as 1.5 million Armenians through forced exile and murder at the end of the Ottoman Empire. This terrible event remains a source of pain for people in Armenia and Turkey and for all those who believe in freedom, tolerance, and the dignity of every human life. I join with my fellow Americans and the Armenian community in the United States and around the world in mourning this loss of life.

The United States is proud of the strong ties we share with Armenia. From the end of World War I and again since the reemergence of an independent Armenian state in 1991, our country has sought a partnership with Armenia that promotes democracy, security cooperation, and free markets. Today, our Nation remains committed to a peace settlement in the Nagorno-Karabakh conflict and is grateful for Armenia's continuing cooperation in the war on terror. By advancing understanding and goodwill, free nations can help build a brighter future for the world. Our country seeks to help Armenia expand its strategic relations with the United States and our European allies.

Generations of Armenian Americans have also strengthened our communities and enriched our Nation's character. By preserving their heritage, faith, and traditions, Armenian Americans enhance the diversity that makes America great.

I commend individuals in Armenia and Turkey who have worked to support peace and reconciliation, including through the Turkish-Armenian Reconciliation Commission, and call on Armenia and Turkey to restore their economic, political, and cultural ties. I also send warm wishes and expressions of solidarity to the Armenian people on this solemn day of remembrance.

GEORGE W. BUSH

STATEMENT OF GEORGE W. BUSH – APRIL 24, 2005

For Immediate Release

Office of the Press Secretary

April 24, 2005

President's Statement on Armenian Remembrance Day.

On Armenian Remembrance Day, we remember the forced exile and mass killings of as many as 1.5 million Armenians during the last days of the Ottoman Empire. This terrible event is what many Armenian people have come to call the "Great Calamity." I join my fellow Americans and Armenian people around the world in expressing my deepest condolences for this horrible loss of life.

Today, as we commemorate the 90th anniversary of this human tragedy and reflect on the suffering of the Armenian people, we also look toward a promising future for an independent Armenian state. The United States is grateful for Armenia's contributions to the war on terror and to efforts to build a democratic and peaceful Iraq. We remain committed to supporting the historic reforms Armenia has pursued for over a decade. We call on the Government of Armenia to advance democratic freedoms that will further advance the aspirations of the Armenian people. We remain committed to a lasting and peaceful settlement of the Nagorno-Karabakh conflict. We also seek a deeper partnership with Armenia that includes security cooperation and is rooted in the shared values of democratic and market economic freedoms.

I applaud individuals in Armenia and Turkey who have sought to examine the historical events of the early 20th century with honesty and sensitivity. The recent analysis by the International Center for Transitional Justice did not provide the final word, yet marked a significant step toward reconciliation and restoration of the spirit of tolerance and cultural richness that has connected the people of the Caucasus and Anatolia for centuries. We look to a future of freedom, peace, and prosperity in Armenia and Turkey and hope that Prime Minister Erdogan's recent proposal for a joint Turkish-Armenian commission can help advance these processes.

Millions of Americans proudly trace their ancestry to Armenia. Their faith, traditions, and patriotism enrich the cultural, political, and economic life of the United States. I appreciate all individuals who work to promote peace, tolerance, and reconciliation.

On this solemn day of remembrance, I send my best wishes and expressions of solidarity to Armenian people around the world.

STATEMENT OF GEORGE W. BUSH – APRIL 24, 2006

Presidential Message

April 24, 2006

Today, we remember one of the horrible tragedies of the 20th century – the mass killings and forced exile of as many as 1.5 million Armenians in the final days of the Ottoman Empire in 1915. This was a tragedy for all humanity and one that we and the world must never forget.

We mourn this terrible chapter of history and recognize that it remains a source of pain for people in Armenia and for all those who believe in freedom, tolerance, and the dignity and value of every human life. It is a credit to the human spirit and generations of Armenians who live in Armenia, America, and around the globe that they have overcome this suffering and proudly preserved their centuries-old culture, traditions, and religion.

We praise the individuals in Armenia and Turkey who have sought to examine the historical events of this time with honesty and sensitivity. The analysis by the International Center for Transitional Justice, while not the final word, has made a significant contribution toward deepening our understanding of these events. We encourage dialogues, including through joint commissions, that strive for a shared understanding of these tragic events and move Armenia and Turkey towards normalized relations.

Today, we look with hope to a bright future for Armenia. Armenia's Millennium Challenge Compact reflects our confidence and the importance we place in Armenia making progress on democratic reform and advancement of free markets. We seek to help Armenia bolster its security and deepen its inclusion in the Euro-Atlantic family. We remain committed to securing a peaceful and lasting settlement of the Nagorno-Karabakh conflict and hope the leaders of Armenia and Azerbaijan will take bold steps to achieve this goal.

On this solemn day of remembrance, Laura and I express our deepest condolences to the Armenian people. Our nations stand together, determined to create a future of peace, prosperity, and freedom for the citizens of our countries and the world.

GEORGE W. BUSH

STATEMENT OF GEORGE W. BUSH – APRIL 24, 2007

Presidential Message: Honoring Memory of 1.5 Million Armenian Lives Lost During Ottoman Empire

April 24, 2007

Each year on this day, we pause to remember the victims of one of the greatest tragedies of the 20th century, when as many as 1.5 million Armenians lost their lives in the final years of the Ottoman Empire, many of them victims of mass killings and forced exile. I join my fellow Americans and Armenian people around the world in commemorating this tragedy and honoring the memory of the innocent lives that were taken. The world must never forget this painful chapter of its history.

All who cherish freedom and value the sanctity of human life look back on these horrific events in sorrow and disbelief. Many of those who survived were forced from their ancestral home and spread across the globe. Yet, in the midst of this terrible struggle, the world witnessed the indomitable spirit and character of the Armenian people. Many of the brave survivors came to America, where they have preserved a deep connection with their history and culture. Generations of Armenians in the United States have enriched our country and inspired us with their courage and conviction.

Today, we remember the past and also look forward to a brighter future. We commend the individuals in Armenia and Turkey who are working to normalize the relationship between their two countries. A sincere and open examination of the historic events of the late-Ottoman period is an essential part of this process. The United States supports and encourages those in both countries who are working to build a shared understanding of history as a basis for a more hopeful future.

We value the strong and vibrant ties between the United States and Armenia. Our Nation is grateful for Armenia's contributions to the war on terror, particularly for its efforts to help build a peaceful and democratic Iraq. The United States remains committed to working with Armenia and Azerbaijan to promote a peaceful settlement of the Nagorno-Karabakh conflict. We are also working to promote democratic and economic reform in Armenia that will advance the cause of freedom and justice.

Laura and I express our deepest condolences to Armenian people around the world on this solemn day of remembrance. We stand together in our determination to build a more peaceful, more prosperous, and more just world.

GEORGE W. BUSH

STATEMENT OF GEORGE W. BUSH – APRIL 24, 2008

24 April 2008

Statement by the President on Armenian Remembrance Day

On this day of remembrance, we honor the memory of the victims of one of the greatest tragedies of the 20th century, the mass killings and forced exile of as many as 1.5 million Armenians at the end of the Ottoman Empire. I join the Armenian community in America and around the world in commemorating this tragedy and mourning the loss of so many innocent lives.

As we reflect on this epic human tragedy, we must resolve to redouble our efforts to promote peace, tolerance, and respect for the dignity of human life. The Armenian people's unalterable determination to triumph over tragedy and flourish is a testament to their strength of character and spirit. We are grateful for the many contributions Americans of Armenian heritage have made to our Nation.

We welcome the efforts by individuals in Armenia and Turkey to foster reconciliation and peace, and support joint efforts for an open examination of the past in search of a shared understanding of these tragic events. We look forward to the realization of a fully normalized Armenia-Turkey relationship.

The United States is committed to a strong relationship with Armenia based on shared values. We call on the Government of Armenia to take decisive steps to promote democracy, and will continue our support for Armenia to this end. We remain committed to serving as an honest broker in pursuit of a lasting and peaceful settlement of the Nagorno-Karabakh conflict.

On this solemn day of remembrance, Laura and I express our deepest condolences to Armenian people around the world.

UNITED NATIONS CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE – 1948

Adopted by Resolution 260 (III) A of the United Nations General Assembly on 9 December 1948.

Article 1

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article 2

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.

Article 3

The following acts shall be punishable:

- * (a) Genocide;
- * (b) Conspiracy to commit genocide;
- * (c) Direct and public incitement to commit genocide;
- * (d) Attempt to commit genocide;
- * (e) Complicity in genocide.

Article 4

Persons committing genocide or any of the other acts enumerated in Article 3 shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

Article 5

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in Article 3.

Article 6

Persons charged with genocide or any of the other acts enumerated in Article 3 shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

Article 7

Genocide and the other acts enumerated in Article 3 shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

Article 8

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article 3.

Article 9

Disputes between the Contracting Parties relating to the interpretation, application or fulfillment of the present Convention, including those relating to the responsibility of a State for genocide or any of the other acts enumerated in Article 3, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

Article 10

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

Article 11

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950, the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid.

Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 12

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

Article 13

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a process-verbal and transmit a copy of it to each Member of the United Nations and to each of the non-member States contemplated in Article 11.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

Article 14

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

Article 15

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

Article 16

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

Article 17

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in Article 11 of the following:

- * (a) Signatures, ratifications and accessions received in accordance with Article 11;
- * (b) Notifications received in accordance with Article 12;
- * (c) The date upon which the present Convention comes into force in accordance with Article 13;
- * (d) Denunciations received in accordance with Article 14;
- * (e) The abrogation of the Convention in accordance with Article 15;
- * (f) Notifications received in accordance with Article 16.

Article 18

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to all Members of the United Nations and to the non-member States contemplated in Article 11.

Article 19

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

THE NUREMBERG PRINCIPLES – 1946

The General Assembly of the United Nations unanimously affirmed the principles of international law recognized in the Charter of the Nuremberg Tribunal on December 11, 1946. The principles were formulated by the International Law Commission, a United Nations organ of legal experts from all legal systems charged, among other things, with promoting codification of international law.

Principles of International Law Recognized in the Charter of the Nuremberg Tribunal and in the Judgment of the Tribunal

As formulated by the International Law Commission, June-July 1950.

Principle I

Any person who commits an act which constitutes a crime under international law is responsible therefore and liable to punishment.

Principle II

The act that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.

Principle III

The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible government official does not relieve him from responsibility under international law.

Principle IV

The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him.

Principle V

Any person charged with a crime under international law has the right to a fair trial on the facts and law.

Principle VI

The crimes hereinafter set out are punishable as crimes under international law:

a. Crimes against peace:

(i) Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;

(ii) Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i).

b. War crimes:

Violations of the laws or customs of war which include, but are not limited to, murder, ill-treatment or deportation to slave-labor or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.

c. Crimes against humanity:

Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connection with any crime against peace or any war crime.

Principle VII

Complicity in the commission of a crime against peace, a war crime, or a crime against humanity as set forth in Principle VI is a crime under international law.

UN RESOLUTION ON THE DEFINITION OF GENOCIDE – 1946**96 (I). The Crime of Genocide**

Genocide is a denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings; such denial of the right of existence shocks the conscience of mankind, results in great losses to humanity in the form of cultural and other contributions represented by these human groups, and is contrary to moral law and to the spirit and aims of the United Nations.

Many instances of such crimes of genocide have occurred when racial, religious, political and other groups have been destroyed, entirely or in part.

The punishment of the crime of genocide is a matter of international concern.

The General Assembly, therefore,

Affirms that genocide is a crime under international law which the civilized world condemns, and for the commission of which principals and accomplices - whether private individuals, public officials or statesmen, and whether the crime is committed on religious, racial, political or any other grounds - are punishable;

Invites the Member States to enact the necessary legislation for the preventions and punishment of this crime;

Recommends that international co-operation be organized between States with a view to facilitating the speedy prevention and punishment of the crime of genocide, and, to this end,

Requests the Economic and Social Council to undertake the necessary studies, with a view to drawing up a draft convention on the crime of genocide to be submitted to the next regular session of the General Assembly.

Fifty-fifth plenary meeting,

11 December 1946

**ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT – 1998
(FIRST 12 ARTICLES)**

Preamble

The States Parties to this Statute,

Conscious that all peoples are united by common bonds, their cultures pieced together in a shared heritage, and concerned that this delicate mosaic may be shattered at any time,

Mindful that during this century millions of children, women and men have been victims of unimaginable atrocities that deeply shock the conscience of humanity,

Recognizing that such grave crimes threaten the peace, security and well-being of the world,

Affirming that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at the national level and by enhancing international cooperation,

Determined to put an end to impunity for the perpetrators of these crimes and thus to contribute to the prevention of such crimes,

Recalling that it is the duty of every State to exercise its criminal jurisdiction over those responsible for international crimes,

Reaffirming the Purposes and Principles of the Charter of the United Nations, and in particular that all States shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations,

Emphasizing in this connection that nothing in this Statute shall be taken as authorizing any State Party to intervene in an armed conflict or in the internal affairs of any State,

Determined to these ends and for the sake of present and future generations, to establish an independent permanent International Criminal Court in relationship with the United Nations system, with jurisdiction over the most serious crimes of concern to the international community as a whole,

Emphasizing that the International Criminal Court established under this Statute shall be complementary to national criminal jurisdictions,

Resolved to guarantee lasting respect for and the enforcement of international justice,

Have agreed as follows

Part 1. Establishment of the Court

Article 1

The Court

An International Criminal Court ("the Court") is hereby established. It shall be a permanent institution and shall have the power to exercise its jurisdiction over persons for the most serious crimes of international concern, as referred to in this Statute, and shall be complementary to national criminal jurisdictions. The jurisdiction and functioning of the Court shall be governed by the provisions of this Statute.

Article 2

Relationship of the Court with the United Nations

The Court shall be brought into relationship with the United Nations through an agreement to be approved by the Assembly of States Parties to this Statute and thereafter concluded by the President of the Court on its behalf.

Article 3

Seat of the Court

1. The seat of the Court shall be established at The Hague in the Netherlands ("the host State").

2. The Court shall enter into a headquarters agreement with the host State, to be approved by the Assembly of States Parties and thereafter concluded by the President of the Court on its behalf.

3. The Court may sit elsewhere, whenever it considers it desirable, as provided in this Statute.

Article 4

Legal status and powers of the Court

1. The Court shall have international legal personality. It shall also have such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

2. The Court may exercise its functions and powers, as provided in this Statute, on the territory of any State Party and, by special agreement, on the territory of any other State.

Part 2. Jurisdiction, Admissibility and Applicable Law

Article 5

Crimes within the jurisdiction of the Court

1. The jurisdiction of the Court shall be limited to the most serious crimes of concern to the international community as a whole. The Court has jurisdiction in accordance with this Statute with respect to the following crimes:

- (a) The crime of genocide;
- (b) Crimes against humanity;
- (c) War crimes;
- (d) The crime of aggression.

2. The Court shall exercise jurisdiction over the crime of aggression once a provision is adopted in accordance with articles 121 and 123 defining the crime and setting out the conditions under which the Court shall exercise jurisdiction with respect to this crime. Such a provision shall be consistent with the relevant provisions of the Charter of the United Nations.

Article 6

Genocide

For the purpose of this Statute, "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.

Article 7

Crimes against humanity

1. For the purpose of this Statute, "crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- (a) Murder;
- (b) Extermination;
- (c) Enslavement;
- (d) Deportation or forcible transfer of population;
- (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
- (f) Torture;
- (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
- (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;
- (i) Enforced disappearance of persons;
- (j) The crime of apartheid;
- (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

2. For the purpose of paragraph 1:

- (a) "Attack directed against any civilian population" means a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack;
- (b) "Extermination" includes the intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population;
- (c) "Enslavement" means the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children;
- (d) "Deportation or forcible transfer of population" means forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law;
- (e) "Torture" means the intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control

of the accused; except that torture shall not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions;

(f)"Forced pregnancy" means the unlawful confinement of a woman forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law. This definition shall not in any way be interpreted as affecting national laws relating to pregnancy;

(g)"Persecution" means the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity;

(h)"The crime of apartheid" means inhumane acts of a character similar to those referred to in paragraph 1, committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime;

(i)"Enforced disappearance of persons" means the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.

3.For the purpose of this Statute, it is understood that the term "gender" refers to the two sexes, male and female, within the context of society. The term "gender" does not indicate any meaning different from the above.

Article 8

War crimes

1.The Court shall have jurisdiction in respect of war crimes in particular when committed as part of a plan or policy or as part of a large-scale commission of such crimes.

2.For the purpose of this Statute, "war crimes" means:

(a)Grave breaches of the Geneva Conventions of 12 August 1949, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention:

(i)Willful killing;

(ii)Torture or inhuman treatment, including biological experiments;

(iii)Willfully causing great suffering, or serious injury to body or health;

(iv) Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly;

(v) Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power;

(vi) Willfully depriving a prisoner of war or other protected person of the rights of fair and regular trial;

(vii) Unlawful deportation or transfer or unlawful confinement;

(viii) Taking of hostages.

(b) Other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law, namely, any of the following acts:

(i) Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities;

(ii) Intentionally directing attacks against civilian objects, that is, objects which are not military objectives;

(iii) Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict;

(iv) Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated;

(v) Attacking or bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended and which are not military objectives;

(vi) Killing or wounding a combatant who, having laid down his arms or having no longer means of defense, has surrendered at discretion;

(vii) Making improper use of a flag of truce, of the flag or of the military insignia and uniform of the enemy or of the United Nations, as well as of the distinctive emblems of the Geneva Conventions, resulting in death or serious personal injury;

(viii) The transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory;

(ix) Intentionally directing attacks against buildings dedicated to religion,

education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives;

(x) Subjecting persons who are in the power of an adverse party to physical mutilation or to medical or scientific experiments of any kind which are neither justified by the medical, dental or hospital treatment of the person concerned nor carried out in his or her interest, and which cause death to or seriously endanger the health of such person or persons;

(xi) Killing or wounding treacherously individuals belonging to the hostile nation or army;

(xii) Declaring that no quarter will be given;

(xiii) Destroying or seizing the enemy's property unless such destruction or seizure be imperatively demanded by the necessities of war;

(xiv) Declaring abolished, suspended or inadmissible in a court of law the rights and actions of the nationals of the hostile party;

(xv) Compelling the nationals of the hostile party to take part in the operations of war directed against their own country, even if they were in the belligerent's service before the commencement of the war;

(xvi) Pillaging a town or place, even when taken by assault;

(xvii) Employing poison or poisoned weapons;

(xviii) Employing asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices;

(xix) Employing bullets which expand or flatten easily in the human body, such as bullets with a hard envelope which does not entirely cover the core or is pierced with incisions;

(xx) Employing weapons, projectiles and material and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering or which are inherently indiscriminate in violation of the international law of armed conflict, provided that such weapons, projectiles and material and methods of warfare are the subject of a comprehensive prohibition and are included in an annex to this Statute, by an amendment in accordance with the relevant provisions set forth in articles 121 and 123;

(xxi) Committing outrages upon personal dignity, in particular humiliating and degrading treatment;

(xxii) Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions;

(xxiii) Utilizing the presence of a civilian or other protected person to render certain points, areas or military forces immune from military operations;

(xxiv) Intentionally directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law;

(xxv) Intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including willfully impeding relief supplies as provided for under the Geneva Conventions;

(xxvi) Conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities.

(c) In the case of an armed conflict not of an international character, serious violations of article 3 common to the four Geneva Conventions of 12 August 1949, namely, any of the following acts committed against persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention or any other cause:

(i) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(ii) Committing outrages upon personal dignity, in particular humiliating and degrading treatment;

(iii) Taking of hostages;

(iv) The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable.

(d) Paragraph 2 (c) applies to armed conflicts not of an international character and thus does not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence or other acts of a similar nature.

(e) Other serious violations of the laws and customs applicable in armed conflicts not of an international character, within the established framework of international law, namely, any of the following acts:

(i) Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities;

(ii) Intentionally directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law;

(iii) Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled

to the protection given to civilians or civilian objects under the international law of armed conflict;

(iv) Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives;

(v) Pillaging a town or place, even when taken by assault;

(vi) Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, and any other form of sexual violence also constituting a serious violation of article 3 common to the four Geneva Conventions;

(vii) Conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities;

(viii) Ordering the displacement of the civilian population for reasons related to the conflict, unless the security of the civilians involved or imperative military reasons so demand;

(ix) Killing or wounding treacherously a combatant adversary;

(x) Declaring that no quarter will be given;

(xi) Subjecting persons who are in the power of another party to the conflict to physical mutilation or to medical or scientific experiments of any kind which are neither justified by the medical, dental or hospital treatment of the person concerned nor carried out in his or her interest, and which cause death to or seriously endanger the health of such person or persons;

(xii) Destroying or seizing the property of an adversary unless such destruction or seizure be imperatively demanded by the necessities of the conflict;

(f) Paragraph 2 (e) applies to armed conflicts not of an international character and thus does not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence or other acts of a similar nature. It applies to armed conflicts that take place in the territory of a State when there is protracted armed conflict between governmental authorities and organized armed groups or between such groups.

3. Nothing in paragraph 2 (c) and (e) shall affect the responsibility of a Government to maintain or re-establish law and order in the State or to defend the unity and territorial integrity of the State, by all legitimate means.

Article 9

Elements of Crimes

1.Elements of Crimes shall assist the Court in the interpretation and application of articles 6, 7 and 8. They shall be adopted by a two-thirds majority of the members of the Assembly of States Parties.

2.Amendments to the Elements of Crimes may be proposed by:

- (a)Any State Party;
- (b)The judges acting by an absolute majority;
- (c)The Prosecutor.

Such amendments shall be adopted by a two-thirds majority of the members of the Assembly of States Parties.

3.The Elements of Crimes and amendments thereto shall be consistent with this Statute.

Article 10

Nothing in this Part shall be interpreted as limiting or prejudicing in any way existing or developing rules of international law for purposes other than this Statute.

Article 11

Jurisdiction *ratione temporis*

1.The Court has jurisdiction only with respect to crimes committed after the entry into force of this Statute.

2.If a State becomes a Party to this Statute after its entry into force, the Court may exercise its jurisdiction only with respect to crimes committed after the entry into force of this Statute for that State, unless that State has made a declaration under article 12, paragraph 3.

Article 12

Preconditions to the exercise of jurisdiction

1.A State which becomes a Party to this Statute thereby accepts the jurisdiction of the Court with respect to the crimes referred to in article 5.

2.In the case of article 13, paragraph (a) or (c), the Court may exercise its jurisdiction if one or more of the following States are Parties to this Statute or have accepted the jurisdiction of the Court in accordance with paragraph 3:

(a)The State on the territory of which the conduct in question occurred or, if the crime was committed on board a vessel or aircraft, the State of registration of that vessel or aircraft;

(b)The State of which the person accused of the crime is a national.

3.If the acceptance of a State which is not a Party to this Statute is required under paragraph 2, that State may, by declaration lodged with the Registrar, accept the exercise of jurisdiction by the Court with respect to the crime in question. The accepting State shall cooperate with the Court without any delay or exception in accordance with Part 9.

TABLE OF MORTALITY AND MIGRATION OF MUSLIMS

	Muslim Deaths	Muslim Refugees
Greek Revolution	25,000*	10,000*
Ottoman-Russian War (1827-1829)	Unknown	26,000
Deportees from Crimea	75,000*	300,000
Deportees from Caucasus	400,000*	1,200,000
Bulgaria (1877-1878)	260,000	515,000
Ottoman-Russian War (1877-1878)	Unknown	70,000
Balkan Wars	1,450,000	410,000
Caucasus (1905)	Unknown	-
Eastern Anatolia (1914-1921)	1,190,000	900,000 (internal replacements)
Caucasus (1914-1921)	410,000	270,000
Western Anatolia (1914-1922)	1,250,000	480,000** 1,200,000 (internal replacements)
Total	5,060,000	5,381,000

* Estimates

** Turkish-Greek Exchange of Populations

Source: Justin McCarthy, *Death and Exile: The Ethnic Cleansing of Ottoman Muslims, 1821-1922*, Princeton: Darwin Press, 1995, p. 309.

CONVENTION ON THE NON-APPLICABILITY OF STATUTORY LIMITATIONS TO WAR CRIMES AND CRIMES AGAINST HUMANITY

Adopted and opened for signature, ratification and accession by General Assembly resolution 2391 (XXIII) of 26 November 1968 entry into force 11 November 1970, in accordance with article VIII

Preamble

The States Parties to the present Convention,

Recalling resolutions of the General Assembly of the United Nations 3 (I) of 13 February 1946 and 170 (II) of 31 October 1947 on the extradition and punishment of war criminals, resolution 95 (I) of 11 December 1946 affirming the principles of international law recognized by the Charter of the International Military Tribunal, Nurnberg, and the judgment of the Tribunal, and resolutions 2184(XXI) of 12 December 1966 and 2202(XXI) of 16 December 1966 which expressly condemned as crimes against humanity the violation of the economic and political rights of the indigenous population on the one hand and the policies of apartheid on the other,

Recalling resolutions of the Economic and Social Council of the United Nations 1074 D (XXXIX) of 28 July 1965 and 1158 (XLI) of 5 August 1966 on the punishment of war criminals and of persons who have committed crimes against humanity,

Noting that none of the solemn declarations, instruments or conventions relating to the prosecution and punishment of war crimes and crimes against humanity made provision for a period of limitation,

Considering that war crimes and crimes against humanity are among the gravest crimes in international law,

Convinced that the effective punishment of war crimes and crimes against humanity is an important element in the prevention of such crimes, the protection of human rights and fundamental freedoms, the encouragement of confidence, the furtherance of co-operation among peoples and the promotion of international peace and security,

Noting that the application to war crimes and crimes against humanity of the rules of municipal law relating to the period of limitation for ordinary crimes is a matter of serious concern to world public opinion, since it prevents the prosecution and punishment of persons responsible for those crimes,

Recognizing that it is necessary and timely to affirm in international law, through this Convention, the principle that there is no period of limitation for war crimes and crimes against humanity, and to secure its universal application,

Have agreed as follows:

Article 1

No statutory limitation shall apply to the following crimes, irrespective of the date of their commission:

(a) War crimes as they are defined in the Charter of the International Military Tribunal, Nurnberg, of 8 August 1945 and confirmed by resolutions 3 (1) of 13 February 1946 and 95 (I) of 11 December 1946 of the General Assembly of the United Nations, particularly the "grave breaches" enumerated in the Geneva Conventions of 12 August 1949 for the protection of war victims;

(b) Crimes against humanity whether committed in time of war or in time of peace as they are defined in the Charter of the International Military Tribunal, Nurnberg, of 8 August 1945 and confirmed by resolutions 3 (1) of 13 February 1946 and 95 (I) of 11 December 1946 of the General Assembly of the United Nations, eviction by armed attack or occupation and inhuman acts resulting from the policy of apartheid, and the crime of genocide as defined in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, even if such acts do not constitute a violation of the domestic law of the country in which they were committed.

Article 2

If any of the crimes mentioned in article 1 is committed, the provisions of this Convention shall apply to representatives of the State authority and private individuals who, as principals or accomplices, participate in or who directly incite others to the commission of any of those crimes, or who conspire to commit them, irrespective of the degree of completion, and to representatives of the State authority who tolerate their commission.

Article 3

The States Parties to the present Convention undertake to adopt all necessary domestic measures, legislative or otherwise, with a view to making possible the extradition, in accordance with international law, of the persons referred to in article II of this Convention.

Article 4

The States Parties to the present Convention undertake to adopt, in accordance with their respective constitutional processes, any legislative or other measures necessary to ensure that statutory or other limitations shall not apply to the prosecution and punishment of the crimes referred to in articles 1 and 2 of this Convention and that, where they exist, such limitations shall be abolished.

Article 5

This Convention shall, until 31 December 1969, be open for signature by any State Member of the United Nations or member of any of its specialized agencies or of the International Atomic Energy Agency, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a Party to this Convention.

Article 6

This Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 7

This Convention shall be open to accession by any State referred to in article 5. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 8

1. This Convention shall enter into force on the ninetieth day after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification or accession.

2. For each State ratifying this Convention or acceding to it after the deposit of the tenth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day after the date of the deposit of its own instrument of ratification or accession.

Article 9

1. After the expiry of a period of ten years from the date on which this Convention enters into force, a request for the revision of the Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 10

1. This Convention shall be deposited with the Secretary-General of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of this Convention to all States referred to in article 5.

3. The Secretary-General of the United Nations shall inform all States referred to in article V of the following particulars:

(a) Signatures of this Convention, and instruments of ratification and accession deposited under articles 5, 6 and 7;

(b) The date of entry into force of this Convention in accordance with article 8;

(c) Communications received under article 9.

Article 11

This Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 26 November 1968.

IN WITNESS WHEREOF the undersigned, being duly authorized for that purpose, have signed this Convention.

**UNITED NATIONS SECURITY COUNCIL RESOLUTION
ON THE KARABAKH PROBLEM**

RESOLUTION 822 (1993)

Adopted by the Security Council at its 3205th meeting, on 30 April 1993

The Security Council,

Recalling the statements of the President of the Security Council of 29 January 1993 (S/25199) and of 6 April 1993 (S/25539) concerning the Nagorno-Karabakh conflict,

Taking note of the report of the Secretary-General dated 14 April 1993 (S/25600),

Expressing its serious concern at the deterioration of the relations between the Republic of Armenia and the Republic of Azerbaijan,

Noting with alarm the escalation in armed hostilities and, in particular, the latest invasion of the Kelbadjar district of the Republic of Azerbaijan by local Armenian forces,

Concerned that this situation endangers peace and security in the region,

Expressing grave concern at the displacement of a large number of civilians and the humanitarian emergency in the region, in particular in the Kelbadjar district,

Reaffirming the respect for sovereignty and territorial integrity of all States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

Expressing its support for the peace process being pursued within the framework of the Conference on Security and Cooperation in Europe and deeply concerned at the disruptive effect that the escalation in armed hostilities can have on that process,

1.Demands the immediate cessation of all hostilities and hostile acts with a view to establishing a durable cease-fire, as well as immediate withdrawal of all occupying forces from the Kelbadjar district and other recently occupied areas of Azerbaijan;

2.Urges the parties concerned immediately to resume negotiations for the resolution of the conflict within the framework of the peace process of the Minsk Group of the Conference on Security and Cooperation in Europe and refrain from any action that will obstruct a peaceful solution of the problem;

3.Calls for unimpeded access for international humanitarian relief efforts in the region, in particular in all areas affected by the conflict in order to alleviate the suffering of the civilian population and reaffirms that all parties are bound to comply with the principles and rules of international humanitarian law;

4.Requests the Secretary-General, in consultation with the Chairman-in-Office of the Conference on Security and Cooperation in Europe as well as the Chairman of the Minsk Group of the Conference to assess the situation in the region, in particular in the Kelbadjar district of Azerbaijan, and to submit a further report to the Council;

5.Decides to remain actively seized of the matter.

**UNITED NATIONS SECURITY COUNCIL RESOLUTION
ON THE KARABAKH PROBLEM**

RESOLUTION 853 (1993)

Adopted by the Security Council at its 3259th meeting, on 29 July 1993

The Security Council,

Reaffirming its resolution 822 (1993) of 30 April 1993,

Having considered the report issued on 27 July 1993 by the Chairman of the Mink Group of the Conference on Security and Cooperation in Europe (CSCE) (S/26184),

Expressing its serious concern at the deterioration of relations between the Republic of Armenia and the Azerbaijani Republic and at the tensions between them,

Welcoming acceptance by the parties concerned at the timetable of urgent steps to implement its resolution 822 (1993) ,

Noting with alarm the escalation in armed hostilities and, in particular, the seizure of the district of Agdam in the Azerbaijani Republic,

Concerned that this situation continues to endanger peace and security in the region,

Expressing once again its grave concern at the displacement of large numbers of civilians in the Azerbaijani Republic and at the serious humanitarian emergency in the region,

Reaffirming the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

1. Condemns the seizure of the district of Agdam and of all other recently occupied areas of the Azerbaijani Republic;

2. Further condemns all hostile actions in the region, in particular attacks on civilians and bombardments of inhabited areas;

3. Demands the immediate cessation of all hostilities and the immediate complete and unconditional withdrawal of the occupying forces involved from the district of Agdam and all other recently occupied areas of the Azerbaijan Republic;

4. Calls on the parties concerned to reach and maintain durable cease-fire arrangements;

5.Reiterates in the context of paragraphs 3 and 4 above its earlier calls for the restoration of economic, transport and energy links in the region;

6.Endorses the continuing efforts by the Minsk Group of the CSCE to achieve a peaceful solution to the conflict, including efforts to implement resolution 822 (1993) , and expresses its grave concern at the disruptive effect that the escalation of armed hostilities has had on these efforts;

7.Welcomes the preparations for a CSCE monitor mission with a timetable for its deployment, as well as consideration within the CSCE of the proposal for a CSCE presence in the region;

8.Urges the parties concerned to refrain from any action that will obstruct a peaceful solution to the conflict, and to pursue negotiations within the Minsk Group of the CSCE, as well as through direct contacts between them, towards a final settlement;

9.Urges the Government of the Republic of Armenia to continue to exert its influence to achieve compliance by the Armenians of the Nagorny-Karabakh region of the Azerbaijani Republic with its resolution 822 (1993) and the present resolution, and the acceptance by this party of the proposals of the Minsk Group of the CSCE;

10.Urges States to refrain from the supply of any weapons and munitions which might lead to an intensification of the conflict or the continued occupation of territory;

11.Calls once again for unimpeded access for international humanitarian relief efforts in the region, in particular in all areas affected by the conflict, in order to alleviate the increased suffering of the civilian population and reaffirms that all parties are bound to comply with the principles and rules of international humanitarian law;

12.Requests the Secretary-General and relevant international agencies to provide urgent humanitarian assistance to the affected civilian population and to assist displaced persons to return to their homes;

13.Requests the Secretary-General, in consultation with the Chairman-in-Office of the CSCE as well as the Chairman of the Minsk Group, to continue to report to the Council on the situation;

14.Decides to remain actively seized of the matter.

**UNITED NATIONS SECURITY COUNCIL RESOLUTION
ON THE KARABAKH PROBLEM**

RESOLUTION 874 (1993)

Adopted by the Security Council at its 3292nd meeting, on 14 October 1993

The Security Council,

Reaffirming its resolutions 822 (1993) of 30 April 1993 and 853 (1993) of 29 July 1993, and recalling the statement read by the President of the Council, on behalf of the Council, on 18 August 1993 (S/26326),

Having considered the letter dated 1 October 1993 from the Chairman of the Conference on Security and Cooperation in Europe (CSCE) Minsk Conference on Nagorny Karabakh addressed to the President of the Security Council (S/26522),

Expressing its serious concern that a continuation of the conflict in and around the Nagorny Karabakh region of the Azerbaijani Republic, and of the tensions between the Republic of Armenia and the Azerbaijani Republic, would endanger peace and security in the region,

Taking note of the high-level meetings which took place in Moscow on 8 October 1993 and expressing the hope that they will contribute to the improvement of the situation and the peaceful settlement of the conflict,

Reaffirming the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

Expressing once again its grave concern at the human suffering the conflict has caused and at the serious humanitarian emergency in the region and expressing in particular its grave concern at the displacement of large numbers of civilians in the Azerbaijani Republic,

1.Calls upon the parties concerned to make effective and permanent the cease-fire established as a result of the direct contacts undertaken with the assistance of the Government of the Russian Federation in support of the CSCE Minsk Group;

2.Reiterates again its full support for the peace process being pursued within the framework of the CSCE, and for the tireless efforts of the CSCE Minsk Group;

3.Welcomes and commends to the parties the Adjusted timetable of urgent steps to implement Security Council resolutions 822 (1993) and 853 (1993) set out on 28 September 1993 at the meeting of the CSCE Minsk Group and submitted to the parties concerned by the Chairman of the Group with the full

support of nine other members of the Group, and calls on the parties to accept it;

4.Expresses the conviction that all other pending questions arising from the conflict and not directly addressed in the adjusted timetable should be settled expeditiously through peaceful negotiations in the context of the CSCE Minsk process;

5.Calls for the immediate implementation of the reciprocal and urgent steps provided for in the CSCE Minsk Group's Adjusted timetable, including the withdrawal of forces from recently occupied territories and the removal of all obstacles to communications and transportation;

6.Calls also for an early convening of the CSCE Minsk Conference for the purpose of arriving at a negotiated settlement to the conflict as provided for in the timetable, in conformity with the 24 March 1992 mandate of the CSCE Council of Ministers;

7.Requests the Secretary-General to respond favourably to an invitation to send a representative to attend the CSCE Minsk Conference and to provide all possible assistance for the substantive negotiations that will follow the opening of the Conference;

8.Supports the monitoring mission developed by the CSCE;

9.Calls on all parties to refrain from all violations of international humanitarian law and renews its call in resolutions 822 (1993) and 853 (1993) for unimpeded access for international humanitarian relief efforts in all areas affected by the conflict;

10.Urges all States in the region to refrain from any hostile acts and from any interference or intervention which would lead to the widening of the conflict and undermine peace and security in the region;

11.Requests the Secretary-General and relevant international agencies to provide urgent humanitarian assistance to the affected civilian population and to assist refugees and displaced persons to return to their homes in security and dignity;

12.Requests also the Secretary-General, the Chairman-in-Office of the CSCE and the Chairman of the CSCE Minsk Conference to continue to report to the Council on the progress of the Minsk process and on all aspects of the situation on the ground, and on present and future cooperation between the CSCE and the United Nations in this regard;

13.Decides to remain actively seized of the matter.

**UNITED NATIONS SECURITY COUNCIL RESOLUTION
ON THE KARABAKH PROBLEM**

RESOLUTION 884 (1993)

Adopted by the Security Council at its 3313th meeting, on 12 November 1993

The Security Council,

Reaffirming its resolutions 822 (1993) of 30 April 1993, 853 (1993) of 29 July 1993 and 874 (1993) of 14 October 1993,

Reaffirming its full support for the peace process being pursued within the framework of the Conference on Security and Cooperation in Europe (CSCE), and for the tireless efforts of the CSCE Minsk Group,

Taking note of the letter dated 9 November 1993 from the Chairman-in-Office of the Minsk Conference on Nagorny Karabakh addressed to the President of the Security Council and its enclosures (S/26718, annex),

Expressing its serious concern that a continuation of the conflict in and around the Nagorny Karabakh region of the Azerbaijani Republic, and of the tensions between the Republic of Armenia and the Azerbaijani Republic, would endanger peace and security in the region,

Noting with alarm the escalation in armed hostilities as consequence of the violations of the cease-fire and excesses in the use of force in response to those violations, in particular the occupation of the Zangelan district and the city of Goradiz in the Azerbaijani Republic,

Reaffirming the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

Expressing grave concern at the latest displacement of a large number of civilians and the humanitarian emergency in the Zangelan district and the city of Goradiz and on Azerbaijan's southern frontier,

1. Condemns the recent violations of the cease-fire established between the parties, which resulted in a resumption of hostilities, and particularly condemns the occupation of the Zangelan district and the city of Goradiz, attacks on civilians and bombardments of the territory of the Azerbaijani Republic;

2. Calls upon the Government of Armenia to use its influence to achieve compliance by the Armenians of the Nagorny Karabakh region of the Azerbaijani Republic with resolutions 822 (1993) , 853 (1993) and 874 (1993) , and to ensure

that the forces involved are not provided with the means to extend their military campaign further;

3.Welcomes the Declaration of 4 November 1993 of the nine members of the CSCE Minsk Group (S/26718) and commends the proposals contained therein for unilateral cease-fire declarations;

4.Demands from the parties concerned the immediate cessation of armed hostilities and hostile acts, the unilateral withdrawal of occupying forces from the Zangelan district and the city of Goradiz, and the withdrawal of occupying forces from other recently occupied areas of the Azerbaijani Republic in accordance with the Adjusted timetable of urgent steps to implement Security Council resolutions 822 (1993) and 853 (1993) (S/26522, appendix), as amended by the CSCE Minsk Group meeting in Vienna of 2 to 8 November 1993;

5.Strongly urges the parties concerned to resume promptly and to make effective and permanent the cease-fire established as a result of the direct contacts undertaken with the assistance of the Government of the Russian Federation in support of the CSCE Minsk Group, and to continue to seek a negotiated settlement of the conflict within the context of the CSCE Minsk process and the Adjusted timetable, as amended by the CSCE Minsk Group meeting in Vienna of 2 to 8 November 1993;

6.Urges again all States in the region to refrain from any hostile acts and from any interference or intervention, which would lead to the widening of the conflict and undermine peace and security in the region;

7.Requests the Secretary-General and relevant international agencies to provide urgent humanitarian assistance to the affected civilian population, including that in the Zangelan district and the city of Goradiz and on Azerbaijan's southern frontier, and to assist refugees and displaced persons to return to their homes in security and dignity;

8.Reiterates its request that the Secretary-General, the Chairman-in-Office of the CSCE and the Chairman of the CSCE Minsk Conference continue to report to the Council on the progress of the Minsk process and on all aspects of the situation on the ground, in particular on the implementation of its relevant resolutions, and on present and future cooperation between the CSCE and the United Nations in this regard;

9.Decides to remain actively seized of the matter.

**PARLIAMENTARY ASSEMBLY OF COUNCIL OF
EUROPE RESOLUTION 1416 – 2005**

The conflict over the Nagorno-Karabakh region dealt with by the OSCE Minsk Conference

1. The Parliamentary Assembly regrets that, more than a decade after the armed hostilities started, the conflict over the Nagorno-Karabakh region remains unsolved. Hundreds of thousands of people are still displaced and live in miserable conditions. Considerable parts of the territory of Azerbaijan are still occupied by Armenian forces, and separatist forces are still in control of the Nagorno-Karabakh region.

2. The Assembly expresses its concern that the military action, and the widespread ethnic hostilities which preceded it, led to large-scale ethnic expulsion and the creation of mono-ethnic areas which resemble the terrible concept of ethnic cleansing. The Assembly reaffirms that independence and secession of a regional territory from a state may only be achieved through a lawful and peaceful process based on the democratic support of the inhabitants of such territory and not in the wake of an armed conflict leading to ethnic expulsion and the de facto annexation of such territory to another state. The Assembly reiterates that the occupation of foreign territory by a member state constitutes a grave violation of that state's obligations as a member of the Council of Europe and reaffirms the right of displaced persons from the area of conflict to return to their homes safely and with dignity.

3. The Assembly recalls Resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993) of the United Nations Security Council and urges the parties concerned to comply with them, in particular by refraining from any armed hostilities and by withdrawing military forces from any occupied territories. The Assembly also aligns itself with the demand expressed in Resolution 853 of the United Nations Security Council and thus urges all member states to refrain from the supply of any weapons and munitions which might lead to an intensification of the conflict or the continued occupation of territory.

4. The Assembly recalls that both Armenia and Azerbaijan committed themselves upon their accession to the Council of Europe in January 2001 to use only peaceful means for settling the conflict, by refraining from any threat of using force against their neighbours. At the same time, Armenia committed itself to use its considerable influence over Nagorno-Karabakh to foster a solution to the conflict. The Assembly urges both governments to comply with these commitments and refrain from using armed forces against each other and from propagating military action.

5. The Assembly recalls that the Council of Ministers of the Conference on Security and Co-operation in Europe (CSCE) agreed in Helsinki in March 1992 to hold a conference in Minsk in order to provide a forum for negotiations for a

peaceful settlement of the conflict. Armenia, Azerbaijan, Belarus, the former Czech and Slovak Federal Republic, France, Germany, Italy, the Russian Federation, Sweden, Turkey and the United States of America agreed at that time to participate in this conference. The Assembly calls on these states to step up their efforts to achieve the peaceful resolution of the conflict and invites their national delegations to the Assembly to report annually to the Assembly on the action of their government in this respect. For this purpose, the Assembly asks its Bureau to create an ad hoc committee comprising, inter alia, the heads of these national delegations.

6. The Assembly pays tribute to the tireless efforts of the co-chairs of the Minsk Group and the Personal Representative of the OSCE Chairman-in-Office, in particular for having achieved a ceasefire in May 1994 and having constantly monitored the observance of this ceasefire since then. The Assembly calls on the OSCE Minsk Group co-chairs to take immediate steps to conduct speedy negotiations for the conclusion of a political agreement on the cessation of the armed conflict. The implementation of this agreement will eliminate major consequences of the conflict for all parties and permit the convening of the Minsk Conference. The Assembly calls on Armenia and Azerbaijan to make use of the OSCE Minsk Process and to put forward to each other, via the Minsk Group, their constructive proposals for the peaceful settlement of the conflict in accordance with the relevant norms and principles of international law.

7. The Assembly recalls that Armenia and Azerbaijan are signatory parties to the Charter of the United Nations and, in accordance with Article 93, paragraph 1 of the Charter, ipso facto parties to the statute of the International Court of Justice. Therefore, the Assembly suggests that if the negotiations under the auspices of the co-chairs of the Minsk Group fail, Armenia and Azerbaijan should consider using the International Court of Justice in accordance with Article 36, paragraph 1 of its statute.

8. The Assembly calls on Armenia and Azerbaijan to foster political reconciliation among themselves by stepping up bilateral inter-parliamentary co-operation within the Assembly as well as in other forums such as the meetings of the speakers of the parliaments of the Caucasian Four. It recommends that both delegations should meet during each part-session of the Assembly to review progress on such reconciliation.

9. The Assembly calls on the Government of Azerbaijan to establish contact, without preconditions, with the political representatives of both communities from the Nagorno-Karabakh region regarding the future status of the region. It is prepared to provide facilities for such contacts in Strasbourg, recalling that it did so in the form of a hearing on previous occasions with Armenian participation.

10. Recalling its Recommendation 1570 (2002) on the situation of refugees and displaced persons in Armenia, Azerbaijan and Georgia, the Assembly calls on all member and Observer states to provide humanitarian aid and assistance to the hundreds of thousands of people displaced as a consequence of the

armed hostilities and the expulsion of ethnic Armenians from Azerbaijan and ethnic Azerbaijanis from Armenia.

11. The Assembly condemns any expression of hatred portrayed in the media of Armenia and Azerbaijan. The Assembly calls on Armenia and Azerbaijan to foster reconciliation and to restore confidence and mutual understanding among their peoples through schools, universities and the media. Without such reconciliation, hatred and mistrust will prevent stability in the region and may lead to new violence. Any sustainable settlement must be preceded by and embedded in such a reconciliation process.

12. The Assembly calls on the Secretary General of the Council of Europe to draw up an action plan for support to Armenia and Azerbaijan targeted at mutual reconciliation processes, and to take this resolution into account in deciding on action concerning Armenia and Azerbaijan.

13. The Assembly calls on the Congress of Local and Regional Authorities of the Council of Europe to assist locally elected representatives of Armenia and Azerbaijan in establishing mutual contacts and interregional co-operation.

14. The Assembly resolves to analyse the conflict-settlement mechanisms existing within the Council of Europe, in particular the European Convention for the Peaceful Settlement of Disputes, in order to provide its member states with better mechanisms for the peaceful settlement of bilateral conflicts as well as internal disputes involving local or regional territorial communities or authorities which may endanger human rights, stability and peace.

15. The Assembly resolves to continue monitoring on a regular basis the evolution of this conflict towards its peaceful resolution and decides to reconsider this issue at its first part-session in 2006.

**THE ORGANISATION OF THE ISLAMIC CONFERENCE'S RESOLUTION
NO. 10/11-P(IS) ON THE AGGRESSION OF THE REPUBLIC OF
ARMENIA AGAINST THE REPUBLIC OF AZERBAIJAN**

The Eleventh Session of the Islamic Summit Conference (Session of the Islamic Ummah in the 21st Century), held in Dakar, Republic of Senegal, from 6 to 7 Rabiul Awal 1429h (13-14 March 2008),

Proceeding from the principles and objectives of the Charter of the Organization of the Islamic Conference;

Gravely concerned over the aggression by the Republic of Armenia against the Republic of Azerbaijan which has resulted in the occupation of about 20 percent of the territories of Azerbaijan;

Expressing its profound concern over continued occupation of significant part of the territories of Azerbaijan and illegal transfer of settlers of the Armenian nationality to those territories;

Deeply distressed over the plight of more than one million Azerbaijani displaced persons and refugees resulting from the Armenian aggression and over magnitude and severity of these humanitarian problems;

Reaffirming all previous relevant resolutions and, in particular, the Resolution No. 21/10-P(IS), adopted by the Tenth Session of the Islamic Summit Conference held in Putrajaya, from 20 to 21 Shaban, 1424H (16-17 October 2003);

Urging strict adherence to the Charter of the UN and full implementation of the relevant Security Council resolutions;

Welcoming all diplomatic and other efforts for the settlement of the conflict between Armenia and Azerbaijan;

Reaffirming commitment by all Member States to respect the sovereignty, territorial integrity and political independence of the Republic of Azerbaijan;

Noting also the destructive influence of the policy of aggression of the Republic of Armenia on the peace process within the OSCE framework;

Taking note of the Report of the Secretary General (Document No. OIC/ICFM-34/POL/SG-REP.6);

1. **Strongly** condemns the aggression of the Republic of Armenia against the Republic of Azerbaijan.

2. **Considers** the actions perpetrated against civilian Azerbaijani population in the occupied Azerbaijani territories as crimes against humanity.

3. **Strongly** condemns any looting and destruction of the archeological, cultural and religious monuments in the occupied territories of Azerbaijan.

4. **Strongly** demands the strict implementation of the United Nations Security Council resolutions 822, 853, 874 and 884, and the immediate, unconditional and complete withdrawal of Armenian forces from all occupied Azerbaijani territories including the Nagorno-Karabakh region and strongly urges Armenia to respect the sovereignty and territorial integrity of the Republic of Azerbaijan.

5. **Expresses** its concern that Armenia has not yet implemented demands contained in the above stated UN Security Council resolutions.

6. **Calls** on the UN Security Council to recognize the existence of aggression against the Republic of Azerbaijan; to take the necessary steps under Chapter VII of the Charter of the United Nations to ensure compliance with its resolutions; to condemn and reverse aggression against the sovereignty and territorial integrity of the Republic of Azerbaijan, and decides to take coordinated action to this end at the United Nations.

7. **Urges** all States to refrain from providing any supplies of arms and military equipment to Armenia, in order to deprive the aggressor of any opportunity to escalate the conflict and to continue the occupation of the Azerbaijani territories. The territories of the Member States should not be used for transit of such supplies.

8. **Calls** upon Member States, as well as other members of the international community, to use such effective political and economic measures as required in order to put an end to Armenian aggression and occupation of the Azerbaijani territories.

9. **Calls** for a just and peaceful settlement of the conflict between Armenia and Azerbaijan on the basis of respect for the principles of territorial integrity of states and inviolability of internationally recognized borders.

10. **Decides** to instruct the Permanent Representatives of Member States at the United Nations in New York, while voting at the UN General Assembly, to give full support to the issue of territorial integrity of the Republic of Azerbaijan.

11. **Urges** Armenia and all Member States of the OSCE Minsk Group to engage constructively in the ongoing OSCE peace process on the basis of the relevant resolutions of the UN Security Council and the relevant OSCE decisions and documents, including those of the First Additional Meeting of the OSCE Council of 24 March 1992, OSCE Summits of 5-6 December 1994, 2-3 December 1996, 18-19 November, 1999, and refrain from any action that will make it more difficult to reach a peaceful solution.

12. **Expresses** its full support for the three principles of the settlement of the armed conflict between Armenia and Azerbaijan contained in the statement of the OSCE Chairman-in-Office at the 1996 Lisbon OSCE Summit, namely the

territorial integrity of the Republic of Armenia and the Republic of Azerbaijan, highest degree of self-rule of the Nagorno-Karabakh region within Azerbaijan and guaranteed security for this region and its whole population.

13. **Stresses** that fait accompli may not serve as a basis for a settlement, and that neither the current situation within the occupied areas of the Republic of Azerbaijan, nor any actions, including arranging voting process, undertaken there to consolidate the status quo, may be recognized as legally valid.

14. **Demands** to cease and reverse immediately the transfer of settlers of the Armenian nationality to the occupied territories of Azerbaijan, which constitute a blatant violation of international humanitarian law and has a detrimental impact on the process of peaceful settlement of the conflict, and agrees to render its full support to the efforts of Azerbaijan undertaken to this end, including at the General Assembly of the United Nations, inter alia, through their respective Permanent Missions to the United Nations in New York.

15. **Requests** the OIC Member States to encourage their legal and physical persons not to be engaged in economic activities in the Nagorno-Karabakh region and other occupied territories of Azerbaijan.

16. **Expresses** its support to the activities of the OSCE Minsk Group and consultations held at the level of the Foreign Ministers of Azerbaijan and Armenia and its understanding that a step-by-step solution will help to ensure gradual elimination of the most serious consequences of the aggression against the Republic of Azerbaijan.

17. **Requests** the Secretary General to communicate the principled and firm position of the OIC vis-à-vis the Armenian aggression against the Republic of Azerbaijan, to the current Chairman of the Organization for Security and Cooperation in Europe.

18. **Reaffirms** its total solidarity with and support for the efforts undertaken by the Government and people of Azerbaijan to defend their country.

19. **Calls** for enabling the displaced persons and refugees to return to their homes in safety, honour and dignity.

20. **Expresses** its appreciation to all Member States which have provided humanitarian assistance to the refugees and displaced persons and urges all the others to extend their contribution to these people.

21. **Expresses** its concern over the severity of humanitarian problems concerning the existence of more than one million displaced persons and refugees in the territory of the Republic of Azerbaijan and requests the OIC Member States, the Islamic Development Bank and other Islamic Institutions to render much needed financial and humanitarian assistance to the Republic of Azerbaijan.

22. **Considers** that Azerbaijan has the right for appropriate compensation

with regard to damages it suffered as a result of the conflict and puts the responsibility for the adequate compensation of these damages on Armenia.

23. **Requests** the Secretary-General to follow up the implementation of this resolution and to report thereon to the 12th Islamic Summit Conference.

**UN GENERAL ASSEMBLY RESOLUTION 62/243 ON THE SITUATION IN
THE OCCUPIED TERRITORIES OF AZERBAIJAN –
MARCH 14, 2008**

Resolution adopted by the General Assembly

[without reference to a Main Committee (A/62/L.42)]

62/243. The situation in the occupied territories of Azerbaijan

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Recalling Security Council resolutions 822 (1993) of 30 April 1993, 853 (1993) of 29 July 1993, 874 (1993) of 14 October 1993 and 884 (1993) of 12 November 1993, as well as General Assembly resolutions 48/114 of 20 December 1993, entitled “Emergency international assistance to refugees and displaced persons in Azerbaijan”, and 60/285 of 7 September 2006, entitled “The situation in the occupied territories of Azerbaijan”,

Recalling also the report of the fact-finding mission of the Minsk Group of the Organization for Security and Cooperation in Europe to the occupied territories of Azerbaijan surrounding Nagorno-Karabakh and the letter on the fact-finding mission from the Co-Chairmen of the Minsk Group addressed to the Permanent Council of the Organization for Security and Cooperation in Europe,¹

Taking note of the report of the environmental assessment mission led by the Organization for Security and Cooperation in Europe to the fire-affected territories in and around the Nagorno-Karabakh region,²

Reaffirming the commitments of the parties to the conflict to abide scrupulously by the rules of international humanitarian law,

Seriously concerned that the armed conflict in and around the Nagorno-Karabakh region of the Republic of Azerbaijan continues to endanger international peace and security, and mindful of its adverse implications for the humanitarian situation and development of the countries of the South Caucasus,

1. *Reaffirms* continued respect and support for the sovereignty and territorial integrity of the Republic of Azerbaijan within its internationally recognized borders;

2. *Demands* the immediate, complete and unconditional withdrawal of all Armenian forces from all the occupied territories of the Republic of Azerbaijan;

¹ See A/59/747-S/2005/187.

² A/61/696, annex.

3. *Reaffirms* the inalienable right of the population expelled from the occupied territories of the Republic of Azerbaijan to return to their homes, and stresses the necessity of creating appropriate conditions for this return, including the comprehensive rehabilitation of the conflict-affected territories;

4. *Recognizes* the necessity of providing normal, secure and equal conditions of life for Armenian and Azerbaijani communities in the Nagorno-Karabakh region of the Republic of Azerbaijan, which will allow an effective democratic system of self-governance to be built up in this region within the Republic of Azerbaijan;

5. *Reaffirms* that no State shall recognize as lawful the situation resulting from the occupation of the territories of the Republic of Azerbaijan, nor render aid or assistance in maintaining this situation;

6. *Expresses* its support to the international mediation efforts, in particular those of the Co-Chairmen of the Minsk Group of the Organization for Security and Cooperation in Europe, aimed at peaceful settlement of the conflict in accordance with the norms and principles of international law, and recognizes the necessity of intensifying these efforts with a view to achieving a lasting and durable peace in compliance with the provisions stipulated above;

7. *Calls* upon Member States and international and regional organizations and arrangements to effectively contribute, within their competence, to the Process of settlement of the conflict;

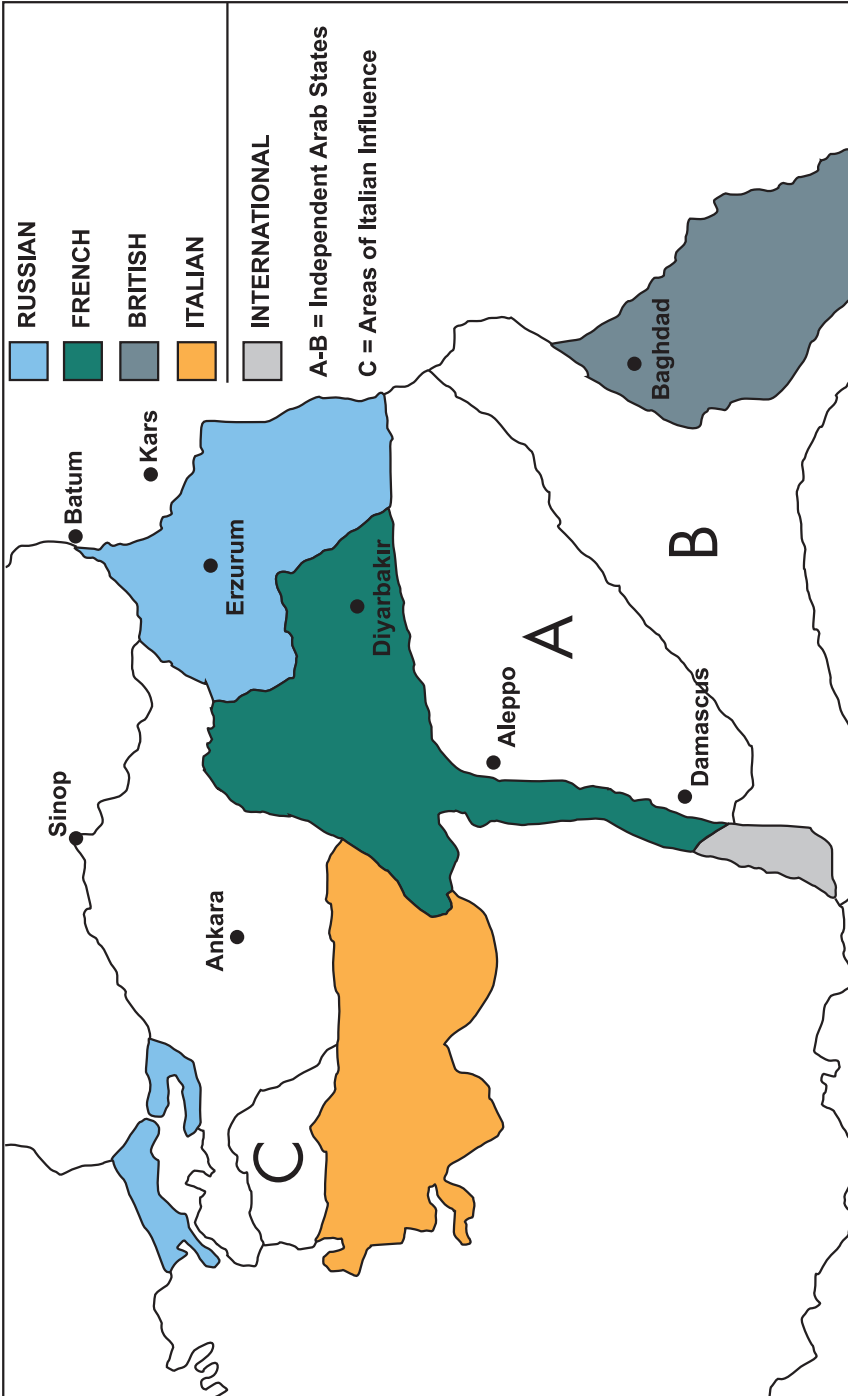
8. *Requests* the Secretary-General to submit to the General Assembly at its sixty-third session a comprehensive report on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-third session the item entitled "The situation in the occupied territories of Azerbaijan".

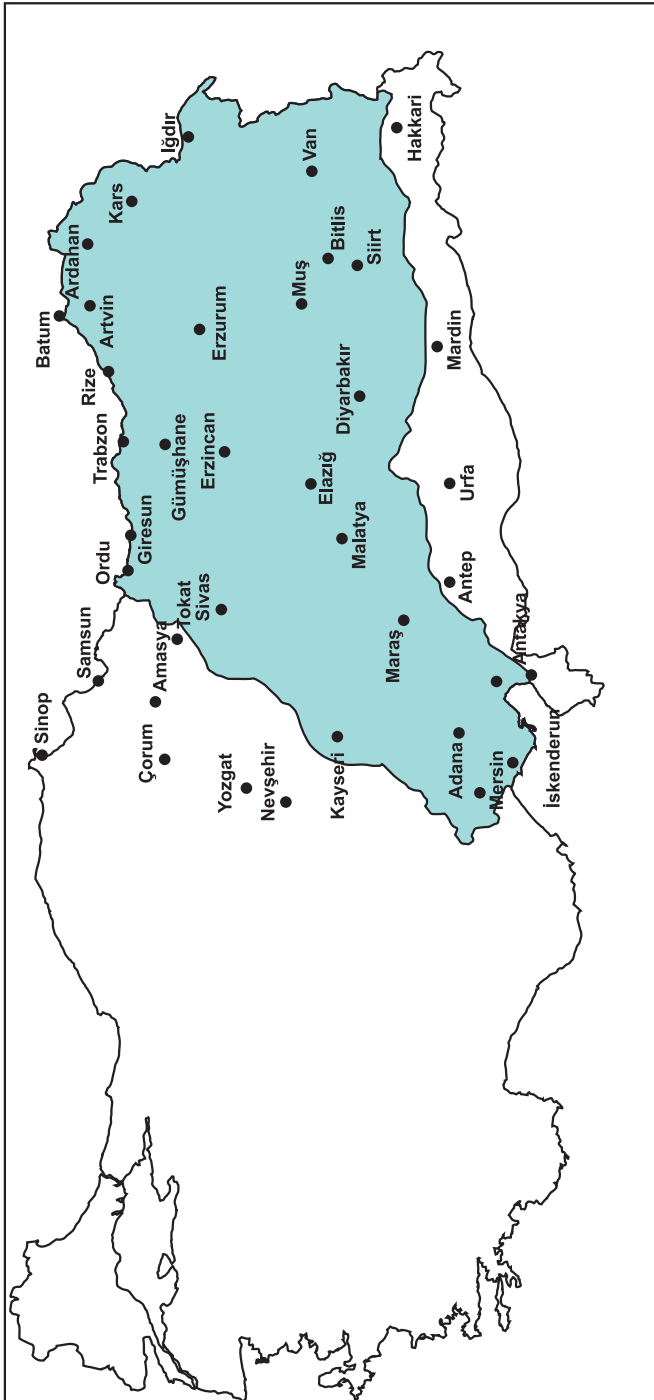
*86th plenary meeting
14 March 2008*

B - MAPS

PARTITION OF THE OTTOMAN EMPIRE IN THE SYKES-PICOT AGREEMENT

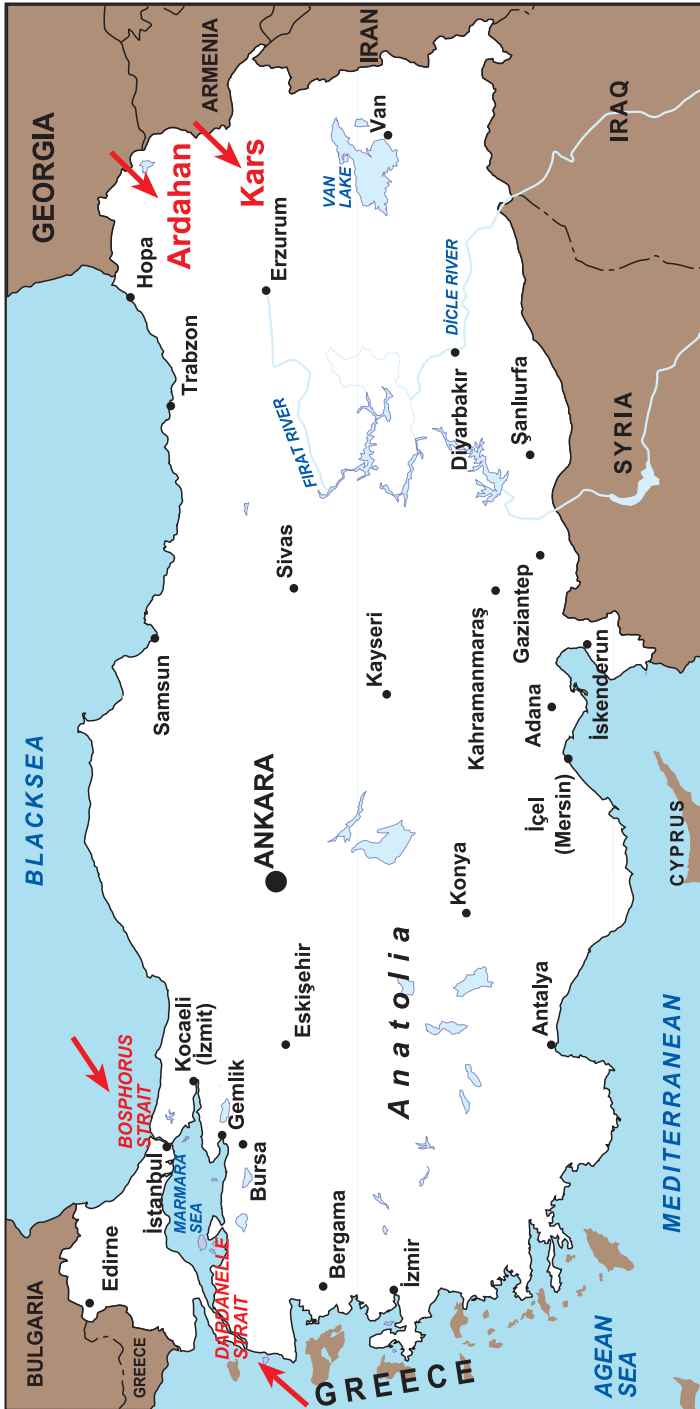


ARMENIAN LAND DEMANDS IN THE PARIS PEACE CONFERENCE



**LANDS PROMISED TO THE ARMENIANS
IN THE TREATY OF SÈVRES**

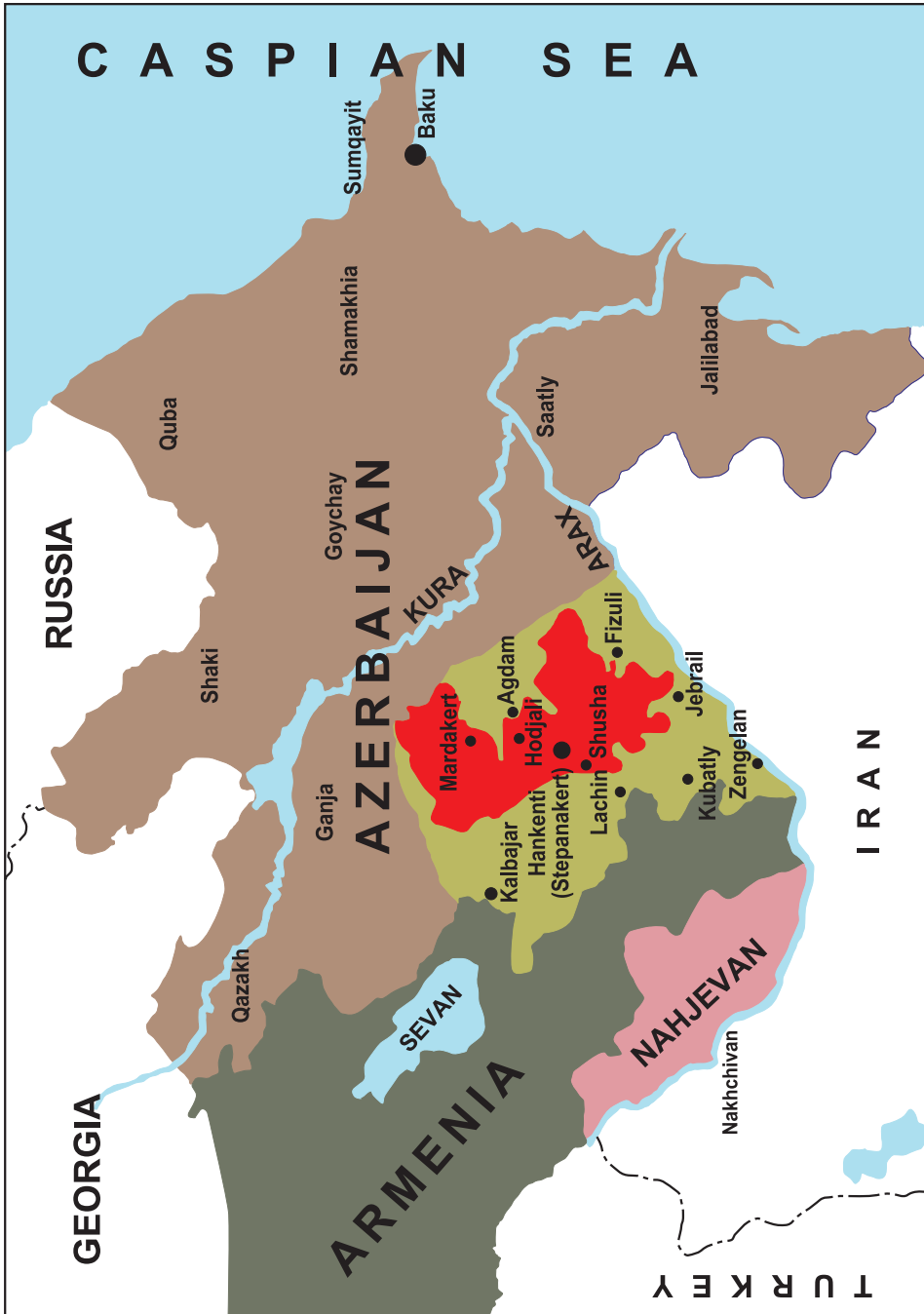
THE SOVIET UNION'S TERRITORIAL DEMANDS FROM TURKEY IN 1945



THE KARABAKH REGION



**AZERBAIJANI TERRITORY OCCUPIED BY ARMENIA,
INCLUDING KARABAKH**



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