

REVIEW OF
ARMENIAN STUDIES

A Biannual Journal of History, Politics and International Relations

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Facts and Comments

Ömer E. LÜTEM

Relocation of the Ottoman Armenians in 1915: A Reassessment

Prof. Dr. Kemal ÇİÇEK

Discussing the Probability of Turkish-Armenian Integration by
Making Comparison to the European Case

Assist. Prof. Dr. Deniz ALTINBAŞ

An Invitation to Truth, Transparency and Accountability:
Towards "Responsible Dialogue" on the Armenian Issue

Pulat TACAR

A Booklet Regarding the Armenian Question in Hungary

Yücel NAMAL

BOOK REVIEW



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As usual, we have in this issue of the Review of Armenian Studies five articles on different subjects which is followed by a Book Review.

During the seven months passed by until now since the last issue of the Review, significant developments have taken place on the Armenian Question and Turkey-Armenia relations. **“Facts and Comments”** classifies these according to their subjects, provides rather detailed information and makes some comments.

Prof. Dr. Kemal ÇİÇEK’s article entitled **“Relocation of the Armenians in 1915: A Reassessment”** addresses the key issues of the Armenian relocation such as distortion of the UN Convention of 1948, relocation as a security measure, limits of the Armenian transfers, the legend of the “death march”, and to what extent the Ottoman Government is responsible etc.

Alfred de Zayas, a retired UN High Commissioner of Human Rights, has written a book entitled “The Genocide Against the Armenian 1915-1923 and the Relevance of the 1948 Genocide Convention” published by the Armenian Haigazian University in Beirut. **Retired Ambassador Pulat TACAR**, in his article **“An Invitation to Truth, Transparency and Accountability: Toward “Responsible Dialogue”** makes a detailed analyses of the book and refutes some very controversial views of de Zayas.

Assist. Prof. Deniz ALTINBAŞ, in her **“Discussing The Probability Of Turkish-Armenian Integration By Making Comparison To The European Case”** article, after explaining definition, meaning, stages of Integration and terms like, intergovernmentalism, supranationalism federalism, confederalism, etc. studies the reasons, type, obstacle of a future Turkish-Armenian Integration and make comparisons with the European Integration process.

Armenians’ activities in Hungary against the Ottoman Empire are almost unknown. However Dr Atilla von Orbök, in a booklet he published in 1916,

tried to explain these activities and drew the attention of the Hungarian public opinion, who, for religious reasons, could support Armenian views. **Yücel NAMAL**, in his article “**A Booklet Regarding the Armenian Question in Hungary**” gives detailed information about von Orbök and his booklet.

In the “**Book Review**” section of this issue, **Halit GÜLŞEN** analyzes some very interesting points of the last book of Şükrü Server Aya: “**The Genocide of Truth Continues, But Facts Tell the Real Story**”.

With best wishes

FACTS AND COMMENTS

Ömer Engin LÜTEM

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Abstract: *This article addresses the developments in Turkey-Armenia relations that took place between June 2010 and February 2011 and developments in the US, Germany, Turkey and some other countries concerning the genocide allegations, and moreover, examines the issue of the Russian military base in Armenia.*

Key Words: *Turkey-Armenia Protocols, Armenian genocide allegations, US, Germany, China, Switzerland, Italy, Serbia, Russia, Ukraine, Norway, The Netherlands, Canada, Lebanon, The Czech Republic, Iran, Spain, The United Kingdom, Israel, Uruguay, The Council of Europe, Russian military base in Armenia, Armenia Genocide Museum in Washington*

Content of the Article: Due to the unusual length of this article, we thought that a content will be useful for the readers.

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I – TURKEY-ARMENIA PROTOCOLS

When Turkey linked the Turkish Grand National Assembly's ratification and therefore the implementation of the Turkey-Armenia Protocols signed on 10 October 2009 to the settlement of the Karabakh Conflict, or at least to significant developments taking place towards a settlement, Armenian President Serge Sarkisian on 22 April 2010, claiming that Turkey is not ready to continue this process without making preconditions and that the reasonable timeframe for the ratification of the Protocols has elapsed, declared that Armenia has suspended the process of their ratification.¹

This decision of Armenia shows that they are not ready to settle the Karabakh conflict, at least in a feasible future. On the other hand, the decision is a step back in the normalization process in Turkey- Armenia relations. Although Armenia is responsible for suspending the process, Russia, the US and EU countries have not criticized it for its decision. In fact it has been credited for not entirely rejecting the Protocols.

Following Armenia's suspension of the ratification process, while this issue was pushed to the background of Turkey's and the Turkish media's agenda, such a tendency was not observed in Armenia. On the contrary, President Sarkisian and Foreign Minister Nalbandyan have begun to criticize Turkey at every opportunity.

1 Ömer Engin Lütem, "Facts and Comments", *Review of Armenian Studies*, 2010, No. 21, pp. 48-49.

For instance, in an interview President Sarkisian gave to the Russian Ria-Novosti Press Agency in April 2010,² he said that Armenia has not entirely closed the door on the Protocols, but that at the same time the genocide allegations could not become a subject of discussion because this matter has already been studied enough and has been based on documents. However, he said that the issue of redressing the consequences of genocide (such as returning of properties to Armenian descendants of those relocated, giving compensation to them) could be addressed.

No provision concerning these points exists in the Protocols. These types of issues have been essentially resolved in the Treaty of Lausanne and later on by Turkish laws. In this respect, the Armenian President, putting forward matters which are totally unacceptable for Turkey, shows that they do not expect an agreement with Turkey in the near future.

In his speeches delivered in Brussels to NATO and the European Union towards the end of May,³ President Sarkisian has also referred to Turkey and the Protocols. First, he has said that since Turkey has put forward preconditions and violated the agreed terms, Armenia is left with no choice but to suspend the ratification process of the Protocols. Then, he has indicated that Turkey has ruined its reputation of being a reliable partner in negotiations. Moreover, he has stated that Armenia would only be glad if Turkey could meet all the standards of EU membership as this would mean dealing with a more reliable and stable country with values close to theirs. In short, the Armenian President has made a claim which is not much convincing that Turkey, as an unstable and irresponsible country, is below the standards of EU, while Armenia is closer to these standards.

By referring to Prime Minister Erdoğan in another speech delivered to representatives of the Armenian community in Brussels, President Sarkisian stated that recently Armenians have become a target of spread of hatred and that when a leader of a neighboring state says that Armenians must be deported for the sole reason of being Armenian, he cannot help but remember what happened in 1915. It could be understood that the Armenian President was referring to Prime Minister Erdoğan's statement that Armenian citizens working illegally in Turkey could be sent back to their country, but that this has not happened because of humanitarian considerations. In this respect, to consider the sending of illegal workers in Turkey back to their home countries as a kind of deportation is an exaggeration impossible to accept.

2 "L'interview du President Sarkisian à l'", *Agence Russe Ria-Novosti, Armennews*, 1 May 2010.

3 Sarkisian, "Türkiye Azerbaycan'a Yardım Etmiyor", (Turkey is not Helping Azerbaijan), *Anadolu Agency*, 26 May 2010.

At the beginning of June, in Rostov (Russia), Serge Sarkisian has met with Russian President Dmitri Medvedev and held a meeting with local Armenians. In his speech,⁴ the Armenian President has said that Turkey is not ready to ratify the protocols, that it constantly brings forward new preconditions, that it tries to intervene in the Karabakh issue which is not its concern, and that, at this moment, Armenia has nothing to talk about with an unreliable partner who constantly breaks the agreements previously reached.

These statements by the Armenian President have drawn reactions from Turkey. The Foreign Ministry Spokesman Burak Özügergin has said that these harsh statements will not be favorable neither to Armenia, nor to the normalization process between the two countries, and that Turkey uses peaceful language and has a regional vision that focuses on the solution of the Karabakh problem as much as on the normalization process.⁵

Although Armenia is responsible for suspending the process, Russia, the US and EU countries have not criticized it for its decision.

President Sarkisian has also continued to criticize Turkey in Germany where he has said that Turkey had backed out of its commitments, failed to ratify the signed protocols, started to put forward preconditions, and asserted that Turkey's policy of "zero problems with neighbors" has not yielded any result.⁶

In a speech delivered in Armenia in July 2010 to young people, the Armenian President has said that "the whole world urges Turkey to display political will and to ratify the signed protocols. The Turks pretend not to hear and urge us to display political will. We have displayed our share of political will. We would never neglect an extended hand of friendship, but that hand simply does not exist, so we disregard it. Again, we have displayed our share of political will, now we wait for the Turks to display good will".⁷

During Russian President Dimitri Medvedev's visit to Armenia, in a speech delivered in Gyumri at a memorial erected in honor of Russian soldiers who lost their lives in the battles against Turkey, Serge Sarkisian has stated that the normalization process has come to a standstill because of lack of political will on

4 "Visited President Sarkisian At Rostov", *Armennews*, 8 June 2010.

5 "Söylemdeki Sertleşmenin Kimseye Faydası Olmaz" (The Strictness in the Statement Won't Be Beneficial to Anyone), *Haberler.com*, 27 May 2010.

6 "President Sargsyan's Speech At The Konrad Adenauer Foundation", *President.am*, 26 June 2010.

7 "President Serzh Sargsyan Responds to the Questions Raised By the Participants Of The Miasin Youth Movement", *President.am*, 21 July 2010.

Turkey's part and that for the moment they are forced to wait for Ankara to show real commitment to meet its international obligations.⁸

Let us examine more closely the Armenian President's assertion that Turkey lacks political will for the ratification of the Protocols, as he constantly reiterates. Turkey has signed the Protocols, but has linked their implementation to the condition of the settlement of the Karabakh Conflict, or at least to developments taking place to this end. The only political will which could be mentioned of here is Turkey's very strong will not to harm Azerbaijan's interests. On the other hand, contrary to President Sarkisian's assertion, Turkey does not carry any international obligation to ratify the Protocols and no provision relating to the timeframe of ratification exists in the texts of the Protocols. Thus, in principle, Turkey could ratify the Protocols at any time which it finds appropriate. In this situation, Armenia's option is to wait for Turkey's ratification or to renounce the Protocols if it cannot wait.

Sarkisian has continued to make statements of this kind in an interview given in September 2010 to Ukraine's Profile Journal.⁹ He has said, "yes, Turks committed the genocide. Yes, they seized our territories of vital importance. Yes, they denied that crime for a hundred years. And denying crime is maybe even graver than committing it". Sarkisian has stated that the establishment of diplomatic relations and the opening of borders are beneficial not only for Armenia and Turkey, but also for Georgia, Azerbaijan and the whole region, and that this is why he considered it wrong to wait until Turkey recognized the genocide. Furthermore he has said that the Armenian people, and especially Diaspora Armenians, did not agree entirely with his approach, that the Armenian people was emotional, that almost every family was affected by the genocide; but that in the end the situation had been grasped, and that now very few people thought he was wrong. He has gone on to say that Armenia's initiative does not contradict their national interests, and that it does not mean that they are abandoning the process of international recognition of the genocide or that they are making concessions, that they had tried every method, except confrontation to make Turkey recognize the genocide. Additionally, he has said that after the process was launched, unexpected developments took place in Turkey: In big cities of Turkey young people started to speak about the "genocide". Sarkisian has also indicated that they have not managed to normalize relations with Turkey, but now they expect political forces or leaders to appear in Turkey who will be ready to show political will.

8 "Armenian President: We Are Forced To Wait For Ankara To Show Real Commitment to Meet Its International Obligations", *Arminfo*, 20 August 2010.

9 Serzh Sargsyan: "I Considered It wrong To Stay In Position of Offended and Wait Until Turkey Recognized Genocide", *Panorama*, 17 September 2010.

This interview has shed light on most of President Sarkisian's thoughts about Turkey. First of all, it can be seen that he is trying to counter the criticisms coming from Armenia and the Diaspora for attempting to establish normal relations with Turkey without it recognizing the genocide allegations. He has based this defense on the argument that establishing normal relations with Turkey does not contradict Armenia's interests, that Armenia is not making any concessions, and that the international recognition of genocide effort has not been given up. Furthermore, he has put forward a debatable point that normalizing relations with Turkey will also be to the benefit of Georgia and Azerbaijan.

The second notable point in Sarkisian's interview is that unexpected developments have taken place in Turkey related to genocide allegations and that this subject has started being discussed in big cities by young people. A parallel exists between the acceptance of Armenian genocide allegations by small groups in Turkey and Turkey's EU membership process. Most likely, this is the result of encouragement and even assistance coming from EU circles and the US. On the other hand, it can be seen that a great majority of those who endorse Armenian genocide allegations are some Kurdish groups or former leftist new liberal intellectuals. Although there are well known persons among them, their influence is limited due to their numbers and contrary to President Sarkisian's claim, almost none are young.

President Sarkisian has stated that the appearance of new political forces or leaders is awaited for the normalization of relations with Turkey. Logically, these political forces or leaders have to emerge from the groups mentioned above. However, these groups at the present do not possess any power in the political field, and cannot be expected to gain such power in the short or medium terms. Therefore, the conclusion can be reached that Turkish-Armenian reconciliation will not be possible in the near future.

Armenian Foreign Minister Nalbandyan has also displayed a negative approach towards Turkey in his speeches and just like Sarkisian, has attempted to lay the responsibility of bringing the Protocols to a standstill upon Turkey. We do not have enough space to examine these. However, we will address two cases.

In his annual speech at the UN General Assembly, in relation to the Protocols, Nalbandyan has said that Turkey has not been loyal to its commitments, has begun to put forward preconditions and that the Turkey-Armenia border continues to remain the only closed border in Europe.¹⁰ It seems that the Armenian minister has forgotten that his country's border with Azerbaijan is also closed.

10 "Armenia-Turkish Border Continues to Remain Closed As Result of Turkey's Language of Preconditions", *PanArmenian.net*, 26 September 2010.

Nalbandyan's article "Turkey Has Gone Back on Its Word", published in the Wall Street Journal of 12 October 2010, contains the same themes and the subject of preconditions has been particularly emphasized. Indicating that the Protocols have been prepared without any preconditions, Nalbandyan has said that Turkey attempted to link the Armenian-Turkish normalization process to the settlement of the Karabakh conflict and wanted a comprehensive settlement to all the problems in the region, but that this was not realistic. Moreover, he has said that Turkey uses the normalization process hypocritically by arguing that adoption of resolutions on the Armenian genocide in various countries can damage the normalization process. On the other hand, he emphasized that contrary to what is reported in the

On the other hand, it can be seen that a great majority of those who endorse Armenian genocide allegations are some Kurdish groups or former leftist new liberal intellectuals.

Turkish media, there is neither "silent diplomacy" nor a "new round of negotiations" for the restarting of the normalization process.

In his article, Nalbandyan has said that on issues such as there should be no preconditions and the normalization process should not be tied to Karabakh, the views of Armenia were supported by the whole international community (UN, the OSCE, the EU, the US, Russia, Switzerland etc.) and that the suspension of the ratification

process by Armenia has been met with understanding. In principle this is correct. However, no one has openly criticized Turkey for this reason. In fact, in response to a question related to this subject, the Spokesman of the US Foreign Ministry only said "we remain committed to the resolution of these issues".¹¹ On the other hand, it can be seen that everyone is aware that apart from or along with the problems between Armenia-Turkey, the settlement of the Armenia-Azerbaijan conflict will be very beneficial, but that they do not want to put pressure on either Turkey or Armenia in this direction.

As for Turkey's position, Turkish statesmen have also addressed problems with Armenia when necessary, even if not as much as Armenians.

Turkey's stance regarding this matter could be described as follows. Signing the Protocols with Armenia does not mean that the process has come to an end. For the Protocols to enter into force, they must be ratified by the parliaments of both countries. Establishing peace and stability in the South Caucasus region, which is strategically important, is among the essential aims of Turkish foreign policy. In order to achieve this, normalization of Turkey-Armenia relations is not enough; concrete steps must also be taken to settle the conflict between Azerbaijan and

11 "Washington Still Committed to Protocols, Says Spokesman", *Asbarez*, 13 October 2010.

Armenia.¹² In short, Turkey remains dedicated to the Protocols, but expects concrete (significant) developments in the Karabakh issue in order to put them into force.

For a quick resolution of the Karabakh conflict, Turkey has started to invite concerning parties and Minsk Group members to undertake new initiatives. Touching upon this issue during his courtesy visit to Azerbaijan in August, President Gül has stated that after 18 years, the Minsk Group has not obtained any concrete results and therefore new initiatives are necessary.¹³

It would be quite normal for Turkey to also take part in these initiatives. This can be possible with Turkey being included in the Minsk Group or by holding talks with Azerbaijan and Armenia outside this group. Regarding this issue, we should first indicate that Armenia does not want Turkey to take part in the resolution of the Karabakh Conflict in any way. Perhaps, this approach is based on the belief that Turkey will not be able to act neutrally. The attitude of the Minsk Group towards Turkey's possible involvement is not known. According to an Armenian source, an official of the Ministry of Foreign Affairs of the Russian Federation, Andre Klein, has said that Turkey's inclusion in this group will be counter-productive and that the other members of the Minsk Group (the US and France) are also against Turkey's inclusion.¹⁴

Meanwhile, gestures of goodwill by Turkey towards Armenia have been observed. The media has reported that President Gül sent an out of the ordinary letter to Sarkisian on Armenia's anniversary of independence in which he not only offered congratulations, but mentioned other issues and expressed the hope for the Protocols to establish the basis of future relations between the two countries.¹⁵ In this way, Turkey has shown that its desire and will for the normalization of relations with Armenia is continuing.

The same desire and will could also be seen in Foreign Minister Davutoğlu's speech delivered at Harvard University in the US at the end of September. In that speech, Davutoğlu has mentioned that Turkey wants to normalize its relations with Armenia, and going beyond that, has said that normal relations were desired not

12 A shortened version of Foreign Minister Ahmet Davutoğlu's response to a parliamentary question posed by DSP Istanbul Deputy Süleyman Yağız to Prime Minister Recep Tayyip Erdoğan concerning the Protocols. See: "Davutoğlu: Ermenistan'la Hazırlanan Protokollerin İmzasıyla Süreç Sona Ermiş Değildir" (Davutoğlu: The Process Has not Ended with the Signing of the Protocols with Armenia", *Beyzade Newspaper*, 14 July 2010.

13 "Azerbaycan'ın İşgal Edilmiş Toprakları Uzun Süre Böyle Kalamaz" (The Occupied Territories of Azerbaijan Won't Remain This Way for a Long Time), *Zaman*, 14 August 2010.

14 "Moscou Réaffirme Son Opposition A La Participation D'Ankara Au Processus de Paix du Karabagh", *Armenews*, 28 September 2010.

15 "Gül'den Ermenistan'a Bağımsızlık Günü Mektubu" (Gül's Letter to Armenia for Day of Independence), *Hürriyet*, 22 September 2010.

only between Turkey and Armenia, but also in Boston, California, Argentina, Paris and wherever Turks and Armenians live, thus alluding to the Diaspora as well.

On the other hand, he did not want Turkish-Armenian relations to be transfixed only on a certain period of time and has indicated that the two nations have lived together for a thousand years.

After expressing that Armenians only take their own views into consideration and therefore accuse Turkey, Davutoğlu has gone on to describe the 1915 events as a “tragedy”. He has said, “yes, we have suffered a pain. And we are ready to share this pain. However, if anyone accuses us of genocide or of denying it for 100 years, then what is it that Turks have suffered in the Caucasus and the Balkans during the same years? Why are there more Bosnians, Georgians and Albanians in Turkey today than in their own countries?

The attitude of the Minsk Group towards Turkey’s possible involvement is not known.

Because they were also forced to emigrate to Turkey after experiencing similar events. But, today, we do not blame the Balkan nations, nor do we accuse the Russians, demanding from them why they oppressed the Abkhasians and Chechens in the Caucasus. All Meskhetian Turks were exiled from their homes during the Stalin era. However, we did not accuse the Russians of committing genocide, because those times have passed and we are ready today to share in these troubles. The critical thing here are the memories”. Moreover, he has expressed that Turkey is prepared to discuss the 1915 events and in this context has said, “Do not tell the story of the event from only one side. Listen to the stories of both sides in this event. But, do not close the door, do not accuse. Listen at the same time”.¹⁶

However, just like Armenia, the Diaspora has not responded to these expressions of goodwill. News in the Turkish media that negotiations between Turkey and Armenia will restart and that private contacts are being held through the mediation of Switzerland¹⁷ have been refuted in Nalbandyan’s article mentioned above, which appeared in the Wall Street Journal on 12 October 2010.

Following everything we have mentioned, the stances of the parties could be summarized as follows: Turkey is committed to the Protocols, but links their

16 “Davutoğlu Ermenistan’ı Böyle Uyardı” (Davutoğlu Warned Armenia Like This), *Internet Haber*, 29 September 2010.

17 “İsviçre Protokoller İçin Nabız Yokladı” (Switzerland Made Inquiries on the Protocols), *Hürriyet*, 2 October 2010.

ratification and implementation to important steps being taken for the settlement of the Karabakh conflict. Armenia is also committed to the Protocols, but wants the ratification and implementation of these documents not to be linked to any other conflict. On the other hand, Turkey wishes to contribute to the settlement of the Karabakh Conflict, but Armenia opposes this. The three major states comprising the Minsk Group also hold the same opinion and are not in favor of outsiders to be included in their group.

At present, Turkey and Armenia are in a period where they both expect new developments to take place. As could be understood from the statements of Armenian statesmen in response to Turkey's statements of goodwill, Armenia has adopted an approach of blaming Turkey for the non-implementation of the Protocols. On the other hand, it is clear that Armenia, with the support of the Diaspora, is trying to put pressure on Turkey through the draft resolution in the US House of Representatives, the draft law in the French Senate and drafts that could be adopted by some other countries' parliaments regarding the genocide issue. However, experience until now shows that these kinds of pressures only create reactions in Turkey towards the country concerned and nothing more, and in particular, do not change Turkey's well-known stance.

Armenia's temporary removal of the Turkey-Armenia Protocols from the agenda of their own Parliament and Turkey maintaining the Protocols on the agenda of the Foreign Affairs Committee of the Grand National Assembly, but waiting for significant developments to take place regarding the Karabakh conflict in order to ratify the Protocols, have resulted in tensions arising between the two countries.

Armenia's stance has been to take initiatives on the one hand for the recognition of the genocide allegations within various circles, while on the other hand, to constantly accuse Turkey due to the Protocols. In response to this, Turkey has attempted to revive Turkey-Armenia relations and the issue of the Protocols which had fallen off the agenda.

President Gül's statement that it is now time for silent diplomacy has been interpreted within the Armenian press as secret talks being held between Turkey and Armenia¹⁸ and moreover, news have emerged that Armenia's former Foreign Minister Vartan Oskanyan and Armenia's First President Ter Petrosyan's Advisor Jirair Libaridian have carried out negotiations in Rome with some former Turkish diplomats.¹⁹ While the Armenian Foreign Ministry Spokesman has indicated that no talks are being held between Armenia and Turkey,²⁰ Foreign Minister

18 "Ankara'nın AB'ye Girişiyile Ermeni Meselesi Arasında İlişki Yoktur" (There is No Relation Between Ankara Joining the EU and the Armenian Question), *Tert.am/tr*, 7 October 2010.

19 "Oskanyan and Liparityan in Secret?", *Largir.am*, 5 October 2010.

20 "Armenia Rejects Claim Over Secret Talks With Turkey", *Today's Zaman*, 7 October 2010.

Nalbandyan has stated in response to a question in the Parliament that “I assure you that we haven’t had any talk or phone conversations with the Turkish side for recent several months and we are not planning any in the upcoming future... We will consider talks with Turkey possible only after Turkey is ready to start the normalization process without any preconditions”.²¹ The significant point here is that Nalbandyan has referred to “official” talks. If it has taken place, the negotiations in Rome were not official.

In contrast to Armenia’s stance that no talks are held between the two countries, Foreign Minister Ahmet Davutoğlu, without expressing whether negotiations have been carried out or not, has stated that the normalization process of Turkey-Armenia relations has not yet ended, that this is a continuous process and will not end until peace has been achieved in the Caucasus.²²

This statement of the Foreign Minister reflects the difference of opinion between the two countries. While Davutoğlu considers the establishment of normal relations with Armenia within the framework of peace in the Caucasus, the Armenian side wants to only regard this issue as a bilateral problem and therefore, attempts to keep its conflict with Azerbaijan regarding Karabakh outside its relations with Turkey.

As is known, Switzerland had the role of mediator in the negotiations and signing of the Protocols. After the normalization process of Turkey-Armenia relations has been frozen by Armenia, it was expected for Switzerland to find a solution to this situation. According to the press, Switzerland had eventually started “phone diplomacy” in order to revive the Protocols and had met with the foreign ministers of both countries within this framework.²³ Swiss Foreign Minister Calmy-Rey has also expressed that the two sides are holding active consultations and that Switzerland is determined to move the process forward.²⁴ However, the Armenian side has insisted that negotiations have not taken place and Foreign Minister Nalbandyan has criticized Turkey’s stance regarding the Protocols in his article published in the Wall Street Journal on October 12th 2010, and has emphasized that “silent diplomacy” and “new negotiations” with Turkey have not taken place. But, the Minister’s statement has been refuted later on by Swiss President Doris Leuthard. In an interview delivered to Zaman newspaper, in response to the question of whether Switzerland still keeps on its mediator role, the Swiss President has stated that “Behind the curtains you always have contact. It depends

21 “Armenia Has Had No Telconversation With Turkey Recently – Foreign Minister”, *Panorama*, 6 October 2010.

22 “Davutoğlu: “Erivan ile Süreç Bitmedi” (Davutoğlu: The Process with Yerevan Has Not Ended), *Cnnturk.com*, 4 October 2010.

23 “İsviçre Protokoller İçin Nabız Yokladı” (Switzerland Made Inquiries for the Protocols), *Hürriyet*, 2 October 2010.

24 “Yerevan Denies Talks With Turkey”, *Asbarez*, 6 October 2010.

on the political will of the sides. We are the facilitators of the process. It is sometimes not important to be fast. It is more important that you have an agreement based on quality and mutual understanding”. Furthermore, in response to the question of whether the Protocols are still on the table and whether there is a request for mediation by the parties, he has indicated that “there is no doubt that both sides have a political will to that end. Therefore, we hope that the two countries will continue the normalization process. We will provide information to the public when the time comes. Sometimes it is more beneficial to carry out silent diplomacy rather than to publicly discuss each detail of every issue”.²⁵

On the other hand, it has been observed that Turkish authorities have continued their statements of goodwill towards Armenia.

Foreign Minister Davutoğlu has stated that “We can re-establish in good faith our friendship with Armenia which we had sustained for hundreds of years, but which had been interrupted for a period. But, the Armenian side must also display that they can share in our vision whether in their relations with us or in their positions in the region, through their activities and statements”.²⁶

In response to a question posed in the UK which President Gül had travelled to in order to receive the “Chatham House” award for not only various international activities and initiatives, but also for the normalization of Turkey-Armenia relations, he has stated that Turkey has instantly recognized Armenia’s independence, that despite Turkey’s move, there has been a number of problems between the states, Turkey steps up efforts to resolve them, and that this is the reason Turkey is using “silent diplomacy”.²⁷

As a response to President Gül’s statement in the UK, Armenian Foreign Ministry Spokesman Tigran Balayan has expressed that “the talks between Armenia and Turkey have ended and the only step to restore them is ratification and implementation of the Armenian-Turkish Protocols. Armenia’s stance is to ratify the Protocols without any pre-condition and fulfill them. The talks have been finished”.²⁸ On the other hand, in response to a question in the Armenian Parliament, Foreign Minister Nalbandyan has stated that “if Turkey is sincere in its aims concerning normalization, it should take a rather simple step; it should ratify and implement the protocols without any preconditions”.²⁹

25 “Gül’ün Ziyareti Çok Özel” (Gül’s Visit is Very Special), *Zaman*, November 2010.

26 Davutoğlu’nun “Genç Yaklaşım” Dergisine mülakatı (Davutoğlu’s Interview to “Genç Yaklaşım” Journal), *Cafesiyaset.com*, 5 November 2010.

27 “Gul Evadeded Question on Precise Terms of Border Opening”, *News.am*, 9 November 2010.

28 “Armenian Foreign Ministry: The Talks Between Armenia and Turkey Have Ended, The Time Has Come To Act”, *ArmInfo*, 9 November 2010.

29 “Edward Nalbandyan: New Negotiations With Turkey on Normalization of Relations Have Not Been Held and are Not Being Held”, *Armenpress*, 17 November 2010.

This negative attitude on the side of Armenian officials did not dissuade President Gül from expressing his intention to establish normal relations with Armenia. That various initiatives are being held for this purpose. While returning from his visit to Turkmenistan, the President has stated to journalists that the normalization process of Turkey-Armenia relations has not yet died off, that the issue maintains its significance, that the current situation is not beneficial to anyone, and that if the problems between the countries in the Caucasus are resolved and the suspicions are eliminated, then great economic cooperation will arise. He has also expressed that there will be an outburst in a short time, that activities are being conducted concerning the Caucasus and that presidents Sarkisian, Aliev and Medvedev are constantly in contact.³⁰

The President has also delivered similar statements during his visit to Switzerland and in his speech on November 25th in the Swiss Parliament, has expressed that “these types of issues are not easily resolved. However, we are maintaining with great determination our powerful will to put into action the Protocols which aim at the normalization of Turkey-Armenia relations and we are sincerely continuing our efforts for permanent and comprehensive peace to prevail in the Caucasus. We also expect from President Sarkisian, who played a significant role in reaching this level, to continue with the same determination which he maintained up till now in order to successfully complete the process”.³¹

News in the press has revealed that President Gül had also discussed the issue of Turkey-Armenia relations with President Medvedev in the beginning of December in Astana during the OSCE Summit and that the conflicts of Turkey, Armenia and Azerbaijan have been encouraged to be settled in that whole.³² On the other hand, the Presidents of Turkey and Armenia not meeting to hold discussions in Astana when they had the opportunity to do so, stands as evidence that the tensions caused by the Protocols between the two sides are still continuing.

In the press conference organized at the end of December in Istanbul during the Summit of Heads of State and Government of the Economic Cooperation Organization (ECO), President Gül had stated “we give importance to the normalization of our neighborly relations with Armenia. Steps have been taken in this direction. We hope that these difficult issues will be resolved and at the end, peace and stability will prevail in the entire region of the Caucasus. For these to be resolved, the occupation of Azeri territories must come to an end. There are around one million immigrants. All of these must be taken into consideration”.³³

30 “Gül”den Kritik Ermenistan Açıklaması” (Critical Explanaton on Armenia by Gül), *Bugün.com.tr*, 13 November 2010.

31 <http://www.tccb.gov.tr/haberler/170/78133/cumhurbaskani-gul-isvicre-parlamentosuna-hitap-etti.html>.

32 “Gul-Medvedev Meeting Highlighted Armenian-Turkish Ties”, *Panorama*, 2 December 2010.

33 “Gül: Karabağ Sorununun Çözümü İçin İşgal Sona Ermeli” (Gül: The Occupation Must End for the Settlement of the Karabakh Conflict), *Zaman*, 23 December 2010.

Thus, the President has pointed out that whether directly or indirectly, communication with Armenia exists.

Prime Minister Erdoğan has also made statements which explain Turkey's policy towards Armenia. In an interview conducted by Ara Koçunyan, the editor-in-chief of Jamanak Newspaper published in Istanbul, the Prime Minister has stated that "Turkey does not maintain hostile relations with any country. We have never used the painful events of the past for shaping the vision of future. After crowning our liberation struggle with success we entered into a new period, establishing friendly ties with all those countries. We can do the same with Armenia. Leaving history to scholars and historians we can walk towards the future. I do believe it is still possible. But some in Armenian Diaspora do not have the same vision which creates obstacles for the process".³⁴

This negative attitude on the side of Armenian officials did not dissuade President Gül from expressing his intention to establish normal relations with Armenia.

In response to the question of "is it possible for Turkey to join the EU without settling the problem of Armenian massacres?" posed during a press conference together with Polish Prime Minister Donald Tusk during his visit to Turkey,

Prime Minister Erdoğan has stated that it is necessary to deal with this issue by discussing it justly, scholarly and comprehensively, that it is not correct to politicize the issue, and those who vote on the issue in the parliaments of various countries are unaware of the state of affairs. He also indicated that Turkey does not have to meet such a requirement to be admitted to the EU.

As a matter of fact, Turkey does not need to recognize the Armenian genocide allegations in order to become a member of the EU. The only matter which concerns Armenia in relation to this issue is the carrying out of good neighborly relations by Turkey and this could only be achieved with the opening of borders and establishment of diplomatic relations. On the other hand, the European Parliament has adopted a resolution in 1987 which puts forth that Turkey cannot become a member of the EU unless it recognizes the Armenian "genocide". However, since this resolution is "advisory" in nature, it is not binding. Despite this, various Armenian circles, for propaganda purposes, continue to emphasize the idea that Turkey cannot become a member of the EU unless it recognizes the Armenian genocide allegations.

During a visit to France in November, Kemal Kılıçdaroğlu, the Leader of the Main

34 "Ermeni Cemaati Ülkenin Zenginliği" (The Armenian Community is the Country's Wealth), *Hürriyet*, 12 November 2010.

Opposition Party, CHP, has stated in response to a question concerning his Party's stance towards the Armenian genocide allegations that "as a country, we have opened the archives but Armenia has not opened them. Let us leave historians to deal with history. We are in favor of evaluating historical archives, but the Armenians are rejecting this. Armenians should open their archives also". He has also expressed that the draft resolution remaining on the agenda of the French Senate, which foresees the punishment of those rejecting the Armenian genocide allegations, is against the freedom of expression and therefore, must be prevented.³⁵

During the period under examination, Foreign Minister Ahmet Davutoğlu has been the politician who has spoken the most on the issue of the Armenian question.

During his visit to the US at the end of November to make several contacts and deliver speeches, Davutoğlu has also touched upon the Armenian question. In the conference held at the Brookings Institute relating to Turkey's foreign policy, he has stated that ten years ago in Turkey there was no suitable environment in which the Armenian issue could be discussed in a free manner and that today there is, but the same freedom does not exist in France or in some other European countries. Moreover, he has stated that Turks and Armenians have lived together for 10 centuries, for 9.5 centuries there were not any tension between them in Anatolia or any other place, that "ghetto" practices were not applied against Armenians, Armenian ministers existed within the Ottoman governments, and that there were Armenian ambassadors in European capitals. Davutoğlu has also mentioned that a "fair memory" is necessary concerning the 1915 events and that only a "small part of history" should not be observed or should not only be considered from an "Armenian or Turkish perspective". By reminding that Turks have also been killed in the Caucasus and the Balkans and have been forced to migrate to Anatolia, he has stated that "we do not deny nothing happened, something did happen, but something happened to us as well, to all of us. Now it is time to restore this. Therefore, we say fair memory. We are ready to discuss everything".

Concerning the Protocols, Davutoğlu has noted that Turkey had signed the Protocols with Armenia based on three pillars and that those were the normalization of relations between Turkey and Armenia, normalization of relations between Turks and Armenians in all places of the world, and bringing stability to the Caucasus. He has added that those pillars should function at the same time. By emphasizing that they are "still defending and not giving up on the Protocols", Davutoğlu has expressed that peace cannot be sustained if it is not at

35 "Biz Açtık, Erivan Arşivi de Açsın" (We Opened the Archives, Yerevan Should Also Open), *Hürriyet*, 19 November 2011.

a regional level and that even if there is a normalization of relations between Turkey and Armenia, tensions in other regions will disrupt relations again; therefore, there needs to be a simultaneous process between Turkey-Armenia and Azerbaijan-Armenia.³⁶

At the end of the year, Davutoğlu has provided a comprehensive assessment of the Government's foreign policy to newspapers. The following statement regarding the Armenian question has drawn attention: "We are not a country that should be accused by those which we have lived together with for 1000 years on these territories. I do not find it fair to accuse this nation with such a crime. They want to impose on us a feeling of guilt like they did on Germans. However, the Germans deserved it. Yet, this is not a sin which entirely belongs to Turkey. I understand the pain of Armenians, but they should also understand our pain. We are talking about a period in which an Empire has collapsed. Everyone suffered in that period".³⁷

In another statement delivered before the end of the year, Davutoğlu has stated that Turkey wants the normalization of relations with Armenia and its continuity and that in order to obtain this, frozen issues such as Karabakh must be settled. Moreover, he has indicated that they desire an environment in which Turks and Armenians, no matter where in the world they are, could easily discuss their problems, but will never use it as a political threat upon Turkey.³⁸

One of the items of the Third Ambassadors Conference hosted in Ankara and Erzurum on 3-9 January 2011 and in which all Turkish ambassadors to foreign countries have attended was devoted to the Armenian Question.³⁹ The following statements concerning relations with the Southern Caucasus and Armenia exist in the Final Declaration of the Conference:⁴⁰

"We will continue with great determination our efforts towards establishing an environment of comprehensive, lasting and sustainable peace and stability in the Southern Caucasus and therefore, creating a common area of prosperity and development in which nations in the whole region could benefit."

36 "Davutoğlu: Dış Politikada İkili Dil Kullanmadık" (Davutoğlu: We Did Not Use Two Languages in Foreign Policy), *Hürriyet*, 30 November 2010.

37 "Acıyı Anlıyorum, Siz de Bizi Anlayın" (I Understand Your Pain, You Should Understand Ours Also), *Hürriyet*, 26 December 2010.

38 "Bakan Davutoğlu: Yeni hedefimiz ülkeyi dünyanın âkil ülkesi yapmak" (Minister Davutoğlu: Our new goal is to make the country the world's country of wisdom), *Zaman*, 29 December 2010.

39 "Büyükelçiler Konferansında Kıbrıs Oturumu" (The Cyprus Session in the Ambassadors Conference), *Cumhuriyet*, 4 January 2011.

40 <http://www.mfa.gov.tr/ucuncu-buyukelciler-konferansi-sonuc-bildirisi.tr.mfa> (Final Declaration of the Third Conference of Ambassadors)

Based on just and scientific research regarding the 1915 events, the will and the open-minded vision necessary in developing a common understanding for the creation of possibilities for cooperation, instead of hostilities stemming from history will continue, the political will directed towards the normalization of relations with Armenia will be preserved, and just as realism, a civilized vision will also be utilized during this process when taking action”.

Responding to the questions posed at President Gül, after his speech delivered on January 5th 2011 at the Council of Europe Parliamentary Assembly, which he attended as Guest President of Honor, concerning the normalization process between Turkey and Armenia, he has stated that Turkey has made great progress in zero problems with neighbors policy and that Turkey’s political will is directed towards normalizing relations with Armenia, and has indicated that they wish to implement the Protocols. Recalling that 20% of Azeri territory is under Armenian occupation, President Gül has expressed that Armenia must withdraw from these territories and by emphasizing the benefit of the Caucasus turning into an area of security and cooperation, has stated that when these problems are sorted out, the Caucasus will become a door between Europe and Asia.⁴¹

While in Strasbourg for the same purpose, in response to a question regarding relations with Armenia, Foreign Minister Davutoğlu has stated that “Turkey has two kinds of neighbors, particularly friendly ones and those who will become Turkey’s friends in the future. We consider Armenia will become a friendly country of Turkey”.⁴²

It could be seen that opposite to these statements of good will by Turkish statesmen, Armenian addressees have used an uncompromising language and have even increased the dosage of their criticisms towards Turkey.

In a television statement delivered in which developments in 2010 have been evaluated, Foreign Minister Edward Nalbandyan has described Turkey as an unreliable partner lacking the power to keep its promise. Concerning the Protocols, he has expressed that “the ball is in Turkey’s field”, but Turkey does not see the situation as such and that Turkey could only deceive them through manipulation, but others are not persuaded by this. He also put forth that many countries think that Armenia has done its share of work and now it is Turkey’s turn

41 <http://www.tccb.gov.tr/news/397/78747/we-do-not-admit-that-a-genocide-has-been-perpetrated-in-our-history.html>.

42 “Dışişleri Bakanı Davutoğlu: Ermenistan’ı Müstakbel Dost Bir Ülke Çerçevesinde Değerlendiriyoruz” (Davutoğlu: We are Evaluating Armenia Within the Framework of a Prospective Friendly Country), *Hye-tert*, 25 January 2011.

to take a step. Moreover, he has expressed that Turkey has told several countries that if it recognizes the genocide allegations, bilateral relations will be harmed. Furthermore, he has indicated that the international community tends to recognize the “genocide”, Turkey’s efforts to prevent this is bound to failure, and that if Turkey really wants to normalize relations with Armenia, then it must ratify the Protocols without putting forth any preconditions.⁴³ In his other speeches delivered later on, Nalbandyan has used the same or similar language; one time, he has exaggeratingly stated that the entire world expects Turkey to change its stance regarding the Protocols signed with Armenia and to sign them.⁴⁴ In another speech, he has expressed that Turkey’s position is not merely constructive but destructive in terms of normalizing Armenian-Turkish relations and that Turkey showed no will to observe one of the main principles of the international law, the principle of *pacta sunt servanda* (fulfilling its promises).⁴⁵

It could be seen that opposite to these statements of good will by Turkish statesmen, Armenian addressees have used an uncompromising language and have even increased the dosage of their criticisms towards Turkey.

President Sarkisian, who has not spoken for some time on Armenia’s relations with Turkey, has broken its silence during his visit to Southern Cyprus. In his speech delivered at the House of Representatives on January 17, he has said the following about Turkey:

“Establishment of durable peace and stability in our region is one of Armenia’s key objectives. However, our persistent efforts in this direction came to a stalemate. I trust that you in Cyprus have closely followed the Armenia-Turkey normalization process.

The process initiated by our sincere offer to normalize relations with Turkey, albeit through small steps, quickly came to a halt. Turkey destroyed it with its inconsistent posture, contradictory statements, and baseless manipulation of the process. Turkey stepped back from its commitments and not only failed to ratify the signed protocols, but also returned to its pre-normalization position. Our efforts and the efforts of our colleagues actively engaged in the process faced the wall of preconditions.

Should preconditions be set, then we had considerably more moral and legal grounds for presenting preconditions. We did, however, find the

43 “Erivan: Türkiye Güvenilmez Bir Partner” (Yerevan: Turkey is an Unreliable Partner), *DHA*, January 2011.

44 “Dünya Türkiye’nin Protokolleri Onaylamasını Bekliyor” (The World is Waiting for Turkey to Ratify the Protocols), *Cmturk.com*, 14 January 2011.

45 “Turkey Position Destructive, Armenian FM”, *News.az*, 29 January 2011.

strength to overcome all psychological obstacles and to move forward. We do have many problems with Turkey, including, first and foremost, the problem related to the recognition of the Armenian Genocide. However, instead of setting preconditions, we opted for a dialogue as a civilized way for resolving problems.

Dear Colleagues;

We must face the truth. Turkey today aspires to become a regional leader by conducting a so-called “New Ottomanism” policy. However, regional leadership implies a responsible approach and a responsible way of thinking, rather than practices of coercion or dictate. What did the Ottoman Empire bring to the peoples under its yoke other than massacres, oppression, and tyranny? Does anyone miss Ottomanism, providing a reason to deliver a “New Ottomanism?”

And what does the ‘zero problems with the neighbors’ policy mean? Does it mean that all neighbours should obediently do what Turkey wants them to do and satisfy Turkey’s preconditions? There are probably neighbors for whom it is quite beneficial, but we are certainly not among them.

The country which since Armenia’s independence has upon different pretexts closed the border and is trying to blackmail my people may not aspire for regional leadership.

We consider ourselves bearers of the European values and a member of the European family. Armenia is currently implementing wide-scale reforms with the significant support of the European structures. We are greatly interested in having neighbors committed to the democratic and European values, neighbors that resolve issues by means of dialogue and negotiations, rather than threats. We hope that Turkey will understand and appreciate the importance of these values for its own stability, development, and prosperity”.⁴⁶

In summary, it could be seen that President Sarkisian has accused Turkey of destroying the normalization process, stepping back from its commitments and setting preconditions. By putting forth that Turkey aspires to become a regional leader, he opposes this idea and accuses Turkey of threatening the Armenian nation. This was the strongest statement of Sarkisian against Turkey.

⁴⁶ “Armenian President’s Speech in the House of Representatives of Cyprus Republic”, *Times.am*, 17 January 2011.

After criticizing Turkey again in a press conference with President of Southern Cyprus Demetris Christofias, President Sarkisian has stated that Armenia is not against Turkey's membership to the EU, but believes that it will not be able to pave a road toward the EU without coming to terms with her past and without establishing normal relations with the neighboring states".⁴⁷ Therefore, he has spoken as if he is an authorized official of the European Union. He has reiterated the same issue in Athens which he has travelled to right after his visit to Cyprus.

Sarkisian has used a more moderate language in his speeches delivered during his visit to Athens. On the other hand, these statements have remained in the shadows of the Greek President Papulias's harsh statement saying that "we were butchered by the same barbarians" in reference to Turkey. The point different in Sarkisian's statements in Greece is his assertion that Turkey lacks the political will necessary in the normalization of Turkey's relations with Armenia.⁴⁸

President Sarkisian's interview to the Eko Moskovi Radio of Russia on 27 January 2011 has comprised another negative development in Turkey-Armenia relations.⁴⁹ In his interview, Sarkisian has first stated "normalization of Turkey-Armenia relations could resume only if Turkey ratifies without preconditions the Protocols, therefore I see no point in starting new negotiations. What should we speak about? Turks will set preconditions, whereas we will say they are unacceptable? It's senseless". He has further stressed that "if it continues like this, the only way out for us, probably, will be just to withdraw our signature from the documents. In this case, even if they are ratified by Turkey the Protocols will have no effect". Moreover, Sarkisian has indicated that "the ball is in Turkey's court, Turkey tries to interfere with the Karabakh peace process, only a country having no problems with others can be a leader in the region, and Turkey's policy of zero problems is aimed at finding solutions advantageous to Turks". Lastly, Sarkisian mentioned that "the Armenian side realizes that Turkey is a large country, a G20 member. However it does not mean Turks should be our tutors. Turkey is not one who should tell us what to do. If they want to influence certain regional processes they should adopt constructive approach".

Based on the summarized speech and statements given above, the following conclusions can be drawn.

47 "Serj Sarkisyan: Türkiye Geçmişiyile Uzlaşmadan AB'de Yol Alma Konusunda Başarılı Olamaz" (Sarkisian: Turkey Cannot Pave the Road to the EU Without Coming to Terms with its Past), *News.am*, 17 January 2011.

48 "Papulyas. İkimizi de Kesen Barbar" (Papulias: We Have Both Been Butchered by the Same Barbarian), *Hürriyet.com.tr*, 18 January 2011.

49 "Armenian President Says Turkey Should Not Tell Us What To Do", *News.am*, 27 January 2011; "Sarkisyan: Türkiye Protokolleri Önkoşulsuz Onaylarsa, Süreç Sürdürülebilir" (Sarkisian: If Turkey Ratifies the Protocols Without Preconditions, the Process Could Continue), *Hye-Tert*, 28 January 2011.

Turkey continues to link the ratification and the implementation of the Protocols to significant developments taking place in the Karabakh conflict and links this to the need for a simultaneous process in order to settle the conflicts between Turkey-Armenia and Azerbaijan-Armenia. Moreover, only the resolution of Turkey-Armenia conflicts will not be enough and the tensions in the region will harm relations again. On the other hand, Armenia does not accept the idea of linking the normalization of relations to the Karabakh conflict and wants Turkey to ratify and implement the Protocols. As can be seen, the approaches of both sides contradict each other and therefore, the process of normalization has stalled.

Moreover, only the resolution of Turkey-Armenia conflicts will not be enough and the tensions in the region will harm relations again.

Despite this situation, Turkey shows great effort in continuing the process and for this purpose, seeks the assistance of Russia, the US and mediating Switzerland. However, Sarkisian's and Nalbandyan's statements create the belief that Armenia will not make any concessions on the Karabakh issue and will not be willing to accept some intermediary solutions with Turkey.

On the other hand, it could be seen that from the speeches of Sarkisian and Nalbandyan mentioned above, Armenia has increasingly strengthened its criticisms and accusation policy towards Turkey after it has suspended the ratification of the Protocols on April 22nd, 2010. The purpose of this is not quite clear. Since Turkey will not ratify and implement the Protocols despite the criticisms of Armenia, there must be another reason for it. What comes to mind is the following:

Sarkisian's efforts to normalize relations with Turkey were generally not accepted by Armenia and among the Diaspora circles. However, if the Protocols were immediately implemented and the Turkish border gate was opened, the criticisms directed towards Sarkisian could have become marginal. When the Protocols failed to be ratified because of the Karabakh Conflict, Sarkisian and consequently Nalbandyan have found themselves in a difficult position. In order to compensate for this, they have directed harsh criticisms and accusations towards Turkey and have even mentioned that the Protocols could be rejected entirely. It could be seen that with this approach, the condition of Sarkisian and Nalbandyan have been recovered within Armenian public opinion and the Diaspora.

The Prosperous Armenia Party's abstaining stance towards giving any support to President Sarkisian for the upcoming 2013 Presidential Elections has forced Sarkisian and his supporter, the major Coalition partner the Republican Party, to adopt an uncompromising approach towards Turkey. Lately, the Prosperous Armenia Party has accepted to support Sarkisian's candidacy for the Presidential Elections.

It is possible that these harsh criticisms and accusations could also benefit Armenia in another area. The main event which has prevented the adoption of “genocide” draft resolutions in the US House of Representatives in the recent years is the emphasis by the US President and Foreign Minister that these drafts will harm the normalization process of Turkey-Armenia relations. Since Armenia still continues to harshly criticize Turkey, it is not likely that reconciliation will take place at the moment between the two countries; therefore, the message that there is no drawback in the House or/and Senate recognizing the genocide allegations has tried to be conveyed to members of Congress. It is also likely that Armenia might have expected the US Government to pressure Turkey to ratify the Protocols by taking this situation into account.

In conclusion, although it is not possible to completely explain the reasons for the harsh policies carried out towards Turkey due to the Protocols, it is a fact that these policies have caused the normalization of relations with Turkey to be postponed to an unknown date. This delay will create damages both in the political and economic spheres for Armenia. However, the fact remains that these damages are not much taken into account having internal political considerations in mind.

II – DEVELOPMENTS IN THE USA

The country where the Armenian Diaspora is most active is the US. As a result of its global politics and strategic approaches, the US Government shows greater interest in Turkey-Armenia relations than other countries or groups of countries, such as the EU, and encourages the efforts to normalize these relations. Meanwhile, it should also be taken into consideration that the Armenian Community in the US has some influence in some of the states. In conclusion, the US has a pivotal position in Turkish-Armenian relations and, therefore, is always a scene for new developments. The most significant of these are presented below.

1. The Draft Resolution Concerning the Genocide Allegations

In the previous issue of our Journal, we had mentioned that a draft resolution containing the genocide allegations, the text of which has not changed for the last 10 years, was adopted on 4 March 2010 by the Committee of Foreign Affairs of the US House of Representatives.⁵⁰ On the whole, this draft should have been put on the agenda and voted in the House of Representatives. This has not taken place despite the efforts of the Armenian Diaspora and Armenian advocates whose

50 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, Ankara, 2010, No. 21, pp. 34–37.

numbers are many in the House. Since the House of Representatives elections on 2 November 2010, the draft resolution has become null and void.

There are two interdependent reasons for not putting this draft to a vote in the House of Representatives. The first is that the US Government is opposed to this draft; secondly, it was not certain that this draft would have a majority in the House due to the Government opposition. If the draft resolution is rejected in the House, this will be a severe blow to the Armenian genocide allegations, making it necessary to wait many years before submitting a new draft resolution. In this situation, it would be understandable if the Armenians would prefer to wait rather than to lose.

The same phenomenon holds true for the members of the House of Representatives and 1/3 of the Senate's members who will stand for election again in 2012.

Just as in previous years, it would be typical for the draft resolution to be submitted to the House again in the upcoming months. It is difficult to foresee the exact date, but the period in which it is most likely that the draft resolution could be adopted is just before the 2012 elections, since President Obama who continues to experience difficulties, will be open to all suggestions which will gain him votes when he becomes a

candidate again. The same phenomenon holds true for the members of the House of Representatives and 1/3 of the Senate's members who will stand for election again in 2012. Although it is impossible to know what will happen approximately two years hence, it could be said that if the existing problems in Turkey-US relations today (Iran, Israel, missile shield etc.) are resolved and the traditional close cooperation period reappears, the chances of the Armenian draft resolution being adopted will diminish or even go away completely.

2. Turkey-United States Relations Hearing Held By the US House Committee of Foreign Affairs

With the initiative of the Foreign Affairs Committee Chairman, Howard L. Berman, a hearing was held at the Committee meeting on 28 July 2010 entitled "Turkey's New Foreign Policy Direction: Implications for US-Turkey Relations". At the hearing, Berman has stated that it was Turkey's recent and worrying policy turns regarding Iran, Israel, and the Palestinians – and the larger implications of those policies – that was likely to form the basis of much of the day's discussion.⁵¹ At this hearing, twenty individuals, whether members of Congress or not, took the floor. We will only provide information on the Armenian question.

51 "Türkiye'yi Kongre'de Zor Bir Dönem Bekliyor" (A Difficult Period is Awaiting Turkey in the US Congress), *Voanews.com/Turkish*, 29 July 2010.

The person, who emphasized this matter the most, was the Chairman of the Committee, Berman, who, as we have mentioned before, distinguishes himself with an exaggerated pro-Armenian approach.⁵² In the opening statement, he has expressed that certain points are beyond dispute and has listed these as possible requests from Turkey. The third of these relates to the Armenian question. Berman has said that it was critical that Turkey acknowledges the genocide committed by the Ottoman Empire against the Armenian people during World War I and that Turks, once they come to terms with their past, will discover that they have relieved themselves and their children of an immense burden. What is interesting here is that with the exception of a few liberal intellectuals whose opinion carries minimal weight, no one in Turkey feels a burden from the events which took place almost a century ago. Moreover, describing these events as genocide and pressuring Turkey has created serious resentment within Turkish public opinion. This is one of the main reasons for the US appearing at the bottom of the public opinion polls in Turkey.

Other people taking the floor at the hearing either mentioned very little the genocide allegations and Turkey-Armenia relations or did not mention them at all. In conclusion, the impression has emerged that these problems do not have a very significant role in Turkey-US relations.

Among these statements, we believe that Michael Rubin's was particularly significant. After saying that "within the scholarly community there is no consensus: most genocide studies scholars say that the Ottomans committed genocide... but many Middle East scholars – Bernard Lewis, Andrew Mango – and military historians like Eric Erickson find the events a tragic outbreak of fighting rather than genocide", Rubin has gone on to express that "Congress should not silence debate among historians; rather it should seek to facilitate it".⁵³ This distinction is highly important, because if the US Congress recognizes the 1915 events as genocide, asserting the contrary will become extremely difficult, if not impossible, and such efforts would not be credible.

3. 2 November 2010 Congress Elections and the Armenian Question

Mid-term elections for the US Congress were held on November 2nd 2010. Republicans won the majority; the majority of Democrats in the Senate narrowed.

As always, American Armenians have showed great interest in these elections.

52 Ömer Engin Lütem, "Facts and Comments", *Review of Armenian Studies*, Ankara, 2010, No. 21, pp.35.

53 "Turkey's New Foreign Policy Direction: Implications for US-Turkey Relations" US House of Representatives, Committee on Foreign Affairs; <http://www.foreignaffairs.house.gov/III/57688.pdf>.

Before the elections, ANCA (Armenian National Committee of America), which is a sub-organization of the Dashnaks, released a list of grades for each candidate which would act as a guide for Armenian voters.⁵⁴ The grades A+, A, A-, B+, B, B-, C+, C, C- etc., with F being the lowest, were assigned to the candidates in order to show to what extent they supported Armenian cases. It was expected that candidates receiving the highest grade will receive Armenian votes. Meanwhile, it has been seen that Speaker of the House Nancy Pelosi, recognized as being an advocate of Armenians, were given A-. This rather low grade has reflected the disappointment arising from the failure of the genocide draft resolutions being adopted. As will be explained below, the disappointment towards Pelosi has increased further after the elections. On the other hand, Chairman of the Committee on Foreign Affairs Howard Berman who, by searching for House members to vote in favor of the genocide draft resolution in the corridors of the famous Congress,⁵⁵ had received the highest grade A+.

During the elections, Armenian militants have shown great efforts for those members they supported; apart from their generous donations to election campaigns, they have sent numerous e-mails and made tens of thousands of phone calls in order to support some of the members.⁵⁶ It is not possible for us to discern the extent of these efforts in influencing the election of Congress members who advocate Armenians. According to an Armenian source,⁵⁷ 152 of the 158 members of the House and 5 of the 6 Senate endorsees that were supported by ANCA have won the elections. Although this is regarded and presented as a great success, the number is quite low when considering that there are 435 members in the House and 100 members in the Senate. On the other hand, the number of Congress members that receive Armenian support is not enough for adopting any draft resolution and for that reason, the votes of Congress members who the Armenians do not support, but still not oppose either, are necessary for the passing of any resolution.

In the US, compared to the Democrats, the Republican Party follows a more nationalist and conservative policy. There are those who share Armenian views among the Republicans, but their numbers are lower with respect to the Democrats. Therefore, in principle, it could be expected that draft resolutions entailing the Armenian genocide allegations would not be adopted in the House of Representatives within the next two years. This idea is strengthened further if we consider that both John Boehner, the new Speaker of the House of Representatives who replaced Nancy Pelosi, and Ileana Ros-Lehtinen who replaced Chairman of

54 "ANCA Announces 2010 Congressional Endorsements", *ANCA Press Release*, 25 October 2010.

55 Ömer Engin Lütem "Facts and Comments" *Review of Armenian Studies*, No. 21, p. 35.

56 "Hamparian Discuss Congressional Elections" *The Armenian Weekly*, 5 November 2010.

57 "Too Much? Or Not Enough?" *Asbarez*, 5 November 2010.

the Committee on Foreign Affairs Howard Berman, did not support the Armenian draft resolutions in the past. Still, Republican support for Turkey depends on Turkey's foreign policy choices to be in compliance with US foreign policy. Turkey's serious conflict with Israel arising last year from the "Mavi Marmara" incident and its seemingly pro-Iranian policy, had negatively affected its relations with the US and under these conditions, it was not regarded as difficult for an Armenian genocide draft resolution to be adopted in the Congress. However, since President Obama and his Government gives special importance to maintaining friendly relations with Turkey, they have opposed the adoption of this draft as we will explain further below. Furthermore, when the Republicans have followed the same path, the draft resolution has been prevented from being brought to the agenda. Yet, it is not possible to say that this situation is permanent. As indicated above, there are those, i.e. Armenians, who assert that as long as Turkey continues its policy of protecting Iran and criticizing Israel, the Republicans will be negatively influenced and therefore, there will be a possibility that the Armenian draft resolution could be adopted.⁵⁸

The first reason is that despite the US' tense relations with Turkey, the Obama Government opposes the draft resolution with the thought that it will further damage relations if adopted.

The draft resolution H. Res. 252 related to the Armenian genocide allegations was approved by the Foreign Affairs Committee on 22 March 2010, during a period when the Democrats had the majority within the House of Representatives, but despite the possibility of being adopted by the full House, it has not been carried on to the agenda. There might be two reasons for this. The first reason is that despite the US' tense relations with Turkey, the Obama Government opposes the draft resolution with the thought that it will further damage relations if adopted. The second is that since the draft has passed with a minimum majority of 23 against 22 votes in the Foreign Affairs Committee, there is no guarantee that it will be adopted in the House. According to the press, Speaker Nancy Pelosi has told its Armenian companions that she will put the draft resolution up for voting once the necessary majority is assured. This is a highly significant phenomenon for the Armenians, because the rejection of a draft concerning the genocide allegations by the House or the Senate will mean that it will not be brought to the agenda again for perhaps a long period like ten years.

Based on the US system, the inauguration of newly elected members of Congress

58 "Cumhuriyetçi Zaferi Türkiye'yi Zora Sokabilir" (The Republican Victory Could Make it Difficult for Turkey) *Zaman.com.tr*, 2 November 2010; "Mecliste Cumhuriyetçi Çoğunluğun İki Yüzü Var" (There are Two Sides to the Majority of Republicans) *Radikal*, 4 November 2010; "Newly Elected Congress Seems More Pro-Armenian" *Tert.am*, 4 November 2010; "Kerry'den Soykırım Tasarısı Uyarısı" (Kerry's Warning of a Genocide Draft Resolution) *Radikal*, 10 November 2010.

does not happen immediately and takes approximately two months. During this period, the House of Representatives continues to function. However, since the former House no longer has a strong authority, its sessions are described as a “lame duck” by the press and some urgent issues could be addressed in practice. Based on the fact that there is a higher chance for H. Res. 252 on genocide allegations to be adopted during the “lame duck” sessions in which the Democrats are a majority, it has been decided by the Armenians that initiatives will be taken for this draft resolution. For this purpose, Chairmen of the Eastern and Western regions Aida Dimedjian and Stephen Mesrobian have issued a joint declaration on 7 December 2010, calling upon Speaker of the House Pelosi to schedule a vote on the draft resolution.⁵⁹

There are two paths the Speaker of the House could follow in order to bring the draft to the agenda and put it up for voting.⁶⁰ The normal track is through the Committee on Rules. Since this committee has thirteen members in which nine of them are Democrats and four are Republicans, it seems possible in principle to bring the draft to the agenda, but this has not been achieved. The reason is that President Obama of the Democrat Party has aspired to pass certain draft laws from the House in which the Democrats are a majority. It is understood that these drafts have prevented the chance of the Armenian draft resolution to being brought to the agenda. A second track is that the Speaker of the House would put the draft up for a vote by-passing the Committee on Rules and using her own initiative. However, then a two-thirds majority would be required for the adoption of the draft and achieving this, in principle, is highly difficult. Despite this situation, it is possible for the Speaker to suddenly put the draft to vote and lead to its adoption at a time when a few Representatives are present in the room or those supporting the draft comprise a majority. For H. Res. 252, this possibility has been feared the most, because Nancy Pelosi had put to vote on 28 September 2010 a draft resolution related to Cyprus this way when 10 Representatives were present in the room and the draft was adopted. The next day, the House had closed down for by-elections.⁶¹

After the ANCA Representatives have called upon Nancy Pelosi to put the draft up for voting on December 7, Armenian propaganda has started. Armenians have sent letters and e-mails and made telephone calls to members of the House of Representatives. On the other hand, popular Armenians have been taken advantage of for this purpose. Kim Kardashian, known as the “sex bomb” who is frequently present on US television and who also has her own television show watched mostly by youngsters, has taken part in this campaign and has called on her 5.5

59 “Madam Speaker, Schedule A Vote on H.Res.252” *Asharez*, 7 December 2010.

60 “Diasporaların ‘Soykırım’ Savaşı” (The ‘genocide’ war of the Diaspora) *Hürriyet.com.tr*, 19 December 2010.

61 “252 Numaralı Tasarı Gerginliği” (Tension over Resolution 252) *Hürriyet*, 22 December 2010.

millions fans on “Tweeter” to call Pelosi and urge her to carry the draft to the agenda. Serj Tankian who is a popular rock star and sings songs related to “genocide” has also called on his fans to support the adoption of the genocide draft resolution.⁶²

The five members of the House of Representatives (Frank Pallone, Edward Royce, Adam Schiff, Jackie Speier and Brad Sherman; apart from Royce, all the others are Democrats), acting as the co-sponsors of H. Res. 252, have sent a joint letter to the members of the House of Representatives on December 21st. They have first repeated the genocide allegations and then have written that “it’s imperative for the US to recognize the annihilation of the Armenians as ‘genocide’” and “not recognizing the Armenian “genocide”, as such, will weaken them [US]” and have “urged their [your] support” for H. Res. 252.⁶³

The possibility of the adoption of the draft resolution by the House of Representatives has also set the Turkish organizations in the US into action. The Assembly of Turkish-American Associations directed by Günay Evinch, the Federation of Turkish-American Associations in New York, the Turkish Coalition of America (TCA) chaired by Lincoln McCurdy, and the Turkish-American Association (TAA), all these institutions have worked together against the draft resolution.⁶⁴ Since Turkish organizations in the US have generally failed in working together and therefore, have failed in being influential in the past, this new development has been highly encouraging. Although the efforts of Turkish organizations in warning and informing the members of the House of Representatives deserves praise, their influence over the members have been limited since the number of Turks in the US are lower compared to the number of Armenians.

The real struggle towards H. Res. 252 has been carried out by the Turkish Embassy again just as in the past. Almost under general mobilization, the Turkish Embassy in Washington has immediately made contacts with the White House, the Foreign Ministry and the Ministry of Defense. While Ambassador Namık Tan has set the Turks in the US into action through “Tweeter”⁶⁵, he has met with each of the 77 members of the House personally. On the other hand, the officials of the Embassy have spoken with approximately 60 consultants of the House

62 “Armenian American Celebrities Call On Speaker Pelosi To Pass The Armenian Genocide Resolution” *Tert.am*, 10 December 2010; “Star Tweet Power: Kim Kardashian Makes 5,5 Million Appeals for HR 252” *News.am*, 10 December 2010; “Star Tweet Power: Kim Kardashian Makes 5,5 Million Appeals for HR 252”; “5.5 Milyona ‘soykırım’ Tweet’i Attı” (5.5 Million Were Sent Tweets for ‘genocide’) *Hürriyet.com.tr*, 11 December 2010.

63 “Armenian Caucus Rallies Support, Urges Passage of Armenian Genocide” *AAA*, 21 December 2010.

64 Ali. H. Aslan, “Bir Ermeni Krizinin Anatomisi” (Anatomy of an Armenian Crisis) *www.zaman.com.tr*, 27 December 2010.

65 “Ermeni Tasarısına Karşı ‘Obama Taktiği’ (An Obama Tactic Towards the Armenian Draft Resolution) *Hürriyet*, 25 December 2010.

members.⁶⁶ The Turkish-American Friendship Group in the Congress had sent a letter to Pelosi, urging her to give up on putting the draft to vote.⁶⁷ The Friendship Group had also sent a letter to the members of the House of Representatives highlighting the “potential undermining [our] national security interests throughout the Caucasus, the Balkans, Middle East and Central Asia” if the bill was adopted, “as well as possibly harming negotiations to repair the relationship between Israel and Turkey”.⁶⁸ When the efforts of Turkish organizations mentioned above and the activities of Turkish Governments which will be explained below were added, Turkey’s voice has started being heard stronger in Washington.

Foreign Minister Ahmet Davutoğlu has called US Foreign Minister Hillary Clinton and requested for the American Government to effectively take initiative to prevent the adoption of the draft resolution. Based on news in the press, Clinton has stated that they will make every effort in this direction.⁶⁹ By stating that he will not allow for these bills to stand like the Sword of Damocles between Turkey-US relations, Davutoğlu has indicated that Prime Minister Erdoğan has sent a letter to President Obama regarding this draft resolution.⁷⁰ Following a Cabinet meeting, State Minister and Deputy Prime Minister Cemil Çiçek has expressed that it must be known that the Turkish government is uncomfortable with this issue being brought to the agenda each year for political purposes and that they will not allow various lobbies to harm relations between the two countries.⁷¹ In a message sent to President Obama through diplomatic channels, President Abdullah Gül has stated that he is watching with concern the initiatives to bring the draft resolution to the agenda of the Congress and that he expects him not to allow Turkey-US relations being taken hostage.⁷² Leader of the Main Opposition Party Kemal Kılıçdaroğlu has sent a letter to President Obama, expressing that the Turkish nation is against third country parliaments taking unilateral decisions, that parliaments cannot judge history and the solution lies in dialogue between Turkey and Armenia, and that the adoption of the draft resolution 252 will create permanent damages on Turkish-American and Turkey-Armenia relations, so such a result should be prevented.⁷³

66 “252 Numaralı Tasarı Gerginliği” (Tension over Resolution 252), *Hürriyet*, 22 December 2010.

67 “Ermeni Tasarısı Engellendi” (The Armenian Draft was Prevented), *News.com*, 22 December 2010.

68 “Opponents of Armenian Genocide Resolution Capitulate to Fear of Turkish Reaction As Momentum For Resolution Builds”, *AAA*, 20 December 2010; “252 Numaralı Tasarı Gerginliği” (Tension over Resolution 252) *Hürriyet*, 22 Aralık 2010.

69 “Pelosi’den Ermeniler İçin Son Dakika Hamlesi” (A Last Minute Action for Armenians by Pelosi), *Zaman*, 18 December 2010.

70 “Obama’ya Uyarı Mektubu” (A Warning Letter to Obama) *Zaman*, 21 December 2010.

71 “Bakanlar Kurulu Açıklaması” (A Statement by the Cabinet) *Medya73.com*, 20 December 2010.

72 “Bronz Adam Geçit Vermedi” (The Bronze Man Did Not Give Approval) *Hürriyet*, 23 December 2010.

73 “Kılıçdaroğlu’dan Obama’ya Mektup” (A Letter by Kılıçdaroğlu to Obama), *AA*, 24 December 2010.

Concerning the reactions of the American side to these requests from Turkey, President Obama has made no statements related to this issue, but has said to a Turkish newspaper that he believes American-Turkish cooperation is more important than ever⁷⁴ and this has indirectly been a message conveyed to members of the Congress. Foreign Minister Hillary Clinton has also made no statement concerning the draft, but it has been written in newspapers that during a telephone call with Ahmet Davutoğlu, she has promised that all efforts will be taken in order to prevent the adoption of the draft resolution.⁷⁵ The stance of the American Government regarding this issue has been determined by Deputy Foreign Minister Philip Crowley's statements during a press conference. Crowley has stated that they strongly oppose that resolution and continue to believe that the best way for Turkey and Armenia to address their shared past is through their efforts to normalize relations.⁷⁶

However, these contacts must not have created the expected results, because Pelosi did not bring this draft to the House of Representatives through her own initiative.

Concerning what happened within the House of Representatives, H. Res. 252 has not been put on the agenda of the Committee on Rules due to the existence of other draft resolutions which need to be urgently discussed. On the other hand, according to the press, Speaker of the House Pelosi has talked to numerous members of the House by telephone and requested their support for the draft resolution.⁷⁷ However, these contacts must not have created the expected results, because Pelosi did not bring this draft to the House of Representatives through her own initiative. Consequently, H. Res. 252 has become invalid since the term of the House has expired. From now on, members of the House supporting Armenians need to present this draft resolution again to the House and persuade the Committee on Foreign Affairs to adopt it; in other words, everything should recommence.

There are two more significant points which require attention. The first is that no information exists which conveys that Armenia has taken initiatives for draft resolution 252 to being brought to the agenda. The second is that the Jewish Lobby, which generally favors Turkey's side, has displayed a neutral stance this time.⁷⁸ Turkey being able to conduct its relations with the Congress without the aid of the Jewish Lobby is a positive development.

74 "Ortaklığımız Elastiktir WikiLeaks'le Sarsılmaz" (Our Partnership is Elastic) *Hürriyet*, 19 December 2010.

75 Ali H. Aslan, Servet Yanatma "Pelosi'den Ermeniler İçin Son Dakika Hamlesi" (A Last Minute Action for Armenians by Pelosi), *Zaman*, 18 December 2010.

76 "US Strongly Oppose Armenian Genocide Resolution: Philip Crowley", *Tert.am*, 18 December 2010; "US Strongly Oppose Armenian Genocide Resolution: Philip Crowley", *Zaman*, 18 December 2010.

77 Ali H. Aslan, "Ermeni Tasarısı Türkiye'yi Diken Üstünde Bıraktı" (The Armenian Draft Left Turkey on Tenterhooks), *Zaman*, 22 December 2010.

78 Tolga Tanış, "252 Numaralı Tasarı Gerginliği" (Tension over Resolution 252), *Hürriyet*, 22 December 2010.

Concerning the reactions of Armenian circles towards the draft resolution becoming invalid without being put up for voting, it can be seen that there are two opposite approaches.

The Armenian Assembly of America (AAA), which mostly represents wealthy Armenians, has linked the draft resolution failing to be brought to the agenda to some 100 House members leaving Washington and heading home for Christmas and to Turkey's influence on the Congress as it negotiated a possible multi-billion dollars arms deal with an American Firm. On the other hand, Bryan Ardouny, the Executive Director of this institution, has made a statement in which he mentioned the names of some members of the House of Representatives and thanked them for their efforts towards the adoption of the bill, while particularly commending the steadfast leadership of Speaker Nancy Pelosi. Moreover, in a declaration issued by AAA, it has been requested from President Obama to fulfill his commitment of recognizing the Armenian "genocide", it has been expressed that coming in terms with the Armenian "genocide" is also in Turkey's interest, and Adam Schiff's intention to reintroduce the bill next Congress has been indicated.⁷⁹

Concerning the Dashnaks, ANCA Chairman Ken Hachikjian has expressed in a statement that Armenian Americans are angered and disappointed by the failure of Speaker Pelosi and the House Democrat leadership to honor their commitment, that Speaker Pelosi clearly had the majority, the authority and the opportunity to pass the Armenian Genocide resolution, but chose not to move forward despite the relatively muted opposition from the White House and the fact that Turkey's effectiveness in opposing its adoption was seriously undermined by controversial policies toward Iran, Israel and Sudan. Moreover, Hackikjian has indicated that there has been a major breach of trust with Armenian American voters.⁸⁰ Furthermore, ANCA has asked its advocates to send e-mails to Speaker Pelosi expressing their thoughts on her stance. On the other hand, the Armenian Weekly, being an organ of the Dashnaks, has criticized AAA's praise of Nancy Pelosi.⁸¹

As mentioned above, H. Res. 252 becoming null and void without being taken to the agenda of the House of Representatives has led some Armenian authors to begin discussing the benefits, if any, of draft resolutions concerning the genocide allegations.

In a series of writings by Michael Mensonian in the Armenian Weekly -a Dashnak publication- the following questions have been asked: "Would it cause the Turkish leadership to recant and finally confess to the world and its own citizens, after a

79 "House Adjourns Before Considering Final Action on The Armenian Genocide", AAA, 23 December 2010.

80 "Pelosi Fails to Schedule Vote On Armenian Genocide Resolution", *Asbarez*, 22 December 2010.

81 "Nancy's Choice", *The Armenian Weekly*, 23 December 2010.

90-year policy of denial, that a genocide did occur? Would the average Turkish citizen willingly accept the moral, economic, and political burden for the crimes some ancestors several generations removed may have committed? Would Turkey relent and open its border with Armenia? Would it result in Artsakh (Karabakh) being recognized as an independent political entity?" The article goes on to argue that "a genocide recognition strategy might have been effective if a critical mass of countries (somewhere in the vicinity of 90 or 100 countries) not only supported the Armenian position, but also agreed to apply economic sanctions to pressure Turkish... but this is an unrealistic expectation". Furthermore, the article puts forth that flawed strategy followed until now (meaning efforts for parliaments to adopt genocide resolutions), valuable resources in political capital, individual commitment, and moral support from the Armenian community are being diverted from significantly more important objectives. In conclusion, it proposes that the Karabakh conflict should be prioritized, that the Armenian population should be increased in the "security zone" (the seven provinces around Karabakh belonging to Azerbaijan and occupied by Armenian forces), and work towards the recognition of the principle of self-determination for Karabakh.⁸²

Another author named Armen Ayvazian has stated that parliamentary resolutions which recognize the Armenian genocide allegations do not change the stance of the governments of those countries towards Turkey and that some of these countries in fact act in a way which devaluates previously adopted parliamentary resolutions. For instance, he has indicated that the name of "bloody Sultan Abdülhamit, the architect of the first stage of the genocide", has been given to a square in the city of Tripoli of Lebanon. The author expresses that "recognitions of the Armenian 'genocide' in the form of parliamentary resolutions are today clearly anachronistic" and that "from the moment when Armenia became independent, the question of overcoming the consequences of the Armenian 'genocide' should have been raised in national and international courts". He also suggests that within this framework, this should be based on articles 8 and 9 of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.⁸³

Another author, Berge Minasian, has conveyed that "getting the US Congress to adopt a genocide resolution has been hugely expensive (treasure and manpower)" and that from now on the "Diaspora needs to begin placing a higher priority on making sure that Armenia survives as a free and independent democracy". Within this framework, he suggests that measures should be taken such as making "the alleviation of extreme poverty in Armenia the first priority, making the eradication

82 "Genocide Recognition: Continuing a Flawed Political Strategy", *The Armenian Weekly*, 13 and 22 January 2010.

83 "The Armenian Question Today", *Analysis*, 14-22 January 2011.

of governmental corruption a high priority, and including as a major goal the delay of the inevitable assimilation” in the US.⁸⁴

III- OTHER DEVELOPMENTS IN USA

1. Foreign Minister Hillary Clinton’s Visit to Armenia

During her visits to Southern Caucasus countries, US Foreign Minister Hillary Clinton has been in Armenia on 4 and 5 July 2010. She has met with Foreign Minister Nalbandyan and President Sarkisian.

In a press conference, with Clinton in attendance, President Sarkisian has thanked President Obama for continued support on the relations between Turkey and Armenia and has said that while Turkey is not ready to establish relations without preconditions, it has been very important for them to feel the support of the US. On the other hand, Foreign Minister Clinton has expressed her appreciation for the President’s personal efforts, along with his government, on behalf of the normalization of relations with Turkey and has said that resolving these matters (Turkey-Armenia problems) is in the best interests of the region as well as for peace and stability for the people of Armenia.⁸⁵

Moreover, in an interview with journalists following her meeting with Nalbandyan, Clinton has said that they have discussed the normalization between Armenia and Turkey, has expressed her admiration for President Sarkisian’s courageous decision to pursue a vision of peace, and has added that the US government believes the normalization promises tremendous benefits for both countries and is committed to do everything it can to help the parties move forward. In response to a journalist’s question, she has said that the US commends Armenia and Turkey on their signing of the Protocols, that this kind of rapprochement between Armenia and Turkey will foster stability and prosperity through more open borders and will, in the long run, be a great advantage to Armenia, but that this has not yet been realized because of problems and obstacles along the way. She has continued by saying that she was very pleased when President Sarkisian announced that, despite the problems coming from Turkey, Armenia stood ready to continue normalization, but would suspend its efforts until the Turkish side was ready to move forward again. She applauded the President’s decision, because it was a decision to continue, despite the obstacles, to work towards peace, stability and reconciliation. Furthermore, after saying that the US

84 “Changing Strategy: On the Survival of Armenia and Its Diaspora”, *The Armenian Weekly*, 17 January 2011

85 “Remarks At The Top of Her Meeting With President Sargssian”; <http://www.state.gov/secretary/rm/2010/07/143963.htm>.

government urges Turkey to take the steps that it had promised to take and encourages both sides to continue to try to find the opportunity to open the door to reconciliation and normalization, Clinton has stated that the Armenia decision adopted last April (not abolishing the Protocols, but suspending the ratification process) was very statesmanlike and impressive and that now the ball is in the other court (Turkey).⁸⁶

From the angle of foreign policy, the first purpose of Hillary Clinton's visit to countries of the Southern Caucasus can be said to have been for the US to re-establish close relations with this region after not showing much interest, or not being able to show interest for a long time in this area. Moreover, it was clearly an attempt to gain sympathy for Armenia, mainly for reasons of US domestic policies. Just like President Obama during the presidential elections in 2008, Clinton had promised to recognize the Armenia genocide allegations. However, after becoming Secretary of State, she saw that this is not possible owing to the great importance of Turkey for the US, and acted accordingly. Yet Clinton's action has created disappointment among US Armenians in the same way as they were disappointed by President Obama. In order to make up for this to a certain extent, and taking into consideration the US's biggest Armenian organization ANCA's request,⁸⁷ she has visited the Genocide Monument and has placed a wreath there. (This matter will be addressed separately in this article).

However, after becoming Secretary of State, she saw that this is not possible owing to the great importance of Turkey for the US, and acted accordingly.

The US Foreign Minister has also attempted to gain the sympathy of the Armenian Government and public. This can be clearly seen from the aforementioned information provided to journalists concerning her meetings with President Sarkisian and Foreign Minister Nalbandyan. For instance, the statements of "appreciation for the President's personal efforts", of "admiration for the President's courageous decision", "applauding the President's decision", "the decision which is very statesmanlike and impressive" all serves the same purpose.

Which decision is Hillary Clinton addressing? On close inspection, it can be seen that not one, but two decisions exist. The first is that, contrary to Kocharian, President Sarkisian has taken the initiative to normalize relations with Turkey, which is in our opinion a noteworthy decision. The second is the President's

86 Joint Pres Availability With Armenian Foreign Minister Eduard Nalbantyan, US Department of State, 5 July 2010.

87 "Clinton'a Yoğun Baskı" (Heavy Pressure on Clinton), *Milliyet*, 4 July 2010.

decision adopted on 22 April 2010 to suspend the ratification process of the Protocols. The US was very pleased that Armenia did not reject the Protocols altogether, but only suspended ratification. It is this second decision which Clinton described as “very statesmanlike and impressive”. When comparing this with Turkey’s stance towards the Protocols, it is also possible to find this decision of Armenia unconstructive, because although Turkey has not ratified the Protocols, it has continued to keep these documents on the Assembly’s agenda. Armenia has also not ratified them, but has removed the Protocols from the agenda.

2. The Los Angeles Lawsuit

On 29 July 2010, on behalf of Armenian plaintiffs Garbis Davuyan and Hrayr Turabian, a lawsuit was filed in Los Angeles against the Turkish Government and Turkish official banks of Ziraat Bank and Central Bank of Turkey.. The lawsuit seeks compensation for property allegedly seized from Armenians along with bank deposits. The lawsuit claims that the Government of Turkey has agreed to administer the property, collect rents and sale proceeds from the seized assets and deposit the receipts in the trust accounts until the property could be restored to owners, but that the Government has withheld the property and any income derived from such property.⁸⁸ Another source has indicated that there is also a request for the returning of some Armenian owned religious artifacts now housed in Turkish museums.⁸⁹

The attorneys of the plaintiffs are Brian S. Kabateck, Richard Kellner (Kabateck, Brown & Kellner Law Firm in Los Angeles) and Mark Geragos (Law Firm of Geragos & Geragos in Las Vegas) who have also been attorneys in lawsuits filed by Armenians against some insurance companies. All of these attorneys are famous. In particular, Mark Geragos has made a name for winning the lawsuit filed against singer Michael Jackson for molestation.

In an interview given by Mark Geragos concerning this matter,⁹⁰ in response to a question of why this lawsuit has been filed almost a century after the events, he has answered that this is due to the emergence of certain documents and facts and that for strategic reasons he cannot say much more, but some developments in 180 days (towards the end of January 2011) should be seen. In response to another question on his estimates for the amount to be paid to the descendants of the victims, he has said that they cannot even begin to fathom the amount to be

88 “Events in Turkey From 1915 Find Way to Los Angeles Federal Court”, *Wall Street Journal*, 30 July 2010.

89 Harut Sassounian, “Armenians Seek Billions of Dollars in Lawsuit against Turkey”, *The Armenian Weekly*, 3 August 2010.

90 “Celebrity Lawyer Takes on Turkish Government, Banks for Armenian Assets”, *Los Angeles Times*, 10 August 2010.

compensated, but the amount will clearly be in the billions. In reply to a question about how significant this case is in terms of gaining more international recognition for the Armenian genocide, he has said that they have gone beyond “recognition”, that President Reagan called it “genocide” and that the word is really “restitution”, not recognition. Geragos has also said that the Turkish people should realize history is moving forward, they should be trying to make restitution instead of putting their heads in the sand, and that they should not spend money on lobbying to deny a historical fact.

On the other hand, in relation to the lawsuit they filed, Brian Kabateck has stated that they are seeking the recognition of a status known as “class action suit” within US law.⁹¹ This legal term conveys that a lawsuit brought by a party on behalf of a few individuals could be considered as being filed on behalf of all persons having the same grievance. However, for this to take place, the court must acknowledge it. Based on the information we have, the lawsuits filed against several insurance companies in the past by these attorneys have been transformed into class action suits.

Turkey or any other country can only be tried in courts whose judicial power they have recognized.

We will examine this topic from two angles, legal and political.

From the legal aspect, the first point which must be considered is whether the court in which the lawsuit has been filed is competent or not. Turkey or any other country can only be tried in courts whose judicial power they have recognized. These courts are international courts and none of the domestic or national courts have jurisdiction over foreign states. If the court believes it is competent, its decisions or verdict could not be enforced. The court in Los Angeles has not yet reached a decision on whether it is competent to rule the case.

Secondly, it is essential for a case to be ruled by courts of countries where the events forming the subject of litigation have taken place. Since the 1915 events have occurred in Turkey and the properties requested are located in Turkey, then the lawsuit should be filed in Turkey. In relation to this, if a suit is to be brought against Ziraat and Central Bank, it has to be filed in Turkish courts. Most likely, this court will be a court in Ankara since the central offices of the banks are located there. However, first of all, evidence must be provided showing that the two banks have some kind of relation to the properties left behind by Armenians.

91 “ABD’li Ermeniler Türkiye’ye Dava Açtı” (US Armenians Filed Lawsuit Against Turkey), *Vatan*, 30 July 2010; “Ermeni Soykırım İddiasında Bir İlk” (Uniqueness in Armenian Genocide Allegations), *NTVMSNBC*, 30 July 2010.

As for the substance of the case, apart from procedure, it is known that at the end of the First World War the Ottoman Government had returned seized properties belonging to Armenians upon request. This practice had continued from 1919 to 1922. The Treaty of Lausanne has also adopted the principle of returning of properties. However, this restitution was attached to time limits. These have long expired. Since some Armenians have laid claims from time to time over these properties, the Constitutional Court decided on 31 July 1963 that the properties not regained until 6 August 1924 will be left to the Treasury even if owners of those properties return to Turkey.⁹² In conclusion, from the legal aspect, this issue was settled years ago in Turkey based on Turkish law and the descendants of relocated Armenians no longer have the right to claim the properties.

Meanwhile, the US, which did not sign the Treaty of Lausanne because it did not enter the war with the Ottoman Empire, had concluded an agreement in December 1923 in order to organize its relations with the newly formed Republic of Turkey. Based on this agreement, it requested compensation for Armenian properties to its own citizens. Due to the American Armenians opposing every text which does not grant them any territory from Turkey and their pressures on the Senate, this agreement did not come into force right away. However, since the Turkish Government embraced compensation in principle, another agreement which took a long time was signed on 23 September 1937 and Turkey agreed to pay 899,338 dollars to Armenians of US citizenship. This amount was paid out in installments of 100,000 Dollars in the years 1938 to 1944.⁹³

All experienced lawyers should know these matters, that a lawsuit against Turkey cannot be filed in the US, and even if it is, the case cannot be won since compensation has already been paid according to the 1937 Agreement and even if it is won through some local pressures, it will not be legally binding. Apparently however, winning the case is not the intention of lawyers, but, over the period leading to 2015 when demands for recognition of the genocide allegations, payment of compensation, and even territory to Armenia will greatly increase, to bring forward an issue which could be much exploited against Turkey and try to keep it on the agenda by prolonging the lawsuit.

3. The Massachusetts Lawsuit

The curriculum (list of subjects which will be addressed and taught in educational

92 Mine Kırkkanat, "Kaliforniya'da Açılan Tazminat Davası Konusunda Emekli Büyükelçi Pulat Tacar ile Söyleşi" (Interview with Retired Ambassador Pulat Tacar on the Suit for Damages Filed in California), *Vatan*, 2 August 2010.

93 Ibid.

establishments) in the US is determined by the States. In order for the Armenian genocide allegations to be generally acknowledged, militant Armenians have striven for many years to incorporate the topic of “Armenian genocide” into the curriculum. As a result of these efforts, currently in 11 of the States (California, Georgia, Illinois, Kansas, Massachusetts, Minnesota, New Jersey, New York, Ohio, Rhode Island and Virginia) the curriculum contains this subject.⁹⁴

Massachusetts is the second state after California where the Armenians have the most influence. In 1998, the topic of Armenian “genocide” was included in the curriculum of this State. In the decision relating to this matter, the selected books which would be taught or consulted were one-sided and argued that such genocide took place. Some parents have requested that books and sources defending that adverse view should also be included in the list and these books and sources have been added to the curriculum guide. However, when the Armenian community fiercely protested about this and had at least obtained the unreserved support of a senator, the books and sources were taken off the list in 1999.⁹⁵ While the Turkish organizations in Boston were objecting to this decision, ATAA (Assembly of Turkish American Associations) had filed a suit in 2005 against the court hearing the case (US District Court). The case was concluded after four years and Judge Mark L. Wolf dismissed the ATAA’s request.

ATAA has made an appeal against this decision. The First Circuit Court of Appeals, under Justice David Souter, had concluded on 11 August 2010 that removing books defending pro-Turkish views on the 1915 events from the Massachusetts curriculum guide did not breach the “First Amendment” related to the freedom of speech underlined in the US Constitution. The court has decided that “the Guide on Armenian Genocide instruction fit into the curriculum classification rather than a school library and even if the school library cases did apply, that law would not allow the genocide denial actions that the plaintiffs sought”.⁹⁶

The attorney of ATAA, Harvey Silverglate, has said that removing the references from the curriculum guide amounted to government censorship and prevented students from hearing both sides of the argument.⁹⁷

The US is a country in which freedom of speech is extremely important. All discussions, including those held in courts, about the Massachusetts Curriculum

94 “GenEd Pushes Armenian Genocide Education In USA Schools”, *The Armenian Weekly*, 21 July 2010.

95 “USA: Les Ecoles Peuvent Exclure Des Matériaux Niant le Génocide Arménien”, *Armenews*, 15 September 2010.

96 “1915’e Dair Sadece Ermeni Görüşü Kaldı” (Only the Armenian View Remains Regarding 1915), *NTVMSNBC*, 13 August 2010.

97 “Schools Can Exclude Materials Disputing Armenian Genocide”, *Boston Globe*, 12 August 2010.

Guide have taken place in relation to freedom of speech. The US Constitution's "First Amendment" says that Congress shall make no law prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press. However, the aforementioned court rulings do not grant students the right to learn and listen to a subject from both existing views; in other words, it eliminates freedom of speech in advance. This point is as clear as the fact that two times two equals four. It is difficult to find an explanation for this situation other than that the courts of Massachusetts act under the influence of political or public opinion pressure. It is possible to file an appeal against the decision of the Court of Appeals in a superior court. However, we believe that under the political conditions in Massachusetts, the result will not change.

The decision of the Court of Appeals has been met with joy by militant Armenians and their organizations. In a declaration issued by the Dashnak organization, the Armenian National Committee of America (ANCA), after expressing its pleasure, has thanked the organizations it has cooperated with on this matter. Among them are the Armenian Bar Association, the Irish Immigration Center, the Jewish Alliance for Law and Social Action, the Genocide Education Project, and the Zoryan Institute. This would suggest that some Jews and Irish people having a special position in Massachusetts are on the side of the Armenians.⁹⁸ On the other hand, the US's second major organization, the Armenian Assembly of America (AAA), has declared that the ATAA losing the case marks "a major defeat" for them. The Chairman of AAA, Hirair Hovnanian has said that "the ruling sends a clear message to Turkey and its revisionist allies that history cannot be rewritten to further Ankara's state-sponsored denial campaign". Also, Board President Carolyn Mugar has said that this ruling is a victory for all those concerned about genocide education and prevention.⁹⁹

On this occasion, it is necessary to point out that the Armenians in the US have established an organization in 1997 called "The Genocide Education Project", with the purpose of allowing the genocide allegations to be taught in schools. This organization works with school teachers so that they can obtain the resources needed to teach about the Armenian genocide and organizes workshops to introduce educators to various resources available and the most effective methods for teaching about the genocide. To this end, it has compiled an online resource library with downloadable resources, many at no cost at www.TeachGenocide.com.¹⁰⁰

Based on this, it becomes quite clear that apart from enabling the Armenian

98 Noyan Tapan, "ANCA Welcomes Landmark Court Decision Against Genocide Deniers", 13 August 2010.

99 <http://www.hurriyetdailynews.com/n.php?n=us-appeals-court-rejects-armenian-genocide-denial-curriculum-2010-08-12>.

100 "GenEd Pushes Armenian Genocide Education in U.S. Schools", *The Armenian Weekly*, 21 July 2010.

genocide allegations to be taught in US schools, the function of the Genocide Education Project is to keep the resources and teaching methods used in education under inspection.

4. The Guenther Lewy Lawsuit

Professor Guenther Lewy, originally a German Jew, settled in the US following World War II, gave lessons in various universities, and retired from the University of Massachusetts. His book “The Armenian Massacres in the Ottoman Turkey: A Disputed Genocide” was published in 2005. Rather than supporting the Armenian genocide allegations, the book argues that these allegations are false, but also puts forward that some massacre was committed against the Armenians in that period.

The book was actually written earlier, but Oxford University Press, which publishes Guenther’s books, along with many other publishing houses, had refrained from publishing the book due to the direct and indirect pressures of the Armenians. Eventually, the University of Utah agreed to publish the book.

Lewy, who approaches the genocide allegations from a scientific perspective, has presented a paper, “What We Know and What We Don’t Know About the Events of 1915”, at the Conference held after the publication of his book at Gazi University on 23-25 November 2005 entitled “The Development of Turkish-Armenian Relations and the 1915 Events”.¹⁰¹

During his visit to Turkey, he was presented with the Center for Eurasian Strategic Studies (ASAM) High Award of the Research Institute for Crimes against Humanity.¹⁰²

Since the publication of his book, Prof. Lewy has been strongly criticized by Armenian circles, but from what we have determined so far, these criticisms have not been scholarly. In other words, the criticisms have not been based on evidence, but have accused Lewy of remaining insensitive to the genocide, underrating the value of his book and sometimes slandering it. The Southern Poverty Law Center (SPLC), making a name for itself in recent years and being a firm defender of human rights in the US, accused Prof. Lewy in 2008 of being an agent of an academic network financed by the Turkish Government and bearing resemblance

101 See: “Türk-Ermeni İlişkilerinin Gelişimi ve 1915 Olayları Uluslararası Sempozyumu Bildirileri” (Papers of the Development of Turkish-Armenian Relations and 1915 Events International Papers), Gazi University Atatürk Principles and Revolutionary History Research and Implementation Center, Ankara 2006, pp. 181–186.

102 Mustafa Serdar Palabıyık, “Prof. Dr. Guenter Lewy’ye verilen ASAM İnsanlığa Karşı Suçlar Araştırma Enstitüsü Yüksek Ödülü” (ASAM High Award of the Research Institute for Crimes against Humanity Presented to Prof. Dr. Guenter Lewy), *Ermeni Araştırmaları*, No. 19, pp. 124–129.

to neo-Nazis. Lewy, who escaped the Holocaust in Germany and later fought with the British army against the Nazis, filed a lawsuit against the SPLC, demanding 8 million dollars from the Center. The case concluded with the parties reaching a compromise. Accordingly, the SPLC withdrew its accusations and formally apologized to Prof. Lewy.¹⁰³ Furthermore, Lewy received an undisclosed amount of compensation from the SPLC.¹⁰⁴

In a press conference, Lewy has said that he has been named a “genocide denier” after the publication of his book and that he did not pay much attention to it in the beginning, but feeling that the SPLC has crossed the line with its accusations, had

Moreover, Lewy has said that if a survey relating to the 1915 events is conducted with the participation of historians, a great majority of the historians would question the “genocide” description for the 1915 events.

filed a lawsuit. He has said that he might not be called a Turkish “agent” anymore, but would continue to be named as a “genocide denier”. Moreover, Lewy has said that if a survey relating to the 1915 events is conducted with the participation of historians, a great majority of the historians would question the “genocide” description for the 1915 events. Lastly, Lewy has indicated that he has serious concerns over Armenian activities for the commemoration of 2015.¹⁰⁵

5. “60 Minutes” Television Program on the CBS Channel in the US

“60 Minutes”, being among the top rated programs on CBS television in the US, has covered the Armenian “genocide” on 28 February 2010. The program was directed by Bob Simon who had also directed a contentious program with Istanbul Greek Orthodox Patriarch Bartholomeos. Armenian author Peter Balakian was also present in the program and contributed to its preparation.

As can be presumed, this program was prepared in order for the Armenian allegations to gain momentum and especially to draw the public’s attention to the genocide myth. It was quite clear that, in particular, it aimed to influence the election held on 4 March in the Committee of Foreign Affairs of the US House of Representatives.¹⁰⁶

103 “Soykırım’a Karşı Çıkan ABD’li Profesörün Zaferi” (The Victory of the US Professor Opposing the Genocide), *Hürriyet*, 1 October 2010.

104 “Génocide Arménien: Les Théories Gratuites de Guenther Lewy”, *Armennews*, 13 October 2010.

105 “Türk Ajanı olmakla Suçlanan Lewy’den Uyarı”, *Radikal*, 5 October 2010.
<http://www.historyoftruth.com/news/latest/7809-lewy-much-to-do-against-armenian-allegations-regarding-1915-incidents->

106 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, Ankara, 2010, No. 21, pp.34-37.

This time, the issue addressed was the area of Deir ez Zor in Syria to which the Armenians were relocated. Simon, who visited this area together with Peter Balakian, argued that it was the largest Armenian Cemetery in the world and showed images of bones being taken from the ground. Moreover, a cave into which an unknown number of women and children were alleged to have been thrown was shown along with photographs of corpses of women and children and it was said that a fire was lit in front of the cave, acting as a primitive gas chamber which killed those in the cave, but no evidence was put forward for this allegation. On the other hand, Peter Balakian, arguing that 450 thousand Armenians died in Deir ez Zor, said that “whatever Auschwitz meant for the Jews, Deir ez Zor meant the same for the Armenians”. Furthermore, the assassination of Hrant Dink was also recalled and it was emphasized that Dink was the last victim and martyr of Armenian genocide.¹⁰⁷

In order to prove that they were not being one-sided, Turkey’s former Ambassador in Washington, Nabi Şensoy, was invited to the program. However, Simon acting like an interrogator towards Şensoy, wanted him to confess to the “crime” and interrupted him frequently. Meanwhile, bizarre questions were asked such as “we were in Syria and we scratched the sand and came up with bones. How can you argue with that?”

In conclusion, the Armenian genocide allegations were presented with a propagandist style and in a highly demagogical manner.

It is quite clear that when the allegation that 1.5 million Armenians died (or were killed) during the relocation could not be proved, Armenian propaganda worked towards bringing to the foreground Deir ez Zor in Syria where the Armenians were relocated. Armenian President Serge Sarkisian had contributed to these efforts during his official visit to Syria in March and delivering a speech concerning the genocide allegations in Deir ez Zor.¹⁰⁸ On the other hand, it is known that some Turkish journalists supporting Armenian views also travelled to this area and wrote articles.¹⁰⁹

It is already known that all along, Armenian propaganda has sought to find similar events to the Holocaust or similarities with the methods of exterminating the Jews. When a concentration camp for Armenians was not found in Anatolia, it was purported that Deir ez Zor is a place for that purpose. But it has been forgotten that this area is thousands of square kilometers. Upon failing to find evidence that the

107 “ABD TV’sinde Soykırım” (Genocide on US TV), *Hürriyet*, 1 March 2010.

108 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, Ankara, 2002, No. 21, p.31.

109 Cengiz Candar, “Suriye Çölünün Ortasında 24 Nisan” (24 April in the Middle of the Syrian Desert), *Radikal*, 25 Nisan 2010; Amberin Zaman, “İster İstemez Yine Ermeniler” (Unavoidably the Armenians), *Taraf*, 19 March 2010; Oya Baydar, “Der Zor’u Hatırlamak” (Remembering Deir Zor), *T24.com.tr*, 27 April 2010.

Ottoman Empire used gas against the Armenians, this time it was alleged that women and children had been crowded into a cave and been suffocated by the smoke of the fire lit in front of that cave, but no explanation was given on why there was no skeleton in this cave.

If 1.5 million people have died, then mass graves must exist. In Anatolia and particularly in Eastern Anatolia, many mass graves belonging to Muslims massacred by Armenians exist and these are still being unearthed. On the contrary, no one knows of any mass graves belonging to Armenians. Moreover, Armenians do not claim that mass graves exist. This situation greatly weakens the genocide thesis. For that reason, it has been alleged that a mass grave exists in Deir ez Zor, which is an area difficult to travel to and conduct research in. An image has been created that bones belonging to Armenians have been discovered nearly everywhere, but where the so-called mass grave is located in this very large area has not been indicated.

An explanation provided by Syrian authorities has brought an end to the allegations of this imaginary Armenian mass grave in Deir ez Zor. In response to Turkish journalists' questions regarding this issue, the Syrian Information Minister Muhsin Bilâl, has said that such a mass grave does not exist in Deir ez Zor as CBS had claimed, that the news regarding this issue is fully fake and that if he was aware of the situation, he would not have allowed them to shoot such a program.¹¹⁰

Later on, a Lebanese Armenian television crew was not allowed to travel to Deir ez Zor in order to record footage on the Armenian killing fields there.¹¹¹

With a rather large Armenian community being present in Syria, Armenia-Syria relations have traditionally been on good terms. However, Turkey-Syria relations have also developed to a great extent in the recent years. Last of all, as can be seen with the Deir ez Zor incident, Armenian propagandists can be confronted by various developments which are undesirable for them. Most likely, in order to prevent these kinds of developments, a memorial signifying Armenian-Arab friendship has started to be built in Yerevan as an expression of gratitude for the behavior of Arabs towards the Armenians escaping the "genocide". A delegation, headed by the Governor of Deir ez Zor, Hüseyin Arnus, visited Yerevan on 9 October 2010 and a cooperation agreement was signed between Deir ez Zor and the Armavir region of Armenia.¹¹²

110 "Suriye CBS Haberini Yalanladı: Ermenilere Ait Toplu Mezar Yok" (Syria Refuted CBS News: No Mass Grave Exists Which Belong to Armenians), *Zaman*, 4 March 2010.

111 Harut Sassounian: "Growing Turkish Influence in Middle East Leads to Restriction in Armenian Rights", *Panorama.am*, 15 June 2010.

112 "Erivan'da Ermeni-Arap Dostluğunu Sembolize Eden Bir Anıt İnşa Ediliyor" (A Memorial is Being Erected in Yerevan Which Symbolizes Armenian-Arab Friendship), *News.am/tr*, 9 October 2010. <http://news.am/eng/news/33923.html>.

6. Armenian Heritage Park in Boston

Boston and the surrounding area is a region on the Eastern coast of the US where the Armenians first settled and in which they still have the most political influence.

A section of the highway from Boston was named after President Kennedy's mother as Rose Fitzgerald Kennedy Greenway. Since 1999, the Armenians there have worked towards the construction of an "Armenian Heritage Park" located on parcel 13 in Boston in which a memorial will also be built to commemorate the victims of the Armenian genocide.¹¹³ Some residents of the neighborhood have objected to a memorial which refers to an issue like genocide. Turkish organizations in the city have also attempted to prevent the establishment of a memorial for the same reason. After prolonged discussions, the authorities have decided on constructing the memorial and the park.

The project's value exceeds 6 million dollars and the entire amount is being raised by Armenians residing in the state of Massachusetts.¹¹⁴ However, according to the website of the governor's office, the construction of the park will amount to 2.2 million dollars. There is no information on what the difference between the two amounts of approximately 4 million dollars has been or will be spent on.

The groundbreaking ceremony at the park and memorial took place on 9 September 2010. The Governor of Massachusetts, Deval Patrick, Boston Mayor Thomas Menino, local council members and representatives of the Armenian Community attended the ceremony, while Supreme Patriarch Karekin II travelled from Armenia to attend. Moreover, the Archbishops of the Eastern and Western Diocese of the US, Khajag Barsamian and Oshagen Choloyan, were also present. At the federal level, Congressman Michael Capuano also attended the ceremony.

After praising the Armenians in his speech, Capuano mentioned the Armenian genocide draft resolution in Congress and said that "there have been efforts to rewrite history, but there are some things in history you cannot change. The Armenian genocide is one of them. It is a fact". Capuano then added, "My troubles are not with the Turkish government, I want to be very clear about that. I regard them as allies of America. That doesn't give anyone the right to deny historical facts".

113 "Watertown Representatives Gather At Armenian Heritage Park Groundbreaking in Boston", *Watertown*, 20 September 2010.

114 Nanore Barsoumian, "A Testimony to the Past, and Future: The Armenian Heritage Park's Groundbreaking Ceremony", *The Armenian Weekly*, 11 September 2011.

Governor Deval Patrick also touched upon the issue of genocide and said that “the Armenian genocide is real. It happened. It must be acknowledged. It cannot be denied”.

On the other hand, Supreme Patriarch Karekin II referred to the genocide allegations, saying that they “dedicate this ground to the memory of 1.5 million victims of the Armenian genocide, but not only that, they consecrate it in memory of all victims of genocide, before and after 1915, for the victims of the Holocaust, of Cambodia, of Rwanda and Africa”.¹¹⁵

In other words, none of the US Congress members, apart from Capuano, attended the ceremony.

It is quite interesting that this ceremony, which drew a crowd of 1,000 people, remained local. In other words, none of the US Congress members, apart from Capuano, attended the ceremony. However, besides the two senators, the State of Massachusetts has 10 members of House of Representatives. Without doubt,

having a memorial relating to the Armenian genocide allegations in one of the most elite places of the city will contribute to the spreading of these allegations.

7. Armenian Genocide Museum in Washington

Apart from being the capital of the USA, Washington is also known for its museums. One of the most important museums is the one related to the Holocaust. The interest shown to this museum has impressed militant Armenians and based on their supposition that Armenians have also been subjected to genocide, the Armenian Assembly of America (AAA), one of the greatest Armenian organizations in the US, have tried to create an Armenian genocide museum in Washington. With the wealthy businessman of Armenian origin Gerard Cafesjian and this Cafesjian Family Foundation embracing the idea of an Armenian genocide museum, this project has rapidly developed and the former building of the National Bank of Washington existing in an elite area near the White House, along with four smaller adjacent buildings have been purchased with Cafesjian’s great financial contribution.¹¹⁶ It has first been foreseen that the Museum would be opened in April 2002,¹¹⁷ but then it has been decided that the inauguration would be on 31 December 2010 at the latest.¹¹⁸ It has also been agreed upon that

115 Ibid.

116 Detailed information on the Armenian Genocide Museum could be found in number 30 of the Review of Armenian Studies.

117 “The Court Has Spoken: Can Armenians Now Uniteto Build a Genocide Museum”, *The California Courier Online*, 17 February 2011.

118 “AAA Issues Statement on Legal Battle Over Armenian Genocide Museum”, *PanArmenian.net*, 9 February 2011.

if it does not open by this date, then the buildings donated by the Cafesjian Foundation will be returned.

Later, a disagreement has arisen between the Cafesjian Foundation and AAA and the Foundation has wanted to take back the buildings. When it has failed in doing so, a lawsuit has been filed.

This lawsuit, which has lasted approximately for four years, has finally been concluded on 29 November 2010. According to the court decision, all the properties purchased by Gerald Cafesjian have been returned to the Cafesjian Family Foundation. Moreover, it was also decided that Mr. Cafesjian or his representatives, who had been ousted from the board of the genocide museum project would regain their seat.¹¹⁹ Judge Colleen Kollar-Kotelly has also ruled that the Foundation is not legally obligated to use the properties to build a museum.¹²⁰ There are five buildings which have been reserved for the Museum. Half (3.6 – 4 million dollars) of the cost of the former building of the National Bank of Washington mentioned above and the remaining four more adjacent properties totaling for 12 million dollars has been paid by the Cafesjian Family Foundation.¹²¹ In short, this means that unless Cafesjian or his Foundation is willing to grant the buildings, it is not possible to construct a museum in this place. However Cafesjian’s lawyer has stated that the museum will be constructed,¹²² but has not indicated whether all or some of these properties will be used for this purpose. On this note, we should indicate that the five properties which was first worth a total of 19.25 million dollars, is now estimated as 40 million dollars¹²³ and that Cafesjian might not allot some of the properties for the Museum.

The last point which is worth mentioning is the stance of Judge Colleen Kollar-Kotelly towards the Armenian genocide allegations. His verdict (Memorandum Opinion) starts with the following sentence: “Who, after all, speaks today of the annihilation of the Armenians”. Then, it has been expressed that this statement towards the Armenians who were to be “annihilated” by the Ottoman-Turkish Government, was used by Adolf Hitler. Thus the Judge has included in his verdict an allegation which does not directly relate to the case. However, he must have realized that the Armenian genocide allegations are not officially recognized in the US, he has tried to explain his position in a footnote of the verdict which states that “the use of the term ‘genocide’ to describe the atrocities that befell the

119 “Cafesjian Foundation Prevails in Genocide Museum Lawsuit”, *The Armenian Reporter*, 27 January 2011.

120 “Legal Battle Over Armenian Genocide Museum Ends in Philanthropists favor”, *Miami Herald*, 28 January 2011.

121 “The Court Has Spoken: Can Armenians Now Unite to Build a Genocide Museum”, *The California Courier Online*, 17 February 2011.

122 “Dispute Over? Court Finds in Favor of Cafesjian in Genocide Memorial Case”, *Armenianow*, 31 January 2011.

123 “Cafesjian Family Foundation Responds to AAA’s Statement on the Armenian Genocide Museum Case”, *The Armenian Reporter*, 12 February 2011.

Armenians between 1915 and 1923 is not without controversy, but the parties in this case agree that it is appropriate. The Court has relied on the parties' stipulated facts, and therefore the Court use of the term "genocide" is not intended to express any opinion on the propriety of that label". Furthermore, he has conveyed in his decision that the court sincerely hopes that after years of fighting legal battles, the parties can put aside their differences and accomplish the laudable goal of creating an Armenian Genocide museum.

Meanwhile, the point related here is that by expressing that the husband of Judge Kollar-Kotelly is a close friend of Gerald Cafesjian, but that she has failed to disclose this and this has created a situation where the Judge impartially may be questioned, the AAA has demanded a new trial to reopen. Judge Kollar-Kotelly has not yet (15 March 2011) made a decision on this demand.

It is unacceptable in Turkey and European countries for a judge or in a court decision to carry such subjective and biased opinions and these could be a reason for appeal. However, as a consequence of judges being appointed in the US through elections, these kinds of populist approaches could be seen often. Taking into consideration the lawsuits filed against Turkey by American Armenians related to properties and the lawsuits which they are preparing to file in the future, this situation gains more importance.

As to the grounds of the issue, if the museum is built, which will take place sooner or later, there is no doubt that an Armenian Genocide Museum in Washington will become the primary instrument in giving credibility to the genocide allegations. For instance, after the Museum opens, the Congress will be inclined to easily adopt a resolution for the recognition of the Armenian genocide allegations.

It could be understood that the prevention of the opening of this museum is not possible through legal means. After it opens, if the items on exhibition in the museum offend some individuals, they will be able to file a suit for libel against the Museum. On the other hand, institution and any other legal persons filing these types of lawsuits will have practically no chance to win the case within the American law system. The way, to partially prevent the negative effects, establishing a "Museum of Anatolian Civilizations" in Washington, the city of museums, will draw greater interest than an Armenian genocide museum.

IV- DEVELOPMENTS IN GERMANY

Germany has a special role within the genocide issue. Before anything else, the most perfect genocide of the world has been committed against Jews during the

Nazi period in Germany and approximately six million people have been annihilated. It is a known fact that during the Armenian relocation, Germany has been an ally of the Ottoman Empire, it has been very influential on Ottoman Government and numerous German officers fighting in the Ottoman Army as advisors have also affected the decisions taken. According to some sources, the Armenian relocation was inspired by Germans for military purposes.

Johannes Lepsius, a German missionary living in the Ottoman Empire in those years, was among the first persons arguing that the relocation actually constituted genocide. The photographs taken in that period by another German Officer, Armeni T. Wegener, serving in the Ottoman Army, are still displayed as evidence of the genocide. Following the war, Grand Vizier Talat Pasha who took refuge in Germany and the notables of the Committee of Union and Progress Dr. Bahattin Şakir and Cemal Azmi were murdered by Armenians in 1922 in Berlin. Although the assassin of Talat Pasha was captured and confessed to his crime in court, he was acquitted by the jury. According to Armenian propaganda, Hitler took the Armenian relocation as an example for the Holocaust and said that “who, after all, speaks today of the annihilation of the Armenians”.¹²⁴

Before anything else, the most perfect genocide of the world has been committed against Jews during the Nazi period in Germany and approximately six million people have been annihilated.

In short, despite the Armenian question and Germany being closely related, it is difficult to say that there is a great interest in Germany today regarding, as we have stated below, the genocide allegations. Although the Bundestag adopted a resolution in 2005 concerning the 1915 events, it does not contain the term “genocide”, but uses expressions close to that term.¹²⁵

1. Die Linke Questions the German Government

Following the resolution of the Bundestag in 2005, silence has taken over Germany regarding the genocide allegations. This could be interpreted that the adopted resolution was well received by a majority of German public opinion and since the German Governments were already experiencing various problems with Turkey, in particular regarding EU membership and the situation of the Turks in Germany, they wanted to remain distant from this issue. On the other hand, the

124 It is understood that Hitler has not made these statements. Türkaya Ataöv, *Hitler and the Armenian Question*, Ankara University, Faculty of Political Science, 1984.

125 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, No: 7-8, p. 46.

Armenian Community in Germany which is small, but active, has strived to bring the genocide allegations to the forefront.

It can be seen that on the 95th anniversary of the 1915 events, the Armenians have organized several activities in order to break the silence in Germany.

The first initiative related to this issue was Die Linke (the Left) Party submitting a written parliamentary question in the German Assembly on 10 February 2010 to be answered by the government. The introduction of this motion has expressed that the 95th anniversary of the Armenian genocide is a good opportunity to draw a balance sheet related to the issue and then has gone on to request the recognition of the Armenian genocide in order for peace to be established between the Turks and Armenians. It has also repeated the Armenian views that as the ally of the Ottoman Empire during the First World War, Germany is responsible for not preventing the crimes committed against the Armenians and for that reason, the Armenian genocide is a part of German history. Moreover, while the 2005 resolution has envisaged the teaching of the Armenian genocide subject in Germany, it has indicated that it is not taught anywhere in Germany besides the Brandenburg State. Then, it has posed 11 questions for the German Government to answer. Some of these refer to freedom of expression in Turkey, abolishment of article 301 of the Turkish Penal Code, encouragement by Germany of research on the Armenian genocide, teaching of issue of the genocide in German schools, support of the Lepsius House in Potsdam, establishing a link between Turkey's EU membership and the recognition of the Armenian genocide allegations. They also refer to whether or not the German Government acknowledges the 1915-1916 events as genocide based on the 1948 UN Convention.¹²⁶

In the German Government's response, article 305 was criticized for not being entirely removed from the Turkish Penal Code. It has noted that the assessment of the 1915-1916 events belongs to scholars and that this is foremost the task of Turkey and Armenia. Concerning the teaching of the Armenian genocide in German schools, it has stated that the preparation of history lessons and curriculums belongs to Land's (states).¹²⁷

The statement of the German Government that the assessment of this issue belongs to scholars and that this is firstly the task of Turkey and Armenia is very similar to the Turkish Government's view regarding the matter. On the other hand, it can be said that the German Government wants to keep its distance from the issue of genocide, which has created a special kind of sensitivity in Germany, and that it is

126 "Allemagne: Petited Question Parlementaire Sur le Génocide Arménien", *Armenews*, 23 February 2010.

127 "Almanya Parlamentosunda 1915 Önergesi" (The 1915 Resolution in the German Parliament), *Agos*, 3 March 2010.

making an effort not to enter into another disagreement with Turkey over the Armenian allegations, while numerous problems already exist between them.

2. Lawsuit Against the German Government

The stance of the German Government is without doubt quite far from being satisfying for the militant Armenians. Therefore, attempts to pressure the government on this issue still continue. Among them, the lawsuit filed by attorney Stefan Taschjian on the eve of Armenian President Sarkisian's visit to Germany on 21 June, asserting that massacres of Armenians during the years 1915-1916 constituted genocide in the sense of the UN Convention of 1948, was highlighted in the media.¹²⁸

It can be seen that the Armenian President is not well aware of the situation in Turkey.

3. Der Spiegel's Articles

In the 3 April 2010 issue of Germany's most popular weekly journal Der Spiegel (The Mirror), an article entitled "Damonen der Vergangenheit" (Demons of the Past), explaining the 1915 events completely from the Armenians' viewpoint, along with an interview with Armenian President Serge Sarkisian, were published. We will not dwell into the content of this article which repeats already known Armenian views. But since it is almost a kind of advertisement for the documentary called "Aghet" explained below, which had not been released at that time, the conclusion can be drawn that the article and the documentary were commissioned by the same people or organizations.

In the interview, the Armenian President has only addressed two issues. He has allotted a great part of the interview to the genocide allegations and a quarter of it to the Karabakh conflict.

In response to a question on what his opinion is on Prime Minister Erdoğan's statement that one could not say a genocide occurred, Sarkisian has answered rather mockingly that "another statement was made that the Turks couldn't have possibly committed genocide and the Turkish history is bright and clean as the sun. Ankara is not the one to decide on the issue". Then, he has noted that "many young people in Turkey stood up against that statement and the leadership of that country should

¹²⁸ "Lawyer Files Lawsuit Against Germany For Responsibility in Armenian Genocide", *The California Courier Online*, 1 July 2010.

reckon with its opinion”. It can be seen that the Armenian President is not well aware of the situation in Turkey. Even if there are people in Turkey who regard the 1915 events as genocide, their number is very few. Furthermore, these people are not young, but are rather beyond middle age.

In response to a question on why he is against the idea of a historical commission, Sarkisian has replied by providing three reasons. The first is that such a commission could not work impartially in Turkey when people are persecuted and tried for a criminal offence if they use the term “genocide”. By this, Sarkisian means that as a result of article 301 of the Turkish Penal Code, which states that claiming that the Armenian genocide has taken place constitutes a criminal act and that the Turkish members of the commission will not be able to work objectively. However, article 301 does not impose such a prohibition. It stipulates that claiming genocide can only be considered as a crime if it insults Turkishness. Secondly, Sarkisian has stated that if such a commission is established, whenever a foreign parliament wants to adopt resolutions which recognize the genocide, the response would be, “don’t meddle in these issues; they are being examined by our historians”. In that, he may be right. In any event it would be meaningless for foreign parliaments to pass such resolutions while a commission is already conducting research on whether genocide took place. Thirdly, the Armenian President has noted that such a commission will cast doubt on the veracity of the genocide. In our opinion, this is the real reason. If such a commission is created, the entire Armenian opposition and especially the Dashnaks will criticize the Armenian Government for abandoning “genocide” and this will influence the Presidential and Parliamentary elections.

Another question posed to Sarkisian was that since the borders with Turkey and Azerbaijan are closed and those of Iran and Georgia are open, these countries are rather difficult neighbors, so would it not be a better trade-off to break that isolation (or normalize relations with Turkey) instead of quarrelling indefinitely with Turkey over the genocide. Sarkisian has provided a rather vague reply to this highly important question by saying that they (Armenians) “do not link the genocide recognition to the opening of borders... it is not their fault that a settlement is not being reached”.

4. The “Aghet” Documentary

A few days after the publication of *Der Spiegel*, the premiere of the documentary entitled “Aghet: Ein Völkermord” was held on 7 April 2010 in Berlin’s Babylon cinema. The Armenian Ambassador to Germany Armen Martirosyan, several members of the diplomatic corps, names not publicized, members of the Armenian

community in Berlin, and German journalists and broadcasters had attended the premiere.¹²⁹ The same film was shown two days later on April 9 on ARD television.

The term “Aghet” means “tragedy” in Armenian. Thus, the title “Aghet; Ein Völkermord” can be translated as “Tragedy: A Genocide”. It is evident that this 90-minute film, (the producer and director of which are Katharina Trebitsch and Eric Friedler),¹³⁰ is similar to the documentaries usually broadcasted in April, mostly in the US, that argue that genocide was inflicted upon Armenians by Turks/Ottomans.

The difference between this documentary and those shot in the US is that the documentary also approaches the subject from the angle that the Germans did not prevent the measures taken against Armenians during the First World War at the time of the Ottoman/German alliance. Otherwise, the film refers to the genocide allegations as if it they were real and presents statements of individuals supporting these allegations, while interspersing some statements of Turks in order to build a balance between the two views. However, the documentary does not mention that the principal reason of the Armenian relocation was the cooperation of Armenians with the Russian army, that almost half a million Muslims were massacred by the Armenians and that recently Turkish diplomats were victims of Armenian terrorism.

“Aghet” has drawn the attention of Turks in Germany. Opposing letters were sent to the television.¹³¹ In Cologne, Germany’s Turkish Organizations Union has held a protest in front of WDR television (West Deutsche Rundfunk). In a press release, the Chairman of this union İsa İlyasoğlu has stated the following: “We condemn the broadcast of a movie that accuses our nation of committing genocide by a TV channel that is funded by the taxes of 3.5 million Turkish people living in Germany. It is obvious that the movie was prepared with a prejudice since all the documents that were used as sources were mostly based on Armenian sources along with some subjective sources and Turkish archives and documents were definitely not referred to. A film like this is surely a disgrace for objective broadcasting. If it had referred to Turkish, Russian, French and English archives and had stated that Armenians massacred about 517 thousand Turkish people, then we would have been convinced that the film was shot objectively. We are in favor of this issue to be researched by historians by going through the archives. We find

129 “German Documentary on Armenian Genocide”, *USA Armenian Life Magazine*, 18 April 2010.

130 “Le Génocide Armenien Présenté Comme Un Docu-Fiction A La Télévision Allemande”, *Armenews*, 12 April 2010.

131 “Protest Action in Germany Over Film on Fictional Armenian Genocide”, *Journal of Turkish Weekly*, 14 April 2010; “Aghet- Un Génocide: Les Turcs d’Allemagne Fulminent”, *Collectif Van*, 13 April 2010.

that in these types of documentaries, attempting to influence public opinion through professional artists and trying to unfairly judge a nation is a great disrespect and insult”.¹³²

There was also an attempt to broadcast this film outside of Germany. It was reported that it would be screened on Arte, a German-French channel.¹³³ There were also efforts to broadcast it in the US.

These efforts must have proven unsuccessful, because Adam Schiff, a member of the House of Representatives, who used to defend Armenian interests, allowed the film to be screened in one of the rooms of Congress. Several members of the Armenian Caucus and representatives from the Armenian Community in the Eastern coast of the US also attended the screening. Carla Garapedian, director of the documentary “Screamers”, shot in the previous years in the US, which drew the reaction of Turks and Turkey, also attended. In his speech delivered on this occasion, Adam Schiff stated that the Turkish Embassy in Washington sent him a letter objecting to the screening. He went on to note that section 301 of the Turkish Penal Code, which makes it a crime to insult Turkishness, does not apply here and they are free to speak the truth”.¹³⁴ On this point, we should note that Adam Schiff wanted to be re-elected to the House of Representatives in California and achieved this in the elections held on November 2nd.

Lastly, “Aghet” was featured at the Golden Apricot International Film Festival held each year in Yerevan,¹³⁵ but did not receive any award. There being only one Armenian in the jury may have played a role in such an outcome.

5. President Sarkisian’s Visit to Germany

President Sarkisian has made an official visit to Germany on June 21st. In his speeches delivered there, he has addressed the well-known issues mentioned above.

In the meantime, he also met with the representatives of the Armenian Community including Archbishop of the Armenian Church Karekin Bekchian.¹³⁶

132 “Türklerden Alman TV’ye Tepki” (Turkish Reactions Towards German TV), *Hürriyet*, 13 April 2010.

133 “Le Génocide Arménien Présenté Comme Un Docu-Fiction A La Télévision Allemande”, *Armenews*, 12 April 2010.

134 “Capitol Hill Screening of Armenian Genocide Film “Aghet” Draws Standing Room Only Crowd”, Armenian National Committee of America, *Press Release*, 21 July 2010.

135 “Eric Friedler’s Catastrophe Docudrama on Armenian Genocide to be Featured at Golden Apricot”, *PanArmenian.net*, 19 June 2010.

136 Born in Turkey, Karekin Bekchian has wanted to be elected in replace of Armenian Patriarch Mutafyan who was unable to fulfill his duty to his illness. As a deputy of patriarch being elected instead of a Patriarch he objected to, he has posed questions at the Head of the Religious Council of the Armenians Patriarchate Tatul Anuşyan and Deputy Patriarch Aram Ateşyan. He has complained when not being able to receive satisfying responses. See: *Agos*, 10 September 2010.

In the press conference held with German Chancellor Angela Merkel, President Sarkisian expressed regret that because of Turkey's desire to use the normalization process for other purposes and divergence on the agreed principles of negotiations, the efforts by Armenia aimed at the normalization of bilateral relations and opening of the last closed border of Europe were fruitless. It was also stated that the two parties stressed the importance of moving the process of the Armenian-Turkish normalization forward without preconditions.¹³⁷

This information was obtained from the Armenian Presidency's website. However, the information conveyed in the Armenian press is slightly different. Chancellor Merkel expressed that "unfortunately, the process of establishing bilateral relations between Turkey and Armenia has been postponed or suspended, but this issue (postponement) will be overcome when the Karabakh Conflict is resolved".¹³⁸ According to this statement, the German Chancellor did not want the normalization process to continue without preconditions, but, exactly like Turkey, linked clearly the improvement of Turkey-Armenia relations to the resolution of the Karabakh Conflict.

6. Günter Grass is in Turkey

It is also necessary to mention Nobel Prize-winner German author Günter Grass's visit to Turkey in April. Coming to Turkey on 14 April for the cultural project entitled "European Literature in Turkey – Turkish Literature in Europe", he attended several activities and gave some interviews. Minister of Culture Ertuğrul Günay met Grass in a reception held on his behalf in Istanbul by the German Ambassador.¹³⁹

In his speeches, Günter Grass has touched upon the Armenian Question many times. The necessity for Turkey to deal with its past, as Germany did, and to apologize to the Armenians for the 1915 events constitutes the basis of his ideas. Concerning this issue, Grass has stated that he would have expected from the Erdoğan Government, which took the step towards rapprochement with Armenia, to bow before the memory of Armenian victims and to apologize".¹⁴⁰

In reference to "Aghet", Grass has said that the film was not accusatory, but still drew the reactions of Turkish authorities. After declaring that all the documents displayed in the film were real, he stated that perhaps it is necessary to establish a

137 <http://www.president.am/events/visits/eng/?visits=1&pn=0&id=162>

138 "Contradictory Statements Reveal Truth", *Hetq.am*, 26 June 2010.

139 *Milliyet*, 15 April 2010.

140 "Utancı Duymak Önemlidir" (Feeling Shame is Important), *Taraf*, 22 April 2010.

commission consisting of historians and to examine the process in the light of documents which cannot be refuted. It was striking that his suggestion resembled Turkey's proposal of a "Commission of Historians".¹⁴¹

On the other hand, when asked during a speech what he thought of the term genocide, he stated, "If you have noticed I did not call it genocide. Turkey will decide on how to classify these events. The events experienced in Germany were genocide".¹⁴² Grass's statement reminds us of the efforts of Jews to use another name, such as Holocaust or Shoah, for the genocide they were subjected to, in order to separate it from other genocides alleged or not.

V – DEVELOPMENTS IN TURKEY

1. The Commemoration of 24 April in Turkey

It is known that 24 April is considered by Armenians to be the day the "genocide"

However, our research has shown that except in Turkey, the level of these activities has not much exceeded those of last years.

has begun and that commemorative ceremonies and several other activities directed towards the recognition of the genocide allegations is conducted by Armenian communities all over the world. Both the Armenians in Armenia and in the Diaspora attend these ceremonies and attach special importance to them. From this angle, it can be said that commemorative ceremonies of 24 April draw greater attention

than those organized to celebrate Armenia's independence.

Essentially, most of the activities and ceremonies are held on 24 April, but some are extended to March, April and May. During these months, apart from commemorative gatherings, meetings such as conferences, lectures and symposiums are organized, documentaries and films are screened and books are usually published. The extent of these activities is very broad and shows a tendency to increase every year. On the other hand, the implementation of these activities requires significant amounts of money. However, they also generate revenues, books and some other objects are sold and quite many donations are collected. Therefore, financial difficulties are not experienced and it can be surmised that organizers can even make a profit from such events. In conclusion, since these activities involve production, consumption and a financial dimension, it is possible to speak of an "Armenian Genocide Industry".

141 "Türkiye Gerçeğiyle Yüzleşmeli" (Turkey Must Confront Its Reality), *Taraf*, 16 April 2010.

142 Ibid.

Since this year was the 95th anniversary of 1915, special importance was expected to be attributed to commemorative ceremonies and other activities. However, our research has shown that except in Turkey, the level of these activities has not much exceeded those of last years. We do not have enough space to even provide a summary of the various activities and commemorative ceremonies organized in countries all over the world. Here, we will examine the ceremonies and activities conducted in Istanbul and Ankara. We will deal with the ceremonies in Yerevan separately.

It is obvious that the advocates in Turkey of the Armenian “genocide” have exerted a special effort to commemorate the 1915 events extensively on 24 April, its 95th anniversary. Compared to last year,¹⁴³ they were more extensive. However, they were limited and failed to attract widespread attention.

24 April has been commemorated in Turkey since 2005.¹⁴⁴ We should call to mind that several liberal intellectuals and academicians organized a conference that year at Bilgi University, which categorized the 1915 events as “genocide” and which was marked by unpleasant events due to interventions from outside.¹⁴⁵ On this point, we should note that 2005 marked the beginning of the efforts to influence Turkish public opinion in order to have the 1915 events recognized as genocide.

Just as in previous years, the chief organizer of the 24 April demonstrations was the Istanbul branch of the Human Rights Association (IHD). Moreover, the initiative entitled “Say No to Racism and Nationalism” whose spokesman is Cengiz Aktar also participated in this organization.

The demonstrations started at noon in front of the Haydarpaşa Train Station. Around fifty people attended and while some of them carried photographs of Armenians being relocated on 24 April 1915, they demonstrated on the stairs of the train station and the former Chairman of the Istanbul branch of IHD Eren Keskin delivered a speech.

In another place near the train station, some retired ambassadors have organized a counter demonstration with the voluntary participation of citizens. This group carried a poster under the slogan “Why Were We Massacred?” which had photographs of diplomats martyred by Armenian terrorists in 1973-1994. Retired General Edip Başer who also attended, has stated, “I don’t know why they condemn the relocation. What they should really condemn is the allegations. They should condemn the idea that ‘Armenian genocide is real’. Genocide does not exist

143 Ömer Engin Lütem, “Facts and Comments”, *Ermeni Araştırmaları*, Ankara, 2020, No. 32, p. 48.

144 “Le Collectif Van Rend Hommade Aux Militants Turcs”, *Collectif Van, Communiqué de Presse*, 27 April 2010.

145 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, Ankara, 2010, No. 21, p.54.

in the history of the Turkish nation. No historical document states otherwise. On the other hand, retired Ambassador Ahmet Banguoğlu has stated that “Today, injustice is done against our martyrs (Martyrs of Foreign Affairs). If documents exist, then they should show them and we can join them”.¹⁴⁶

Towards evening, a group of several hundreds of individuals¹⁴⁷ has conducted a sit-in demonstration at Taksim Square around a placard inscribed “This is our pain; this is a mourning for all of us” and has held candles and carnations. This group, to which dancer Zeynep Tanbay gave a speech, has then marched from İstiklal Avenue to the square in front of Galatasaray High School. Meanwhile, another group at Taksim Square has protested those attending the demonstration by holding Turkish flags and shouting slogans of “This is Turkey,” “Down with the Armenian Diaspora”, and “We Are the Soldiers of Mustafa Kemal”.¹⁴⁸ Moreover, members of the Social Platform of the Oppressed group have left carnations in front of the AGOS newspaper.¹⁴⁹

Another development was a group of 70-100 people from the Great Union Party demonstrating at Taksim Square, carrying posters of “The Paid Intellectuals of the Diaspora, How Many Dollars per Apology” and chanting slogans of “You, So-called Intellectuals, Coward Betrayers” and “Armenia Don’t be Fooled , Don’t Exhaust Our Patience”. Despite the warnings of the police forces, this group burnt an Armenian flag.¹⁵⁰

Spokesman Cengiz Aktar of the Initiative “Say No to Racism and Nationalism” has stated that they called upon approximately 200 intellectuals to support the demonstration and 70 of them responded affirmatively. Moreover, he has expressed that they started a petition on the website www.buacihepimizin.org, and received the signatures of over a thousand individuals within the first 24 hours. Without providing any names, they have stated that some MHP and CHP deputies displayed opposition, although the term “genocide” did not appear in the text.¹⁵¹

The text which they wanted to be signed is the following:

146 “Haydarpaşa’da Çifte Anma” (Double Commemoration in Haydarpaşa), *Habertürk*, 25 April 2010.

147 The number of those attending the conference is inconsistent. *Radikal* states 200, *Hürriyet* 400, *Haber Türk* and *Vatan* 500, and *Cumhuriyet* states “hundreds of persons”. In Toplumsal Tarih Journal’s (July 2010, p.16) article entitled “İstanbul, 24 April 2010”, written by an Armenian, states 1.000 people.

148 “24 Nisan Gerilimi Sokaklara Yansıdı” (24 April Tensions Were Spread to the Streets), *Zaman*, 25 April 2010. <http://www.todayszaman.com/news-208501-april-24-commemorated-for-first-time-in-turkey.html>

149 Ibid

150 “Ermenistan Bayrağını Yaktılar” (They Burnt the Flag of Armenia), *Habertürk.com*, 25 April 2010.

151 “24 Nisan Türkiye’de Anılacak” (24 April Will be Commemorate in Turkey), *Milliyet*, 24 April 2010.

“This is OUR pain. This is a mourning for ALL OF US.

In 1915, when we had a population of only 13 million people, there were 1,5 to 2 million Armenians living on this land.¹⁵² In Thrace, in the Aegean, in Adana, in Malatya, in Van, in Kars... In Samatya, in Şişli, in the Islands, in Galata...

They were the grocer in our neighborhood, our tailor, our goldsmith, our carpenter, our shoemaker, our farmhand, our millwright, our classmate, our teacher, our officer, our private, our deputy, our historian, our composer...Our friend. Our next-door neighbours and our companion in bad times. In Thrace, in the Aegean, in Adana, in Malatya, in Van, in Kars...In Samatya, in Şişli, in the Islands, in Galata...

On April 24th, 1915 they were “rounded up”. We lost them. They are not here anymore. A great majority of them do not exist anymore. Nor do their graveyards. There EXISTS the overwhelming “Great Pain” that was laid upon the qualms of our conscience by the “Great Catastrophe”. It’s getting deeper and deeper for the last 95 years.

We call upon all peoples of Turkey who share this heartfelt pain to commemorate and pay tribute to the victims of 1915. In black, in silence. With candles and flowers...

For this is OUR pain. This is a mourning for ALL OF US”.

Taking into consideration that the names of those first signing this text and who were called upon to attend the gathering at Taksim, have already been published in many sources, we are providing the names in the footnote below.¹⁵³

Despite the text not containing the term genocide, the number of those signing it was about a thousand in the first 24 hours. Five months later in September, this number has been around 1300.

152 1918, according to Ottoman counts, the total population is 18 million, while the Armenian population is 1.2 million.

153 “Taksimde Tarihi Bir Gün” (An Historical Day at Taksim Square) *Taraf*, 24 April 2010: Ahmet İnel, Ali Bayramoğlu, Aslı Erdoğan, Avi Haligua, Ayhan Bilgen, Ayla Yıldırım, Aysin Yeşilay İnan, Ayşe Batumlu, Ayşegül Devecioğlu, Baskın Oran, Cafer Solgun, Cengiz Aktar, Cengiz Algan, Deniz Zarakolu, Dilek Gökçin, Doğan Tarkan, Eren Keskin, Erol Köroğlu, Ferhat Kentel, Fethi İnan, Fethiye Çetin, Garo Paylan, Gülten Kaya, Hakan Tahmaz, Halil Berktaş, Hayko Bağdat, Hilal Kaplan, Hürriyet Şener, İpek Çalışlar, İsmail Erdoğan, Jale Mildanoğlu, Kadir Cangızbay, Kerem Öktem, Kutluğ Ataman, Lale Mansur, Leman Yurtsever, Levent Şensever, Mahir Günşiray, Mehmet Demir, Mithat Sancar, Neşe Düzel, Nil Mutluer, Orhan Miroğlu, Osman Köker, Öztürk Türkdöğün, Perihan Mağden, Roni Margulies, Semra Somersan, Sezgin Tanrikulu, Sırrı Süreyya Önder, Şanar Yurdatapan, Şenol Karakaş, Tamar Nalçı, Tanıl Bora, Tatyos Bebe, Turgay Oğur, Ufuk Uras, Ümit Kardeş, Ümit Kıvanç, Ümit Şahin, Vivet Kanetti, Yalçın Ergündoğan, Yaman Yıldız, Yasemin Çongar, Yıldız Önen, Zeynep Gambetti, Zeynep Tanbay. Hasan Cemal who has written an article entitled “I Share the Grief of Armenians of 24 April” in *Milliyet* of 24 April 2010 should also be added to this list.

Another interesting point is that among the first seventy signatories of the “This is Our Pain. This is Mourning for All of Us” campaign, only two names end with “yan”. It can be seen that among the signatories of the text, those of Armenian origin are very few. The same situation was seen among those participating in the Apology Campaign. It can be understood that the campaigns related to the Armenian genocide do not really concern Turkish citizens of Armenian origin. On the other hand, that under the pretext of being concerned about the Armenian Question, liberal intellectuals, former leftists and some Kurds use these campaigns as part of their struggle against secularism in Turkey.

It is worthwhile to deal with some other developments related to this matter. At the forefront of these developments is that along with publishing photographs, the Turkish media focuses on the 24 April commemorative events rather extensively, but

However, Gomidas did not die during the relocation, but 20 years later in Paris.

the majority of the public opinion has not taken notice. On the other hand, without any mention of the “genocide” allegations, some columnists wrote articles which convey sympathy towards the Armenians relocated on 24 April. This creates the impression that the 24 April commemorative events are important and that the Ottomans are

responsible for the measures taken towards the Armenians. However, a very large section of Turkish public opinion is very far from this idea.

Secondly, the attempt to create “a hero of genocide” was witnessed. Although 24 April is considered as the day which represents the genocide, no person exists who represents this day. In order to fill this void, the French Armenians have chosen musician/Reverend Gomidas and have had his monument erected in the most elite part of Paris. However, Gomidas did not die during the relocation, but 20 years later in Paris. His relation to the event is that he was among those arrested and relocated on 24 April. Upon the intervention of Halide Edip, he was released a few days later and returned to Istanbul.

On the other hand, perhaps with the thought that Gomidas would not arouse sympathy in Turkey for being a priest, he was not presented here as the “hero of genocide”; Instead, the focus has tended to be on Kirkor Zohrab who was a deputy of the Ottoman Parliament since 1908, and had close relations to Talat Pasha. He was arrested on 24 April 1915 and sent to Diyarbakir, where it is alleged that he was murdered. Some journalists and columnists,¹⁵⁴ by elevating this person,

154 “Zohrab Efendi’yle Yüzleşme” (Confrontation with Zohrab), *Taraf*, 25 April 2005.; Ali Bayramoğlu, “95 Yıl sonra Talat Paşa ve Zohrab” (Talat Pasha and Zohrab 95 Years Later); Yıldırım Türker, “Bir 24 Nisan Günü Kaybettiklerimiz” (Our Losses of 24 April), *Radikal*, 26 April 2010; Taha Akyol, “Ermeni Acısı ve Ermeni Milliyetçiliği” (Armenian Grief and Armenian Nationalism), *Milliyet*, 26 April 2010.

almost unknown in history by anyone except specialists, have tried to bring him to the forefront, but from what we have observed so far, they have failed.

In connection with 24 April, a conference was organized in Turkey entitled “1915 Within Its Pre and Post-Historical Periods: Denial and Confrontation Symposium”, This conference drew attention more for the events experienced prior to the conference. Since the Ankara Freedom of Thought Initiative which tried to organize this conference lacks a legal status, it was required for the conference to be organized by an institution possessing this quality. However, for various reasons, finding such an institution was delayed and in the mean time, finding a room for the conference was also a problem. Eventually, it was cancelled, but with the intervention of the Ministry of Internal Affairs, the symposium was held.¹⁵⁵

The subject titles of the symposium’s sessions were as follows: 1st session: The Armenian Issue from Historical Perspective; 2nd session: Official Ideological Denial and Annihilation From the Committee of Union and Progress to Kemalism; 3rd session: Turkification of the Capital or What Happened to the Abandoned Properties; 4th session: Armenian Issue: What and How to be Done; 5th session: Poster Bulletins; 6th session: Problem and Approach.

The main Turkish participants of the conference were İsmail Beşikçi, Sait Çetinoğlu, Ragıp Zarakolu, Baskın Oran, Temel Demirer, Recep Maraşlı and Sevan Nişanyan.

The following foreign individuals also participated in the conference: Khatchig Mouradian, Henry Theriault, Eilian Williams, Harry Parsekian and Sarkis Hatspanian.

The documents presented during the conference have not been distributed. However, the conference conclusions contain some information. Meanwhile, it was learnt that in response to Henry Theriault’s statement that reparations to the victims of genocide would provide the only chance for real political progress to be made, Servan Nişanyan drew attention to the principle that crime is personal and expressed that such demands will not be beneficial for the process; on the contrary, they will hurt the chances of living together in this country.

In the final declaration, it was noted that this symposium “has been a modest but significant step for contributing to the common honorable history of peoples against the official history, whose mission is to darken and polish”. Moreover, it was expressed that the participants of the conference have focused on “describing

155 www.koxuz.org/anasayfa/node/5823, 23 April 2010.

the process as genocide, the need to decriminalize the genocide label, the necessity for the state to face this reality and fulfill its responsibilities, the necessity for a democratic constitution that can end single-minded approaches and treat all differences on an equal basis”.

The interesting point here is that after the amendment of article 301 of the Turkish Penal Code, the permission of the Ministry of Justice has been required in order to file a lawsuit against those who assert that the Armenian genocide has taken place and since the ministry has almost never give this permission recently, the classification of the 1915 events as genocide is not longer regarded de facto as a crime. In fact, under the heading of “Frequently Asked Questions” on the Foreign Ministry’s website, the question of “Is it a crime to describe the events of 1915 as “genocide” in Turkey and are the ones who argue this exposed to legal investigation?” is answered as follows:

“It is possible to argue that Turkey is the only country, where the events of 1915 can be discussed in a free manner.

In this vein, accusations stating that some persons who are exposed to legal investigation and prosecution do not reflect the truth. Thus, neither in article 301 of the Turkish Penal Code, nor in any other part, there exists any provision towards the events of 1915. Accordingly, there is no one in Turkey now, who has been tried or prosecuted due to the reason that he / she described the events of 1915 as “genocide.

On the other hand, contrary to a number of countries, in whose legal systems there exist laws on ‘the punishment of denial of genocide’, books, articles and other publications which allege the events of 1915 as ‘genocide’ are freely distributed whether in their original languages or published in Turkish translation. Among these publications, there are some which can be characterized as fierce propaganda material.

*In contradiction with this liberty atmosphere in Turkey, in a number of European countries, some of which are EU members, there is legislation that indicates ‘denial of Armenian genocide’ as a crime. Turkish citizens who support contrary views can be prosecuted and tried in these countries. We regret these initiatives, which are known to be undertaken under pressure and direction from the radical elements of the Armenian diaspora. Moreover, they constitute an obstacle to create a open and free debate atmosphere with regard to the events of 1915”.*¹⁵⁶

156 <http://test2.mfa.gov.tr/enfd/defaulten.aspx>.

As mentioned above, classifying the 1915 events as genocide in Turkey is no longer considered as a de facto crime. Therefore, all kinds of books and articles which put forth the genocide allegations are published and the allegations are easily conveyed in the media and conferences. However, since this situation is advantageous for Turkey, it is ignored by Armenian circles and their advocates, and it is still asserted that the term Armenian “genocide” in Turkey continues to be prohibited.

There is no need to mention that the 24 April commemoration events in Turkey are met with satisfaction in Armenia and within the Diaspora. Advocates in Turkey of the Armenian allegations have always been regarded with appreciation and have been fully supported. It is evident that within this framework, these individuals are invited to many conferences to deliver speeches outside of Turkey and are encouraged to continue on this path.

This appreciation even extends to higher authorities. Indirect references to these individuals can be seen in the 24 April statements of US Presidents. President Sarkisian also mentions these Turkish individuals when appropriate.¹⁵⁷ Moreover, as will be seen below, in his 24 April statement this year, Sarkisian has expressed gratitude to all, including Turks, who have supported the Armenians in their struggle. Examples regarding these Turks can also be seen in some other European countries and among EU authorities.

In conclusion, the activities conducted in Turkey in 2010 to commemorate the Armenian genocide allegations have been greater compared to the previous years. Around 100.000 people attended Hrant Dink’s funeral.¹⁵⁸ Considering that around 30.000 people signed “the Apology to the Armenians Campaign”¹⁵⁹ in December 2008, “This is Our Pain. This Is a Mourning for All of Us” campaign collecting 1.300 signatures and only a couple of hundred people participating in the 24 April demonstrations show that there is a decline in the number of advocates of Armenian views. On the opposite side, as we have already mentioned above, the articles in the press which do not address the genocide allegations or the Armenian demands, but express sympathy towards the relocated Armenians of 24 April are much more compared to the previous years. Over time, this approach can induce a part of Turkish public opinion to believe in the genocide allegations.

As mentioned above, something else which the 24 April demonstrations of this year have shown is that they were either organized by former leftist new liberals, radical leftists, or some Kurds. Those protesting these demonstrators were with

157 Ukraine’s interview given to Profile Journal on 17 September 2010.

158 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, No.18, pp. 20-24.

159 Ömer Engin Lütem, Olaylar ve Yorumlar, *Ermeni Araştırmaları*, Sayı 31, s. 12-22.

the exception of the retired diplomats, organizations and individuals which have radical rightist views. In conclusion, there is a struggle between extreme ends and the big majority of the Turkish society either remains outside of it or indifferent.

2. The Liturgy in the Akhtamar Church

The Armenian Akhtamar Church, built in 915-921 on an island in Lake Van, was abandoned since 1915. The decision to restore this church, which carries special significance for Armenians, was taken in 2005 and its restoration was completed with a budget of 2 million 600 Liras (about \$1.7 million) The church was opened as a museum on 29 March 2007 with a ceremony attended by the Minister of Culture of that time Atilla Koç, the Patriarch of Armenian Community of Turkey Mesrob II, and former Deputy Culture Minister of Armenia Gagik Gürcüyan.¹⁶⁰

The restoration of this church by the Turkish Government was a gesture of goodwill towards the Armenians.

The restoration of this church by the Turkish Government was a gesture of goodwill towards the Armenians. However, not only has this gesture not been appreciated, but has also been criticized. These criticisms have revolved around the church being turned into a museum, failing to place a cross atop the building, and not being placed under the jurisdiction of the

Armenian Patriarchate in Istanbul. Moreover, this event has caused the re-emergence of allegations that the religious architectures (church, monastery etc.) in Anatolia belonging to Armenians have been damaged after the 1915 relocation. Karekin II, the Catholicos in Etchmiadzin, did not attend the opening ceremony on the basis that using the building as a museum contradicted Christian beliefs and the feelings of the Armenian community, while Archbishop Aram II who resides in Antelias near Beirut, announced that he will not attend the ceremony because Turkey has denied the Armenian “genocide”.¹⁶¹

The issue of organizing a liturgy in a church used as a museum has apparently been discussed frequently by Armenians and the Patriarchate of Istanbul. Eventually a service has been allowed to be conducted in this church on 19 September 2010 on the occasion of an Armenian religious day.

This news has been met with great satisfaction everywhere. However, extremist Armenians in Armenia and within the Diaspora have instantly criticized Turkey for not placing a cross atop the church. The cross was placed in the courtyard of

160 “Büyük Bir Vizyon, Biraz Daha Cesaret” (A Great Vision, A Little More Courage), *Zaman*, 21 September 2010.

161 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, Ankara, 2020, No. 11-12, pp. 11-12.

the church where everyone could see it. A decision was even taken to put it in its place, but the Governor of Van Münir Karaoğlu had said that there was not enough time to place the cross on top of the dome, which was not technically easy at all. A counter view was that this was not due to technical difficulties, but due to the referendum which the Party in power was approaching cautiously out of concern for votes.¹⁶² Since there is almost no possibility for referendum votes to be affected by the placing of a cross on top of an old church, taking into account that the referendum took place on September 12, while the liturgy was scheduled for September 19, one should believe that technical reasons prevented the placing of the cross.

This question of the cross emplacement caused a great campaign to be launched in Armenia and within the Diaspora to prevent people from attending the service. Actually, to be present in a service which was held for the first time after 95 years in a historical church should have been more important for the pious people and the issue of the cross should have remained in the background. But, this was reversed by the campaign. As it can be presumed, this campaign was led by the Dashnaks in Armenia and the Diaspora. President Sarkisian's Republican Party also spoke out against Armenian participation in the mass.¹⁶³ Just like the Dashnaks, the Heritage Party which is almost always against Turkey on almost every issue, declared that this liturgy could be a good reason for Armenian authorities to withdraw the Protocols from the Parliament.¹⁶⁴

The Catholicos in Etchmiadzin who had announced that he would send two representatives to attend the service to accommodate the request of the Armenian Patriarchate of Istanbul, under the influence of this campaign, issued a statement, in which he expressed that taking into account the breach of the assurances provided regarding the placement of the cross, representatives would not be sent to the liturgy at Akhtamar.¹⁶⁵ The other two Patriarchates (Jerusalem and Antelias) also announced that they will not send representatives.

No representatives of the Armenian Government attended the service either. Moreover, there was not a high level of participation from the Armenian press and other institutions. According to the Armenian press, Prime Minister Erdoğan offered all expenses to be paid during the visit and sent invitations to numerous people, only to be refused since the cross was not installed.¹⁶⁶

162 Markar Eseyan, "Ahtamar Ah!", *Taraf*, 20 September 2010.

163 "Calls to Boycott Akhtamar Mas Cross Party Lines", *Asbarez*, 10 August 2010.

164 "Heritage: The Liturgy on Akhtamar Could Be A Good Reason for Armenian Authorities To Withdraw Armeniam- Turkish Protocols From Armenian Parliament", *Arminfo*, 20 September 2010.

165 "Etchmiadzin To Boycott Akhtamar Mass", *Armenianweekly.com*, 5 September 2010.

166 Sassounian, "Who Von Akhtamar War: Armenians or Turks?", *The Armenian Weekly*, 21 September 2010; "Armenian NGOS Decline Turkish Premier's Invitation", *News.am*, 15 September 2010.

The service was conducted on Sunday on September 19 by Deputy Patriarch and Archbishop Aram Ateşyan of the Armenian Patriarchate of Turkey. Only 50 selected attendees were admitted to the small church. Those remaining outside watched the service outside on a large-screen.

Despite the campaign, around 4 thousand people visited the island of Akhtamar.¹⁶⁷ However, what is important here is the number of persons coming from Armenia and the Diaspora. Based on various estimates, this number is near 200 and it is also estimated that approximately 700 Armenians from Turkey, especially from Istanbul, took part. In this situation, a majority of the participants were non-Armenians coming from Van and other places, along with members of the press (148 Turkish, 63 foreign). No one from the Turkish Government attended the service. Senior officials from Van and Gevaş were present at the liturgy. No one from the diplomatic corps attended except for the German Ambassador in Ankara Eckart Cuntz. The Ambassador's reason to attend was not clear.¹⁶⁸

In his speech after the liturgy, in relation to the boycott campaign to which he did not refer openly, Deputy Patriarch and Archbishop Ateşyan stated that “there have been those who said that we are left alone in this liturgy. We are not alone in our prayers and the spirits of Jesus, angels, all Saints with Virgin Mary at the forefront, King Gagik who built the church and others are with us”. If this service had been truly approached from a religious angle rather than a political one, then the representatives of the three Armenian Patriarchates and many Armenian believers should have come to Van.

The Deputy Patriarch also stated “What matters for us is that this building, which is being preserved as a museum, will be passed on to future generations. This church is a masterpiece of art and culture, and that's why it belongs to the whole of humanity. We thank the Republic and Government of Turkey for renovating and protecting this church”.¹⁶⁹

No reaction came from the Armenian Government regarding this service, but instead, as mentioned above, the ruling Republican Party adopted an opposing stance. On the other hand, in memory of the victims of the Armenian “genocide”, the Armenian Genocide Museum-Institute initiated a liturgy which begun at the same time of the liturgy in Van, followed by a protest rally at the Armenian Genocide Memorial.¹⁷⁰

167 “Türkiye Ermeni Kilisesinden Ermenistan'a ve Diasporaya Mesaj” (A Message to Armenia from the Armenian Church in Turkey), *Hürriyet*, 19 September 2010; “Ermeniler Van'da Mutlu Ayrıldı” (Armenians Left Van Happy), *Milliyet*, 20 September 2010.

168 “Akdamar'da 95 Yıl Aradan Sonra İlk Ayin” (The First Liturgy in Akhtamar After 95 Years), *CNN Türk*, 19 September 2010.

169 <http://asbarez.com/86018/the-mass-at-akhtamar-and-what%E2%80%99s-next/>.

170 “The Turkish Government Is Not Able To Erase the Word ‘shame’ From Its Bloody Forehead”, *News.am*, 19 September 2010.

Members of the Turkish Government also did not make direct statements regarding the liturgy in Van. According to a foreign newspaper, Prime Minister Erdoğan conveyed his appreciation for the holding of liturgy, and said that this is an expression of Turkey's tolerance.¹⁷¹

The liturgy was also taken up by the world press. Although the related articles expressed that a cross was not erected atop of the church, they were generally positive and were certainly much different from the language of Armenian circles.

The leader of the Nationalist Movement Party Devlet Bahçeli, accompanied by a delegation performed a Friday prayer (namaz) at the Fethiye Mosque near the ruins of Ani on October 1st 2010. In a speech following the prayer, he stated that Anatolia has not been conquered for the opening of Akhtamar to worship and for the Sumela Monastery to begin functioning and said that “if necessary we will set out to conquer Anatolia again”.

The Etchmiadzin Catholicos, usually not interfering into politics, strongly reacted to this Friday prayer. In a statement issued, the Turkish Government was condemned for permitting such a prayer. It was expressed that this action was an attempt to deny the Armenian character of the Mother Cathedral of Ani (Fethiye Mosque), that the performance of namaz in a Christian holy site was unacceptable, that the Turkish Government was continuing its policy of destroying Armenian monuments and that Turkey is hindering the efforts to establish a Turkish-Armenian dialogue and to normalize relations.¹⁷² Furthermore, Mark Demoyan, Director of the Genocide Museum-Institute in Yerevan, used much harsher language and said that “Bahçeli's namaz is a blow and a serious challenge to the European cultural heritage. This is a slap to European civilization, as by annihilating Ani, they also entered Europe and, consequently, this action should receive adequate response not only from Armenia but from Europe as well. Turkey destroyed hundreds of cultural monuments by occupying a part of Europe.¹⁷³

The Armenian Government remained quiet in relation to this issue. However, since Etchmiadzin and the Genocide Memorial act in parallel to the government, it is without doubt that these strong statements reflect the views of the government.

On this point, we should note that the construction of the Ani Cathedral was completed in 1001, opened to Muslim worship during the Seljuk period by taking

171 *Le Figaro*, 21 September 2010.

172 “Etchmiadzine Condamne La Prière Des Nationalistes Turcs”, *Armenews*, 3 October 2010.

173 “Bahçeli'nin Ani Katedrali'nde Kıldığı Namaz Avrupa Medeniyetine Atılan Bir Tokat” (Bahçeli's Prayer at Ani Cathedral is a Slap to European Civilization), *Tert.am/tr*, 1 October 2010.

on the name Fethiye Mosque, was destroyed by an earthquake and has not been able to be used thereafter.

3. Declarations of the Turkish President of the Republic and Government Members on the Genocide Allegations

Developments during the period under examination have given Turkish statesmen the opportunity of expressing their views regarding the Armenian genocide allegations.

During his speech delivered at the Council of Europe Parliamentary Assembly on January 25th to which he attended as Guest President of Honor, President Gül has explained his views on the normalization of Turkey-Armenia relations, but has not mentioned the Armenian genocide allegations due most probably to not having enough time. Following the speech during the question-answer period, Armenian Deputy Naira Zohrabyan posed the following question: “When will Turkey recognize the genocide of 1.5 million Armenians conducted during the period of the Ottoman Empire? Don’t you think the sooner your country comes to grips with that and has the courage to recognize the Armenian genocide, the sooner your country will be able to relieve itself from that heavy burden and try to find its place among civilized countries?”¹⁷⁴

The President’s response, taken from the website of the Presidency, is provided below:¹⁷⁵

“We do not admit that a genocide has been perpetrated in our history. If there is anyone claiming otherwise, we say to them clearly: ‘Let us form a joint commission where a group of scientists from both sides come together and open both countries’ civil and military archives. Let us admit whatever they will find there. Even scientists from a third country can be involved in this study.’ This incident occurred 100 years ago during World War I. We are sorry about the sorrows experienced of course. While the Turkish state was fighting on four fronts over the Ottoman lands, there emerged some riots when some citizens were provoked and these citizens’ locations had to be changed. Clashes occurred in some places. These are saddening events. To declare an incident genocide, there must be deliberate killings of people belonging to one religion or race. At those times, among our Armenian citizens, there were high-ranking officials or members of higher courts and

174 “Abdullah Gül Nie le Génocide Arménien à Strasbourg”, *Armenews.com*, 28 January 2010.

175 <http://www.tccb.gov.tr/news/397/78747/we-do-not-admit-that-a-genocide-has-beenperpetrated-in-our-history.html>.

ambassadors who represented the Ottoman Empire abroad. All the Armenian churches were open and functioning. If you consider this incident genocide, it cannot be acceptable at all.

The founders of the Turkish Republic, particularly Atatürk, made great efforts to not imbue the next generations with animosity and hatred for years. However, in these wars, almost three millions of Turks perished on the road back to the Motherland. Such tragedies as we lived were not taught to the future generations for years. If we should live in history, no one can look into one another's eyes in Europe. This is what we all should do: looking ahead all together. Of course we are sad about the sorrows of the past, but we must enable all peoples to live fraternally in unity and solidarity in the future. Therefore, I will not admit your allegation”.

This question of the Armenian Deputy has been criticized in the Armenian press on the basis that it gave Turkey's President a prominent platform to restate his country's viewpoint on the Armenian “genocide”.¹⁷⁶

On the other hand, Deputy Prime Minister Bülent Arınç has delivered a speech on January 16th in the town of Dörtöy, in which he has mentioned the genocide allegations and has expressed the following:¹⁷⁷

“Three or four Armenians surely existed within the Ottoman Parliament or among ministers. Jews were there, as did the others with different ethnic origins. You could have seen all of these if you examined the Ottoman Parliament.

But later, the Armenians attempted to rebel during the World War I and rebelled on our territories which they had lived on in peace. They used weapons. With a law passed back then, they took rebels from where they were and forced them to migrate. Everyday for 90 years, Armenians, through their Diaspora abroad, assert the lie that ‘around 2 million Armenians have been slaughtered’ in order to describe the complications back then. We have never been the children of a nation that made massacre or genocide, there is not such a murder in our history. We are not similar to other countries. But, no one could accuse Turkey of carrying out genocide for incidents that occurred during relocation of some people who had rebelled against the Ottoman state. Those wanting genocide should look at Bosnia ten years ago. Those wanting genocide should find many examples throughout the world”.

176 “Analysis on Ignorance as an Argument: A Senseless Question and a Predictable Answer”, *ArmeniaNow*, 26 January 2001.

177 <http://bulentarinc.com.tr/haber/devlet-bakani-ve-basbakan-yardimci-arinc-dortoyda/231>.

Foreign Minister Ahmet Davutoğlu has touched upon the Armenian genocide allegations in several of his speeches.

The first point which the Foreign Minister has emphasized is that “Turks and Armenians had lived in peace for centuries and there had been no tension between the two societies neither in Anatolia nor in any other place. He added that there were Armenian ministers and ambassadors during Ottoman period”.¹⁷⁸ He has also stated that “neither Armenians nor Turks are to blame for the existing conflict between the two nations and the main cause is the emergence of nationalist movements”¹⁷⁹ and that “1915 is an important date for the Armenians, but one must also remember that in the same year about 250.000 Turks were killed in just one battle (Gallipoli)”.¹⁸⁰ Davutoğlu, who has expressed that the 1915 events should not only be considered from the viewpoint of Turks and Armenians, that it should not be only a small part of history that is examined and that a “fair memory” is necessary for this, has recalled that Turks have also been killed in the Caucasus and the Balkans and have been forced to migrate to Anatolia. Furthermore, he has stated that “we do not deny nothing happened, something did happen, but something happened to us as well, to all of us. Now it is time to restore this. Therefore, we say fair memory. We are ready to discuss everything”.¹⁸¹ On the other hand, in a press conference in which the developments of 2010 have been evaluated, the Foreign Minister has stated the following: “We are not a country that should be accused of genocide by those living together with us for 1000 years on these territories. I do not find it fair to accuse this nation of such a crime. They want to impose on us a special feeling of guilt like they did to Germans. However, the Germans deserved it. Yet, this is not a sin which entirely belong to Turkey. I understand the pain of Armenians, but they should also understand our pain. We are talking about a period when an Empire has collapsed. Everyone suffers from pain in that period”.¹⁸²

Davutoğlu, stating that the draft resolution in the US Congress, if adopted, will institute a base for indemnity lawsuits, has said that “we have already paid the debts of the Ottoman Empire and if personal claims are to be considered, then we could also provide an inventory of the Turks’ claims in the Balkans, Iraq and Cyprus. If the Turks’ personal losses there are to be compensated, then we will also open these files”.

178 “Minister Overviews Turkey’s Foreign Policy”, *Anadolu Agency*, 30 November 2011.

179 “Turkey Expressed Its Willingness to Re-close the Still Closed Armenian- Turkish Border”, *News.am*, 30 November 2010.

180 Ibid.

181 “Davutoğlu: Dış Politika’da İki Dil Kullanmadık” (Davutoğlu: We Did Not Use Language in Foreign Policy), *Hürriyet*, 30 November 2010.

182 “Acımızı Anlıyoruz Siz de Bizi Anlayın” (We Understand Your Pain, You Should Also Understand Ours), *Hürriyet.com.tr*, 26 December 2010.

On the other hand, Prime Minister Erdoğan has made many statements regarding the genocide allegations. We will mention the most comprehensive of these statements which was already summarized before.¹⁸³ In a speech delivered on 12 April 2010 at George Mason University in the US,¹⁸⁴ the Prime Minister has indicated that they are against making the sorrows suffered in the past an instrument of politics based on a single point of view and in a biased way, that no one has the right to do this, and that they reject history being taught from a single point of view and making groundless conclusions. Moreover, he has said that they reject the 1915 events being presented as genocide and being judged one-sidedly by parliaments, that the discipline of history, historians and archives are those which will shed a light on historical events, and history cannot be written or be judged in parliaments. He has conveyed that the judgment of history by parliaments is not to anyone's advantage and is never to the benefit of Armenia. On this occasion, the Prime Minister has also recalled that Turkey had proposed to establish a joint historical commission with Armenia.

Based on the statements of the most authorized persons within the political sphere in Turkey, it is possible to shortly summarize their approach and responses towards the Armenian genocide allegations:

- Turks and Armenians have lived together in peace for centuries. Armenians have gained important positions in offices during the Ottoman period.
- Friendly relations have been harmed as a result of the strengthening of nationalist movements and Armenian rebellions.
- The Armenians have been displaced for cooperating with the enemy in the war. During this relocation, losses and painful events have taken place. But, these do not constitute genocide.
- Turks have also suffered great losses during war.
- It is necessary not to regard these events from a single point of view and to approach them with a "fair memory".
- Turkey has suggested for a joint commission to examine all these events.
- Turks and Armenians must look ahead towards the future.

183 Ömer Engin Lütem, "Facts and Comments", *Review of Armenians Studies*, No.21, p.46.

184 <http://haber.ekolay.net/Haber/2908/701817/ergogandan+soykirim+tepkisi.aspx>.

VI –GENOCIDE ALLEGATIONS IN SOME COUNTRIES

Since a large part of “Facts and Comments” in our latest two journals concentrated on the Turkey-Armenia Protocols, sufficient information was not provided concerning the developments in various countries regarding the genocide allegations. We will try to fill this gap in this article.

1. China

Lately there have been attempts to carry the genocide allegations to China. Within this framework, a group called the National Neoconservative Movement in Yerevan has sent a letter to the Embassy of China urging China to recognize the Armenian “genocide” and acknowledge that the Azeri aggression against

Karabakh has been a consequence of the Pan-Turkic program. Furthermore, an analogy was drawn between the reunification of Taiwan with China and Karabakh with Armenia.¹⁸⁵

Chinese Foreign Minister Yang Jiechi placing a wreath at the Genocide Memorial during an official visit to Armenia on 16-17 February 2011 has shown that there is no lack of information about this subject.

On April 24, in a petition sent to the Embassy of China in Yerevan, a group of Armenian artists and scientists have called on China to recognize the Armenian “genocide” in order to prevent the recurrence of such tragedies.¹⁸⁶

During their visit to Yerevan, the Armenia-China Friendship Group of the Chinese Congress of Popular Representatives has attended the Genocide Memorial, paying tribute to the victims.¹⁸⁷ Since it is known that generally Chinese representatives carefully refrain from taking sides in conflicts which do not concern their own country, this act is unusual. It is likely that the Chinese group visited the Memorial because they were unaware of the genocide allegations and Turkey’s opposition to them.

However, Chinese Foreign Minister Yang Jiechi placing a wreath at the Genocide Memorial during an official visit to Armenia on 16-17 February 2011 has shown that there is no lack of information about this subject. Concerning why Chinese officials have displayed such a behavior, one should look at certain trade relations. Based on news in the press, China, deficient in raw materials and particularly of iron ore, has wanted to exploit certain iron mines in Armenia. The Fortune Oil

185 “Armenian Neoconservatives Call on China to Recognize Genocide”, *PanArmenian.net*, 25 February 2010.

186 “Group of Armenians Call on China to Recognize the Armenian Genocide”, *Panorama.am*, 23 April 2010.

187 “Chinese Delegation Pays Tribute to 1915’s Genocide Victims”, *Aysor*, 13 April 2010.

Company headquartered in Hong Kong has purchased for 24 million dollars 35% of the shares of the Bounty Resources Armenia Limited (BRAL), which has the right to exploit some of Armenia's iron mines and these shares could increase up to 50% and approximately 500 million dollars will be invested in these mines.¹⁸⁸

Meanwhile, it has been understood that in response to the question of the Anadolu Agency's reporter to Chinese Foreign Minister Yang of whether his visit of the Memorial in Yerevan means that there has been a change in China position towards the genocide allegations, Yang has given a vague answer by stating that Armenia and Turkey have friendly relations with China, that China is aware of the problems rooted in history between the two countries and that he is taking into consideration the stances of both sides.

According to Anadolu Agency, this issue has also been raised to Chinese Foreign Ministry in Peking by Turkish Ambassador Murat Esenli who received the response that the Memorial has been visited upon the insistence of Armenian officials and that this visit does not mean the Chinese Administration supports Armenian views.¹⁸⁹

On this note, we should emphasize once again that the Armenian Protocol and generally Armenian officials insist on each foreign official conducting an official visit to their country to visit the Genocide Memorial.

2. Switzerland

Switzerland's record concerning the genocide allegations is rather thick. Acknowledging the genocide allegations and prosecuting (Perinçek and Halaçoğlu cases) and even convicting (Perinçek case) those living who claim that the Armenian genocide does not exist have created tensions between the two countries. We have already informed our readers of these developments in our former issues.¹⁹⁰ On the other hand, Switzerland's mediation in the Turkey-Armenia Protocols has led to the normalization of relations with Turkey.

The power of local authorities in Switzerland causes the central government to remain aloof in some matters. The last instance of this took place in Geneva. The Canton of Geneva recognized the Armenian genocide allegations in 2001, while in 2008 it decided to build an Armenian Genocide Memorial in this city and in May

188 "Fortune Oil Pledges 0,5 Billion Dolars Investment in Armenia", *Arka*, 23 February 2011.

189 "Çin Ermeni İddialarını Desteklemiyor" (China Does Not Support Armenian Allegations), *Turkishny.com*, 3 March 2011.

190 *Ermeni Araştırmaları*, No 1, p.37; No. 3, p.15; No. 5, p.17; No. 11, No. 18, p.32.

of the same year, a contest was organized for this purpose.¹⁹¹ The appeals of Turkish individuals and organizations, especially that of the Western Switzerland Turkish Associations Federation to renounce this project were not accepted. The interesting point here is that compared to the number of Armenians in Switzerland, the number of Turks are much greater. At the basis of the failure of Turkish organizations lies hostility towards foreigners (Muslims) which is increasingly spreading in Switzerland. On the other hand, it is clear that the Armenians in Switzerland are better organized and possess ample financial resources.

Apart from religious and racial prejudices which have existed all along, the Armenian Question has perceptibly arisen once again in the recent past in Switzerland. According to the testimony of an Armenian member of ASALA named Mardiros Jankodjian who was born in Beirut on 6 September 1981, he started to wait in front of the Turkish Consulate General in Geneva to kill the first Turkish person coming out of the building and then killed the local secretary of the Consulate Savaş Ergüz with a gun. This person was captured and condemned to prison for 20 years; but was released after 10 years.¹⁹² If it was necessary to erect a memorial in Switzerland regarding the Armenian Question, it would have been appropriate to build a statue or bust of Ergüz who had no other “sin” besides being Turkish. However, there is almost no one in Switzerland today who remembers this murder.

Meanwhile, considering it a crime to deny the Armenian “genocide” in Switzerland has gained certainty with the conclusion of a lawsuit related to this issue. For calling the “genocide” a lie during a conference organized in 2007 by Turks in Switzerland, in the district of Winterthur, chairmen of the Bern and Zurich Ataturk Thought Associations Ethem Kayalı and Hasan Kemahlı were sentenced to two years, while the European Representative of the Turkish Worker’s Party Ali Mercan was sentenced to six months in prison. However, these punishments were changed into fines. The issue was taken to a higher court, but the judgment did not change.¹⁹³ The Federal Court being appealed to also confirmed the decision. The Federal Court expressed that the Armenian “genocide” has been widely accepted among scientific circles, as much as by the public opinion, and it is not important that some countries still have not recognized it.¹⁹⁴ This verdict is very similar to that imposed to Galilei by the Holy See in 1633.

191 “Cenevre’de Sözde Soykırım Anıtı Yapılıyor” (A So-called Genocide Memorial Being Constructed in Geneva) , *Hürriyet*, 24 April 2010.

192 Bilâl N. Şimşir, *Şehit Diplomatlarımız (Our Martyred Diplomats)*, pp.421-422.

193 “Soykırım Yok Diyen Türklere Para Cezası” (Pecuniary Punishment to Those Rejecting Genocide), *CNN Türk*, 11 February 2010.

194 “Suisse: Condamnés Pour Négation du Génocide Arménien”, *Armenews*, 30 September 2010.

The point worth mentioning here is that the persons were convicted only for expressing that they do not believe in the Armenian “genocide”. There exists here a very open and at the same time, a grave violation of freedom of expression. On the other hand, the individuals who do not believe in the Armenian genocide allegations have been silenced through the courts.

3. Italy

Bruno Scapini, the Italian Ambassador in Yerevan, stated that Italy was one of the first countries to condemn the Armenian genocide (not true) and that it stands for international recognition and condemnation of genocide to prevent similar crimes in the future.¹⁹⁵

Commenting on Turkey’s possible accession to the EU without recognition of the Armenian genocide, Head of the Italian Delegation of the OSCE, Riccardo Migliori said that Europe urges Turkey to admit its mistakes” (not true either).¹⁹⁶

On the other hand, in a speech delivered in the Italian Senate, Senator Albertina Soliani called on the Senate to join with the Armenian Community in commemorating April 24 and said that the recognition of the genocide will serve as a basis for the establishment of renewed relations and strong cooperation between Turkey and Armenia.¹⁹⁷

4. Serbia

At the end of May, Bosnia Herzegovina’s Opposition Party SRS submitted a draft resolution to the Serbian Parliament to “condemn the genocide committed by Ottoman Turkey against Armenians from 1915 to 1923”.¹⁹⁸ In relation to this, Bosnian Serb Prime Minister Milorad Dodik stated that they will launch an initiative for the adoption of such a resolution in the Parliament.¹⁹⁹ On the other hand, Drago Kalabic, Head of the Alliance of Independent Social Democrats in the Bosnia-Herzegovina Parliament stated that “the resolution condemning the genocide committed by Turkey against Armenians would be adopted by the Serb Republic People’s Assembly if the Bosnians fail to support it in the Bosnia-Herzegovina Parliament”.²⁰⁰

195 “Riccardo Migliori: Europe Urges Turkey to Admit Its Mistakes”, *PanArmenian.net*, 24 April 2010.

196 Ibid.

197 “La Sénatrice Albertina Soliani Demande Au Sénat italien de reconnaître le Génocide Arménien”, *Armenews*, 22 April 2010.

198 “Armenian Genocide Resolution Submitted to the Serbian Parliament”, *Armradio.am*, 27 March 2010.

199 “Bosnian MPS To Adopt Declaration For Armenian Genocide Recognition”, *BalkanInsight.com*, 7 April 2010.

200 “Bosnian Serbs to Adopt Armenian Genocide Resolution if Sarajevo Declines”, *Times.am*, 14 April 2010.

There have also been attempts in the Serbian Parliament for the acknowledgment of the Armenian genocide allegations. However, the Serbian Government has opposed this resolution by maintaining that “the adoption of such a declaration would impact negatively on bilateral and economic relations with Turkey, which is an important factor in the region and a significant foreign political partner, and the adoption of the resolution would be counterproductive”.²⁰¹

At the root of Bosnia Herzegovina and Serbia all of a sudden showing interest in the Armenian genocide allegations lies the resolution adopted in the Serbian Parliament after lengthy discussion and disagreement by a small margin, condemning the massacre of Bosnians in Srebrenica. Evidently the perception existed that the recognition of the Armenian genocide allegations would balance this resolution.

5. Russia

Besides Armenia, the biggest number of Armenians lives in Russia. The Russian Duma had adopted resolutions twice in 1995 and 2005 which recognize the Armenian genocide allegations. The Russian state authorities sometimes attend commemorative ceremonies for 1915, but refrain from making statements which would offend Turkey. For instance, during his visit to Yerevan on 20 August 2010, President Medvedev laid a wreath at the Genocide Memorial and watered a tree he planted in the park adjacent to this memorial during his 2008 visit, but made no comment.²⁰²

The Russian Patriarch Kiril II, who visited Armenia last March, did not neglect to visit the Genocide Memorial.

The Russian Church also takes part in these types of activities. The Russian Patriarch Kiril II, who visited Armenia last March, did not neglect to visit the Genocide Memorial. After attending a liturgy there, laying wreaths and planting a tree, he stated that “Had it not been for their Christian faith, the Armenians would have vanished altogether”.²⁰³ In a speech delivered at the University of Yerevan, the Patriarch expressed that “it is very important that Armenians remember that tragedy, but now these memories should not hamper the development of relations between Armenia and Turkey”.²⁰⁴

201 “Serbian Government Against Armenian Genocide Resolution”, *Vacernje Novosti*, 23 June 2010.

202 “Medvedev Trip Begins with Dzidzernagapert Visit”, *The Armenian Weekly*, 20 August 2010.

203 “Patriarch Remembers 1915 Genocide”, *The Voice of Russia*, 18 March 2010.

204 Ibid.

The Armenian community in Russia also organizes 24 April commemorative ceremonies in cities where their numbers are many. An event concerning 24 April in the Kuban region especially drew attention. According to an Armenian news agency,²⁰⁵ various religious and ethnic communities (Russians, Kozaks Assyrians, Greeks, Pontic Greeks, Lezgis, Dagestanis, Kurds, Ossetians, Abkhazians, Romans, Yugoslavians, Bulgarians, Bashkirs, Tatars, Germans and Jews) adopted a declaration entitled “Joint Statement of Kuban Ethnic Communities Calling on Turkish Authorities”. Here, they stated that the Turkish Government and Parliament must conduct a fair study of the 1915-1923 events, condemn the massacres of the local peoples, repent for the memory of millions of innocent victims and called on Turkey to condemn the first crime of the 20th century perpetrated against humanity. Also, they recalled that the German Government accepted the humiliating historical event committed by their own state and officially apologized on behalf of all the Germans for this brutal crime. False remarks in the statement such as “Russia is one of the world’s most multi-national countries, but none of those nations has felt oppressed while living on Russian soil for decades” suggests that they were included in order to prevent possible objections from Russian authorities. Although Armenians are not among those signing this statement, quite many Armenians live in Krasnodar which is the most important city of this region.

6. Ukraine

Based on some comments published by the Armenian press, following the change of government in Ukraine, the possibility that the requests of the Armenian Community in this country will be taken into consideration has increased.²⁰⁶ There are indeed some developments in that direction. For instance, the city councils of Kiev and Uzhgorod have declared April 24 as the day of remembrance of the Armenian “genocide” victims.²⁰⁷ Furthermore, the Kiev City Council deputies have called on the Ukraine Parliament to adopt the same decision.²⁰⁸

Despite the Ukraine Assembly not adopting a resolution regarding the recognition of the genocide allegations, it is possible to consider Foreign Minister Kostantin Grishchenko placing a wreath upon the Genocide Memorial during his visit to Armenia on 10-11 February 2011 as a kind of pre-recognition, especially when he wrote in the visitors book of the memorial that “The visit to the Tsitsernakabend

205 “25 Russia-based NGOs Call on Ankara to Recognize Armenian Genocide”, *Tert.am*, 21 May 2010.

206 “Israel and Ukraine, New Bother For Turkey?”, *PanArmenian.net*, 1 May 2010.

207 “Uzhgorod City Council Recognize Armenian Genocide”, *PanArmenian.net*, 20 May 2010.

208 “Ukraine’s Verkhovna Rada Urged to Proclaim April 24 as the Commemoration Day of the Armenian Genocide Victims”, *Panorama.am*, 29 April 2010.

Memorial made an unforgettable impression on me. The pain, the Armenian nation experienced in 1915, is understandable and not alien for the Ukrainian people who experienced the most tragic page of their history in 1932-1933”.²⁰⁹

7. Norway

In a statement issued by the Norwegian Foreign Ministry regarding the Armenian genocide allegations, it was observed that “there is no doubt that the Armenians were victims of massive atrocities in 1915. The Norwegian authorities have not taken a position on whether the atrocities can be characterized as genocide in accordance with current criteria, nor do they believe there are legal grounds for doing so”.²¹⁰

First of all, parliaments or governments are not obliged to pass judgement on the nature of a historical event.

This short statement of the Norwegian Foreign Ministry touches upon the essence of the issue of recognition. First of all, parliaments or governments are not obliged to pass judgement

on the nature of a historical event. Furthermore, they are not competent to do so, because based on the 1948 Genocide Convention this authority belongs to specially formed local courts or the international criminal court.

8. The Netherlands

Before the general elections on June 9, the Workers Party of the Netherlands has imposed the recognition of the Armenian “genocide” on its parliamentary candidates, has reminded its members of Turkish origin that the party supports the resolution adopted by the Dutch Parliament in 2004: “within the framework of its dialogue with Turkey, to continuously and expressly raise the recognition of the Armenian genocide”, and has indicated that denial of the Armenian “genocide” will prevent its membership.²¹¹

A Khatchkar, financed by the Armenian Church in the Netherlands, was erected in Amsterdam’s De Nieuwe Ooster Cemetery.²¹²

Some Armenian associations in the Netherlands have made an effort for the

209 “Ukrainian Foreign Minister Pays Tribute to Memory of Armenian Genocide”, *Armenpress*, 11 February 2011.

210 “Norwegian Government Refrained From Debating on Genocide”, *News.am*, 16 March 2010.

211 “Türk Vekil Adaylarına Soykırım Dayatması” (Imposing Genocide on Turkish Deputy Candidates), *Hürriyet*, 27 April 2010.

212 “Armenian Khatchkar Erected in Amsterdam”, *Express.am*, 24 September 2010.

construction of an Armenian Genocide memorial in The Hague. With a petition of 20 thousand signatures, the Turkish-Azerbaijani Cultural Association protested against this initiative by appealing to the Mayor of The Hague. Examining this issue, the Mayor has announced that this project would not be permitted.²¹³

9. Canada

It is known that due to Canada's Armenian Community which is not very large but is quite active, this country's parliament has recognized the Armenian genocide allegations in 1996, 2002 and 2004. Moreover, Canada's Prime Minister Stephen Harper embracing these allegations, in a way not seen in other countries, has caused a crisis between the two countries in 2009. This issue still remains on the agenda of Turkey-Canada relations. As a matter of fact, Speaker of the Turkish Grand National Assembly Mehmet Ali Şahin has gone to Canada for a meeting of the G-20 countries and taking advantage of the opportunity, has opened up the subject to the Speaker of the Canadian Senate Noel Kinsella.²¹⁴

On 19 June 2010, the Catholicos of Cilicia Aram I, who resides in Antelias near Beirut, has blessed the Khatchkar erected in the Armenian Church in Montreal in memory of the 1915 Armenian "genocide".²¹⁵

"Khatchkar" means a large cross made from solid stone. It can be observed that in recent years, generally these crosses have been erected in many countries in order to display the Armenian genocide allegations and striking ceremonies have been conducted for their inauguration. Most of the khatchkars are made by Varazdat Hambardzumyan who holds the title of "People Master" in Armenia. More than 400 khatchkars he has sculpted have not only been built in Armenia, but also in Greece, Switzerland, United Arab Emirates, US, Russia, Ukraine and in an Armenian church in Turkey whose name is not given.²¹⁶

10. Lebanon

A khatchkar with the inscription "in memory of the Armenian victims of the genocide committed by the Ottoman Empire", has been placed at Antoura St.

213 "Türk-Azeri Dayanışması, Lahey'de Ermeni Soykırımı Anıtı Dikilmesini Engelledi" (Turkish-Azeri Cooperation Prevented the Erecting of an Armenian Genocide Memorial at The Hague), *Turkishny.com*, 1 October 2010.

214 "Les Présidents Des Assemblées Nationales De Turquie Et Du Canada Discutent De La Question Arménienne", *Armenews*, 30 September 2010.

215 "Catholicosate of Cilicia", *Press Release*, 20 June 2010.

216 "Cross-Stone Dedicated to Armenian Genocide to be placed in The court of St.Hakob Church of Canada", *Armenpress*, 24 June 2010.

Joseph College Cemetery in Beirut. The Armenian News Agency publishing this news,²¹⁷ has also expressed that latest research has shown that 300 Armenian children have died of cholera and famine in the Antoura Orphanage in Beirut, that the orphanage was directed back then by Cemal Pasha and Halide Edip, and that they gave Armenian children Turkish names, forced them to become Muslim and hit those who spoke Armenian. Moreover, it was also claimed that the Minister of Internal Affairs Talat Pasha requested that Armenian children older than 5 years be killed.

This is nothing but propaganda. There is enough evidence that Cemal Pasha who was murdered by Armenian terrorists in 1921, tried to aid the Armenians who were relocated to Syria and that Halide Edip Adıvar was particularly concerned with Armenian children.

11. The Czech Republic

As known, despite some Armenian initiatives, the Parliament of the Czech Republic has not adopted a resolution recognizing the Armenian genocide allegations. However, Czech statesmen visiting Armenia have not refrained from visiting the Genocide Memorial in Yerevan, which could mean that they recognize the genocide allegations, or at least this is how it is considered by Armenians. The most significant visits conducted within the period under examination are those of Defense Minister Martin Bartak (March)²¹⁸ and Prime Minister Jan Fisher (May). They have placed wreaths at the memorial. In the commemoration book, Fisher has written that “the Czech people will never forget what happened in 1915”.²¹⁹

12. Iran

The Armenian press has conveyed that at a conference held in Tehran for the 70th anniversary of the invasion of Iran during the Second World War and entitled “Iran: A Victory Bridge”, Iran’s Vice President Hamid Baghaei said that “a hundred years ago the Ottoman Government committed genocide against a certain number of Armenians”.²²⁰ On the other hand, the Iranian Minister of Foreign Affairs Manoucher Mottaki, to whom Foreign Minister Ahmet Davutoğlu phoned

217 “Beyrut’ta Soykırım Kurbanı Ermeni Yetimlerin Mezarlarının Bulunduğu Alana Bir Haçkar Anıt Dikildi” (A Khatkar was Erected in the Area of Armenian Orphan Genocide Victims in Beirut), *News.am*, 25 September 2010.

218 “Martin Bartak Visited Genocide Memorial”, *News.am*, 26 March 2010.

219 “Czech Prime Minister Pays Tribute to the Memory of the Victims of the Armenian Genocide”, *Armenpress*, 18 May 2010.

220 “‘Ottoman Government Committed Genocide,’ Says Iran’s VP”, *News.am*, 26 August 2010.

and requested explication, stated that Iran's position is in line with Turkey's stance on the issue. Moreover, the Iranian Embassy in Ankara also released a statement saying that the Iranian vice president's statements were not accurately reflected by some media outlets, that Baghaei commented on the subject only as a problem between Turkey and Armenia and that he did not express his opinions about the issue.²²¹ Later on, Baghaei refuted the statement attributed to him.²²²

Although it was seen as if the subject had been dropped this way, it must be recalled that the Iranian authorities had also taken advantage of the genocide allegations in the past. On 24 April 1981, after holding a demonstration in front of the Turkish Embassy in Tehran, the Armenians had entered the building and burnt the Turkish flag after bringing it down. Due to the rather soft approach of the Iranian police, the demonstration had lasted for hours. Upon the Turkish Government announcing that the airborne Turkish Commando Units in Yüksekova would intervene in Tehran in order to rescue the Embassy, the Armenian demonstrators had disbanded.²²³ In the following years, although the demonstrations held on 24 April in Tehran were not as serious as the one in 1981, they have continued to create problems. Meanwhile, Secretary of the Embassy Işık Yönder was killed by the Armenians. In those years, especially when the regime of the police was dominant in that country, it was not possible for these types of events to occur in Iran without the open or private consent of official authorities.

Although it was seen as if the subject had been dropped this way, it must be recalled that the Iranian authorities had also taken advantage of the genocide allegations in the past.

By some means or another, Iran has tended to use the Armenian Question and the Armenians in its country against Turkey (or Azerbaijan). From the 2000's, the following examples can be given:²²⁴

- 2002, the Iranian Minister of Defense Ali Şemhani visited the Genocide Memorial in Armenia and expressed that "the crimes committed by the Ottomans against the Armenians is genocide and must be passed on to future generations".
- In April of the same year, 30 Iranian deputies declared that they

221 "Turkey Seeks Explanation from Iran Over Alleged Genocide Remarks", *Turkish Daily News*, 27 August 2010.

222 "Iranian Vice President Renounces Statement on Armenian Genocide", *Panarmenian.Net*, 30 August 2010.

223 Taşuğ Bleda, *Maskeli Balo*, Doğan Kitap, İstanbul, 2000, p. 119.

224 These examples have been taken from Arif Keskin's article of 30 August 2010 entitled "Iran and the Genocide Allegations" published in the 21'st Century Institute.

“recognize the genocide allegations and condemn these crimes in their official capacity”.

- Again in the same year, important reformers like Hadi Hameney and Ali Ekber Mohteshmi declared that they “condemn the massacre of the Armenians by the Ottomans”.
- Mohammed Khatemi, then the President of Iran, on 9 September 2004, placed a wreath at the Genocide Memorial in Yerevan.

On the other hand, in response to a question during his visit to Armenia in 2007, even though President Ahmedinejad has said: “Iran’s position regarding this historical event is clear and we condemn any violation of human rights”, he has refrained from visiting the genocide memorial at the last minute.²²⁵

It could be seen that Iran’s approach towards the Armenian genocide allegations has not only been defined by its relations with Turkey, but also settling of accounts in its internal affairs. Since Iran is greatly dependent on Turkey due to their serious problems with the US, it is possible that Baghaei’s statement also concerns some internal issues.

13. Spain

On 26 February 2010, the regional parliament of Catalonia in Spain adopted a resolution in which members unanimously recognized the Armenian genocide allegations.²²⁶ Whereas, the Regional Parliament of Valencia rejected a similar draft resolution by expressing that it is not for parliaments to decide on such historical events.²²⁷

Turkey, having quite friendly relations with Spain, reacted to the resolution being adopted in Catalonia, one of the most important and rich provinces of this country. The Spanish Ambassador in Ankara Joan Clos Matheu, in reply to a question regarding this issue, stated that relations between the two countries were continuing at a friendly level, that related resolutions were never brought to the Spanish Parliament, that regional parliaments in Spain are independent in making their own decisions and do not have to be supported by the central government,

225 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, Ankara, 2010, No. 15-16, pp.59-60.

226 “Le Parlement de Catalogne A reconnu le Génocide”, *Armenews*, 6 March 2010.

227 “Valencia Parlamentosu “Soykırım” Yasasını Reddetti” (The Parliament of Valencia Rejected the ‘Genocide’ Draft Resolution), *Hurriyet.com.tr*. 1 June 2010.

and that the decision of the Catalanian Parliament did not reflect the opinion of the Spanish Government.²²⁸

There have also been earlier initiatives in Spain to convince local parliaments to recognize the Armenian genocide allegations. Due to the Government's opposition, a similar draft resolution was not adopted in 2007,²²⁹ a motion was withdrawn from the Catalanian Parliament in 2006. However,²³⁰ the Basque Region's Parliament adopted a decision in 2007 recognising the genocide allegations.²³¹

Meanwhile, a picture and art exhibition entitled "The Victorious Cross: Armenia 1915-1918" opened in Granada on May 31st. Apparently, the exhibition was supported by the city's Archbishop Javier Martínez.²³²

The Balearic Islands Parliament adopted a resolution on 14 December 2010 which expresses that the treatment of the Armenian community in 1915-1921 was a genocide which was in conformity with the 1948 UN Convention. The deputy of the Green Party, Miguel Angel Llauguer, who proposed for this resolution, stated that if Turkey wants to receive a place among world democracies, it must accept its historical responsibility.²³³

The Republican Left of Catalonia Party (ERC) submitted a draft resolution to the Foreign Affairs Commission of the Spanish Parliament which foresees the recognition of the Armenian genocide allegations. The draft has been supported by the Basque Nationalist Party (PNV), but has not been embraced by other parties. In the voting taking place, the proposal has been rejected with 3 votes against 2.²³⁴

Since there is no significant Armenian Community in Spain, it is difficult for some circles to explain why they display so much effort for the recognition of the genocide allegations.

14. The United Kingdom

For reasons such as fighting against the Ottoman Empire during the First World

228 "İspanyol Elçiden Ermeni İddiaları Açıklaması" (Explanation from Spanish Ambassador on Armenian Allegations), *CNN Türk*, 9 March 2010.

229 Ömer Engin Lütem, "Facts and Comments", *Review of Armenian Studies*, No. 15-16, p.61.

230 Ömer Engin Lütem, "Facts and Comments", *Review of Armenian Studies*, No. 13-14, p. 20-21.

231 Ömer Engin Lütem, "Facts and Comments", *Review of Armenian Studies* No. 13-14, p. 32.

232 "Espagne: Grand Succès Pour Une Exposition Sur Le Génocide Des Arméniens", *Armenews*, 9 October 2010.

233 "Les Balears Reconnaissent le genocide", *Nouvelles d'Arménie*, No. 171, February 2011.

234 "Ermeni İddialarına İspanya'dan Red", *Ntvmsnbc.com*, 10 March 2011.

War, publishing the Blue Book during the war in 1916, the content of which is still debated, occupying Istanbul following the war, exiling some Ottoman statesmen to Malta and attempting to try some of them for their treatment of Armenians, the UK is one of the countries most interested in the Armenian Question in recent history.

In this respect, it is observed that the UK, after genocide allegations were put forth and crimes were committed against Turkish diplomats to justify these allegations and with a view of its friendly relations with Turkey, is taking care to keep clear of the Armenian allegations. In response, the small but effective Armenian community in the UK, with the help of some English politicians which they closely cooperate with, has tried to influence British Parliament (House of Commons and Lords) to recognize the genocide allegations. When this has proved to be unsuccessful, they have turned their attention to regional parliaments.

Among them, the one giving the most credit to Armenian genocide allegations was Wales whose parliament took decisions in 2001 and 2006 which recognized Armenian genocide allegations. Moreover, members of the Welsh Parliament strived to get a decision for this purpose in the House of Commons.²³⁵

Besides Wales, the City of Edinburgh Council in Scotland also adopted a resolution in 2005 which supports the view that the Ottoman actions against the Armenian Community did constitute genocide.

In regard to the 95th anniversary of the 1915 events, attempts for the recognition of the Armenian genocide allegations have increased in the UK just as in many other countries. In a speech delivered at Chatham House during his visit to the UK in February,²³⁶ President Sarkisian has referred to the interest demonstrated by the British in respect of the tragedies that befell the Armenian people and the philanthropic activities of British people in support of Armenians surviving the genocide and has expressed that Great Britain, by recognizing the Armenian “genocide”, would not harm security in the Caucasus.

A motion was issued in the House of Commons of this year to recognize and condemn the alleged Armenian genocide. The British Minister of Justice Jack Straw, who attended the lunch hosted by Turkey-UK Business Forum during Prime Minister Erdoğan’s visit to the UK in March, stated that 651 seats exist in the House of Commons, that only one member supports the draft while the British Government and opposition do not, so there is a zero possibility for the draft to be

235 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, No. 15–16, p. 55.

236 <http://www.president.am/events/statements/eng/?pn=2&id=57>.

adopted and that he gave his assurance on this matter.²³⁷ In fact, no development on this issue happened in the House of Commons.

This time the matter was taken to the House of Lords. Baroness Cox who has acquired fame for protecting Armenian interests and who is actually the Chairman of the Armenian Group in the British Parliament, asked the British Government “whether they will reconsider their position with regard to the recognition as genocide of events in Armenia from 1915-1917”.

It can be seen that just as Baroness Cox, Lord Avebury, also devoted to conveying Armenian views at all times and all places, along with Baroness Rawlins, Lord Hylton and Lord Kilklooney also speak, although more carefully, in favor of Armenian views. On the other hand, Lord Maginnis of Drumglass and Lord Wallace of Saltaire are closer to Turkish views.

Baroness Kinnock of Holyhead, the Minister of State for the Foreign and Commonwealth Office, gave a long reply to this question, stating that the Government deeply regrets the deaths of hundreds of thousands of Armenians who were either killed by Ottoman troops or died from starvation or disease at the beginning of the previous century and that they share the view expressed today that the victims of such sufferings should not be forgotten. The baroness has continued saying that the British Government has not only confirmed that the position of the British Government is to continue to work for rapprochement and reconciliation between Turkey and Armenia, but has also made clear that the Government will not make any statements that have the potential to jeopardize this process. Then, the Minister of State has gone on to state that “genocide” is a precise term and its use is best assessed by a competent court; however, then as now, there is no court with the authority to make such an assessment. Therefore, it is inappropriate for the British Government to apply the term to events on which no legal judgment can be made.²³⁸

In conclusion, the British Government, through Baroness Kinnock, has refused to recognize the Armenian “genocide”.

In conclusion, the British Government, through Baroness Kinnock, has refused to recognize the Armenian “genocide”. From the political point of view, they have linked this to their concern not to jeopardize the rapprochement and reconciliation process between Turkey and Armenia. From the legal aspect, they have made clear

237 “İngiltere’den Ermeni Tasarısına Destek Yok” (There is No Support in the UK for the Armenian Draft Resolution), *CNN Türk*, 16 March 2010.

238 <http://www.publications.parliament.uk/pa/ld200910/ldhansrd/text/100329-gc0004.htm>, 29 March 2010.

that a competent court should decide on whether an event constitutes genocide and that still no such court exists.

According to article 6 of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide, trying the crime of genocide and deciding on whether an event constitutes genocide is to be carried out “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”. Taking this into account, no other authority, including parliaments, should decide on whether an act is genocide. If such an arbitrary decision is taken, it will have no legal value or consequence. On the other hand, just as all international instruments, the 1948 Convention can only be applied to events occurring after the Convention came into force and not retrospectively. The statement of Baroness Kinnock that “then as now, there is no court with the authority to make such an assessment” should be evaluated from this angle.

As mentioned above, although the British Government’s approach towards the genocide allegations has not changed, it can be seen that there has been a variation in the main argument on which their stance is based. In the responses given to questions asked previously, it was not only expressed that the Convention was not retrospective, but also that there was not sufficient evidence for the 1915 events to be categorized as genocide as defined by the 1948 Convention.²³⁹ Now, this argument has been abandoned and the idea has been brought forth that no competent tribunal exists in the context of the 1948 Convention not being retrospective. Therefore, it is possible to speak of a retraction in the attitude of the British Government, although this does not alter the result.

15. Israel

Israel’s bloody attacks in Gaza in 2008, Turkey unreservedly defending the rights of the people of Gaza, Prime Minister Erdoğan publicly criticizing Israeli President Perez on a television program which they both attended in 2009 and leaving the program in protest has caused serious tensions in Turkey-Israel relations. On the other hand, the new Israeli Government, headed by Benjamin Netanyahu, formed with difficulty and containing small parties with extreme views, has started pursuing harsher policies which have prevented Turkey-Israel relations from returning back to normal.

Meanwhile, an event experienced on 10 January 2010 has almost brought these

239 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, No. 15-16, p.58.

relations to the breaking point. On this day, Israeli Deputy Foreign Minister Danny Ayalon, who had invited Turkish Ambassador Oğuz Çelikkol to his room in the Parliament, has tried to humiliate the Ambassador in front of many journalists and television cameras. Turkey has strongly protested against this situation and withdrew the Ambassador to Ankara.

As already known, a small party has been striving for many years to persuade the Israel Parliament to recognize the Armenian genocide allegations. When Turkey-Israel relations deteriorated, Chairman of the Meretz Party Haim Oron (or Auron) proposed a general debate on the 1915 events. During the debate statements were made against and in favor of the genocide allegations. The Minister of Environment, Glad Erdan, speaking on behalf of the Government, stated that he does not think the Government must judge what took place in the past and that he hopes the dialogue between Turkey and Armenia will continue. In order to determine which committee would deal with this, Oron's proposal was sent to the General Committee of the Knesset.²⁴⁰

On May 31st 2010, several small ships, including "Mavi Marmara", carrying humanitarian aid to Gaza, were seized by Israeli commandos in international waters. Eight unarmed Turks and one US citizen trying to resist the commandos were killed and the ships were captured. This incident led to a serious crisis between Turkey and Israel. There appeared the possibility of the severance of relations. It could have been expected for the draft in Knesset to be adopted in this situation, but that was not the case. The reason for this was that adopting the draft concerning the genocide allegations in a situation where tensions were already high, would cause tensions to further increase and perhaps would cause Turkey to break off its relations with Israel. It would have also been expected after such an event that Resolution 252, which was approved in the US House Committee on Foreign Affairs, would be adopted in the House through the efforts of the Jewish lobby. This did not happen either.

It can be seen that despite a serious deterioration in Israel's relations with Turkey, Israelis and Jews in the US have refrained from any action that would lead to a complete break in relations and that insofar as Armenian genocide claims do not carry great significance for Israel, they can easily abandon the draft resolutions on that subject.

240 "İsrail Parlamentosu Ermeni İddialarını Görüşmeye Açıyor" (The Israeli Parliament is Opening the Armenian Genocide Allegations to Discussion), *Radikal*, 29 April 2010.

16. Uruguay

Uruguay, one of the smallest countries in Latin America, was the first country to recognize the Armenian genocide allegations in 1965. At the root of this resolution adopted by the parliament of this country, with which Turkey had no diplomatic relations in those years and where we still do not have and see no need to have a representation, lay the small, but prosperous Armenian Community. In 2004, the Uruguay Parliament adopted a second resolution for the same purpose.

A khatchkar sent from Armenia for the 95th anniversary of the genocide allegations was erected in the city center with a ceremony which Uruguay President Jose Mujica also attended.²⁴¹

17. Sweden

We had indicated earlier that the Swedish Parliament, with only one vote difference, had adopted a resolution on 11 March 2011 which recognized the Armenian genocide allegations and also put forth that Assyrians, Syriacs, Chaldeans and Pontus Greeks have also been subjected to genocide in the Ottoman Empire.²⁴² The Swedish Government has openly declared that they are against this resolution.

However, it could be observed that in this government, formed with great difficulties after the elections, not every minister shares this stance. In a speech delivered at the Synagogue of Stockholm on 27 January 2011 for the Commemoration Day of the Holocaust, the Swedish Minister of Integration, Erik Ulenhag, has referred to Hitler's alleged statement of "Who remembers the Armenians?" and has expressed that around one million Armenians and half a million Assyrians and Chaldeans were killed in the Ottoman Empire during the First World War. Upon the initiative of the Turkish Embassy, these statements of the Minister have been removed from the Government's website, only to be published again and then removed once more. In return, the entire speech of the Minister Ulenhag has been published on the website of the Forkpartiet Party which the Minister is a member of.²⁴³ Therefore, the Armenian genocide allegations have caused a serious difference of opinion among the Coalition Government of Sweden.

241 "World Community Commemorates 95th Anniversary of Armenian Genocide", *Arminfo*, 26 April 2010.

242 Ömer Engin Lütem, "Facts and Comments", *Review of Armenian Studies*, No. 21, pp. 37-39.

243 "Shoah Censure du Gouvernement Suédois", *Collectif Van*, 18 February 2011.

18. The Council of Europe

The Armenian deputies in the Parliamentary Assembly of the Council of Europe prepared a statement recognizing and condemning the Armenian genocide allegations. This statement, opened to signature, was introduced by French deputy Claude Mignon. Chairman of the Assembly Mevlut Çavuşoğlu declared that it was open for signature.²⁴⁴ This statement gathered around 20 signatures. The number of members of the Parliamentary Assembly is 318.

VII – OTHER DEVELOPMENTS CONCERNING THE GENOCIDE ALLEGATIONS

1. Countries Which Indirectly Recognized or are Considered to Have Recognized the Genocide Allegations

As known, a Genocide Memorial exists in Armenia which was inaugurated in 1967. After Armenia's independence, a Genocide Museum-Institute was added to this Memorial. This Memorial and Museum are considered to be the concrete evidence of the Armenian genocide allegations.

It is requested from foreign statesmen or delegations visiting Armenia to also visit this Memorial, but of course, the visit is not obligatory. However, mostly out of courtesy, this visit is conducted and is widely broadcasted in the media and on television. The important point here is that the individuals making the visit or their countries are considered as recognizing the Armenian genocide allegations, or at least as

Therefore, the Armenian genocide allegations have caused a serious difference of opinion among the Coalition Government of Sweden.

taking important steps in this direction. One should regard it as normal for representatives of countries whose parliaments have recognized the Armenian genocide allegations to visit the Memorial, to stand in silence, place wreaths, sign the commemoration book, and plant trees. On the other hand, it is not reasonable for representatives of countries whose parliaments have not adopted such resolutions or have rejected the drafts on this issue to visit the Memorial. However, lately, an increase in these kinds of visits can be seen. This could be due to the incorrect interpretation that the protocols signed on 10 October 2009 show that no conflict remains between Turkey and Armenia. If Turkey does not react strongly enough to these visits, then that too may make it easier for such visits to happen in the future.

244 "PACE Statement Recognizes and Condemns Armenian Genocide", *Tert.am*, 29 April 2010.

Since last time this matter was discussed in our journal, brief information is provided below about visits to the Genocide Memorial by representatives of countries in which genocide allegations have not been recognized:²⁴⁵

- 7 July 2009. President of Serbia Boris Tadic.
- 30 October 2009. Foreign Minister of Belarus Sergey Martinov.
- 10 December 2009. President of Latvia Valdis Zatlers. In the commemoration book, he wrote “Human memory cannot be obliterated, as it remains forever and passes from generation to generation”.
- 4 March 2010. Vice-chairman of the Czech Parliament Vojtech Filip and the delegation accompanying him.
- 18 May 2010. Czech President Jan Fischer. In the commemoration book, he wrote “I was deeply impressed by all that I have seen in the museum and by what happened at the beginning of the 20th century. We should never forget it”.
- 26 June 2010. Federal Minister for European and International Affairs of Austria Michael Spindelegger.
- 13 July 2010. State Comptroller and “Ombudsman” of Israel Judge Micha Lindenstrauss.
- 11 October 2010. Slovenian President Danilo Turk. In the commemoration book, he wrote the following: “I am deeply moved by the memory of one of the most heinous crimes of the 20th century and the entire history of humankind. Let history from now on be different. History must never repeat itself in this worst aspect. ”.
- 16 October 2010 The Minister of Education and Science of Georgia D. Shashkin
- 11 February 2011 Foreign Affairs Minister of Ukraine Konstantin Grishchenko
- 17 February 2011 Foreign Affairs Minister of China Yang Jiechi

245 <http://www.genocide-museum.am/eng/delegation.php>.

The most important visit to the Armenian Genocide Memorial and Museum-Institute was made on 4 July 2010 by US Secretary of State Hillary Clinton. Although Clinton placed a wreath at the Memorial, she did not sign the commemoration book, nor did she plant a tree. In a statement delivered by the US Embassy in Yerevan, it was stated that the US Secretary of State “made a private visit to the memorial as a sign of respect to the 1.5 million Armenians that lost their lives in 1915”.²⁴⁶

It can truly be seen that efforts were made for this visit not to be official. The Genocide Memorial is visited by foreign statesmen at the beginning of their visit, while Hillary Clinton visited the Memorial at the end of her official visit, shortly before leaving for Georgia. No one from the Armenian Government accompanied her. Journalists and television were not present as she laid a wreath and some photographs were given to the press later on. The Secretary of State did not make a press statement regarding this matter. On the other hand, the fact that “US Secretary of State” was written on the wreath, and that the US Ambassador in Yerevan accompanied her has damaged the “private visit” claim.

Actually, it could not have been expected from Clinton not to visit the Genocide Memorial when Armenian influence in the US has been constantly increasing. On the other hand, it was also certain that such a visit would draw the reactions of Turkey. By expressing that the visit was “private”, the US Secretary of State had tried to find a midway. In the meantime, we should recall that during her presidential candidacy in 2008, Hillary Clinton had openly embraced the Armenian genocide allegations and expressed that should she be elected, she would recognize this “genocide”.²⁴⁷

Despite Clinton’s efforts, she was criticized in Turkey. Foreign Minister Davutoğlu expressed that his discontent regarding the visit was conveyed to Washington.²⁴⁸ Deputy of MHP from Ankara Deniz Bölükbaşı stated that “this visit means the collapse of the AKP Government’s Armenian protocols and Yerevan opening”. On the other hand, CHP Deputy from Istanbul Şükrü Elekdağ said that “Turkey, especially due to the effect of its approach towards Iran, will experience difficulties in preventing the recognition of the genocide allegations from now on”.²⁴⁹

The Armenian Assembly of America in the US, generally known for its friendly

246 “Hillary Manevrası” (The Hillary Maneuver), *Haber Türk*, 6 July 2010.

247 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, No.17, p. 25.

248 “Davutoğlu’ndan Ermeni Soykırımı Anıtını Ziyaret Eden Clinton’a Tepki” (Reaction from Davutoğlu towards Clinton for Visiting the Armenian Genocide Memorial), *Turkishny.com*, 6 July 2010.

249 “Clinton Soykırım Anıtı’nda” (Clinton at the Genocide Memorial), *Hürriyet*, 6 July 2010.

approach towards the US Governments, indicated that Clinton laying a wreath at the Memorial was an important symbolic act, that it was appreciated and that it helped in gaining universal recognition of the Armenian “genocide”.²⁵⁰

On the opposite side, the Armenian National Committee of America (ANCA) which is an organ of the Dashnaks in the US, stated that Hillary Clinton’s visit did not signal a shift away from the Obama-Biden Administration’s policy of complicity in the Turkish Government policy of denial, that it does not represent material movement toward proper US condemnation and commemoration of this crime and that the visit was a missed opportunity for the Secretary and for America.²⁵¹

In the meantime, we should recall that during her presidential candidacy in 2008, Hillary Clinton had openly embraced the Armenian genocide allegations and expressed that should she be elected, she would recognize this “genocide”.

In Armenia, Hillary Clinton’s visit to the Genocide Memorial was generally met with satisfaction, but Giro Manoyan from the Dashnak Party stated that in any event, if Clinton had not visited the Genocide Memorial in her capacity as the US Secretary of State, then this was an insult to Armenia and the Armenians. Furthermore, he expressed that if, as the writing on the wreath stated, she visited in her capacity as the US Secretary of State, then it either meant that the Obama Administration has changed its policy and

Clinton will support in Congress the recognition of the “genocide”, or that her visit was not a sincere expression of respect.²⁵²

2. Commemoration of 24 April in Armenia

In the recent years, commemoration in Armenia for April 24 has been following a constant program.

A day before on the evening of April 23rd, a torch-bearing march is held to the Genocide Memorial in Yerevan. Just as last year, Turkish Flags were also burnt this year during this march, which was organized by the youth wing of the Armenian Revolutionary Federation (Dashnaktsutyun) Party.²⁵³ Moreover, posters

250 “Secretary of State Hillary Clinton Visits Genocide Memorial in Yerevan”, Armenian Assembly of America, *Press Release*, 5 July 2010.

251 “Secretary Clinton Visits Armenian Genocide Memorial”, Armenian National Committee of America, *Press Release*, 5 July 2010.

252 “Clinton A Tsitsernakaberd: Le Secrétaire d’Etat Fait Une Visite ‘Privée’ Au mémorial”, *Armenews*, 6 July 2010.

253 “Armenia Marks Genocide Anniversary”, *RFE/RL*, 24 April 2010.

of President Gül, Prime Minister Erdoğan and Foreign Minister Davutoğlu were burnt. Also, a poster was held on which President Obama, Prime Minister Erdoğan and British Prime Minister Brown were displayed in prisoner clothes and chains.²⁵⁴ Placards of “Recognize the Genocide”, “No to Turkey-Armenia (normalization) Process”, “We Demand Compensation from Turkey”, “It’s the Right Time for Recognition” were carried.

As can be seen, this march becomes an occasion for serious outbursts against Turkey, while riots and the burning of the Turkish flag has somewhat become a national sport. It is clear that these actions will not contribute in any way to the normalization of relations between Turkey and Armenia. Furthermore, they have caused similar reactions in Turkey. In fact, a group from the Great Union Party has burnt the Armenian Flag at Taksim Square for the first time this year on April 24.²⁵⁵ The difference between the two events is that the police in Istanbul tried to prevent the burning of the Armenian flag.

On the other hand, the burning of the Turkish Flag drew a much bigger reaction. On April 24, MHP proposed the condemnation of this incident in the TGNA, CHP supported the proposal, but it was dropped when AKP did not agree.²⁵⁶

Concerning the commemoration ceremonies in Yerevan, on the morning of April 24, the Armenian President Serge Sarkisian along with the Archbishop of Armenians Karekin II and other statesmen visited the Genocide Memorial and laid wreaths. A memorial service and prayer was held. Later on, the Memorial was opened to visitors. The number of visitors was not specified this year, just as in previous years. The visits lasting for an entire day makes it harder to make an estimate. According to America’s Radio Free Europe/Radio Liberty which generally tries to give correct news, this number is in the hundreds of thousand, whereas, a Turkish journal reported this figure as one million, which cannot be possible.²⁵⁷

Serge Sarkisian, in his traditional 24 April statement, has said that the Armenian relocation was a state-devised plan, its consequences are unparalleled not only in the history of the Armenian nation, but also in world history, the plan of extermination of the Armenians was implemented by the Ottoman Empire’s state machine through all its structures, that 24 April 1915 became a dividing line and the long journey of the Armenian nation was stopped and split in two as before and

254 “Erivan’da Küstahlık” (Arrogance in Yerevan), *Hürriyet*, 25 April 2010.

255 “Taksim’de Ermeni Bayrağı Yakıldı” (An Armenian Flag was Burnt at Taksim Square), *Haberlercom.*, 25 April 2010.

256 Murat Yetkin, “Ve Meclis 24 Nisan’da 1915’i konuştu” (And the Assembly Talked About 1915 on April 24), *Radikal*, 25 April 2010.

257 “Ölenlere Fatiha Okunsa” (Prayers Should be Said for Those Who Died), *HaberTürk*, 25 April 2010.

after, and that the outcome was one and a half million victims, an entire nation expelled from its motherland, an ancient culture destroyed. Furthermore, he said that those managing to miraculously escape the “genocide” would not be able to recover from the blow, but Armenia, as a nation and as a state, was able to reappear on the international scene and that it is determined not to allow such a crime to ever happen again.

Sarkisian also stated that they “are grateful to all those, who in many countries of the world, including in Turkey, realize the significance of preventing crimes against humanity and stay by their side in this struggle. This process is unstoppable and has no alternative”.²⁵⁸

We believe that the most important part of the statement is this last sentence. Although it is not clear what he means by “struggle” and “process”, since these words were spoken on April 24, they can be considered to mean recognition of genocide allegations and even compensation or perhaps territorial requests.

On the other hand, it is meaningful for Sarkisian to express his gratitude to Turks who stayed by their side in their struggle. This signifies that in the upcoming period, with the help of the Diaspora, there will be an attempt to increase the number of Turks thinking and acting in this way.

2. Some Conferences Related to the Armenian Question or the Genocide Allegations

In relation to the Armenian genocide allegations, conferences, symposiums and many other meetings of scientific nature, or which seem that way, generally attended by scholars and authors are held in many countries each year. As 2010 marked the 95th Anniversary of the 1915 events, there was an increase in the number of such meetings.

In Turkey, the first Armenian Research Congress, was organized by ASAM’s Institute for Armenian Research in 2002, and was attended by over 120 scientists and authors, where 114 presentations were made. The Second Congress took place in 2004 again with high attendance. Afterwards, conferences related to various aspects of the Armenian Question have started being held in Turkey mostly in universities. Their number was highest in 2006, but then gradually declined. For instance, a conference dedicated exclusively to the Armenian Question is not known to have taken place in 2010, or even if there was one, it was not important enough to make a name. In short, while the conferences related to this issue continue to increase in other countries, their number in Turkey is decreasing.

²⁵⁸ <http://www.president.am/events/statements/eng/?pn=1&id=61>.

In this section of our article, we will provide some information on a few of the numerous conferences held abroad for the 95th anniversary of the 1915 events, which we deem significant.

a. Recognition, Condemnation Reimbursement Conference, 19 April 2010, Yerevan

No information was given on who attended this conference which was organized by the Yerevan Genocide Museum-Institute. It was only indicated that local and foreign experts attended. There is information that Director of the Museum-Institute Hayk Demoyan, his assistant Suren Manukyan and German Ambassador Hans Jochen Schmidt in Yerevan delivered speeches at the conference.²⁵⁹ Hayk Demoyan declared that they must proceed from the stage of recognition to the stage of elimination of genocide consequences. In other words, they must proceed to the stage of Turkey giving compensation and territory to Armenia. On the other hand, his assistant said that their aim is to call on the guilty to render an account of their crime and to request moral, material and political compensation from them, while German Ambassador spoke about the documentary “Aghet” shot in his country. We have already provided information about this documentary above. The point we want to underline here is that Ambassadors should reflect the positions of their governments. However, this documentary has no relation to the German Government. It can be seen that faced with the self pitying attitude dominant in all circles in Armenia, some foreign ambassadors wanting to be sympathetic can deviate from the positions of their governments and can easily continue to do so if no reaction comes from Turkey.

b. Looking Back, Moving Forward Symposium, 18 April 2010, Los Angeles

This symposium was organized, with the help of some Armenian organizations, in UCLA University in Los Angeles by Prof. Richard G. Hovannisian who has made a name in the US regarding the Armenian question and who continues his activities on this issue despite being retired from this university.²⁶⁰ The main speakers were Mathias Bjornlund from the Copenhagen University and Dr. Wolf Gruner from the University of Southern California. Bjornlund spoke on “Scandinavia and the Armenian Genocide: Prelude, Eyewitnesses, Aftermath”, while Gruner addressed the question “What Could Germans in the Third Reich Know about the Armenian Genocide?” Uğur Ümit Üngör who did his doctorate at

259 “Recognition, Condemnation, Reimbursement”, *Radiolur*, 19 April 2010.

260 “New Approaches to Armenian Genocide”, *Asbarez*, 21 April 2010.

the University of Amsterdam, participated in the symposium and supported Armenian views.

Üngör delivered a lecture on “The Young Turk Seizure of Armenian Property” at a program organized by Hovannisian at UCLA and espoused the idea that the Young Turks got rid of Armenians with the objective to create a national economy.

c. America’s Response to the Armenian Genocide: From Woodrow Wilson to Barack Obama, 13 March 2010, Massachusetts Institute of Technology

This conference was hosted on 13 March 2010 by Professors Bedross Der Matossian and Christopher Capozzola at the famous MIT (Massachusetts Institute of Technology) and was financed by MIT.²⁶¹ The conference consisted of the following three panels which addressed the issue chronologically: Woodrow Wilson and the Armenian Question, Cold War and the Armenian Genocide, and Post-Cold War Period and the Obama Administration.

A significant number of historians and authors of Armenian origin making a name in the US attended the conference. We are providing the names of some of them: Apart from the indispensable person for the Armenian genocide allegations Richard G. Hovannisian, Dennis Papazian, Simon Payaslian, Ruben Adalian, Marc Mamigonian, Gregory Aftandilian and Suzanne Moranian took part in the conference.

The press has not provided detailed information regarding the views expressed in the conference. However, based on the given information, serious mistakes could be observed. For instance, it was asserted that President Wilson’s stance against the Ottomans (Turkey) changed with the 1947 Truman Doctrine, which could not be true. After President Wilson’s death, the US Governments strived to maintain good relations with Turkey despite the resistance of Congress. The relations of the two countries during the period between the two world wars were entirely normal and the US Governments did not mention Wilson’s Armenia in any way.

d. The Prototype Genocide of Modern Times, 22-24 April 2010, Sao Paulo in Brazil

This conference was held at the University of Sao Paulo in Brazil on 22-24 April 2010, in commemoration of the 95th anniversary of the “genocide”. The

261 “MIT Conference Explores America’s Response to the Genocide”, *The Armenian Weekly*, 17 March 2010.

conference was co-organized by the Republic of Armenia, Sao Paulo State of Brazil, and the Armenian Zoryan Institute in the US.²⁶²

The question why such a conference was held in Brazil and in Sao Paulo comes to mind. Although some countries in Latin America (Argentina, Chile, Venezuela, and Uruguay) have recognized the Armenian genocide allegations, the efforts for this purpose in Brazil, the biggest state of this region, have failed to produce a result. However, the State Parliament of Sao Paulo has unanimously adopted on 20 October 2005 a resolution which recognizes the Armenian genocide allegations and has called for the recognition of the “genocide” at federal level.²⁶³ It can be said that through this conference, the aim was to bring the issue to the agenda again.

Regarding the view that the 1915 events is the “Prototype Genocide of Modern Times”, these events occurring almost a century ago and having always remained in the shadow of the Holocaust are the main obstacles to the 1915 events attracting attention. For that reason, in order to give special significance and some kind of “personality” to the Armenian “genocide”, slogans such as “The First Genocide of the XX’th Century” or “The Prototype of Modern Times” were utilized.

It is not necessary to indicate that all those attending the conference were complete advocates of Armenian views. Among them were well known individuals like Robert F. Melson, Roger W. Smith and Vakahn N. Dadrian. Ragıp Zarakolu has spoken on the refusal of the Armenian genocide by the Turkish State. It is assumed that there were two reasons Zarakolu was allowed to deliver a speech at a conference where presentations were generally made by persons having an academic background. The first is the idea that including Turks who accept the genocide allegations will make the recognition of these allegations easier. The second is that Belge Press, directed by Zarakolu, has published the most important of the foreign books concerning genocide allegations.

e. The State of the Art of Armenian Genocide Research: Historiography, Sources, and Future Directions, 9-10 April 2010, Clark University, USA

A workshop under this title took place on 9 and 10 April 2010 at Clark University in the US. Due to the diversity of the subject matters under study and the number of participants, it can be said that this was the biggest conference of 2010 to address Armenian genocide allegations.²⁶⁴

262 “International Conference on Armenian Genocide Held in Brazil”, *Armenian Weekly*, 10 May 2010.

263 Ömer Engin Lütem, “Facts and Comments”, *Review of Armenian Studies*, No. 9, p.27.

264 “Conférence: Génocide Arménien, Historiographie et Sources”, *Armenews*, 6 June 2010.

Clark University is a small university in Worcester in the State of Massachusetts (1,900 students, 650 postgraduate students). What makes this university important in relation to the Armenian question is the existence of a paid chair for the Armenian genocide allegations. It is possible in some universities in the US to establish a chair for the research on a given issue, provided that a sum is paid, and to give the chair the name of the sponsor. The one at Clark University is called “Kaloosdian/Mugar Chair in Armenian Genocide Studies’.

It is assumed that there were two reasons Zarakolu was allowed to deliver a speech at a conference where presentations were generally made by persons having an academic background.

This chair was headed by American historian of Armenian origin Simon Payasliyan. When he transferred to Boston University which is larger and more famous, the chair remained vacant for some time until 2008 when Taner Akçam, who has dedicated himself to the Armenian genocide allegations since 1990 and makes a living this way, was appointed as the holder.

We do not have sufficient space to provide detailed information on this lengthy conference.

Those interested can find the summary of views presented in the workshop on the website <http://www.armenianweekly.com/2010/05/18/clark-conference/>. We will only give the headings of the sessions and the names and ranks of the participants.

The workshop was divided into the following sessions:

- 1- Issues and Problems of Existing Scholarship on the Armenian Genocide: Where Are We in the Research?
- 2- Armenian Sources and Archives
- 3- Ottoman/Turkish Sources and Archives
- 4- Other Sources and Archives (German, Russian etc.)
- 5- What Needs To Be Done?
- 6- Reflections on the Workshop and Suggestions

We will give information by dividing those attending the conference into three groups (Armenians, non-Armenians and Turkish).

Armenians: Richard G. Hovannisian: Retired professor from the University of California, Rouben Adalian: Director of the Armenian National Institute in the

US, Raymond Kévorkian: Administrator of the Nubar Library in Paris which also contains Nubar Pasha's document, Dikran Kaligian: American history professor, Boross Dert Matossian: Historian at MIT (Massachusetts Institute of Technology), Hayk Demoyan: Director of the Armenian Genocide Museum-Institute in Yerevan, Asbed Kotchikian: Professor at Bentley University, Khatchig Mouradian: Editor of the Armenian Weekly published in Boston, Aram Arkun: Historian, Coordinator of the Information Center of the Armenian Church of America, Ronald Grigor Suny: Historian of Armenian origin specializing in the Caucasus and Soviet Armenia.

Non-Armenians: Donald Bloxham: Professor at the University of Edinburg, Peter Holquist: Professor at the University of Pennsylvania, Hans-Lukas Keiser: Professor at the University of Zurich, Wolfgang Gust: Originally a journalist and has conducted research on the genocide allegations in German Archives, Margaret Anderson: Professor at Berkley University in California, Matthia Bjornlund: Danish historian, Eric Weitz: German historian working at the University of Minnesota, Henry Theriault: Professor of philosophy at Worcester University.

Turkish: Taner Akçam: Clark University, Oktay Özel: Bilkent University, Ayhan Aktar: Professor at Bilgi University, Seda Altuğ: is a graduate of Boğaziçi University and is doing her doctorate at Utrecht University, Nazan Maksudyan: Graduate of Sabancı University, Uğur Ümit Üngör: We already mentioned him above.

The main feature of this conference is that it has brought together only those who believe in the Armenian "genocide". Since individuals thinking differently were not invited, this conference has not been able to establish a dialogue on the issues examined; on the contrary, it has constituted a monologue where everyone has stated more or less the same things, even if from different angles.

For that reason, this and other similar conferences reveal practically no new information and as they aimed at proving a particular thesis that an Armenian genocide took place, did not essentially make any scientific contribution.

VIII – THE RUSSIAN MILITARY BASE IN ARMENIA

With an agreement signed between Armenia and the Russian Federation in 1995 following the Karabakh War, a Russian Military Base was established in the city of Gyumri, approximately 20 km. from Turkey. This agreement was to be valid for 25 years and would end in 2020. With ten years remaining until expiration of the agreement, its unexpected extension for another 24 years until 2044 was surprising.

After the shutting down of the Russian military bases in Georgia, this facility in Armenia is the only military base of the Russian Federation in the Southern Caucasus, and therefore, has a special importance for Russia. It can be said that through this military base, Russia attempts to maintain and increase its influence in the region. The effects of the military base on the countries in that region can be summarized as follows:

1. Armenia

Armenia believes that this military base will protect it against Turkey. Armenia's aggressive and expansionist policy during the Karabakh war has caused Turkish

The Russians have wanted to take advantage of this event to build a military base in Armenia and as stated above, the Armenians, believing that this military base will protect them against Turkey, were very eager for it.

reactions. Turkey's announcement that it will protect the Nakhchivan region if the war spreads there has led to a crisis when Marshall Yevgeni Shoposhnikov, commander of CIS, established in order to defend some of the old Soviet Republics, has gone as far as saying that Turkey's intervention could cause a third world war. However the crisis has ended with the Armenian forces withdrawing from Nakhchivan. The Russians have wanted to take advantage of this event to build a military base in Armenia and as stated above, the Armenians, believing that this military base will protect them against

Turkey, were very eager for it. On the other hand, the 1995 agreement for this military base also gave the task of defending Armenia's borders at the time of the Soviet Union to the Russian forces. In fact, this meant that Russia would protect Armenia against Turkey and Iran.

2. Azerbaijan

This military base and the Russian forces did not have the task of protecting Armenia against Azerbaijan. However, since the Russian forces in Armenia are expected to prevent Turkey's military assistance to Azerbaijan, there exists indirectly an unfavorable situation against Azerbaijan. As will be explained below, the change made in the status of the Russian military base will directly create results against Azerbaijan.

3. Georgia

The Russian military bases in this country were shut down three years ago. An important part of the ammunition and weapons in these military bases were transferred to the Russian military base in Gyumri. As known, Russian-Georgian relations were very tense in 2008 due to the Ossetia conflict. Taking also into account the presence of Russian military bases in Abkhazia and Ossetia, a large Russian military base existing 40 km. from the Georgian border is to the disadvantage of Georgia. On the other hand, it is necessary to pass through Georgia to supply by land the military base in Gyumri, but Georgia does not allow this.

4. Turkey

The Russian military base in Gyumri is not large enough to constitute a military threat to Turkey. On the contrary, the military base being so close to Turkey could pose a danger to itself during a crisis. On the other hand, it is obvious that this military base and the Russian forces in Armenia in general will make it difficult for Turkey to provide military assistance to Azerbaijan when necessary. Taking into consideration that Turkey persistently defends that the Karabakh Conflict be settled through peaceful means, that Turkey-Russia relations are quite strong, and economic cooperation is showing a great progress, it is difficult to assume that a crisis will arise between the two countries due to this military base and the Russian forces in Armenia.

5. Signing and Content of the Protocol

Extending the term of the Russian military base in Armenia took place with the signing of a protocol on 20 August 2010, which amended the 1995 Agreement, by President Sarkisian and President Medvedev, who conducted an official visit to Armenia. The text of this protocol has not been made public and it has only been possible to reach an idea about its content from some of the information provided by the Armenian press and statesmen.

According to the Armenian press, in addition to the defense of Russia's interests, the Gyumri base would also ensure the security of Armenia together with the Armenian armed forces. Moreover, modern and compatible arms and specialized military equipment have also been promised.²⁶⁵ Therefore, it can be seen that two points arise which is different than the 1995 agreement. The first is Russia

265 "Russia-Armenian Defense Pact Will Avert New War in Karabakh", *Armenialiberty.org and RFE/RL*, 17 August 2010.

ensuring the security of Armenia and the second is its promise of supplying modern weapons to that country.

The content of the signed protocol can better be understood from the following statement of President Sarkisian, delivered on August 20 in a joint press conference given with President Medvedev: “The Protocol not only stipulates prolonged presence of the Russian military base in Armenia but also expands the scope of its geographical and strategic responsibilities. Until now, the actions of the base were limited to the state borders of the former USSR; at present that limitation has been removed from the text of the Agreement. The Russian side has assumed responsibility to jointly provide for the safety of the Republic of Armenia and assist our Armed Forces in augmenting their arsenal with modern weaponry”.²⁶⁶

In short, Russia will not only defend Armenia against Turkey, but also against all other countries. Moreover, it will help Armenia to obtain modern weapons. The important point here is that Russia’s defense of Armenia against all countries will mean that it will protect Armenia against Azerbaijan. However, some comments made afterwards in the press have portrayed a different picture. A possible war between Armenia and Azerbaijan will occur in Karabakh and the 7 Azeri “rayon’s” surrounding this region. Legally, these territories do not belong to Armenia. Therefore, such a war will not require the protection of Armenia; in other words, will not necessitate Russia’s intervention into Azerbaijan in order to defend Armenia. However, it is difficult to assume that Russia would only remain an observer in a new war between Armenia and Azerbaijan no matter where or how it takes place.

Concerning the weapons, all arms in the hands of Armenia are Russian manufactured. It is understood that Azerbaijan starting to buy modern weapons with the income it earns from petroleum, has created the necessity in Armenia to obtain more modern weapons. Russia has no objection to this, because it will sell these weapons and the Diaspora will pay a large portion of its cost. The possession of modern arms by Armenia will further increase the arming of Azerbaijan. In conclusion, an arms race can start which serves Russia’s interests. Meanwhile, we should note that for some time, Azerbaijan has been trying to obtain S-300 surface-to-air missiles from Russia.

We mentioned the significance of the Russian military base in Gyumri above. Extending the term of this military base first of all means that Russia is determined to maintain its military presence in the Southern Caucasus for a long time. After

266 <http://www.president.am/events/press/eng/?id=54>.

the conflict with Georgia in 2008, it is possible that Russia made such a request from Armenia, but Armenia did not lean towards this request taking into account the criticisms which will be explained below. The development which caused a change in Armenian thinking is President Aliev frequently stating in recent years that they want to resolve the Karabakh Conflict through peaceful means, but could resort to force if this is not possible. On the other hand, Azerbaijan is in a serious effort to arm and is coming closer to its goal of having a national defense budget equal to that of Armenia's annual budget. It seems inevitable that in the not too far away future, Azerbaijan will establish military superiority over Armenia. In this regard, it can be surmised that in exchange to Russia extending the term of the military base, Armenia has asked for protection against Azerbaijan and modern weapons.

The point which should be emphasized in the meantime is that while the Armenian side has provided information to the public about the protocol on August 20, the Russian side has acted very cautiously and has tried to avoid the subject. In an interview given to the Armenian Public Television just before President Medvedev's visit to Armenia, Foreign Minister Sergey Lavrov has replied to a question by saying that no change should be expected in the way the base functions after the signing of the protocol.²⁶⁷ In the press conference, given together with President Sarkisian, President Medvedev limited himself to saying that the protocol signed "aims at the maintenance of peace and security in the South Caucasus and the Caucasus in general".²⁶⁸ It can be assumed that this approach of Lavrov and Medvedev aims at drawing as little reaction from Azerbaijan as possible.

In relation to reactions arising in Armenia towards the protocol concerned with the Russian military base, an important section of the press has argued that it will make Armenia more dependent on Russia.²⁶⁹ The Opposition Parties, in different degrees, also came out against the extension of the term of the military base. The strongest opposition came from the Charman of the Heritage Party Raffi Hovannisian who argued that the Russian base is against Armenian sovereignty, foreign policy independence and vital national interests.²⁷⁰ However, other opposition parties have advocated the Russian base and the extension of its term. Meanwhile, the Dashnak Party has expressed that Armenia had no choice but to extend and deepen its military ties with Russia.²⁷¹

267 "Lavrov Explains Military Deal with Armenia", *Asbarez*, 19 August 2010.

268 <http://www.president.am/events/press/eng/?id=54>.

269 "Armenia: Opposition Blast Russia's Proposed 49 year lease on Military Base", *EurasiaNet*, 12 August 2010.

270 "Russian Power, Armenian Sovereignty and a Region At Risk", *Armenian News Network/Groong*, 15 August 2010.

271 "Dashnaks Back New Russian-Armenian Pact", *RFE/RL*, 31 August 2010.

It can be seen that along with Russia's dominant position in the Armenian economy (possessing energy lines and railways, constructing new nuclear power stations, most of Armenia's petroleum and natural gas being supplied by Russia etc.), Armenia's reliance on Russia on security issues and thereby becoming dependent on it is in no way compatible with the concept of independence. But, it is observed that besides a few exceptions, this has not created discomfort in Armenia. The main reason for this is, as stated above, the deeply rooted perception of Armenian public opinion that Russia protects Armenia. It is understood that in exchange for this "protection", it is considered normal to make concessions to Russia.

Extending the term of the Russian base has caused various and even conflicting reactions among Azeri official circles. Azeri Foreign Ministry Spokesman Elhan Polukhov has stated that Azerbaijan hopes that Russia stays loyal to the commitment not to use the military equipment and resources at the base in Armenia against Azerbaijan".²⁷² Apparently, Russia has made such commitments when in 2006 it transferred ammunition and weapons from the Russian military base in Georgia to Armenia.²⁷³

Novruz Mammadov, Chief of Foreign Relations Department of Azerbaijan's Presidential Office, has stated that the agreement to extend the term of the Russian base is not a threat to Baku, will not make a big effect as claimed, and that there is no need to look for something new in this document since it does not change the status quo in the region.²⁷⁴ However, almost a week later, Mammadov has started to express different opinions. He has stated that Russia, by increasing its military presence in Armenia and extending the agreement, has called into question its neutrality toward the Karabakh dispute and that with such statements and support, it is difficult to be an objective mediator. Moreover, he has said that he does not think such an agreement (protocol) poses a threat only to Azerbaijan, but to other countries (Turkey, Georgia, the US).

Ali Hasanov, Chief of Public Policy Department of the Presidential Office of Azerbaijan, has expressed a similar view by stating that the security of South Caucasus and the deployment of conventional and strategic weapons in the region, as well as their quantity is not an issue which concerns only the two countries (Russia and Armenia;) and that the Armenian-Russian agreement must not run

272 "Baku Hopeful Russia Will Remain Loyal to Its Commitments and Won't Use Gyumri Military Base Against Azerbaijan", *Tert.am*, 20 August 2010.

273 "Military Agreement Between Russia and Armenia Necessitates Azerbaijan Integration into NATO", *Azeri Report.com*, 21 August 2010.

274 "Armenian-Russian New Agreement Prolonged the Status Quo For Other Few Years: Novruz Mamadov", *Times.am*, 22 August 2010.

counter to the 1992 Conventional Forces in Europe Treaty that limits the maximum number of troops and military hardware.²⁷⁵

Azerbaijan's Defense Ministry Spokesman Elgar Sabiroğlu has made stronger comments. He has expressed that there exists now all the reasons to call Armenia a dependent country and that Armenia has thereby fallen totally out of grace with the international community.²⁷⁶ Furthermore, Sabiroğlu has said that this protocol cannot hinder the Azerbaijani Army which has no choice but to upgrade its armed forces by acquiring new weapons.²⁷⁷

Azerbaijan's Defense Minister Safar Abiev has dismissed claims that Armenia's military alliance with Russia will deter Baku from attempting a military solution to the Karabakh Conflict.²⁷⁸

On the other hand, Deputy Foreign Minister of Azerbaijan Araz Azimov has voiced entirely different thoughts. As if downplaying the Russian-Armenian protocol, he has said that Russian defense of Armenia was mere speculation and that these words concerned Armenia's domestic politics, and aimed at putting pressure on Azerbaijan, that Russia was protecting its interests in Armenia, and that statements which purport that 'if Azerbaijan begins operations in Karabakh, Russia will support Armenia', were irresponsible and ignorant. Furthermore, he has stated that the protocol involved only two countries did not entail any important change other than extension of its term, and that therefore there was no need for concern.²⁷⁹ It is clear that these statements are different from the views of the officials mentioned above and resemble more the views of the Russian side.

On the other hand, the leaders of Azeri opposition parties have assessed the Russia-Armenia protocol negatively. Musavat Party's Chairman Isa Kamber has said that it is contradictory to the rules of international law for Russia, which is among the co-chairs of the Minsk Group and acts as mediator, to stand on Armenia's side. He has also said that Azerbaijan should increase its military ties with Turkey and take the initiative on the issue of NATO membership as soon as possible.²⁸⁰

The Head of the Azerbaijan Democratic Party Sardar Celaloğlu has indicated that the Russian-Armenian agreement puts an end to Armenia's independence and

275 "Armenia Unfazed by Russian Military Sale to Azerbaijan", *RFE/RL*, 25 August 2010.

276 "Baku Looking into New Russian-Armenia Accord", *RFE/RL*, 25 August 2010.

277 "Azeri Official Accuses Russia, West of Pro-Armenian Bias", *RFE/RL*, 27 August 2010.

278 "Azeri Defense Chief Scoffs At Armenian 'Psychological' Pressure", *RFE/RL*, 31 August 2010.

279 "Baku Unruffled by Armenian Russian Military Deal", *Newz.az*, 30 August 2010.

280 "Baku, Rus-Ermeni İlişkilerini İzliyor", *Dünyabülteni.net*, 22 August 2010.

places it under Russia's clout for years to come. In order to neutralize the threat to Azerbaijan, Baku should take certain steps and conclude an agreement at the same level with another country, such as Turkey.²⁸¹

Mubariz Gurbanly, Deputy Executive Secretary of the ruling party of Azerbaijan, also expressing similar views, has said that by signing such an agreement Russia demonstrated that it will not play an impartial role, but act as a party in the peace process and that in fact, this situation clearly shows that Russia is on Armenia's side.²⁸²

No statements of Foreign Minister Mehmetyarov or President Ilham Aliiev in relation to this issue were noticed.

President of the Russian Federation Dmitri Medvedev has conducted an official visit to Baku in September. During this visit, agreements were signed on the precise demarcation of the Russia-Azerbaijan border and the doubling of the amount of crude oil to be sold by Azerbaijan to Russia in 2011 and 2012.²⁸³

In an interview delivered to an Azerbaijani newspaper right before this visit,²⁸⁴ Russian Foreign Minister Sergey Lavrov has addressed the issue of the Russian base in Armenia. Lavrov has stated that "the protocol signed on August 20 extends the presence of Russian military base in Armenia and nothing more and it does not change either the function of the base or the number of the servicemen at that base or the number of the arms. Therefore, it's unnecessary to talk about any changes that the protocol can make to the balance of forces in the region. The main purpose of the base is to ensure the interests of the Russian Federation; these interests include maintaining stability in the South Caucasus and Caspian region. This goal does not change with the extension of the agreement".²⁸⁵ President Medvedev has indicated that the protocol does not constitute a threat for Azerbaijan's security.²⁸⁶ According to news in the Azerbaijani press, the issue of the Russian base in Armenia has not been on the agenda in the talks held with Medvedev.²⁸⁷ It is asserted that the possibility of Russia to sell arms, including S-300 missiles, to Azerbaijan, has played a role in this. If this is true, Russia holds the position of

281 "Russia Pact to Extend its Military Presence in Armenia", *AzerNews Weekly*, 21 August 2010.

282 "Military Agreement Between Russia and Armenia Necessitates Azerbaijan Integration into NATO", *AzeriReport.com*, 21 August 2010.

283 "Dimitri Medvedev Rassure Azerbaidjan sur l'Accord Arméno-Russe", *Armenews*, 3 September 2010.

284 "Russian FM Sergey Lavrov on Esence of St. Petersburg Proposals on Nagorno-Karabakh Conflict, Major Goal of Russian Military Base in Armenia", *Today Azerbaijan*, 29 August 2010.

285 Ibid.

286 "Dimitri Medvedev Rassure Azerbaidjan sur l'Accord Arméno-Russe", *Armenews*, 3 September 2010.

287 "Medvedev Bakü'de, Ermenistan Masada Yok" (Medvedev is in Baku, Armenia is not Present at the Table), *Dünya Bülteni*, 3 September 2010.

profiting from its arms sales to both Armenia and Azerbaijan, along with maintaining its political domination. According to Musavat Party's Chairman Isa Kamber, Russia is on the one side giving full support to Armenia; while on the other side, attempting to keep Azerbaijan under its control.²⁸⁸

The US has shown its reaction almost a week after the extension of the Russian base in Gyumri. A spokesman of the Department of State Mark Toner has indicated that this is a bilateral issue between Russia and Armenia, that the US enjoys a strong partnership with Armenia and that they have expectations that this will continue. Moreover, he has lauded Moscow's constructive role in efforts to broker a solution to the Karabakh Conflict.²⁸⁹ According to an interpretation, Washington's policy of "uninvolvement" stems from recognizing that the Russian Federation will have the key role in helping Central Asian countries attain stability.²⁹⁰ On the other hand, this action is also in line with Hillary Clinton's policy of "soft power". However, in this situation, Russia could conduct "hard power" policy in the Caucasus if it deems necessary.

An official reaction did not come from Turkey regarding the developments over the Russian base in Armenia. This issue also did not preoccupy the media much except just reporting. It is also not possible to say that Azerbaijani views such as granting a base to Turkey have led to reactions. Most likely, this is because these developments do not entail serious consequences for Turkey. However, it is without doubt that changes related to the Russian base status will bring important results not only for Armenia, but also for the Southern Caucasus. As already explained above, the amendments this protocol brought about are the extension of the term of the Russian base, Russia's contribution to Armenia's defense and the help provided to Armenia to obtain modern weapons. (The last two points have not been expressed by Russia, but have not been denied either).

First of all, it should be taken into account that a Russian base will exist in Armenia until 2044 and not 2020. During this period, it is expected for Russia to reasonably support Armenia in all areas because of this base.

Secondly, this base and the Russian Military Unit, which had only guarded the borders of the former Soviet Union until now, will defend Armenia from now on against all outside threats. Since Azerbaijan is the main opponent of Armenia now or in the near or even medium term, this situation should highly concern Azerbaijan, because the statements during Ilham Aliyev's time in office that Azeri territories would be rescued by using force if necessary cannot be expected to

288 Ibid.

289 "U.S. Sees No Fallout From Russian-Armenian Pact", *Asbarez*, 26 August 2010.

290 *Hürriyet Daily News*, 30 August 2010.

affect Armenia under the protective umbrella of Russia. By making Armenia, already pursuing a hard-line policy in the Karabakh conflict, feel more secure, this could cause it to become even more uncompromising and unwilling to make concessions. In short, the expectation for Karabakh to join Azerbaijan under a status of wide autonomy as in the past does not seem realistic anymore.

Lastly, there will be an effort to balance, through the supply (sale) by Moscow of arms to Armenia, the superiority which Azerbaijan began to gain in recent years against Armenia.

In conclusion, the amendments made to the Soviet base status in Armenia have complicated Azerbaijan's current Karabakh policy. However, since it is not possible in the short or even medium term to change this policy which has taken hold in public opinion, it seems likely that the Karabakh Conflict will continue for a rather long period with dangerous developments taking place from time to time.

Since Turkey links the normalization of its relations with Armenia and the opening of the border to a settlement of the Karabakh conflict, or at least to significant developments taking place towards the resolution of the conflict, if such developments do not occur, then normalization with Armenia will not be possible, at least in a short time. This creates a contradictory situation in regard to Turkey's policy of achieving reconciliation with Armenia and Armenians.

RELOCATION OF THE OTTOMAN ARMENIANS IN 1915: A REASSESSMENT

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Abstract: *This article criticizes the subjective approaches adopted by the historians in dealing with the events of 1915 and also the lack of consistency in the interpretations of the conflict between the Muslims and the Armenians. The author makes evaluations about the way the subject is handled in the light of archival documents. The evaluations are based on the closing of the Armenian Committees on 24 April 1915, the arrests of the leading political figures and how these events are handled both by the Turkish and Armenian historians. In his assessments of the arrests of April 24, 1915 the author argues that the state had only aimed at taking the activities of the revolutionaries under control, and that the claims concerning the arrests of these political figures was a preparation for the process to exterminate the Armenians is groundless. It is also argued in this article that the decision for relocation has been taken as a legal security measure and that the Armenian uprisings were the principle reason behind the decision. Also discussed in this article are the number of people relocated and the ratio of deaths which took place during the marches of the convoys to the designated locations in southern parts of the Ottoman Empire. The author emphasizing the importance of studying the events of 1915 on the basis of the archival documents welcomes the letter of the Turkish Prime Minister to the President of Armenia to the effect that an historical commission consisting of historians and other experts from two countries should be established to study the developments and events of 1915 not only in the archives of Turkey and Armenia but also in the archives of all relevant third countries.*

Keywords: *Armenians, Ottoman Empire, Armenian Question, Forced migrations*

The subject of this paper is the Turkish-Armenian Question. According to the Armenian historiography it all started on April 24, 1915, the date at which the Ottoman security forces arrested 235 leading personality¹ of the Armenian

1 The debate over the number of arrests that took place on April 24, 1915 and immediately afterwards is now over thanks to the newly found documents in the Ottoman Archives in Istanbul. See. Yusuf Sarıncay, "What Happened on April 24, 1915" The Circular of April 24, 1915, and the Arrest of the Armenian Committee Members in Istanbul", *International Journal of Turkish Studies*, Vol: 14/1-2 (Fall, 2008), s. 75-102. For the list of those arrested on April 24, 1915 see Grigoris Balakian, *La Golgotha Arménien: de Berlin à deir es-sor: mémoires*, *Le Cerde d'Écrits Caucasiens*, 2002. For English translation see, Grigoris Balakian, *Armenian Golgotha*, trans. Peter Balakian and Aris Sevag, Alfred A. Knopf publ, New York, 2009.

Revolutionary Party (ARF), Dasnaksutyun. The Turkish historiography, however, challenges this assertion and dates the origin of the Question to the Congress of Berlin, in 1878, when the internal conflict between the Armenians and Muslims became an international issue for the Great Powers of the period.² Be that as it may, the fact remains that the Turkish-Armenian Question should be the subject of history, and different opinions should be elaborated by historians. From this standpoint, on 10 April 2005, Turkish Prime Minister sent an official letter to Robert Koçaryan, the President of Armenia saying that:

*“The Turkish and Armenian peoples not only share a common history and geography in a sensitive region of the world, but also lived together over a long period of time. However, it is not a secret that we have diverging interpretations of events that took place during a particular period of our common history. These differences that have in the past left behind traces of painful memories for our nations continue to hamper the development of friendly relations between our two countries today. I believe that, as leaders of our countries, our primary duty is to leave to our future generations a peaceful and friendly environment in which tolerance and mutual respect shall prevail... In this connection, we are extending an invitation to your country to establish a joint group consisting of historians and other experts from our two countries to study the developments and events of 1915 not only in the archives of Turkey and Armenia but also in the archives of all relevant third countries and to share their findings with the international public. I believe that such an initiative would shed light on a disputed period of history and also constitute a step towards contributing to the normalization of relations between our countries”.*³

I am of the opinion that this was a courageous and constructive proposal to address to a conflict that has caused mistrust and enmity for years between the two nations. Unfortunately, Armenian leadership rejected this proposal arguing that Ottoman’s treatment of the Armenians within the Empire between 1915 and 1923 constituted “genocide” and this fact cannot be called into question. In his official reply, President Koçaryan replied that “Your proposal to address the past can not be productive unless it addresses the present and the future as well,” and in a counter proposal he offered to form an ‘intergovernmental commission’ that will tackle this and other problems hampering their relations”. The most striking phrase in the letter of Koçaryan, in my view, was this:

2 Cevdet Küçük, *Osmanlı Diplomasisinde Ermeni Meselesinin Ortaya Çıkışı 1877-1897*, Türk Dünyası Araştırmaları Vakfı, İstanbul, 1986.

3 For the text of the letters exchanged between the Presidents of Turkey and Armenia, see Aybars Görgülü, “Turkey Armenia Relations: A Vicious Circle”, *Foreign Policy Analysis Series-8*, TESEV Publications, İstanbul, 2008, Appendixes 2, p. 43.

*“Responsibility for the development of bilateral relations is borne by the governments and we have no right to delegate it to historians”.*⁴

By this, President Koçaryan implied that the question between Turkey and Armenia was a political one, and not historic. He is not alone in Armenia. Indeed many leading political groups in Armenia regard Erdoğan’s offer as a ploy designed to deflect international attention from the ongoing commemorations of the 90th anniversary of the start of the so-called genocide. Armenian historians have written their version of their history and led their people to believe that their facts are so solid that they cannot be challenged.⁵

In my visit to Armenia in 2005, unfortunately I had the impression that the People of Armenia share this official view and are not ready to define the events of 1915 and 1916 any other term than “genocide”. Under these circumstances, it may not be an exaggeration to say that Armenians believe their thesis as strong as a dogma. When they meet a Turk by coincidence they ask the very stereotype question: “Do you believe in Armenian Genocide?” And when one does not give the straight answer, which is “Yes” for an average Armenian, he/she is immediately called a “denier”.

By this, President Kocharian implied that the question between Turkey and Armenia was a political one, and not historic. He is not alone in Armenia.

Distortion of the UN Convention of 1948 on Genocide

Do the sources prove Armenian allegations beyond any shadow of a doubt? Is not there any fact that can be challenged about the events of 1915-16? Why do the Armenians not question their thesis? Was the treatment of Armenians by the Ottoman regime in 1915-1916 equal to genocide as defined by the UN Convention of 1948? According to the Armenian historiography everything is crystal clear and what happened was “genocide”. Is that really so? Of course not, and there is a saying “all that glitters is not gold”. First of all, we are dealing with a period of history and therefore it is natural that day by day as new documents come into light our knowledge of the period may be changed. There are many points and details that are open to debate about the nature of the incidents that took place between Armenians and Muslims in 1915 and onwards. The treatment of the Armenians by the Ottoman government can not be seen within the concept of the UN Convention of 1948 on Genocide. It is neither legal nor scholarly. From an international law

4 Ibid., p. 44.

5 “Opposition’s case: Dashnak leader explains why Sargsyan should not go to Turkey” October, 14, 2009 *Armenia Now*, http://www.armenianow.com/news/10654/opposition_s_case_dashnak_leader Last Access: March, 18, 2011

perspective, the Armenian Allegations regarding 1915 events is certainly disputed simply because the allegations are not based on legal verdicts by a competent international judicial institution. This is an important point and cannot be overlooked, since recognition of “genocide” requires a legal decision delivered by a competent international (or national) judicial institution in accordance with the UN Convention of 1948.⁶

Even though this very fact is sufficient to demonstrate that accusations against Turkey is unlawful, there are other reasons which cast doubts on the use of the word genocide in describing the events of 1915-1916 within the framework of the UN

Convention. Firstly, according to the UN Resolution 1948, genocide is described as “acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group”. And the events of 1915-1916 should be assessed in the light of this definition.

It is known that when the Ottoman military declared mobilization in August 1914, most members of ARF and other Armenian political parties fled and joined the Russians, as was decided in the secret committee meetings.

Relocation: “A Legitimate Security Measure”

In the light of the newly found documents, we have better understanding of the implementation of the law of relocation during which one 1.5

million Armenians are claimed to have perished owing to various reasons. What is more important is that archival documents reveal that the Ottoman government had no intention to destroy its Armenian population and cannot be held accountable for the Armenian losses. All studies dealing with the implementation of relocation have so far indicated that with the relocation of the Armenians, the Ottomans tried to prevent a full scale rebellion behind their army lines which had already started in the centers such as Erzurum, Zeytun and Bitlis just before the entry of the Ottoman Empire into WWI.⁷

It is known that when the Ottoman military declared mobilization in August 1914, most members of ARF and other Armenian political parties fled and joined the Russians, as was decided in the secret committee meetings. Even Karekin Pastermadjian, an Armenian deputy in the Ottoman Parliament and also a member of Dashnak party, had joined one of these units to lead the Armenian voluntary forces.⁸ According to the Russian historians, there were 23 Ottoman-Armenian

6 See, William A. Schabas, *Genocide in International Law, The Crime of Genocide*, Cambridge University Press, Cambridge, 2009, s. 400 <http://www.tbmm.gov.tr/komisyon/insanhaklari/pdf01/33-36.pdf>

7 See, Kemal Çiçek, *Ermenilerin Zorunlu Göçü*, Türk Tarih Kurumu Publications, Ankara, 2005, s. 7-33

8 For the role of Armenians in the World War I see, Dr. G. Pasdermadjian, *Why Armenia Should be Free: Armenia's Role in the Present War*, Hairenik Publishing Company, 1918.

units in the Russian army at the very beginning of the war, making roughly 11,500 soldiers.⁹ Plus there were 40,000 Armenian armed volunteers only in the Caucasian region fighting for the Russians.¹⁰ (Document-1: A letter of Bogos Nubar, President of Armenian National Delegation to the Ministry of Foreign Affairs of France)

There were also Armenian volunteer units scattered all over Turkey. The number of these fugitives and/or collaborators within the Ottoman Empire will never be fully known. Bogos Nubar Pasha in one of his letters to the Foreign Ministry of France stated that they were fighting on the side of the Allied forces against the Ottoman Empire with almost 200,000 Armenian soldiers. In view of these figures, it can be seen how correct Arnold Toynbee was when he wrote that Ottoman Armenians became the ‘fifth column’ of the Russians in occupied territories of the Ottoman Empire.¹¹ This so-called “fifth column” was obviously accountable for the massacres of 124,000 Muslims between August 1914 and March 1916.¹² This very fact also justifies the necessity of removing Armenians behind army lines. Arthur Tremaine Chester in one of his article in The New York Times, Current History had this to say to explain the law of relocation to the American people:

*“The provinces in the rear of the army had a large Armenian population, and these people, feeling that there was an excellent chance of the Russians defeating the Turks, decided to make it a certainty by rising up in the rear of the army and cutting it off from its base of supplies. Let me draw a parallel imaginary case. Suppose that Mexico was a powerful and rival country with which we were at war, and suppose that we sent an army to the Mexican border to hold back the invading enemy; suppose further that not only the negroes in our army deserted to the enemy but those left at home organized and cut off our line of communication. What do you think we as a people, especially the Southerners, would do to the Negroes? Our Negroes have ten times the excuse for hating the whites than the Armenians have for their attitude toward the Turks.”*¹³

9 For the number of Armenian volunteers see, Pasdermadjian, *Why Armenia Should be Free*, s. 19-21. For Armenian presence and activities in the Russian army, see, Mehmet Perinçek, “Taşnak ve Sovyet Ermenistanı Kaynaklarında Taşnaksütyun Gerçeği”, *Türk-Ermeni İlişkilerinin Gelişimi ve 1915 Olayları Uluslararası Sempozyumu Bildirileri*, ed. Hale Şıvgın, Gazi Üniversitesi, Ankara 2006, s. 501-502.

10 See Document No: 1

11 Arnold J. Toynbee, *Acquaintances*, Oxford University Press, New York – Toronto, 1967, s. 242.

12 *Ermeniler Tarafından Yapılan Katliam Belgeleri 1914-1919*, Cilt 1, Devlet Arşivleri Genel Müdürlüğü Yayınları, İstanbul,

13 Arnold J. Toynbee, *Acquaintances*, Oxford University Press, New York – Toronto, 1967, s. 242.

The Limits of Transferring Armenians

When the term “war zone” is used, some may not have a full idea about the law and its implementation to Armenians, but the word “war zone” is important for several reasons. Firstly, the law of relocation was only limited to the areas of strategic importance for the military, and secondly, the law also left out a reasonable amount of the Armenian population from relocation.¹⁴ Indeed, Ottoman government of the time had defined many exemption categories for the Armenians. According to the documents released by the Directorate of Turkish Archives, the following groups were not to be transferred:

- Protestant and Catholic Armenians, (At the beginning they were totally exempted from relocation, but in time, due to changing circumstances some groups of Catholics and Protestants had to be sent away. However there were no mass transfers among them.)
- Armenians living in the cities of Istanbul, Edirne, Aydın, Bursa, İzmir, Antalya, Kütahya, Kastamonu and many other western towns,
- Armenian soldiers and their families,
- Officers and those in the medical corps of the Ottoman army and their families,
- Officers employed in the branches of the Ottoman Bank at Istanbul and the provinces,
- Employees in the Régie and Public Debt establishments,
- Employees of the foreign consulates,
- Officers of the post office,
- Teachers of the Armenian and Missionary schools and their families,
- The sick, the blinds and other disabled people etc.

Indeed, reports of the American diplomats and missionaries put the number of exempted Armenians at between 300,000 and 350,000.¹⁵ Thus, one should ask here the crucial question: If the intention of the Ottoman government was to annihilate

¹⁴ For exemptions see, Çiçek, *Zorunlu Göç*, p. 76-87

¹⁵ For an analysis of the missionary reports on that matter, see Hikmet Özdemir et. Al. *Ermeniler Sürgün ve Göç*, Türk Tarih Kurumu Publications, 3. Print, Ankara, 2005, pp. 94-95; Çiçek, *Zorunlu Göç*., p. 86.

the Armenian people, in whole or in part, just because of their religious, ethnic or national identities, why would they have so many Armenians exempted? Why would they exclude the Armenian population of Istanbul from relocation? Before we answer these questions one cannot accuse the Ottoman Empire of deporting Armenians for their ethnic or religious identity.

The Legend of the So-Called “Death March”

Armenian historiography claims that the central cadres of Committee of Union and Progress (CUP) initiated a program of extermination and with this aim they sent the Armenian population of Anatolia to the deserts of Mesopotamia for a “death march”.¹⁶ It is argued that the time given for the journey was too short, mass transfers had been started without duly preparations and the authorities were aware of the dangers ahead of the convoys. Documents in Turkish and American archives, however, refute these claims. First of all, let us make clear that in certain cities there were Armenians who were relocated in a limited time ranging from 24 hours to 48 hours, but according to the concrete documents those transferred in two days were not peasants, but were Armenian committee members. They were all male. They were arrested and transferred immediately for security reasons to prisons in various cities. In other places people were given at least two weeks for preparations. In many cities first convoys left in the first week of July, which is roughly 35 days after the law was published in the Official Gazette. Therefore, it is not true that Armenians were rushed into the journey, that they didn’t have enough time to prepare and that they suffered numerous casualties during the journey.¹⁷

Moreover, foreign observers of the relocation process reported that the Ottoman government issued strict instructions for the safe conduct of the relocation. Necessary orders were given to find ways to provide food for the people to be sent away, the means of transportation to be used to transfer them to their destinations, to determine which lands they were to be settled in, the amount of funds that would be needed to provide them with food and their livelihood and providing them with seeds and fertile lands to grow wheat. In a report that was sent to the American Ambassador on September 3, 1915, Dr W. M. Post, an American physician at the American Hospital in Konya, noted that the government “has been giving the

16 The term “Death March” is often used in Holocaust literature to describe the deportation of the Jews from various countries to the Concentration camps, but although there is no parallel, Armenian historians have also started using the same term for the transfer Armenians from their homes to the resettlement areas within the country. See, N. O. Oganessian, *The Armenian Genocide: Armenocide*. Armenia: Institute of Oriental Studies, Yerevan, 2002; J. Slater, J., *Death March*. London: Horowitz Publishers, 1966.

17 For relocation dates for different cities, see Kemal Çiçek, “Amerikan Kaynaklarında Tehcir”, *Türk-Ermeni İlişkilerinde Yeni Yaklaşımlar-Uluslar arası Sempozyum*, ed., Şafak Ural, Feridun Emecen, Mustafa Aydın, İstanbul Üniversitesi Yayınları, İstanbul, 2008, pp. 323-344.

[Armenian] adults 1 piaster and the children 20 paras a day.¹⁸” The American Committee for Armenian and Syrian Relief, Red Cross and other relief organization were allowed to help Armenians on the road to Syria and also in the camps established for the refugees. It is important to mention that not all Armenians were located in the camps, but many were settled in houses in Damascus, Aleppo, Ma’an, Ras-al-ayn, Raqqah, Deir-el-Zor as well. Orphans were sent to the orphanages established by the government and missionaries. Some were also given under the protection of families and the government paid their expenses. (Document 2: A view of Dier-el-Zor)

Last but not the least; they were not deported, as was claimed, to the deserts of Mesopotamia. As Rear Admiral Colby M. Chester wrote in The New York Times, Current History in September 1922;

It is important to mention that not all Armenians were located in the camps, but many were settled in houses in Damascus, Aleppo, Ma’an, Ras-al-ayn, Raqqah, Deir-el-Zor as well.

*“The Armenians were moved from the inhospitable regions where they were not welcome and could not actually prosper, to the most delightful and fertile part of Syria. Those from the mountains were taken into Mesopotamia, where the climate is as benign as Florida and California, whither New York millionaires journey every year for health and recreation. All this was done at great expense of money and effort, and the general outside report was that all, or at least many, had been murdered...In due course of time the relocated entirely unmassacred and fat and prosperous returned (if they wished so to do), and an English prisoner of war who was in one of the vacated towns after it had been repopulated told me that he found it filled with these astonishing living ghosts”.*¹⁹ (Document-3: The new York Times Current History, September 1922)

“Living Ghosts” or Fiddling with the Numbers

Indeed Chester was right in his observations. Unfortunately during the war, British and American propaganda declared entire Ottoman-Armenian population as being murdered and the people in the West were made to believe lamentable stories and ordeals of their fellows. What is more striking, however, is that this war time propaganda is still given credit and the loss of Armenians during the relocation is claimed to be 1.5 million. Luckily we have Western sources to refute these

18 NARA 867.4016/188. From Wilfred M. Post to Henry Morgenthau, Konia, 3 September 1915.

19 NARA 867.4016/188. From Wilfred M. Post to Henry Morgenthau, Konia, 3 September 1915.

exaggerated figures. American consular or missionaries were present in some cities from which the Armenians started their journey and cities in which they were resettled. They reported regularly the number of people left or arrived. Some consuls, like Jesse J. Jackson who was the American consul at Aleppo, reported to his embassy on a daily basis the number of arrivals by railway or on foot.²⁰ Therefore his documents are as precious for historians as a pearl. For instance in one of his reports dated February 8, 1916, he gives the total number of Armenians arrived in camps:

*“Reliable sources in reference to the number of Armenian immigrants in this vicinity, between here and Damascus and in that surrounding country, and down the Euphrates River as far as Dier-el-Zor, showing a total of about 500,000 persons”.*²¹ (Document-4: From J. B. Jackson to the Henry Morgenthau, American Ambassador, February 8, 1916)

Juxtaposing these figures with that of Bogos Nubar Pasha makes sense. Bogos Nubar Pasha told the Paris Peace Conference in 1919 that “the number of the relocated was between 600,000 and 700,000”. The same person also wrote that 250,000 Ottoman Armenians left voluntarily for Russia following the Russian withdrawal, and another 40,000 for Persia.²²

There are sources like Near East Relief which gives the number of Armenian refugees from Turkey as high as 350,000. If this refugee number added to the number of relocated Armenians within the country we get very close to the figures that appeared in the private papers of Talat Pasha, the then Interior Minister of the Empire. As is known in one of the documents published by Murat Bardakçı the number Armenian subjected to relocation is given as 924,158.²³ Moreover post-WWI population statistics prepared by the British Embassy in Istanbul and the agents of the Near East Relief Society gives the number of Armenian refugees from the Ottoman Empire as 817,873. The document further states that the total given does not include 281,000 Armenians living in Turkey and some 95,000 who became Muslim.²⁴ (Document 5: Approximate number of Armenians in the World, NARA 867.4016/816)

Thus, how can one talk about 1,000,000 deaths in the early days of displacement? It is clear that the figures that have become “facts” vary and should not be treated

20 Kemal Çiçek, “Halep Amerikan Konsolosu J. B. Jackson ve Ermeni Tehcirindeki Yeri”, *Tarihi Gerçekler ve Bilimin Işığında Ermeni Sorunu*, ed. Bülent Bakar, Necdet Öztürk ve Süleyman Beyoğlu, IQ Kültür Sanat Yayıncılık, İstanbul, 2007, s.204-223.

21 NARA 867.48/271. From Hoffman Philip to Secretary of State, Constantinople, 28 March 1916

22 Archives des Affaires Étrangères de France, Séries Levant, 1918-1928, vol.2, folio 47.

23 Murat Bardakçı, *Talat Paşa'nın Evrak-ı Metrûkesi*, Everest, İstanbul, 2008, p. 77.

24 NARA 867.4016/816. From James W. Gerard to Secretary of State. November 1922.

as the verses of the holy books. These figures clearly demonstrate that figures were distorted and the numbers of Armenian victims were exaggerated. A method of raising the death toll is unfortunately swelling up the population figures.

Many independent researchers estimate the Armenian population in the Ottoman Empire before 1914 between 1,400,000 and 1,700,000. Even such pro-Armenian scholars as Dr. Johannes Lepsius do not accept the figures ascertained by the Armenian Patriarchate at 2.1 million. Lepsius calculated the Armenian population to be around 1,845,450, which was in fact made up by averaging Ottoman official figures with that of the Patriarchate. There is not a single source that would indicate the population of the Ottoman Armenians was as high as 2.1 million.²⁵

Thus, how can one talk about 1,000,000 deaths in the early days of displacement? It is clear that the figures that have become “facts” vary and should not be treated as the verses of the holy books.

At this stage the origin of the figure 1,000,000 (that later become 1.5 million) calls for investigation. Strikingly enough, this illogical figure originated from the report of Leslie Davis, the US consul at Harput. On July 24, 1915, he wrote that “It is impossible to say how many Armenians have been killed, but it is estimated that the number is not far from a million”.²⁶ One must note here that the report was written only

54 days after the law of relocation was published by the Official Gazette. In brief this figure was only guess-work just as that of Jackson, the consular at Aleppo, who wrote on 19 August 1915 that “conservative persons well-informed on the question place the total loss of life up to August 15 at over 500,000”.²⁷ In conclusion these figures does not mean anything for historians seeking the truth, but only indicate that what Armenian historians regard as established fact can be debatable.

Government Responsibility: To What Extent?

Another important issue that should not be overlooked when assessing the events of 1915 and 1916 in the light of the UN Convention of 1948 is the question of genocidal intent. The UN Convention strongly stipulated that there must be a specific intent to exterminate a group. There must be hatred toward a group because of their national, ethnic, religious and racial identity. There is no evidence of any prejudices against Armenians by the CUP cadres. Nor has anyone been able to

25 For the population of the Armenians in the Ottoman Empire, see. Hikmet Özdemir et al, *Ermeniler Sürgün ve Göç*, Türk Tarih Kurumu Yayınları, Ankara, 2004, s. 5-50.

26 NARA 867.4016/269. From Leslie Davis to Henry Morgenthau, Mamouret-ul-Aziz (Harput), 24 July 1915.

27 NARA 867.4016/148. From Jesse B. Jackson to Henry Morgenthau, Aleppo, 19 August 1915.

demonstrate that there had been any plan to exterminate the Ottoman Armenians. On the contrary, the CUP continued to employ Armenians in important and even strategic positions. According to a memorandum dated 24 July 1917, there were 522 Armenians occupying strategic posts in the Ottoman bureaucracy. This shows that Armenians that were loyal to the army who had nothing to do with the Dashnak and Hunchak organizations or who were committed to the Ottoman government were still working in the ranks of the army and the bureaucracy even in 1917. This is a clear indication of absence of any kind of hatred towards the Armenians as an ethnic group. More important, is the CUP's response to the maltreatment of Armenians en route by the bandits, mobs, and officials.

Documents recently released by the General Directorate of the Ottoman Archives reveal that the government had indeed mobilized its entire means for the security of the convoys. Each convoy was assigned gendarmes. The routes were determined and secured beforehand as much as possible. It was announced that military and administrative officials would be held responsible for the unlawful incidents that could be enacted on the convoys on their route. Unfortunately what was feared had occurred from time to time mostly in Eastern Anatolia, because there were no railroads and there was no way of moving people other than in ox-carts and on foot.²⁸

This is a very important point because the government was then fulfilling its responsibility to enforce the law, and the maltreatment of the Armenians was severely punished by the extra-ordinary court-martials commissioned for this purpose. According to the documents 1,673 people had been arrested and tried by the Ottoman military courts during 1915 and 1916 for crimes against Armenians. 67 people were executed and 524 were imprisoned for various crimes. There were also 68 people who were sentenced to hard-labour. These trials and convictions must be regarded as the willingness of the Ottoman government in protecting the lives of the Armenians on their way to their destinations.²⁹ (Document-6: A sample page of the list of Muslims tried by the Military Courts in 1916)

On the whole, the government was successful in preventing many of the attacks even before they took place. Owing to these security measures, the number of Armenians who suffered attacks by brigands was not as high as it was exaggerated. However, it is also true that many Armenians succumbed to the hardships of the

28 *Osmanlı Belgelerinde Ermenilerin Sevk ve İskanı*, Devlet Arşivleri Genel Müdürlüğü, Ankara 2007.

29 BOA HR. SYS. Nr. 2882/29. For some assessment and use of the documents see, Yusuf Sarınoy, "İstanbul'da Ermeni Faaliyetleri ve Alınan Tedbirler (1914-1918)", *Atatürk Araştırma Merkezi Dergisi*, Sayı 67-68-69, Cilt: XXIII, Mart-Temmuz-Kasım 2007; Yusuf Sarınoy, "Ermeni Tehciri ve Yargılamalar 1915-1916", *Türk-Ermeni İlişkilerinin Gelişimi ve 1915 Olayları Uluslararası Sempozyumu Bildirileri*, (ed. Hale Şivgin), Ankara, 2006, p. 257-265. For slightly different figures see, Kamuran Gürün, *The Armenian File: The Myth of Innocence Exposed*, Rüstem, Nicosia, 2001, p. 214-15.

relocation process and lost their lives. The difficulty encountered in the transportation of the Armenians was an important factor in the losses suffered by the relocated. In a report, dated September 27, 1915, Edward Nathan, the American Consul in Mersin, wrote that “the lack of proper transportation facilities is the most important factor in causing the misery”.³⁰ The spread of infectious diseases, moreover, had worsened the conditions for the relocated Armenians. However, these hardships and problems were not peculiar to the Armenian the relocated alone. The Muslim refugees as well as Turkish soldiers had to suffer a similar fate. The observations made by an American military historian shed further light to this aspect of the problem:

*“Even had the Turks been inclined to treat the Armenians kindly, they simply did not have the transportation and logistical means necessary with which to conduct population transfers on such a grand scale. Military transportation, which received top priority, illustrates this point, when first-class infantry units typically would lose a quarter of their strength to disease, inadequate rations, and poor hygiene while travelling through the empire. This routinely happened to regiments and divisions that were well equipped and composed of healthy young men, commanded by officers concerned with their well-being”.*³¹

Conclusion

As is seen there are many points that need to be debated among historians. Therefore Turkey has officially invited interested parties to set up an historical commission to examine the events of 1915 and 1916. A similar offer was made in 1919 by the Ottoman Government to Holland, Spain and Sweden. None, then, had given a positive response. Now there may be a second chance for reconciliation, and some pressure on Armenia to bring her to the table may pave the way towards peace and dialogue. Unfortunately the position of Armenia is far from being conciliatory at this point. Seeking to obtain “Recognition, Reparations and the Return of land,” the so-called three-R policy,³² Armenia refuses to engage in dialogue over the incidents of 1915-1916. Furthermore, Armenian Diaspora established terrorists groups like ASALA which killed 42 Turkish diplomats and citizens around the World in a total of 110 terrorist attacks between 1973 and 1984.³³ The same groups have still been putting pressure upon academicians who dare to write anything against the Armenian claims. For instance, Bernard Lewis, a

30 NARA 867.4016/200. From Edward I. Nathan to Henry Morgenthau, Mersina, 27 September 1915.

31 Edward J. Erickson, *Ordered to Die: A History of the Ottoman Army in the First World War*. Westport, Conn.: Greenwood Press, 2001, p. 103.

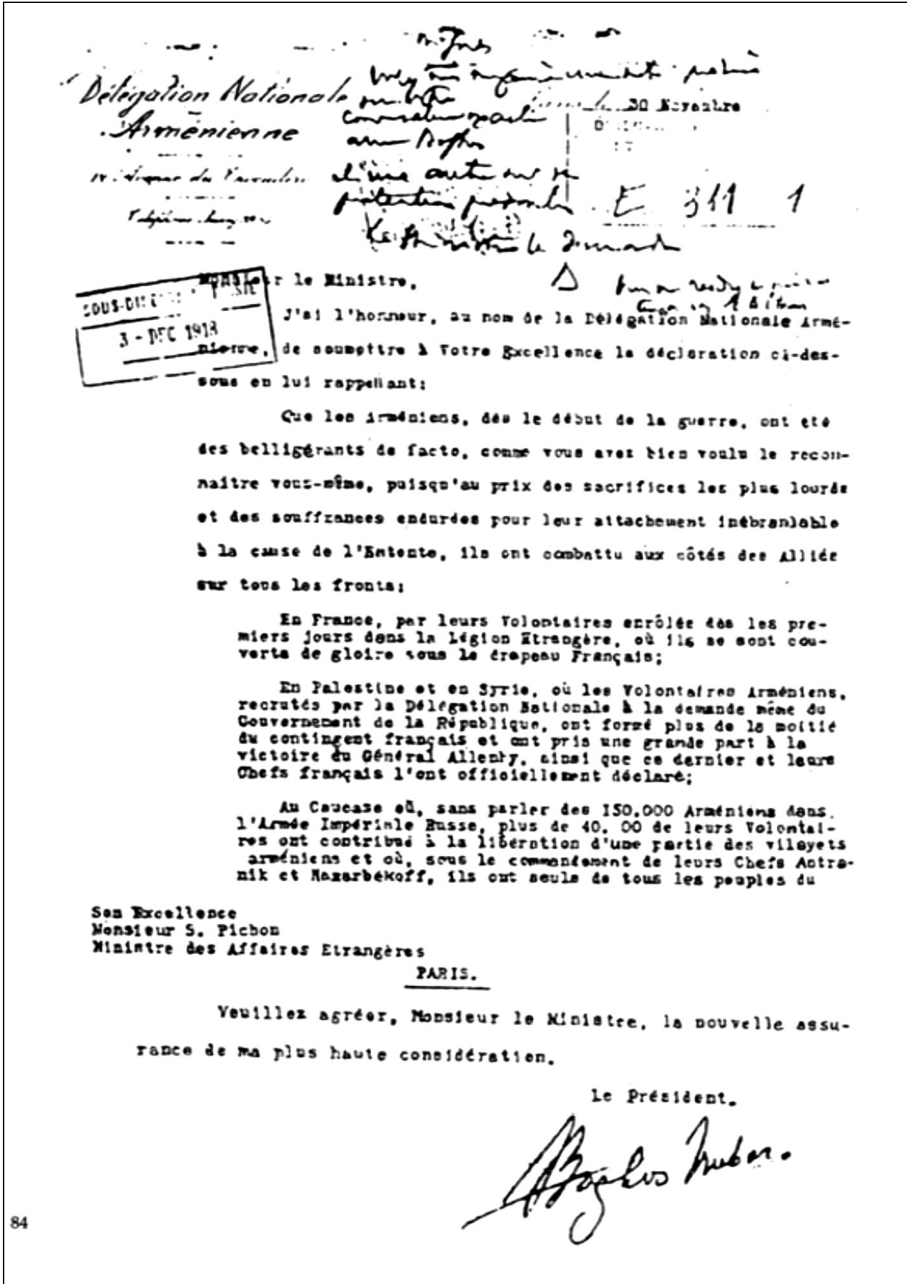
32 Kemal Çiçek, “Ermenistan Penceresinden Türkiye ile Uzlaşma Şartları”, *Türk-Ermeni İlişkilerinin Gelişimi ve 1915 Olayları Uluslararası Sempozyumu Bildirileri*, (ed. Hale Şıvgın), Ankara, 2006, p. 357-362.

33 Bilal Şimşir, *Şehit Diplomatlarımız*, Bilgi Publications, Ankara, 2000

distinguished scholar of the history of Middle East was sued by the Armenians for writing his research results in a correct manner from a scholarly perspective and Prof. Stanford J. Shaw's house was bombed by the Armenian terrorists. Despite all these misconducts of Armenians, it is to be hoped that Turkey and Armenia will one day seat around the table, and reassess the events of 1915 and 1916. Of course, the realization of this process shall be dependent upon Armenia and her giving up its historic claims on Turkey and building peaceful relations with its neighbors.

ANNEXES

Doc. 1: A letter of Bogos Nubar, President of Armenian National Delegation to the Ministry of Foreign Affairs of France



Doc 2: Foto, A view of Dier-el-Zor



Doc 3: The new York Times Current History, September 1922

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THE NEW YORK TIMES CURRENT HISTORY

posed to be even then in progress. Learning of this, I was disgusted with the anti-Turkish propagandists.

I know that what I say will be astonishing to most Americans. I myself should be astonished by such reports if I knew nothing about Turkey except such things as I have read in newspapers published in America and Europe, and inspired—although the newspapers have not understood this—by the enemies of Turkey. One reason why these misrepresentations persist is that Turkey never has felt it worth while to organize any agency to state her case abroad.

There have been riots, now and then, when local Turks have felt that their rights have been outraged by outsiders. It seems to me that once or twice I have read something about riots in America in circumstances of like sort, although of differing detail. Speaking generally, the Turks are far more patient than Americans would be.

Armenian massacres by the Turks have been almost entirely unknown since constitutional government was proclaimed in 1908; or, at least, since the head of the Young Turk Party caused twenty Ottoman officers to be put to death for permitting acts of cruelty against the Armenians in 1915.

The worst "outrage" ever perpetrated

by the Turks on the Armenians occurred in 1915. The wholesale deportations of that period were brought about by Turkish fear that the procedure of this alien population, if left to continue without interruption, would get the agitators into real trouble; the Turks wished no such episode, though, naturally, they disliked Armenian interference with Turkey's operation of her own affairs, political, religious and domestic. So the Armenians were moved from the inhospitable regions where they were not welcome and could not actually prosper, to the most delightful and fertile part of Syria.

Those from the mountains were taken into Mesopotamia, where the climate is as benign as in Florida and California, whither New York millionaires journey every year for health and recreation. All this was done at great expense of money and effort, and the general outside report was that all, or at least many, had been murdered.

It seems almost a pity to upset the good old myth of Turkish viciousness and ter-

Doc 4: From J. B. Jackson to the Henry Morgenthau, American Ambassador,
February 8, 1916

| | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|------------------------------------|---------|-------------------------------|--------|-------------------------------|--------|---------------------------------|-------|--------------------------------|-------|------------------------------|-------|-----------------------------------|-------|-------------------------------------|--------|--------------------------------|--------|-------------------------------------|---------|--------------|----------------|
| <p>No. 534 COPY</p> <p style="text-align: center;">AMERICAN CONSULATE</p> <p style="text-align: center;">Aleppo, Syria, February 8, 1916.</p> <p>THE HONORABLE HENRY MORGENTHAU, AMERICAN AMBASSADOR, CONSTANTINOPLE, TURKEY.</p> <p>SIR:</p> <p>I have the honor to transmit herewith a copy of a report received from reliable sources in reference to the number of Armenian immigrants in this vicinity, between here and Damascus and in that surrounding country, and down the Euphrates river as far as Dier-el-Zor, showing a total of about 500,000 persons. In connection with the relief sent by Mr. Peet for these people it would seem proper to state the sum of Ltq. 500 weekly is entirely inadequate to aid even a small part thereof, in fact as a person cannot live on less than 2 gold piasters per day, it will require the sum of Ltq. 10,000 a day to keep those alive who are in good health, to say nothing for the ill.</p> <p>The Protestants have a fairly good organization for the caring for and distribution of money and other help to those in the localities mentioned in the list. The two distributing centers are Aleppo, which comprises all of the places mentioned on the list except Damascus, which is the other distribution center. Rev. Vahran Tahmizian may be charged with the distribution at the latter place.</p> <p>Copy is enclosed for Mr. Peet. Please have him take energetic measures in this matter and advise me thereof.</p> <p>I have the honor to be, Sir, Your obedient servant Signed: J. B. Jackson Consul</p> <p>Enclosure: Copy 310.</p> <p>Source: U.S. State Department Record Group 59, 867.48/271</p> | <p>COPY</p> <p>The following is the statistics of Armenian immigrants according to best information:</p> <table border="1"> <tr> <td>Damascus as far as Maan, more than</td> <td>100,000</td> </tr> <tr> <td>Hama and surrounding villages</td> <td>12,000</td> </tr> <tr> <td>Homs and surrounding villages</td> <td>20,000</td> </tr> <tr> <td>Aleppo and surrounding villages</td> <td>7,000</td> </tr> <tr> <td>Maara and surrounding villages</td> <td>4,000</td> </tr> <tr> <td>Bab and surrounding villages</td> <td>8,000</td> </tr> <tr> <td>Mumbidge and surrounding villages</td> <td>5,000</td> </tr> <tr> <td>Ras-el-Ain and surrounding villages</td> <td>20,000</td> </tr> <tr> <td>Rakka and surrounding villages</td> <td>10,000</td> </tr> <tr> <td>Der-el-Zor and surrounding villages</td> <td>300,000</td> </tr> <tr> <td>Total</td> <td>486,000</td> </tr> </table> <p>February 3, 1916.</p> | Damascus as far as Maan, more than | 100,000 | Hama and surrounding villages | 12,000 | Homs and surrounding villages | 20,000 | Aleppo and surrounding villages | 7,000 | Maara and surrounding villages | 4,000 | Bab and surrounding villages | 8,000 | Mumbidge and surrounding villages | 5,000 | Ras-el-Ain and surrounding villages | 20,000 | Rakka and surrounding villages | 10,000 | Der-el-Zor and surrounding villages | 300,000 | Total | 486,000 |
| Damascus as far as Maan, more than | 100,000 | | | | | | | | | | | | | | | | | | | | | | |
| Hama and surrounding villages | 12,000 | | | | | | | | | | | | | | | | | | | | | | |
| Homs and surrounding villages | 20,000 | | | | | | | | | | | | | | | | | | | | | | |
| Aleppo and surrounding villages | 7,000 | | | | | | | | | | | | | | | | | | | | | | |
| Maara and surrounding villages | 4,000 | | | | | | | | | | | | | | | | | | | | | | |
| Bab and surrounding villages | 8,000 | | | | | | | | | | | | | | | | | | | | | | |
| Mumbidge and surrounding villages | 5,000 | | | | | | | | | | | | | | | | | | | | | | |
| Ras-el-Ain and surrounding villages | 20,000 | | | | | | | | | | | | | | | | | | | | | | |
| Rakka and surrounding villages | 10,000 | | | | | | | | | | | | | | | | | | | | | | |
| Der-el-Zor and surrounding villages | 300,000 | | | | | | | | | | | | | | | | | | | | | | |
| Total | 486,000 | | | | | | | | | | | | | | | | | | | | | | |

Doc 5: Approximate number of Armenians in the World, NARA 867.4016/816

CLASSIFICATION CANCELED AUTHORITY LETTER
 OF 1-8-58 FROM W. H. ANDERSON, STATE DEP'T
 BY *James W. Anderson* DATE *5 May 61*

Approximate number of Armenians in the world, November 1922.
 Of the total indicated below, 817,873 are refugees from Turkey. The figures as to the refugees are based upon information furnished by the British Embassy, Constantinople, and by the agents of the Near East Relief Society, in 1921. The total given does not include the able-bodied Armenians, who are retained by the Kemalists, nor the women and children, - approximately 95,000,- according to the League of Nations- who have been forced to embrace Islam.

| | | |
|--|----------------|------------------|
| 1.- In Turkey : | | |
| Constantinople..... | 150,000 | |
| Asia Minor..... | <u>131,000</u> | 281,000 |
| 2. In Russia : | | |
| Republic of Erivan | 1,200,000 | |
| Georgia | 400,000 | |
| Azerbaijan | 340,000 | |
| Region of TransCaspian | 20,000 | |
| Other parts of Russia | <u>225,000</u> | 2,195,000 |
| 3. In Syria, Palestine and Mesopotamia | | |
| Egypt, Sudan and Abyssinia | 104,000 | |
| India, Java and Australia | 28,000 | |
| Persia | <u>12,000</u> | 194,000 |
| 4. In Greece and Cyprus | | |
| Bulgaria | 79,000 | |
| Rumania | 46,000 | |
| Central and Western Europe | <u>43,000</u> | 206,000 |
| 5. In the United States and Canada | | |
| South America | 125,000 | |
| | <u>3,000</u> | 128,000 |
| | | <u>2,004,000</u> |

NARA 867.4016/816
 James W. Anderson
 Bayler Baklanjian

AN INVITATION TO TRUTH, TRANSPARENCY AND ACCOUNTABILITY: TOWARDS “RESPONSIBLE DIALOGUE” ON THE ARMENIAN ISSUE

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Abstract: *This paper is a thorough, objective and factual review of Alfred de Zayas’¹ pamphlet entitled “The Genocide against the Armenians 1915-1923 and the Relevance of the 1948 Genocide Convention”. It constitutes a wake up call for those who dwell on subjective historical grivences with a view to serve their present distorted agendas, while at the same time accusing a whole nation without any scientific grounds. This paper is also an answer to them based on solid historical and legal facts while inviting them to truth and responsible dialogue.*

Keywords: *Alfred de Zayas, Armenians, Ottoman.*

Main Aim of the Armenian Organizations is Obtaining Compensation

It is widely known that the primary aim of the Armenian diaspora activists, who militate for the international recognition of the genocide, is to obtain compensation for the properties Ottoman Armenians presumably left behind. The Armenian National Revolutionary Federation has already in 2005 made public that they planned a major shift in their decades-long campaign for international recognition of the Armenian genocide. Giro Manoyan, the spokesman of the Federation’s Governing Bureau said that “*genocide recognition alone would not restore historic justice and the international community should now hold Turkey accountable*”.²

1 Mr. Alfred de Zayas has been an international civil servant working for the United Nations. After retiring, he started teaching international law at the Geneva School of Diplomacy. He seems to be a person devoted to the political aims of the Armenian Diaspora and endeavors to build legal arguments supporting their claims. He has written a pamphlet entitled; “The Genocide against the Armenians 1915-1923 and the Relevance of the 1948 Genocide Convention” which was published by the Armenian Hagazian University in Beirut. Alfred De Zayas had already conveyed the same views and proposals in a Memorandum drafted for the “European Armenian Federation for Justice and Democracy”. That document had been circulated during a Conference entitled “Ultimate Crime, Ultimate Challenge” organized in Yerevan (2005) and had been posted on the website of the Armenian Foreign Ministry.

2 <http://acikgorus.blogspot.com/2005/06/dasnak-partisi-ermeni-tehciri-ii.html>.

“Manoyan indicated that this will be at the heart of a planned adjustment of the activities Dashnaksutyun’ (D) lobbying structures in the United States, Europe and elsewhere in the world. The policy change is in tune with one of the main tenets of D. which have never made secret to get Turkey to not only admit to the genocide but also pay material compensation to Armenia and descendants of genocide victims. Earlier this year (D) accused the U .S. of prodding Turkey to recognize the genocide ‘without consequences’.(D) leaders also want Yerevan to keep the door open for future territorial and financial claims to Ankara”.

The pamphlet under review and the views contained therein have been commanded by the Armenian National Revolutionary Federation to Mr. Alfred de Zayas with the aim of fabricating legal arguments to back their financial demands. This political pamphlet by Mr. de Zayas contains also some advice to the Armenian Government. Certain chapters of the document aim to distort the wording of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.³ Furthermore, Mr. de Zayas has somehow chosen to ignore the existence of the 1923 Treaty of Lausanne which terminated the First World War for Turkey as well as of the Treaties of Moscow and Kars which concluded the war between Armenia and Turkey while preparing his work. Throughout, this paper will present, based on objective historical and legal facts the intentions behind all the views put forth in the pamphlet written by Mr. De Zayas.

They think that by exercising international pressure to Turkey, they will be able to force the great majority of Turks to abide and to accept their dogma.

The Armenians are not Willing to Learn the Reasons of the Turkish Refusal to Recognize the Accusation of Genocide

Mr. Alfred de Zayas and the Armenian militants are aware that genocide allegations are rejected by the great majority of the Turks, especially by those whose ancestors have been murdered by the Armenian backstabbers aligning with the occupying powers in Anatolia during and after the First World War.

However, they are not interested to learn the historical and legal reasons behind that refusal. They think that by exercising international pressure to Turkey, they will be able to force the great majority of Turks to abide and to accept their dogma. They believe to retain an immutable historical truth, which will support their claims leading to financial and other rewards.

Bargaining With Turkey in order to Obtain Compensation and Suing the Turkish Republic in American Courts

Some of them are actually in pursuit of finding the ways to bargain with the Turkish authorities in order to obtain financial compensation; as they openly declare that over the years, Armenians have gradually shifted their attention from the recognition of the genocide to the pursuit of legal financial remedies for their alleged losses. This also became clear from a message they tried to transmit to the

³ Hereinafter, "Genocide Convention or 1948 Convention or Convention", 78 U.N.T.S. 277, U.N.G.A. Res. 260, U.N. GAGR, 3.Sess. 179 Plenary. Meeting. At 174, U.N. Doc. A/810 (1948).

Turkish authorities through a Turkish journalist, Ms. Ece Temelkuran, who met them in the U.S..⁴ Last but not least, a lawyer -Mr. Mark Geragos- from California, who sued the Turkish State in Californian tribunals, declared to a reporter of the Haber Türk Daily Newspaper, Ms. Daphne Barak on 22 December 2010 in Los Angeles that *"What they wanted from Turkey was money"* and added that; *"give us money and as a nice down payment by handing us over the Ararat (Ağrı) Mountain. This will do the business"*.

As in the case of Mr. Geragos, some Californian lawyers of Armenian origin sued the Turkish State in Californian courts for alleged damages done to the Ottoman Armenians during the World War I.⁵ Their aim is to obtain from an American district court a judgment in order to receive the compensation payment for the Armenians they represent. Their claims have no validity according to international law, and also due to the U.S. Foreign Sovereign Immunity Act, and many other legal reasons, which will not be discussed in this paper at length, do not support their action.

Furthermore, on this subject, one should not fail to add that the Turkish Republic paid the totality of Ottoman debt. This includes the sum of 899.338,09 US dollars paid to the United States in accordance with the American-Turkish Claims Settlement under the Agreement of 24 December 1923 concluded between the Turkish Republic and the United States with a view to cover and compensate the losses of the American citizens. This agreement fully discharged Turkey from all claims of the USA or its citizens for once and all. Further details of this Agreement will be put forth throughout this paper where relevant, and readers are further encouraged to see the full text of this legal documents as well.

It must, therefore, be clear that the real purpose of the lawyers representing Armenians is not to obtain compensation for them, but to fill their own bank accounts as they have done it until now. Additionally, they have the intent to damage relations between Turkey and the U.S.A. through artificial tensions they create. What benefit these actions would bring to the Armenians in the Diaspora or to the Republic of Armenia does not concern them at all. They think that even if Armenian militants fail to reach their goal by obtaining a favorable decision from

4 Ece Temelkuran, "Ağrı'nın Derinliği" (Depth of Ararat) Everest Publications, May 2008, pp. 223-250: *"(With a very harsh tone). You will not write my name, you will not write anything I have said. Photos will not be taken. My interlocutors do not go into any detail concerning the 1915 events. They do not even try to explain what they are thinking. They say that they do not want territory, but money. This is the message we persistently try to convey, we will agree on the price, if Turkey agrees, Europe and America will provide that money anyways. Turkey can buy peace. You must convey this message to Turkey, we want a minimal amount for our endless pain. They speak of millions of dollars, our people are calculating the profit and losses for Turkey. According to this calculation, the money spent by Turkey to lobby its policy of denial in America is enough to pay the compensation we will request"*.

5 Descendants of Armenian genocide victims seek 65 million dollars from Turkey for seized land, LA; Yegharian: We'll sue: *The Armenian Weekly*, December 27th, 2010.

US justice, they may continue to occupy the public opinion with the propaganda they will create through these lawsuits.

The Trade of Genocide and Searching Political Support in Order to Pressure Turkey

Actually, Turkey faces a kind of a “trade of genocide”; an attempt of extracting compensation through blackmail.⁶ This seemingly is a lucrative business for the lawyers and some other legal advisers. If the income earned from the genocide trade disappears, the funds flowing into their accounts will run dry. That is precisely why those militants and their supporters try to prevent all kind of dialogue between the Turks and Armenians; similarly they also try to block the attempts of common historical research on disputed data and also on the law of genocide. On the other hand, the Armenian militants try to gain political support in some foreign parliaments and local councils for the political recognition of their genocide allegations in order to pressure Turkey. They avoid the legal aspects of the problem by all means; because they know very well that according to the *Genocide Convention* their claims can not provide their targeted results.

In Quest of an Equitable and Just Memory

Those who defend the view that the tragic events of 1915 should be qualified as genocide do not find it necessary to possess “an equitable and just memory”. They reject to discuss⁷ details and the conditions of the painful events suffered a hundred years ago by the Ottoman population as a whole. What is expected in Turkey is the restitution of a just memory. As the Turkish Minister of Foreign Affairs declared recently, “*We are ready to understand the sorrows of the Armenians; but we request the same for our sorrows as well*”. This is due to the fact that not only the Armenians but also all the Muslim communities have been harmed by the tragedy suffered in that period.⁸ Turkish people try to understand with empathy the mutual

6 Şükrü Server Aya, *Soykırım Tacirleri ve Gerçekler* (The traders of genocide and the truth), Derin Yayınevi, İstanbul, 2009; Şükrü Server Aya, *The Genocide of Truth*, İstanbul Commerce University Publication: No.23; 2008; Şükrü Server Aya, *The Genocide of Truth Continues But Facts Tell the Real Story*, Derin Publications, 2010, İstanbul.

7 Taner Akçam states that; “*While talking about the 1915 events, we must get rid of the statement that everyone has suffered in the past. Different types of violence exist. The Foreign Minister ready to undertone is at the forefront of a new wording with his concept of ‘just memory’ in the context of the Armenian genocide*”, *Taraf Newspaper*, 11.05.2010. Taner Akçam and other thinkers like him oversee the fact that what has triggered the decision for the 1915 relocation is the Van Armenian Rebellion in April 1915 and the Van massacre. For the Van rebellion of Armenians and the massacres they have committed see: Justin McCarthy, Esat Arslan, Cemalettin Taşkıran, Ömer Turan, *The Armenian Rebellion at Van*, University of Utah Press, 2006.

8 It was the Van massacres perpetrated towards the Muslim population – on grounds that they were Muslim Turks or Muslim Kurds – by Russian and Armenian troops who occupied the province of Van, which triggered the displacement of population.

pain and losses of that tragic period and mourn together for the losses of the past. This will be a more humane approach than accusing the “other” for all the plights. If this is not achieved, the gap between the communities will become deeper and seeds of hate will be infused upon the younger generations.

1. The Differences Between the Crime of Genocide and Other Crimes. Sine Qua Non Conditions to Legally Establish the Existence of the Crime of Genocide

For Mr. de Zayas genocide, crimes against humanity, war crimes are all the same. As the title of the pamphlet under review reflects, Mr. Alfred de Zayas’ hypothesis is a postulate according to which the crime of genocide was committed by the Ottoman State to its citizens of Armenian origin. The righteousness of this hypothesis is taken for granted by Mr. de Zayas. He has no judiciary backing, no verdict from a competent court to support his allegations. Furthermore according to him; “*whether called exterminations, evacuations, mass atrocities, annihilation, liquidations, massacres or ethnic cleansing*”, all these acts are equal to the crime of genocide.⁹ In his conclusions, Mr. de Zayas writes the following lines to reflect his mastering (!) of the law of genocide:

“In the ICJ judgment of 26 February 2007, the International Court of Justice confirmed that genocide had been committed in Srebrenica. If a single massacre satisfies the criterion of Article 3 of the Genocide Convention, certainly many of the Ottoman massacres against the Armenian population before and during the First World War would qualify as genocide”.

This statement does not concord with the decision of the International Court of Justice as it is presented in detail below.

Definitions of International Crimes

Mr. de Zayas’ above mentioned reflections are biased and do not take into account the law of genocide. He seems to ignore the wording of the 1948 Genocide Convention and the Articles 5, 6, 7, and 8 of the Rome Statute of the International Criminal Court which include definitions regarding the crimes of genocide; crimes against the humanity and war crimes. These crimes are legally different type of crimes.¹⁰ And those crimes were not existent at the beginning of the 20th century.

⁹ De Zayas idem, p.26.

¹⁰ Article 6. Genocide: 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: a)murder; b)Extermination; c)Enslavement; d)

Every Act Can Not Be Qualified As Genocide

The term “genocide” is a legal term; it describes a crime specifically defined by the 1948 Genocide Convention and must be addressed accordingly. Genocide can be legally determined only by the judges of a competent tribunal on the basis of the prescribed legal criteria. The Genocide Convention does not allow for convictions

As mentioned above, Armenians and some of their supporters have deliberately set aside the legal aspects of the issue apparently because that would weaken their genocide claims.

on genocide by legislatures, scholars or others. Some historians, sociologists, politicians and even political scientists who dealt with these issues tend to describe - without knowledge and/or experience in international law - as genocide almost any incident, which involves an important number of dead;¹¹ they purposely mislead those who are not familiar with the law.

As mentioned above, Armenians and some of their supporters have deliberately set aside the legal aspects of the issue apparently because that would weaken their genocide claims. Armenian writers and their supporters have chosen to adopt a dogmatic historical approach to underline the tragic nature of the incidents so that they could make genocide claims more easily acceptable by the public.¹²

The Sine Qua Non Condition of Genocide is Dolus Specialis “The Special Intent”

The most important characteristic of the *Genocide Convention* is that, - for the

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 Article 8. War Crimes (Only the summary is given below;) a) Grave breaches of the Geneva Convention of 12 August 1949, namely any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention; 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. c) In the case of an armed conflict not of an international character, serious violations of Articles 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 the armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention or any other cause; d) para.2c 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 violating 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...etc.

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

12 Gündüz Aktan, “The Armenian Problem and International Law”, www.mfa.gov.tr/data/dispolitika/Ermeniiddialari/Document.pdf.

crime of genocide to exist - acts must have been committed with the intent to destroy the protected groups *as such*. The mental or subjective element (*mens rea*) of the crime is the constituent which refers the intention. The concept of “general intent” which is valid for ordinary crimes is inadequate in the identification of the acts of genocide.

Sociologically and psychologically the intent “to destroy a group as such” (due to the group character) emerges in racism, or in the most intensive stage of racism. Racial hatred is quite different from the ordinary animosity laced with anger, which parties engaged in a substantial dispute may feel towards one another. Racial hatred is a deeply pathological feeling or a complicated fanaticism. Anti-Semitism is an example in this context.¹³

According the Genocide Convention, the intent to destroy a group must be in the form of a “special intent” *dolus specialis* beyond any doubt. That is the most important legal component of the crime of genocide which the Armenians and their supporters deliberately ignore.

The Verdict of the International Court of Justice (ICJ)

This crucial aspect of the crime of genocide has been underlined by the International Court of Justice (ICJ) in para.187 of the verdict on the *Bosnia Herzegovina v Serbia* as follows:

“Article II (of the Convention) requires a further mental element. It requires the establishment of the intent to destroy in whole or in part the protected group as such. It is not enough to establish, for instance in terms of paragraph. (a) that unlawful killings of members of the group have occurred. The additional intent must also be established and is defined very precisely. It is often referred to as the “specific intent” (dolus specialis). It is not enough that the members of the group are targeted because they belong to that group that is because the perpetrator has a discriminatory intent. Something more is required. The acts listed in Article II, must be done with the intent to destroy the group as such in whole or in part. The words ‘as such’ emphasize that intent to destroy the protected group”.

If the special intent is not proved beyond any doubt, an act can not be qualified as genocide. The International Court of Justice (ICJ) examined the facts alleged by Bosnia and Herzegovina as:

¹³ Aktan, *ibid*, p. 270.

“In order to decide (1) whether the alleged atrocities occurred and if established (2) whether the facts establish the existence of an intent, on the part of the perpetrators, to destroy in whole or in part the group of the Bosnian Muslims as such. The court made long and detailed findings of fact on the alleged atrocities which are grouped according to the categories of prohibited acts described in Article II of the Genocide Convention. With regard to killing member of the protected group (Article 1a of the Convention) the Court finds that it is established by overwhelming evidence that massive killings throughout Bosnia and Herzegovina were perpetrated during the conflict. However, the Court is not convinced that those killings were accompanied by the specific intent on part of the perpetrators to destroy in whole or in part, the group of Bosnian Muslims”.

The same conclusions have been reached by the ICJ with regard the alleged crimes foreseen in Article II (b) (c) (d) and (e) of the Convention. The Court decided that acts of genocide were committed by the VRS (The Army of Republika Srpska) only in or around Srebrenica from about 13 July 1995.¹⁴ These legal arguments clearly demonstrate the reasons why the statement of Mr. De Zayas in comparison with Srebrenica is wrong. The ICJ in its verdict does not take into account the magnitude or frequency of the acts but the “special intent to destroy a group as such” for qualifying an act as genocide.

Ethnic Cleansing

On the other hand, International Court of Justice put forth the difference between genocide and ethnic cleansing and other acts as; *“while ethnic cleansing can be carried out by the displacement of a group of persons from a special area, genocide is defined by the above mentioned specific intent to destroy the group or part of it”*.¹⁵

“Nulla Crimen Sine Lege”

The governing principle of criminal law is: *“Nulla crimen sine lege”* which means no crime shall exist without law. The criminality associated with the tragic experience of the Ottoman population, including the Ottoman Armenians during the transfer of population from 1915 to 1918 was addressed by the Ottoman judiciary. Members of the gangs who attacked the Armenian convoys and officials

14 International Court of Justice Press Release, 2007/8 pages 4,5,6.

15 International Court of Justice, Press Release, 2007/8 page 4 paragraph.2.

who exploited the Armenian plight or neglected their duties or abused their powers were court-martialled and punished. In 1916; 1397 persons received various kinds of sentences in this context including death penalty.¹⁶

The Competent Tribunal to Judge the Genocidal Acts

Article IV of the *Genocide Convention* foresees the punishment of *persons* who are suspect to commit the crime of genocide.¹⁷ This brings us to the notion of “competent tribunal” to judge and decide if an act amounts to the crime of genocide. Historians, journalists, political bodies or others have no authority to judge persons charged to have committed the crime of genocide. Many of those tend to describe as genocide any incident which involves an important number of dead. However, genocide is an international crime which can be determined only by judges of the competent tribunal on the basis of prescribed legal criteria. That is the reason why those who drafted the Convention clearly established a competent tribunal to judge the genocide accusations. Article VI of the *1948 Genocide Convention* reads as follows:

“Persons charged with genocide or any of the other acts enumerated in article III 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”.

Universal Repression

The issue of the competent tribunal was debated extensively by the International Preparatory Conference of the 1948 Genocide Convention. The question of determining the competent tribunal was resolved¹⁸ after lengthy discussion and the above mentioned text was approved. During the discussions a proposal of “universal repression” put forward by the delegation of Iran was rejected.¹⁹

16 Aktan, *ibid*, p.294.

17 Article IV: “Persons committing genocide or any other acts enumerated in Article III shall be punished whether they are constitutionally responsible rulers, public officials or private individuals”.

18 See: Travaux Préparatoires Doc. E/794 page 294 and 97, th meeting of the Conference pages 360 and following pages

19 With regard the “Power to Exercise Universal Repression” or “Universal Repression”; See: 05.04.1948. Doc. E/794. pp.29-33; The Committee rejected a proposal in this respect (*Ibid*, p.32).

Those rejecting the principle of universal repression argued as follows: “*Universal repression is against the principles of traditional law; permitting the courts of one State to punish crimes committed in another state by foreigners will be against the sovereignty of the State; as genocide generally implied the responsibility of the State on the territory of which the crime was committed, the principle of universal repression would imply national courts to judge the acts of foreign governments. The result will be dangerous international tensions*”. The same issue has been addressed during the discussion of article VII of the Convention in the Plenary Meeting of the Conference on

Universal repression foresees the judging of the suspects by any tribunal of any State. Actually those who are not satisfied with the formulation agreed upon by the *Genocide Convention*, adopted by the General Assembly of the United Nations and ratified by an overwhelming number of States member of the UN, are trying in vain to reopen an academic debate on this subject.

3. Historical Introductions by Alfred De Zayas

According to De Zayas; *“For centuries the Armenian population of the Turkish Ottoman Empire was subjected to mistreatment and despotism”*²⁰ Mr. de Zayas contradicts himself by writing in the same page the following:

For example, only a year before the World War I - and two years before the relocation (or transfer of population) decision - in 1913, the Minister of Foreign Affairs of the Ottoman Empire was an Armenian.

*“Especially in Ottoman capital, Istanbul, many Armenians were elevated to the ranks of the Empire’s privileged and were recognized and rewarded for their talents in the government administration and finance”.*²¹

The Armenians of the Ottoman State were called “the loyal nation” and they were active in the realm of public service. Many Armenians served as Ministers of the Ottoman Government. For example, only a year before the World War I - and two years before the relocation (or transfer of population) decision - in 1913, the Minister of Foreign Affairs of the Ottoman Empire was an Armenian. The Secretary General of the same Ministry was also of Armenian origin; which means the foreign policy of the Empire was left to their judgment. Many Armenians served at the highest ranks of the central administration and/or as governors, “pashas” or provincial governors; they represented the Ottoman State as Ambassador in foreign countries. The Director of the Bureau of Statistics has been Armenian. (These fact is especially important to note, for those who do not trust the official statistics of the Empire regarding the number of Ottoman citizens of Armenian origin). At the beginning of the 19th century the Ottoman Armenians flourished and came to dominate the state’s economy. Unlike the Jews in Europe, they were not banned from practicing certain professions. They were not forced into ghettos or subjected to “pogroms”.

9, 10 and 11 November 1948. See the records of the Plenary Meeting pp. 361-407. The current text of article VII of the Genocide Convention has been accepted by the Plenary meeting, after lengthy discussions, with 21 votes in favor, 10 against, and 15 abstentions.

20 De Zayas, idem, p.23.

21 De Zayas, idem, p.24.

One should bluntly underline that Mr. Zayas’ accounts on the history are incorrect and try to reflect the biased Armenian version of the history. A just solution to avoid all sort of misunderstanding is that historians from Armenia, Turkey and all other nations interested in serious historical research should come together and discuss the historical data without discarding certain pages of it.

Ottoman Armenian Population Figures

Mr. de Zayas writes in his pamphlet that:

“In 1909 during the Ottoman period, 30.000 Armenians’ lives have been claimed during the Adana massacre... 1.500.000 Armenians living in the Ottoman state during the First World War, 800.000 Pontus and Izmir Greeks and Chaldeans have been massacred by the Young Turk Government. The Armenian genocide has lasted until 1923”.

Ottoman demographic figures prove that prior to World War I fewer than 1.5 million Armenians lived in the entire Ottoman state. Thus allegations that 1.5 million Armenians perished does not reflect the truth. The same must be said regarding the population figures of other Christian populations of the Ottoman State. Armenian population figures vary according the sources. The claims concerning the number of the Ottoman Armenians and their losses are challenged by numerous scholars which have expressed different data based on Ottoman or Western sources. One of the studies on the subject has been made by Prof. Justin McCarthy²² who finally concluded that “the Armenian genocide” allegation does not reflect the truth.

Selective Reading of the History by Discarding Certain Pages of It

Mr. De Zayas prefers to present the “Armenian version” of the history. He reflects a selective and biased reading. For example, he avoids reporting on the Armenian uprisings during the 19th and the 20th centuries. Armenians and their supporters reject any dialogue about their interpretation of the available information. History became a dogma for them; their immutable truth is unquestionable for them; and they do not accept or hear views which contradict their version of the history. The transfer of a part of the Ottoman Armenians with the aim of relocating them in other areas of the Ottoman Empire and the unfortunate events attached to that displacement is accepted as a tragedy and

²² Justin McCarthy, *Muslims and Minorities. The population of Ottoman Anatolia and the End of the Empire*, New York University Press, 1983, New York and London.

freely discussed in modern Turkey.²³ This is not the case in Armenia. In Turkey, there exists an abundant documentation with regard the Armenian transfer of population in Turkey. Also Armenian uprising plans are completely available in libraries. Those plans and actions have been clearly made public by many historians including Armenian authors.²⁴

Armenian Uprisings

It was the Van uprising that triggered the relocation decision of the Ottoman Government. In March 1915, the Russian forces moved towards Van. Armenian insurgency, which began in Van, turned into a full-scale rebellion on April 11, during which the Armenian armed groups attacked the Muslim population killing and expelling them. Ten days later, the Russian Tsar sent a telegram to the Van Armenian Revolutionary Committee and thanked them for their services to Russia. The Armenian newspaper Gochnak published in the United States, gave in its 24 May 1915 issue the news that “only 1500 Turks had been left in Van”. An Ottoman deputy named Gareghuine Pasdermadjian and another Ottoman deputy

An Ottoman deputy named Gareghuine Pasdermadjian and another Ottoman deputy Hambartsum Boyagian were the leaders of the Armenian armed forces who attacked the Turkish villages and massacred the Turkish civilian population.

Hambartsum Boyagian were the leaders of the Armenian armed forces who attacked the Turkish villages and massacred the Turkish civilian population. Today some Armenians, their apologists and political supporters are not willing to read these pages of the history. But they have to understand that they can not forbid others to study these historical and factual documents which provide a different account of history than their self-contained dogmatic historical ideas.

23 Today in Turkey one can buy all books supporting the genocide allegations (for example Dadrian, Akçam, Hovannisian etc.) from the bookstores. No books can be found in Armenia which deny the genocide allegations. In countries like France where pressures have been applied to publishers, books entailing opposing views cannot be found. Publishers and bookstores are afraid of being raided and vandalized.

24 Louise Nalbandian, *Armenian Revolutionary Movement: The Development of Armenian Political Parties Through the 19. Century*, Berkeley, University of California Press, 1963 pp.110-111: “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 Hunchak program. The party aimed at terrorizing the Ottoman Government, thus contributing toward lowering the prestige of that regime and working towards its complete disintegration. The Hunchaks wanted to eliminate the most dangerous of the Armenian and Turkish individuals. To assist them in carrying out all of these terror 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”; K.S. Papazian, *Patriotism Perverted*, Boston, Baikar Press, 1934 pp. 14,15: “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 policy or a method for achieving its ends. 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”.

“Freedom to History”

Forbidding different views and interpretations on historical events would transform history into a doctrine. It would bring historical research to an end. Lately, the “Report on matters concerning memory” presented to the National Assembly of France by its President Bernard Accoyer has been largely inspired by the *Appeal of Blois* written on 12 October 2008 and signed by almost 1000 historians and other intellectuals. At the root of this initiative lay a non-governmental organization, “Freedom for History”.²⁵ The best approach to solve discrepancies between contradictory data and different views or interpretations is to arrange scientific meetings between historians and other experts to discuss all available data and try to reach an understanding by carrying out more in depth research, not adhering to empty propaganda.

The Treaty of Sevres Never Entered Into Force and Was Replaced by the Treaty of Lausanne.

Mr. De Zayas writes the following regarding the draft Treaty of Sevres:

*“Although Turkey signed the Treaty of Sevres, the necessary pressure on Turkey was not applied, the US followed isolationist policies, Soviet Russia came to power, the English military presence withdrew from Turkey, the Young Turk Government collapsed, Kemalism rose in Turkey, the Treaty of Lausanne of 24 July 1923 abandoned the Allied demand for international trial and punishment of the Ottoman Turks for the genocide against the Armenians and the commitment to grant reparations to the survivors of the genocide, Armenia, which had declared its independence on 28 May 1918, lost Western Armenia to Turkey. Notwithstanding the fact that the Treaty of Sevres never entered into force, the text of the Treaty remains eloquent evidence of the international recognition of the crime of ‘massacres’ against the Armenian population of Turkey.”*²⁶

Armenian claims were already in existence in 1915 and were recognized internationally in Article 144 of the Treaty of Sevres of 1920 which was signed by the representatives of the Sultan but not ratified after the Kemalist revolution. The non-enforcement of Article 144 does not mean that the entitlements did not exist, but rather that the use of force by Mustafa Kemal

25 Bernard Accoyer, “Rapport Sur Les Questions Mémorielles” ; Appel de Blois; Liberté pour l’Histoire Pierre Nora, Françoise Chandernagor. These publications could be reached from websites and from the address contact@lph.asso.fr.

26 De Zayas, *ibid*, p.4.

*Atatürk prevented the implementation of applicable norms of international law”.*²⁷

Alfred de Zayas tends to disregard the Treaty of Lausanne which ended the World War I for Turkey along with the Treaties concluded between Turkey and Armenia following the war. Instead, he wants to bring on today’s agenda the Treaty of Sevres of 10 August 1920 which was never ratified by the Ottoman State as well the Entente Powers.²⁸ Sevres has no international validity. The attempt to enforce a draft, void treaty is the same as disrupting the basis of international law, including the Vienna Convention on the Law of Treaties. The applicable norms are anchored in the Treaty of Lausanne as well as in the Treaty of Kars. If Mr. de Zayas wants to defend peace and stability he has to abide to the rule of *pacta sunt servanda* foreseen by the Article 26 of the (1969) Vienna Convention on the Law of Treaties.

Finally, it is sad to note that by referring to the eastern provinces of Turkey as Western Armenia Mr. de Zayas adds his name in the list of the Armenian irredentist militants and loses his credibility as a scholar. The language of Mr. De Zayas towards the Turkish War of Independence tends to adopt the hate speech of Armenian terrorist organizations and as such increases the tension between neighbors who have signed a protocol for the normalization of their relations last year.

Malta Tribunals: The Claim That Ottomans Taken to Malta to be Tried Have Been Exchanged with English Hostages

Mr. De Zayas claims that “*130 of the 140 Ottoman officials or politicians, who were exiled to Malta, were accused of Armenian genocide but were set free in 1921-1922 in exchange for the English officers held hostage by the new Kemalist Turkish Government*”.

Mr. De Zayas is not reflecting the truth when he writes that “*those who were exiled to Malta have been accused of Armenian genocide*”. First of all, the crime of genocide did not exist in the vocabulary at that period; second, Mr. de Zayas denies that occupying forces have not found enough evidence to file a lawsuit against the Ottoman citizens exiled to Malta for presumed crimes against Ottoman Armenians. The Ottoman archives were fully under the control of the occupying forces at the time; the English Government relied on an Armenian researcher Haig Khazarian²⁹ in its hunt for incriminating evidence against Ottoman officials brought to Malta.

²⁷ De Zayas, “Genocide and Then What? The Law, Ethics and Politics of Making Amends”, *Armenian Weekly*, Videoconference on October 23, 2010, UCLA.

²⁸ Except Greece.

²⁹ David S. Saltzman; *H.RES.106, Legal and Factual Deficiencies*, Turkish Industrialists and Businessmen’s Association Publication, 2001.

The British also requested the US Government’s help for this purpose, but received the response that there was not enough evidence there. If even the slightest evidence existed at the hands of English authorities which would be enough to inculcate the prisoners at Malta, these judgments would surely have been made. In essence, the Ottoman citizens were sent to Malta to face trial.³⁰

Another Armenian supporter who overlooked the fact that the US Government was consulted for the obtaining of evidence, but turned down is Mr. Geoffrey Robertson.³¹ He evades this subject with the following statement:

“The jurisdictional difficulties of prosecuting foreign officials for killing their own people concerned Balfour. In December 1918 he told an Allied conference that the perpetrators of the Armenians massacres ‘strictly speaking’ had committed no definite legal offenses”.

The British Government on many occasions officially declared its position on the matter. On 14 April 1999 the Foreign Office spokesperson Baroness Ramsay of Cartvale said that *“the British Governments have not recognized the events of 1915 as indications of Genocide”*; On 7 February 2001, acting on behalf of the British Government, Baroness Scotland of Asthal declared:

“The Government, in line with the previous British Governments, have judged the evidence not to be sufficiently unequivocal to persuade us that these events should be categorized as genocide as defined by the 1948 United Nations on Genocide, a Convention which was drafted in response to the Holocaust and is not retrospective in application. The interpretation of events in Eastern Anatolia in 1915-1916 is still the subject of genuine debate among historians”.

Thus De Zayas’ writings on this subject are mere propaganda material and nothing beyond that.

4. The View That Existence of Those Tried and Convicted at Ottoman Courts is Evidence That Genocide Has Been Committed Towards the Armenians

Mr. De Zayas states in his writings that: *“A few trials took place before Turkish courts martial, on the basis of articles 45 and 170 of the Ottoman Penal Code, the trials provide further evidence of the various aspects of the genocide against the*

30 See: Dr. Bilal N. Şimşir, *Malta Sürgünleri ve Ermeni İddiaları* (Malta Evacuations and Armenian Allegations), Declarations of the Development of Turkish Armenian Relations and the 1915 Events International Symposium, Gazi University Publication, 2006, pp. 267-276.

31 Geoffrey Robertson, “Was there an Armenian Genocide?”, Policy Memorandum, 9 October 2009.

*Armenians, and the accused were found guilty in the judgment of 5 July 1919 of the organization and execution of the crime of massacre against the Armenian population”.*³²

The truth on this subject is as follows: The criminality associated with the tragic experiences of the Armenians in eastern Anatolia during the last years of the Ottoman Empire had already been addressed. No evidence of crimes that would constitute genocide, as the crime is presently defined, could be found”.³³

A. The judgments of 1919, the author mentions, were carried out by the courts of the Ottoman State “under occupation of Allies”. No charges of crime against humanity were brought against them. It is also worth to mention that no charges were brought following the World War I against the Ottoman State for violation of the Geneva Conventions in force at the time. The Ottoman tribunals enforced Ottoman laws.³⁴ Among other suspects, six officials, members of the Union and Progress Party, were tried in absentia and some of the suspects have been found guilty; four of them were sentenced to death. Because these courts were hardly impartial and provided little that could be considered due process, their convictions have been strongly disapproved by the great majority of the Turkish public opinion.

B. On the other hand, the judicial authorities of the Ottoman Government prosecuted already in 1916, the crimes committed by some Ottoman officials and citizens during the relocation of a part of the Ottoman Armenians. As a result of the judgments were made according to Ottoman laws, Ottoman officials and citizens whose crimes were determined, were convicted. 1673 people brought to court, 524 were imprisoned, 67 people were executed and 68 people were punished with shovels, exile, etc. Of those brought to court, 528 consisted of soldiers, police, and members of the Special Police Organization (Teşkilat-ı Mahsusa), 107 consisted of aid man, cash collectors, district governor, mayor or Director of (*Emval-i Metruke*) Abandoned Property Administration.³⁵

Research and publications on those 1916 trials disturbs the Armenians and their supporters because information and documents about these judgments explicitly prove that the Ottoman Government has prosecuted and tried the suspects which committed crimes during the transfer of population.³⁶

32 De Zayas, *ibid*, p.5.

33 David S. Salzman, *ibid*, p. 9.

34 Vakhan Dadrian, widely quoted among Armenian sources, has written that these Tribunals dispensed justice fairly and proved. See also; Guenther Lewy, *The Armenian Massacres in Ottoman Turkey, A Disputed Genocide*, p.73-82.

35 See: Prof. Dr. Yusuf Halaçoğlu, *Ermeni Tehciri ve Gerçekler (Armenian Relocation and the Facts)*, Ankara, TTK, 2001. Prof. Halaçoğlu expresses that in pages 93-95 of the book, See also: Doç.Dr. Yusuf Sarıınay, *Ermeni Tehciri ve Yargılamaları 1915-1916 (Armenian Relocation and Judgments 1915-1916)*, Declarations of the Development of Turkish Armenian Relations and the 1915 Events International Symposium, Gazi University Publications, 2006, pp. 257-265.

36 Taner Akçam, *Taraf Newspaper*, 15 June 2008.

Eventually, Armenian propagandists do not want to remember the universal legal norm according to which after an accused has been judged and convicted - in accordance of the laws of the country, they cannot be judged and convicted again for the same action; and furthermore, the criminal criterion of that acts cannot be altered later on.

The Rome Statute of the International Criminal Court lays down in its Article 20 the principle of “Ni bis in idem”: No person shall be tried before the Court with respect to conduct which formed the basis of crimes for which the person has been convicted or acquitted by the Court”.

5. The View That “The Genocide Convention of 1948 Can Be Applied Retroactively”

Alfred de Zayas argues that the Genocide Convention may be applied retroactively.³⁷ In the pamphlet under review, de Zayas states that the language of the Genocide Convention is inconclusive on the issue of its retroactive application, and that the Travaux Préparatoires of the Convention merely provides for a “supplementary means of interpretation”. Moreover, de Zayas refers to the Article 1 of the 1968 UN Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity and maintains that statutory limitations do not apply to the Genocide Convention.

Eventually, Armenian propagandists do not want to remember the universal legal norm according to which after an accused has been judged and convicted.

Numerous international and genocide law specialists and positivist lawyers among others have opposed the view that the *Genocide Convention* could be applied retroactively.³⁸ This is a general rule under international law. Article 28 of the 1969 Vienna Convention on the Law of Treaties which entered into force on 27 January 1980 states that; “*The provisions of treaties do not bind a party in relation to any act or fact which took place or any situation which ceased to exist before the date of the entry into force of the treaty with respect to that party*”. The International Court of Justice has not dealt yet with the issue of retroactivity of the 1948 Genocide Convention.

A legal analysis prepared at the initiative of the Turkish–Armenian Reconciliation

37 De Zayas, *ibid.*, p.81-90.

38 Geoffrey Robertson, “Was There an Armenian Genocide?”, Policy Memorandum, Foreign Commonwealth Office to Minister, London, 12 April 1990, p. 14: “*I do not consider that the Genocide Convention is retroactive and I do not accept the view of those legal scholars who believe that the treaty was declaratory of pre-existing international law and thus argue that it can be applied retrospectively*”. For example, Alfred de Zayas, William Schabas, who also defends the genocide allegations, has stated that the Convention cannot be applied retroactively.

Commission, for the International Center for Transnational Justice (ICTJ) by a group of anonymous legal advisors entitled the Applicability of the United Nations Convention on the Prevention and Punishment of the Crimes of Genocide to Events Which Occurred During the Early Twentieth Century explicitly states that the Genocide Convention contains no provisions mandating its retroactive application.³⁹ This analysis maintains that “neither the text nor the “Travaux Préparatoires of the Convention manifest an intention to apply its provisions retroactively.”⁴⁰

With regard the allegations of the -so called- Armenian genocide, how could an action which has taken place almost a century ago be considered genocide, without the existence of the competent tribunal’s judgment?

No Crime Without Law

According to the general principles of criminal law, there can be no crime without law, as laid out in paragraph 1 of Article 15 of the International Covenant on Civil and Political Rights. However, the Armenians’ advisor stresses the fact that:

*“The criminal law aspects of the Convention are of lesser relevance in the Armenian context, since none of the perpetrators is alive... but that laws of restitution and compensation can be resorted to and brought into action”.*⁴¹

With regard the allegations of the -so called- Armenian genocide, how could an action which has taken place almost a century ago be considered genocide, without the existence of the competent tribunal’s judgment? Without legally establishing that the crime of genocide was perpetrated and without determining who actually carried out the crime, and without hearing the defendant as well as carrying out a trial in conformity with the universal norms of law, how can compensation claims be advanced and what will they be based upon? The Armenian side and their supporters aspire to attain their goals by way of disinformation and biased political decisions adopted by certain parliaments or local councils recognizing the so-called genocide.

It is very unlikely that the differences of opinion between scholars will allow them to reach a solution. That is the reason why the theoretical aspects of the problem is

39 “The Applicability of the United Nations Convention on the Prevention and Punishment of the Crimes of Genocide to events which occurred during the early twentieth century”, prepared for the International Center for Transnational Justice” (by unknown and unnamed experts)

40 Ibid., p.7.

41 De Zayas, *ibid.*, p. 19.

beyond the current discussion put forth in this paper. Accordingly, taking into consideration the provisions of the Vienna Convention on Law of the Treaties, it is viable to hold the view that the 1948 Genocide Convention can not be applied retrospectively

6. Law Prior to the Genocide Convention

When analyzing the tragic events of 1915, one should take into account the law prior to the Genocide Convention. According to the 1648 Westphalian system, state sovereignty was an absolutely essential and the supreme principle. The matter of minorities was an internal affair for the states which applied domestic laws to the incidents that occurred within a given country. The concept of international crime did not exist then.

When the Armenian relocation began in May 1915, the British, French and Russian Governments -namely the belligerents and the enemies of Turkey in World War I-, informed on 24 May 1915 through a joint declaration the Sublime Porte that they would hold all members of the Ottoman Government as well as the agents who are found guilty of massacres personally responsible for the committed crimes. However, the U.S. Secretary of State Robert Lansing - who was not known as a Turkish sympathizer at all- admitted that the Turkish Government had more or less justifiable right to deport Armenians, provided that they lived within zone of military operations".⁴²

At that period, 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 for having committed in its own territories. As mentioned above, following the World War I, no charges were brought against the Ottoman State for violations of the Geneva Conventions in force at that time.

At the Paris Peace Conference (1919) the Greek Foreign Minister suggested that a new kind of crime against humanity be created and there was to be a trial for the Armenian massacres. President Woodrow Wilson 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 Sevres Treaty -which never entered into force- foresaw that a trial be held in Turkey for the crimes in question.

As mentioned above the criminal actions against the Ottoman Armenians during the World War I, were addressed by the Ottoman justice. Already in 1916, the Ottoman Government brought to trial and condemned several officials for the crimes they

42 Gündüz Aktan, *ibid.*, p. 204.

committed during the transfer of population. In 1919, a Martial Court was set up in occupied Istanbul. Many officials and government members were tried and condemned. Moreover, 140 defendants were taken to Malta for trial. As there was no evidence against them, they were released after almost two years of detention without trial.

7. The Treaties of Lausanne, Moscow and Kars As Well As the Agreement Between United States and Turkey Covered all Compensation Demands. Amnesty Has Been Declared for All Sides.

The Lausanne Peace Treaty

The Treaty of Lausanne signed on 24 July 1923 included a declaration of amnesty for all crimes committed between 1 August 1914 and 20 November 1922.

Right to Return to Turkey

According to the *Lausanne Peace Treaty*, ending the war between Turkey and other powers, it was decreed that previous Ottoman citizens who resided in countries that were separated from Turkey by the Article 31 of the Lausanne Treaty, and who had automatically gained citizenship of that country by Article 30, would have the right within two years to choose Turkish citizenship. Through these decrees, all the Armenians who were at that day outside Turkey, and who retained Turkish citizenship, and those Armenians who were in those countries separated from Turkey, obtained the right to return to Turkey if they wished.

Moreover, the Article 6 of the Amnesty Declaration attached to the *Lausanne Treaty* states in the same subject:

“The Turkish Government which shares the desire for general peace with all the Powers, announces that it will not object to the measures implemented between 20 October 1918 and 20 November 1922, under the protection of the Allies, with the intention of bringing together again the families which were separated because of the war, and of returning possessions to their rightful owners”.

It is apparent that this Article concerned the individuals who were forced to emigrate, and who returned to their homes during the period of armistice and occupation. At that time, Turkey announced that these procedures, made under the control of the occupation powers, would be maintained without modification.

Amnesty for Those Arrested, Prosecuted or Sentenced

According to the Amnesty Declaration, and the Protocol, Turkish nationals, and reciprocally nationals of the other powers signatory of the *Treaty of Lausanne* arrested, prosecuted or sentenced prior to 20 November 1922, benefited from an amnesty.

Return of the Property

Article 65 of the *Treaty of Lausanne* stipulates that property of individuals who had foreign citizenship when the war started, and whose possessions in Turkey had been confiscated would be returned to them. The article 95 gave a deadline for inquiries on this matter.

Section VIII and paragraph 6 of the *Lausanne Treaty* on Declaration of Amnesty declared the Turkish Government’s intent not to contest the measures carried out under the auspices of the English and French during the period between 1918 and 1922, with the object of Armenians scattered around outside Turkish borders returning and their properties being given back to them. According to this, Armenians wanting to return to Turkey would return; arrangements were made concerning the measures on Armenians whose properties returned to them, would maintain its validity; a timeframe was determined for the Armenians to request their rights; and in order to resolve possible disagreements that could arise, a Special Civil Claims Tribunal was created. Judges of various countries to stand by Turkish judges were also foreseen in these courts.⁴³

Liquidation of the Ottoman Debts

Finally articles 46-63 of the *Lausanne Treaty* were about the liquidation of the debts of the Ottoman State. This process of liquidation ended after Turkey paid all the debts.

Reciprocal Renunciation for the Loss and Damages

According to article 58 of the *Treaty of Lausanne*, the Parties reciprocally renounced all claims for the loss and damage suffered between 1 August 1914 and 6 June 1924 as a result of acts of war or measures of requisition, sequestration, disposal or confiscation.

⁴³ Prof. Dr. Nurşen Mazıcı, “Ermenilerin Tazminat Davası” (The Armenians’ Suit for Damages), *Radikal*, 13 August 2010.

Economic clauses

Articles 65-72 also entailed economic clauses; in the section of properties, rights and interests, all legal interests and interests related to properties of those subjected to relocation were being protected. Article 74 entailed special provisions related to insurance contracts and in relation, prescription. Taking into account those provisions, it is clear that no one has the right to make any kind of demand from Turkey about the events occurring before the signing of the Lausanne Treaty.⁴⁴

Moscow, Kars and Ankara Treaties

The Treaties of Moscow and Kars concluded before the Treaty of Lausanne settled the conflicts between Turkey and Armenia. The Moscow Treaty of 16 March 1921 was signed between Turkey and Russia. Thereafter, the Treaty of Kars was concluded between Turkey, Armenia, Azerbaijan and Georgia on 13 October 1921. This Treaty stated in its article 15 that “each of the Contracting Parties agrees to promulgate a complete amnesty to citizens of the other Party for crimes and offenses committed during the course of the war on the Caucasian front”.

The Ankara Treaty with France

Some of the tragic events took place in territories occupied by France where Armenian groups cooperating with France committed massacres towards the Muslim population. The Ottoman Muslims retaliated. The Ankara Treaty signed on 20 October 1921 between France and Turkey had foreseen that the Parties promulgate a total amnesty for the crimes committed in that occupied territories. Those treaties constitute *lex specialis* in legal terms.⁴⁵

Agreement Between Turkey and United States

Finally, an Agreement was concluded between Turkey and the United States on 24 December 1923 and a Supplemental Agreement on 25 October 1934 with respect to the claims settlement between two States. Turkey paid the sum of 899.3238,09 US dollars to the United States between 1938 and 1944. Pursuant to Article II of this agreement, every claim emanating from the U.S. has been considered and treated as finally settled. According the list of claimants attached to a Report

44 Kamuran Gürün, *The Armenian File*, p.295, Rustem Bro and Weidenfeld and Nicholson Ltd. London, 1985.

45 Sadi Çaycı, “Ermeni Sorununun Hukuksal Boyutu” (*The legal dimension of the Armenian question*), http://www.eraren.org/bilgibankasi/tr/index2_1_2.htm.

entitled “American-Turkish Claims Settlement prepared by Fred K. Nielsen”⁴⁶ about 114 American citizens of Armenian origin presented claims to the U.S. Government.

The Purpose of the Above mentioned Treaties, Agreements, Protocols.

The purpose of the above mentioned international agreements was to put an end to the wars and insurgencies, disrupting the country and region’s peace since 1914; the foreseen amnesties aimed to cover the humanitarian dimensions of the tragic past. The Armenians and their supporters including Mr. De Zayas, who tend to ignore these international agreements and amnesty declarations, will clearly have to eventually put an end to their endeavors to damage the peace and stability established almost a hundred years ago.

First of all, we should underline again, that an act or an offence or even a presumable crime can not be qualified as “genocide” without a valid decision of the competent tribunal.

8. The View That the Crime of Genocide Does Not Lapse With Time⁴⁷

According to Mr. de Zayas;

“The crime of genocide does not lapse with time. Article 1 of the Convention drafted by the United Nations on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity (of which Turkey and the United States among others are not parties)... stipulates that “no statutory limitation shall apply to the crime of genocide as defined in the 1948 Convention... irrespective of the date of its commission”.

First of all, we should underline again, that an act or an offence or even a presumable crime can not be qualified as “genocide” without a valid decision of the competent tribunal. In the absence of such a decision, genocide assertions of scholars, politicians or their supporters should be regarded as of political nature.

If a recent example is reviewed in order to underline the differences between the legal and political or journalistic approaches to the problematic of the crime of genocide, what is put forth so far will be more clear. In the Bosnia Herzegovina v

46 American-Turkish claims Settlement under the Agreement of December 24, 1923, and Supplemental agreements between the U.S. and Turkey. Opinion and Report prepared by Fred K. Nielsen in accordance with the act of March 11, 1925.49 Stat.47 United States Government Printing Office, Washington 1937.

47 De Zayas, *ibid.*, p. 42.

Serbia case, the ICJ did not deny the existence of crimes, massacres or ethnic cleansing committed in Bosnia; but clearly stated in its verdict that the necessary legal conditions did not apply for these to be considered as genocide.

According to the Turkish Penal Code, once it is legally established that an act constitutes genocide, no statutory limitations may be applied to the persons who committed the said crime. In the absence of such a verdict in that the question of statutory limitations will not come to the agenda of the justice.

The Competent Tribunal: Universal Jurisdiction and Protective Principle⁴⁸

According to Alfred de Zayas, the universal jurisdiction principle should apply in the case of the crime of genocide and that the crime of genocide may be tried by any district court under the principle of “protective principle”. He cites the Eichmann precedent which was judged by an Israeli District Tribunal to support his views.

As mentioned above, the “Travaux Préparatoires” of the Genocide Convention discussed at length the question of universal repression with regard the crime of genocide. The delegates opposing the international jurisdiction declared that the intervention of an international court would defeat the principle of the sovereignty of the State because this court would be substituted for a national court. The principle of universal repression was rejected by the Committee preparing the Draft Convention.⁴⁹ The same issue came to the agenda of the Conference and a proposal in this direction was voted down by 29 votes to 6, with 10 abstention⁵⁰ Probably Mr. Alfred de Zayas is one of the scholars who try to reopen a discussion on the whole of the Genocide Convention. It is not to the scholars but to the State Parties of an international convention to decide on the review of the text of it. If the State Parties to the Genocide Convention decide to review and/or to amend the 1948 Genocide Convention they might decide following the foreseen procedure by inviting an international review conference. Until then, the provisions of the Genocide Convention are valid and must be abided by all Parties and also by non-partisan scholars with a certain degree of self-esteem.

Parallelism Between Holocaust and the 1915 Events

De Zayas tries also to draw a parallelism between the Holocaust and the events

48 De Zayas, *ibid.*, p. 51.

49 Document E/794 P. 29. and p.32 Tuesday 13 April 1948.

50 Travaux Préparatoires of the 1948 Genocide Convention p. 406.

related to the 1915 transfer of population. However, these two events are different. First of all, the existence and nature of the Holocaust was determined by the Nurnberg Tribunal.⁵¹ Second, the German (and other European Jews) neither engaged in a struggle for independence, nor did they ever chase after territorial claims; they did not resort to terrorism massacring innocent German civilians; they did not join hands with the armies of Germany’s enemies in war; they did not stab the German armies on the back by blocking the strategic roads and logistic lines; The Jews in Germany and Europe constituted a totally innocent group with respect to politics. Anti-Semitism which rose dramatically fifteen years prior to the Holocaust was a movement that had been continuing actively since the beginning of the second millennium; they were annihilated because they were Jews. The Holocaust crime has been established as a historical truth by the verdict of the Nurnberg Tribunal.

As the UK Government who did not accept to qualify as genocide the 1915 events, the Israeli Governments refused to accept a parallelism between Holocaust and the tragic events of 1915. The Ambassador of Israel Rivka Kohen in Yerevan declared on 7 February 2002, during a press conference that:

“The 1915 events couldn’t be considered as genocide because the main killings in these events were not planned and the Ottoman Government had no intention to destroy a nation or a group of people. As a well-known fact many people from the Armenian and Muslim groups had lost their life in these events. Holocaust is unique. At this stage nothing should be compared with Holocaust”

On 10 April 2001 the Nobel Prize awarded Israeli, Foreign Minister Shimon Perez said that:

*“The fate of Armenians in Anatolia was a tragedy, not genocide. Armenian allegations are meaningless. We reject attempts to create a similarity between the Holocaust and the Armenian allegation. If we have to determine a position on the Armenian issue it should be done with great care not to distort the historical realities”.*⁵²

51 Sevin Elekdağ, “Ermeni Olaylarını Anlamak. Holokost ile Karşılaştırmalı Analiz” (Understanding the Armenian Events. Comparative Analysis with the Holocaust), *Review of Armenian Studies*, No.32, 2009, p.91.

52 Middle East Intelligence Bulletin, Vol. 3, No.5, May 2001.

9. Can a State That Did Not Exist at the Time of the Crime Try a Person Inculpated With the Crime of Genocide?⁵³

Mr. De Zayas states that

*“The Eichmann precedent illustrates that a State which did not exist at the time of the crime, (Israel) can try and punish a foreign citizen for genocide, when it has a legitimate and fundamental link to the victims. Armenia also could represent the rights of the Armenian victims of genocide against Similarly States like France, Canada, and the United States could represent the rights of the descendants of the survivors of the genocide against the Armenians who have become their citizens and/ or currently reside in France, Canada and the United States”.*⁵⁴

This view:

- a) Disregards the 1948 Genocide Convention’s article VI related to the competent tribunal;
- b) Draws the conclusion that any country has jurisdictional authority over a crime committed in another state and decide if that may be qualified as genocide;
- c) Suggests that any other State could legally represent the rights of their “citizens’ or even “inhabitants” whose families have been harmed during tragic events which took place in another country; even if it took place before the 1948 Genocide Convention had entered into force.

This statement is not only contradictory to International Public Law, but also to the principles of International Private Law. The exercise foreseen by this proposal disrupts the basic principles of international relations and disregards the treaties concluded between countries after international conflicts. Finally, the Eichmann case is based on the Holocaust recognition and condemnation by the Nurnberg trials.

The doctrine of State responsibility for international wrongful acts. De Zayas requests compensation for Armenian properties in Turkey based on the doctrine of the responsibility of the successor state,⁵⁵

53 De Zayas, *ibid.*, p.53.

54 De Zayas, *ibid.*, p.53.

55 De Zayas, *ibid.*, p.54.

According De Zayas,

“A State is responsible for injuries caused by its wrongful acts and is bound to provide reparation for such injuries; the international community should not recognize as legal a situation created by an international crime, should not assist the author of an international crime in maintaining the legal situation, and should assist other States in the implementation of the obligations”.

As mentioned above, the Republic of Turkey settled the issue of Ottoman debts in accordance with the Treaty of Lausanne.⁵⁶ Turkey also paid a substantial amount in US dollars to the United States Government for distribution to its citizens based on the Agreement of 24 December 1923 and Supplemental Agreements, concluded and implemented between the U.S. and Turkey.⁵⁷ The Supplemental Agreement of 25 October 1934 concluded by the two Governments was signed for a final settlement of outstanding claims of the nationals of each country against the other, and it was for that reason that the Article II of the Agreement was incorporated into the agreement. It read as follows:

*“The two Governments agree that, by the payment of the 899.840 dollars the Government of the Republic of Turkey will be released from liability with respect to all of the above-mentioned claims formulated against it and further agree that every claim embraced by the Agreement of December 24, 1923, shall be considered and treated as finally settled”.*⁵⁸

At this stage, some other documents and references which are important to underline are as follows. According the US archives, (document numbered NARA, T&1192 R2.860J.01/395 and verified by the Armenian Patriarch) 644.900

56 See: Supplement to the Treaty of Lausanne-Declaration of Amnesty.

57 Report Prepared by Fred K. Nielsen on American-Turkish Claims Settlement Under the Agreement of December 24, 1923 and Supplemental Agreements between the United States and Turkey. On December 24, 1923, the Turkey and United States of America concluded an agreement with regard the settlement of claims of their citizens. A joint Commission was created to examine the claims. 898 dossiers were laid before the Commission by the U.S. Government. No claims of Turkish citizens against the U.S. were presented to the Commission. The dossiers of the claims had to contain the documents establishing the nature, the origin and the justification of each claim. The claims had to be submitted until February 15, 1934. The U.S. Government had the right to submit up to August 15, 1934 other documents in support of claims. According to Mr. Nielsen, the author of the report: *“These provisions are in harmony with international practice in relation to such matters. The following type of stipulations is found in numerous claims agreements: The high contracting parties engage to consider the result of the proceedings of the (claims settlement) commission as a full, perfect and final settlement of every claim upon either Government arising out of any transaction of a date prior to the exchange of the ratifications of the present convention; and further engage that every such claim, whether or not the same may have been presented to the notice of, made, preferred or laid before the said commission”.*

58 Publications on this subject: Nevzat Onaran, *Emvâl-i Metruke Olayı, Osmanlı’da ve Cumhuriyette Ermeni ve Rum Mallarının Türkleştirilmesi*, (Abandoned Property. Turkification of Armenian and Greek properties in the Empire and Republic), Belge Publications, May 2010; Selâhaddin Kardeş, *Tehcir ve Emval-i Metruke Mevzuatı*, (Relocation and Legislation on Abandoned Property) Maliye Bakanlığı Strateji geliştirme Başkanlığı Ankara 2008 (Publication of the Ministry of Finance, Ankara 2008).

Armenians returned and settled to Anatolia after the war and right before the Treaty of Sevres.⁵⁹

By returning to Ottoman territories in 1918–1919, many Armenians regained some of their properties they had left behind during the 1915 transfer of population. For instance, the number of properties returned until 30 April 1919 was recorded as 241.000. This comprised approximately 98% of the immovable properties.⁶⁰ Records also state that some problems and injustices took place during application of the regulations.⁶¹ It has already been mentioned that some Ottoman citizens who committed crimes during the transfer of population were punished in 1916 pursuant to Ottoman Penal Code.

Mr. de Zayas Asserts That Diaspora Armenians Have the Right to Return and Settle in Turkey

As mentioned above, the Lausanne Treaty covered this aspect. Even if the deadline foreseen by the Treaty of Lausanne for their return is exceeded, all Armenians wanting to come to Turkey may apply for an entry visa pursuant to the Turkish laws on emigration. According to the media reports, actually more than 40.000 Armenian citizens contentedly reside and work in Turkey.

10. Suggestions and Recommendation by Mr. de Zayas to the Republic of Armenia⁶²

According to Mr. de Zayas,

*“The norms on international law are fairly clear. Nevertheless these norms are not always self executing and may require legislative action to identify the specific legal basis and establish then proper forum where claims for restitution and reparation may be adjudicated”.*⁶³

59 Yusuf Halaçoğlu’s article published in Taraf newspaper on 23 June 2008.

60 Prime Ministry Ottoman Archives UMVM 159/21” lef.3.

61 *Tehcirden Dönenlerin Malları (Properties of Those Returning from the Relocation)*, Social History, September 1994, pp. 45-48 Returning of properties Asst. Prof. Dr. Bülent Bakar, Editor Hikmet Özdemir’s Turkish Grand National Assembly publication. Turkish-Armenian Dispute Articles pp. 327-339. See: enactment of 8.1.1920. Md. 33 b) Takvim-i Vekayi 12 Kanunu Sani 1336 No.3747 BOA. MV. 245/15 Düstur II Tertip. C.II. pp. 553-554.

62 De Zayas, *ibid.*, pp. 21-22.

63 Alfred de Zayas, “Genocide and Then What? The Law, Ethics and Politics of Making Amends”, *Armenian Weekly*, Videoconference, 23 October 2010, UCLA.

“Armenia Should Appeal to the United Nations”

“Armenia should invoke article VIII of the Genocide Convention, which provides that any contracting party may call upon the competent organs of the United Nations to take such action as they consider appropriate for the “suppression” of genocide....To suppress the crime, it is necessary to suppress...its consequences. This entails besides punishing the guilty, providing restitution and compensation to the surviving generations.⁶⁴ The United Nations General Assembly can, pursuant to article 96 of the UN Charter ask the International Court of Justice an advisory opinion should be requested from the International Court of Justice concerning the Armenian genocide. Based on article 96 of the UN Constitution, the General Assembly or Security Council may request the International Court of Justice to give an advisory opinion on “the application of the 1948 Genocide Convention on the 1915-1923 Armenian genocide” and “the legal consequences of the Turkish state continuing to maintain Armenian territories, properties and cultural heritage” and “Turkey paying compensation to the successors of the survivors of the Armenian genocide”. Most probably, it is more suitable for this request to be presented to the General Assembly...”

No doubt, requesting the United Nations General Assembly to adopt a resolution which defines an act who took place in the history as genocide would be equal to opening the “Pandora’s Box”.

No doubt, requesting the United Nations General Assembly to adopt a resolution which defines an act who took place in the history as genocide would be equal to opening the “Pandora’s Box”. Thereafter all the massacres and atrocities committed throughout the mankind’s history, such as Americans atrocities against the autochthonous peoples in North America, the Spanish atrocities against the other autochthonous peoples in Mexico and Peru in Guatemala etc.,⁶⁵ the French massacres in Africa, Vietnam and in Algeria, Armenian massacres in Khojaly (Azerbaijan), the Czech atrocities against the Sudeten Germans, various other massacres perpetrated in the USSR territories, Bulgarian and Greek massacres against Turks who were obliged to leave their homes and all their belongings in the Balkans, St. Barthelemy massacres of the French Catholics against those embracing Protestantism, the so called “Albi massacres” by the French against the Cathars, Australian treatment of the Aborigines, Swedish and Norwegian treatment of the Sami communities, the massacres of the native Africans by the colonial powers and

64 De Zayas, p.91.

65 David Stannard, “American Holocaust; The Destruction of American Native Peoples”.

thousands more will be brought to the agenda of the UN General Assembly, and the Organization will most probably experience the most interesting and intense session which has taken place until today, during which everyone will spill out all bottled up negative feelings.

Armenia Should Initiate Action for an Advisory Opinion on the Retroactive Application of the Genocide Convention

The Armenian Government will surely consider this proposal and if convinced will put forward the necessary steps.

Mr. De Zayas Proposes that Armenia Should Bring the Armenian Genocide Allegation to the International Court of Justice

“According to Article IX of the 1948 Genocide Convention “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 for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice (ICJ), based on article IX, at the request of any of the parties to the dispute”.⁶⁶

Until now, the ICJ has addressed the 1948 *Genocide Convention* three times. The first time it provided advisory opinions on 28 May 1951 concerning the reservations expressed to the Convention. Second, on 3 September 2006, it adopted the decision on Genocide in Rwanda. The third case has dealt with *Bosnia Herzegovina vs. Yugoslavia*

Upon receipt of such a request from Armenia, the ICJ will firstly examine whether a legal dispute, similar to type expressed in article 38 of the Statute of the Court, exists between two or more States. Based on this article, if legal disagreements exist, then they will be resolved according to principles of international law. A “dispute is the clash of opposing legal opinions or interests between two parties concerning a *de jure* or *de facto* issue”; if it exists, the dispute must be determined objectively; it will be necessary to prove that the request of one of the sides has not encountered the objection of the other side.⁶⁷ The ICJ in some of its previous

⁶⁶ De Zayas, p.92.

⁶⁷ In Palestine, the Mavromatis Company Case Resolution No.2, 1924 CPJI Serie A No.2 p.11. The peace treaty concluded between Bulgaria, Hungary, and Romania. Advisory opinion: 1950 Resolutions p.74; South-West Africa ICJ Resolution: 1996 Resolutions p. 615. paragraph 29.

decisions had concluded that disputes existed;⁶⁸ there are other cases where the ICJ has concluded not. Before filing a lawsuit, Armenia must officially appeal to Turkey that a legal dispute exists between the two States.

The difference of opinion between the Turkish Republic and the Armenian Republic is not on the interpretation of the Convention. It is on the interpretation of the history. Turkey is in the opinion that the tragic events of 1915-1916 were not one sided criminal acts and there was no special intent to destroy the Ottoman Armenians as such.

According to Mr. de Zayas as no suspect of the tragic events remains alive, the criminal aspect of the Genocide Convention is of no relevance. What is relevant for the Armenians is apparently the State responsibility aspect. The State responsibility would occur if the crime of genocide is committed. Again here, legally speaking the decision of the competent court on the existence of genocide is a *sine qua non* condition.

Statements by some parliaments or politicians on whether the 1915 events should be considered as genocide are not legal, but political assessments of “declaratory” character.

If it decides so, a plaintiff must appeal to the ICJ by explaining which provision of the 1948 Genocide Convention the contracting party has violated or which obligation it has failed to fulfill. For example, if a Contracting Party does not transfer for trial an individual accused of or indicted for genocide, state responsibility is incurred.⁶⁹ Responsibility on the part of a state is further incurred, for example, if a government representing a state violates its obligation to prevent genocide. In the *Bosnia Herzegovina vs. Serbia and Montenegro* case heard at the ICJ, the responsibility of Serbia was incurred for these reasons. The other responsibilities of a State prescribed by the Convention are as follows:

68 Such as on Eastern Timor between Portugal and Australia, between Bosnia Herzegovina and Yugoslavia and between Lichtenstein and Germany, on the issue of some of the properties of the Principality. See also ICJ Resolutions, 1995 Resolutions, p. 100 para.22; ICJ Resolutions, 1996 Resolutions, p. 615 para.29; ICJ Resolutions, 2005 Resolutions, p. 18 and 19.

69 Yusuf Sarnay, *Ermeni Tehciri ve Yargılamalar 1915-1916*, Türk-Ermeni İlişkilerinin Gelişimi ve 1915 Olayları Uluslar arası Sempozyum Bildirileri, Ankara, Gazi Üniversitesi Atatürk İlkeleri ve İnkılap Tarihi Araştırma ve Uygulama Merkezi Yayını, 2006, pp.257-265. The tragic events of 1915 do not fall under the 1948 Convention which can not be applied retrospectively. But even if such crimes were unlawful according to national and customary international law of that period, the Ottoman Government prosecuted and condemned the perpetrators of those crimes. During 1916 the Ottoman Government charged 1673 individuals for violations against -among others- the Ottoman citizens of Armenian origin ; 659 suspects were convicted and 67 of them executed in accordance with the Ottoman Penal code. Those were crimes like murder, massacres, rape, usurpation and maltreatment, etc. These trials continued after the end of the war under the occupation of the Allied powers. The courts records and judgments have been published in *Takvim-i Vekayi*, the Ottoman governments' official gazette.

Yusuf Sarnay: In its article with the title “The Armenian Relocation and Trials” reports that this information is deduced from the lists annexed to confidential letters dated. *February 19, 1916; March 16, 1916; and May 22, 1916*. from the Ottoman Ministry of Interior to the Ottoman Foreign Ministry.

- *In accordance with Article V, the Contracting Parties have the responsibility “to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions” of the Convention and, “to provide effective penalties for persons guilty of genocide or of any of the other acts enumerated in Article III”;*
- *In accordance with Article VI, the Contracting Parties have the responsibility to transfer those accused of committing genocide to the competent tribunal which may have jurisdiction;*
- *In accordance with Article VII, they have the responsibility to extradite criminals.*

If a Contracting Party violates these obligations, its responsibility is incurred, and if a disagreement is to arise thereupon, a state may resort to the International Court of Justice on the basis of Article IX of the Convention. Finally, one should underline that if Armenia had seen the slightest chance of success it would have attempted to bring the case before the ICJ long years ago.

Armenia May Represent the Rights of the Descendants of the Survivors of Genocide

According Mr. de Zayas, “*if Turkey objects about the standing of Armenia to represent the rights of the descendants of the survivors of the genocide, it could be countered by the “protective principle” enunciated by the District Court of Israel in the Eichmann case. Moreover, Armenia could offer Armenian citizenship to all Armenians in the Diaspora*”.

Bypassing the National Jurisdiction

Individuals and their descendants wanting restitution or compensation from Turkey must firstly resort to national jurisdiction. This is the fundamental principle of law. De Zayas suggests bypassing the procedures of national law. His proposal disrupts the entire system of international law.

Alfred de Zayas Proposes the Creation of an International Fund for the Payment of Compensation to the Armenians

De Zayas writes:

“According to the doctrine (?) the world (?) has an obligation not to

recognize the financial and territorial consequences of the genocide perpetrated (?) by the Ottoman Empire, and (the world) is entitled to demand the cultural heritage of the Armenian people (?) be returned to the Armenian people (?) and to the Armenian Patriarchate (?) and that adequate compensation be paid to the descendants of the victims of the genocide. For this purpose an international Fund could be established, which could be administered by the Office of High Commissioner for Human rights..”.

A “brilliant (!)” suggestion put forward by de Zayas. The technical details such as; “which doctrine?”, “which world?”, “which legally non existent genocide?”, “who represents the Armenian people?”, “which Patriarchate?”, “who will contribute to the Fund” are apparently of less importance.

Again here, the Republic of Armenia is requested to take an initiative, which will be surely followed by many other initiatives coming from different parts of the world. If Armenia does not take such an initiative, other “interested” states are impatiently waiting the right time and the right occasion to take the right actions.

If Armenia does not take such an initiative, other “interested” states are impatiently waiting the right time and the right occasion to take the right actions.

Alfred de Zayas Proposes That an Advisory Opinion Should be Requested From the International Court of Justice on the “Right to Truth as Human Right”

This is an interesting proposal based on a resolution of the UN Commission on Human Rights about “The Right to Truth” (20 April 2005-UN Do. E/CN.4/2005/66). That will give the opportunity to all the sides to bring forward their views about history and present information and documentations about the different aspects of “the truth”. And this aspect enters in the sphere of the freedom of expression. On his subject the European Court of Human Right stated the following in its judgment *Lehideux v France*:

“The Court considers that it is not its task to settle (the) point which is part of ongoing debate among historians about the events in question and their interpretation. As such it does not belong to the category of clearly established historical facts such as the Holocaust-whose negation or revision would be removed from the protection of Article 10 by Article 17”.

The same Court in its judgment *Ginievski v France* of 31 January 2006, declared the following:

“In such matters concerning public interest in a democratic society, restrictions of freedom of expression are to be strictly interpreted. The court considered it essential that a debate on the causes of acts of particular gravity, resulting in crimes against humanity, take place freely in a democratic society”.

So, “the right to truth” encompasses all the aspects of the truth and the lecture of all the pages of the history. In short “a just memory”.

Thus, initiatives for dialogue between those who defend different views should be promoted. In this respect, the creation of joint commissions foreseen by the Protocol between Armenia and Turkey will -no doubt- may serve the cause of “Truth”; even if parties to the conflict probably will insist to highlight their views on the different aspects of the “truth”; the result may help to further mutual understanding.

But regarding Mr. De Zayas’ statements accusing Turkey of genocide, still, a captivating question comes to the minds: “Why only are the 1915 displacements and the tragedy attached to them being brought to the agenda as genocide, whereas other historical tragedies are not even mentioned?”⁷⁰

This brings us to the problematic of subjectivity in history. Several thinkers and philosophers have written numerous articles and books in this field. In this context, the writings of distinguished French philosopher Paul Ricoeur on the subject provide a good example. Ricoeur defends the opinion that history is not frozen or rigid forever; that assessments categorized as historical truth cannot be conclusive, and that the assertion related to historical knowledge develops; consequently, research on history is continuous.

Paul Ricoeur,⁷¹ who has received international recognition with his book entitled “*Memory, History, Forgetting*”, criticized the concept of “collective memory” and pointed out that some ideologies have been formed under the auspices of this concept in an article published in *Le Monde* on 15 June 2000. Concerning the warning – reminded frequently by local and foreign scholars or politicians in Turkey and abroad – on “completing the task of memory”, Paul Ricoeur emphasized that not the “task of memory” but a “study of memory” process should be developed in our minds. He further stated that discussions around “rightful

⁷⁰ François Terré, author of an article published in La Figaro newspaper on 13 October 2006 asked: “*Why is this only genocide?*”, criticized the draft resolution in the French Parliament which foresees the punishment of those denying the Armenian genocide, has asked: “*Why is a resolution not adopted for Stalin’s Ukraine genocide or Pol Pot’s Cambodia genocide, but is adopted only for the Armenians?*”, and had stated that history cannot be written through the resolutions of the parliament.

⁷¹ Paul Ricoeur, “*La mémoire, l’histoire, l’oubli*” Editions Seuil, 2000.

memory” creates a difficult picture vis-à-vis those who are forced somewhere to exceedingly remember their sorrows, may equally face somewhere else the position of those who tend to excessively forget; that conviction and punishment is the task of the judge; that the citizen must resist to “forgetting” while at the same time he/she should possess a “just memory”; that the task of the historian is not to accuse or exculpate, but to understand; that the “study of memory” is open to improvement and its feature of défamiliarisation⁷² outweighs the task of memory”.

Conclusion

A great majority of the Turks do not deny that Ottoman Armenians, together with other Ottoman citizens, were the subject of a tragedy during the 1915 events; and that they have lost their lives, properties, families as well as their homes. Also during the relocation - or “displacements”, - the administration and some civil servants of the Ottoman state did not act justly, and even more, did not enforce the existing laws appropriately. However, -as mentioned above- it should be noted that more than 1600 of these officials were tried in Ottoman courts and condemned to various punishments - including death penalty - as a result of the trials which took place during 1916.

On the other hand, Turks reject the accusation of genocide because the legal conditions foreseen by the 1948 Genocide Convention have not been fulfilled - as explained in detail in this article. But if it was not genocide, then the question arises how to name or qualify the tragic events which took place in 1915? Was it mutual killing? Was it crimes under the Ottoman Penal Code? Was it war crime or crimes against humanity? It is believed that all these issues should be reviewed and discussed by legal experts, historians as well as other social scientists between the Armenians and Turks. Even if it seems to be difficult to reach an agreement on these subjects, the results of these discussions should be published together with a view to indicate the agreements and/or disagreements in a concrete way. Then, the process of mutual understanding should be continued. Obviously, this will take time.

Furthermore, it is believed that to prevent a similar tragedy from taking place again, all the necessary measures and precautions must be taken by all the governments and by the non-governmental organizations. The lives, properties and all the rights of the persons must be protected with much greater care. A culture of peace should prevail all around the world.

⁷² Defamiliarization or ostranenie (остранение) is the artistic technique of forcing the audience to see common things in an unfamiliar or strange way, in order to enhance perception of the familiar.

The Armenian intellectuals with whom the author of this article has met during a visit to Yerevan have shown that a dialogue without precondition between the Armenians and the Turks is possible. On the other hand, the majority of the Armenians continue to think that the Ottoman Government have had the intention to destroy the Armenian population of the Ottoman State and this act should be named as genocide. In this context, it is unlikely that the beliefs of the great majority of the Armenians will change in the near future. Then, another question arises; what to do under these circumstances?

Turks will continue to ask the Armenians and their supporters to acknowledge that some others may have opposite views and facts to support those views. The author of this article is ready to listen to their arguments and will also be asking them to listen to other views. Unfortunately contacts have previously been in the form of “monologue”; this should be changed into a “responsible dialogue”.

Finally, it is regretful to note that Mr. Alfred de Zayas’ booklet reviewed in this article is biased and far from being constructive, nor does it possess the empathy that is urgently and much needed to contribute to peace and understanding between the Armenians and Turks. Mr.de Zayas follows the line of the post-modern crusaders who endeavor to create an alternative historical truth *via* “Turkey bashing”and “Tête de Turc” treatment.

With the hope that this review will contribute to establish a “responsible dialogue” between the two sides.

DISCUSSING THE PROBABILITY OF TURKISH-ARMENIAN INTEGRATION BY MAKING COMPARISON TO THE EUROPEAN CASE

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Abstract: *When there are serious problems among countries, such as lack of diplomatic relations or closed borders, there are mainly two options to normalize their relations: Either, first at least solving the major problems and then normalizing relations or the opposite which is normalizing relations first and then trying to solve the problems in the course of time. A radical move would be, while the problems and conflicts remain, starting a process of integration and waiting for the problems to vanish by themselves. Two neighboring states, Turkey and Armenia, have a few in quantity but big in quality problems which are very far from being solved even in the remote future. On the other hand, the European Union project successfully eliminated the problem of bloody wars, though having problems about its raison d'être at the moment. If a number of enemies on the European continent accomplished to come together to start a clean page, why not the ones in the Caucasus region would achieve a similar one?*

Key Words: *Turkish-Armenian relations, EU, integration, integration theories, peace*

Introduction

Turkey and Armenia are two neighboring countries with problems which seems impossible to be solved. While the Armenian diaspora puts pressure on Turkey and the Armenian government as well to recognize the 1915 events as genocide and apologize for it before starting a "real" dialogue, the Armenian government on the other hand insists on the opening of borders to normalize relations. The Turkish state would not fulfill the demand of the diaspora because although what happened in 1915 is accepted as tragic events in Turkey, the general belief is that the massacres were mutual, both sides did suffer and cannot be called as genocide. It is difficult for the Turkish state to also fulfill the demand of the Armenian state, because the borders were closed after the Armenian state occupied Azerbaijan's territories. Therefore, for Turkey, opening the borders is linked to the condition of leaving the occupied Azerbaijani territories.

What if these two states start a process of integration with the aim of making serious conflicts or war impossible? Such a process in which the states integrate themselves with each other in several areas would have so much in common that conflicts would give serious harm to all the parties. As a result, existence of common interests and the perception of common future, as well as the risk of losing too much would make the quondam major problems insignificant.

The most successful integration example as such is the European integration process which is operating under the name of European Union (EU). With a sui generis style, the EU reached all its aims, eliminating the main threats of the post-war period,

Integration refers to “the possibility of overcoming the conflicts without use of violence”

keeping the Germans “down”, recovering their collapsed economies and most significant of all, establishing peace on the bloody continent. Although there are a lot of different factors which make it difficult to make a comparison between European integration and the imagined Turkish-Armenian integration, as the EU is the most successful one to establish peace among enemies, it

is chosen as a case. On the other hand, as the post-war goals are all reached, it can be put forth that there isn't any “big issue” left for the European states to constitute its *raison d'être*, to make them stay together anymore. This makes the future of the EU blurred, which should be taken seriously into consideration in the realist aspect.

Definitions of Integration

The most popular definition of integration is made by Karl W. Deutsch, which is, “the achievement of a ‘sense of community’ on a certain territory; the existence of sufficient power and popularity of the institutions and the activities of this community”.¹ According to Deutsch, integration refers to “the possibility of overcoming the conflicts without use of violence”.² He explains integration as “the relation between the mutually interdependent units which collectively constitute the qualities of the system that would not be possible separately”. Deutsch also defines political integration as “the integration of political actors and political units such as individuals, groups, municipalities, regions and states by taking their political behaviors into account”.³

1 Karl W. Deutsch, “Political Community and the North Atlantic Area” in Brent F. Nelsen and Alexander C-G. Stubb (eds.) *The European Union: Readings On The Theory And Practice Of European Integration*, Second Edition, Macmillan Press Ltd., London, 1998, p.117.

2 Leon N. Lindberg, “Political Integration: Definitions And Hypotheses” in Brent F. Nelsen and Alexander C-G. Stubb (eds.) *The European Union: Readings On The Theory And Practice Of European Integration*, Second Edition, Macmillan Press Ltd., London, 1998, p.147.

3 Karl W. Deutsch, *The Analysis of International Relations*, Third Edition, Prentice Hall, New Jersey, 1988, p.212.

Ernst Haas makes the definition of political integration as “a process in which political actors from different national environments transfer their attachments, expectations and political activities to a new centre that has institutions capable of making supranational legal judgments.”⁴

Lindberg’s definition of political integration is “the process where the nations - independently from each other- assign new central bodies for decision-making after abandoning the power of making domestic and foreign policies”. According to Lindberg, it is “the persuasion of different political actors to transfer their expectations and political activities to a new centre”.⁵

Dedeoğlu defines political integration as “building a supranational body for interdependent states in a certain region in order to transform their national sovereignties to a common and functional sovereignty”.⁶

We can conceptualize political integration of the EU as “coming closer of the member states to each other by increasing or deepening the cooperation areas, eliminating the borders, which will end by the weakening of the nation state and its disappearance”.

Meanings of Integration

The meaning of European integration varied among peoples, countries and periods. Just after World War II, European integration meant, “coming together to fight against the German threat that can regain its previous power”. During the Cold War, it referred to “close cooperation against the Soviet threat”.

General Charles de Gaulle imputed a Euro-centric meaning to European integration. For him, it was “the cooperation of the European states to resist both the Soviet and the American domination, to become more independent in the international arena and to prove the world that Europe was the third superpower”. For the Atlanticists,⁷ integration represented the enlarged continuation of the process of elimination of the trade barriers, which started with GATT⁸ in 1947.⁹

4 Ernst B. Haas, *Beyond The Nation- State: Functionalism And International Organization*, Stanford University Press, Stanford, 1964, pp.26-27.

5 Leon N. Lindberg, “Political Integration: Definitions And Hypotheses” in Brent F. Nelsen and Alexander C-G. Stubb (eds.) *The European Union: Readings On The Theory And Practice Of European Integration*, Second Edition, Macmillan Press Ltd., London, 1998, p.149.

6 Beril Dedeoğlu, “Avrupa’da Siyasal Bütünleşme: ‘Birlik’ Modelinin Yeniden Düzenlenmesi” in Faruk Sönmezoğlu (ed.) *Uluslararası Politikada Yeni Alanlar Yeni Bakışlar*, Der Yayınları, İstanbul, 1998, p.356.

7 A doctrine defending cooperation between Europe and USA especially on political, economic and military issues.

8 GATT: *General Agreement on Tariffs and Trade*.

9 Robert Bideleux, “European Integration and Disintegration” in Robert Bideleux and Richard Taylor (eds.) *European Integration and Disintegration: East and West*, Routledge, London and New York, 1996, pp.2-4.

Following the end of the Soviet threat in the 1990s, the meaning of integration changed once again. Since economy and international trade became much more important, according to some groups, integration referred to “unification of European states by cooperating more deeply in more areas in order to compete with the US; and/or in order to keep the Germans under control”.

It should be asserted that, what European integration represented, aimed, and meant changed many times. The integration theories have also been influential in shaping the meaning of integration. For example, when the functionalist theory was dominant, integration mostly meant economic cooperation, and was lacking a political dimension. However, when neo-functionalism was popular, the Maastricht Treaty was signed which paved the way for political union.¹⁰ Moreover, when federalism was on the rise, especially during the first years of European integration, it has been easier for the European states to accept transferring power from national to supranational bodies in coal and steel sectors.

Stages of Integration

Integration is a process with its own inner dynamics. For that reason, to complete the process, there are various stages to pass over. The first layer of integration is partial cooperation, which means integration in limited sectors. When we look at the European integration history, we see that the first step is the European Coal and Steel Community. Starting with a close cooperation at the supranational level only in coal and steel sectors, the integration process continued with the European Economic Community. The Maastricht Treaty has been a milestone in the European political integration process, aiming at a political union in the end.

As argued above, theories have been essential in building the integration process in Europe. The founding fathers of the Coal and Steel Community Jean Monnet and Robert Schuman’s federalist views have been very influential in the first years of integration. Besides, the theories defended by the leaders also have been powerful in the country’s role in the integration process. While federalist leaders’ countries supported more and more integration, realist leaders’ countries most of the time supported a looser union.

After the “euro”, economic integration came very close to the end. There were few areas left, like taxation, for the completion of the process and pronouncing “economic union”. We should also note that it is almost impossible to make progress in the integration process by separating political and economic areas.

10 Michael J. Baun, “The Maastricht Treaty As High Politics: Germany, France And European Integration”, *Political Science Quarterly*, 110(4), Winter 95/96, p.605 .

Intergovernmentalism Versus Supranationalism

Integration theories explain the process of unification for separate nation states.¹¹ While federalism, neo-functionalism and consociationalism are theories of supranationalism; confederalism, realism, institutionalism and functionalism are theories defending the existence of nation states.

When the EU creates an independent authority in order to transfer some of the national sovereignties of the member states, then we can talk about supranationalism. The members allow the institutions that were created by themselves, to make common policies for the whole community. For example, decisions of the European Court of Justice, which are at the supranational level, is accepted by national courts.

At an intergovernmental level, the functions of the EU are constructed through the member states themselves, which have an association relationship with each other. The model that is much looser than the supranational one, allows the national governments to make policies and national law remains core.

Supranational model requires majority voting while it is important to make decisions with unanimous voting in intergovernmentalism. The voting system is an essential sign to show the depth of integration.

Supranationalists represent the European political elite who are ready to give up national interests for the sake of Europe's common interests and a common future. On the opposite side, the intergovernmentalists represent the national political elite who –as sometimes criticized- “selfishly” defend their national interests.¹²

These two concepts stay at the two margins in the integration discussions. The reality is different than both, where the two doctrines exist simultaneously in the structure of the Union. While in some areas, decisions are made at the supranational level; some areas remain at the intergovernmental level. If the political union had successfully been achieved, supranationalism would have been the dominant concept.

The states, which show sensitivity in high politics,¹³ defend intergovernmentalism. Supranationalism, which is mentioned within the framework of federalism, is sharply opposed by states where the national sovereignty is sensitive such as the UK, Denmark, sometimes France and lately the Netherlands. On the other hand, smaller

11 Sergio Pistone, “Altiero Spinelli and the Strategy for the United States of Europe” in Brent F. Nelsen and Alexander C-G. Stubb (eds.) *The European Union: Readings On The Theory And Practice Of European Integration*, Second Edition, Macmillan Press Ltd., London, 1998, p.85.

12 *Flexible Integration Towards a More Effective and Democratic Europe*, Monitoring European Integration 6, Centre for Economic Policy Research, London, 1995, p.41.

13 High politics: The essential political areas for a state such as foreign policy, defence and security.

states such as Belgium, Luxembourg, the Baltic states and, with the aim of becoming leader of the united Europe, Germany support supranationalism.

Federalism

National administrative units and regional administrative units simultaneously exist in a federal system. There is equality among all of the regional administrations; none is powerful than the other. There is a chosen national government, which is the sole one with authority over foreign and security policy of the state. A federal state has one currency, one constitution, has both national and regional legislative organs.¹⁴ The best example for a federal state is the USA since 1789.

When we suppose the EU as a federal state, the regional states of the US correspond with the member states. However, the EU members have much more power and authority than the states of America. EU members have the authority to sign international agreements or to build military power, which the states of America lack.¹⁵ Besides, the EU institutions still do not have a similar authority that the US government has.

Altiero Spinelli criticized European integration after World War II, arguing that the process was too slow and anti-democratic. He was in favor of a “revolution” for a federal system. What Spinelli dreamed of was a new European state where the member states transferred their national sovereignties to common democratic institutions. According to Spinelli who argued an American type of federalism for the European Union, the only way to bring success to the integration process was through federalism.¹⁶ Spinelli opposed the functionalist theory, which defended a “step by step” integration process, because for him it was impossible for the functionalist model to be democratic enough to meet the needs of the people, and to be capable enough to build institutions to solve the basic problems. Advocating a “United States of Europe”, he also focused on the methods of building a federal system for Europe.¹⁷ Spinelli stressed that federalism should not be dictated through illegal, violent or forceful methods. On the contrary, it should be accepted by all states. He also claimed

14 William H. Riker, “European Federalism: The Lessons of Past Experience” in Joachim Jens Hesse and Vincent Wright (eds.) *Federalizing Europe? The Costs, Benefits, and Preconditions of Federal Political Systems*, Oxford University Press, New York, 1996, pp.9-12; William H. Riker, *Democracy in the United States*, The Macmillan Company, New York, 1953, pp.303-318.

15 John McCormick, *Understanding the European Union*, Macmillan Press Ltd., London, 1999, p.7.

16 Ernesto Rossi and Altiero Spinelli, “The Ventotene Manifesto, August 1941” in Trevor Salmon and Sir William Nicoll (eds.) *Building European Union: A Documentary History And Analysis*, Manchester University Press, Manchester and New York, 1997, p.18.

17 Altiero Spinelli, “The United States of Europe and the Various Political Trends (1942)” in Trevor Salmon and Sir William Nicoll (eds.) *Building European Union: A Documentary History And Analysis*, Manchester University Press, Manchester and New York, 1997, pp.19-20.

that the representatives of the member nation states would be biased in protecting their sovereignties, which would keep them from finding federal solutions. As a result, founding of the federal institutions should be the duty of a Constitutive Assembly.¹⁸

Federalist statesmen have been in majority during the first years of European integration. The reason is simple. World War II has been an enormous tragedy for the continent. The aim was to prevent European states from making war again. The pain of the war was fresh enough to put the national ambitions to a second place.

The second wave of federalism was just after the Cold War. The explanation is again simple. West and East Germany unified, thus became stronger; which raised question marks and alarmed Germany's neighbors: "Is Germany strong enough to start another war as she did twice before?" Especially the French, probably believing that they were the ones who suffered most from the German attacks, proposed a precaution to detain Germany in an ever closer Union. The price of keeping Germans down would be paid by sacrificing some of the national sovereignty. The conclusion of this idea had been the Maastricht Treaty.

Third and the last discussions of federalism started in 2000 by the German Chancellor of that time Joschka Fischer. It is from Fischer's argument that a federal system with a powerful president chosen by the whole EU citizens is inevitable.¹⁹ Following these discussions the EU started to work for a constitution, which brought a serious crisis for the future of European integration.

A federal model is a dilemma for the EU. On the one hand, political integration of the EU is in a deadlock. The reason is not only the increase in the number of member states, but also that there are no more acceptable areas left to be transferred to supranational power. The intergovernmental areas are the sensitive ones such as taxation, foreign policy, defense etc., which the member states do not want to lose control over. In order to move forward in the political integration process, federalism could be a model. Federalism could have been a "solution" to kill the nationalistic passions, extremisms, self-seeking and exclusive politics, racism, discrimination and so on. There would be one state, one nation, thus one national interest.

On the other hand, it is almost impossible to constitute a United States of Europe, since it is extremely difficult to govern 27 states in harmony with different cultural, historical and political backgrounds. How will that super-state manage to suppress

18 Sergio Pistone, "Altiero Spinelli and the Strategy for the United States of Europe" in Brent F. Nelsen and Alexander C-G. Stubb (eds.) *The European Union: Readings On The Theory And Practice Of European Integration*, Second Edition, Macmillan Press Ltd., London, 1998, pp.85-89.

19 John Vinocour, "EU's Future: The Vision And The Slog", 29.06.2000, <http://www.adetocqueville.com/cgi-binloc/getzip.cgi?0+2657>.

the clashing national interests, passions and identities? Besides, a federal EU might lead to a repercussion, inflaming nationalisms and might last with disintegration.²⁰

According to Hesse and Wright, while a federal Europe will have serious economic advantages, it will also lead to the danger of losing national culture, norms, customs and choices. In order to build a successful federation for Europe, enormous efforts should be made for preservation of the national institutions' independency and different cultures. As a result, Hesse and Wright argue that a federal Europe will not be a real federal system.²¹

Confederalism

While the units preserve their different identities, they assign power to a higher authority for more security, efficiency and affectivity. In a confederal system, high authority cannot go beyond the limits assigned by the independent units.²²

It differs from federalism, as the regional units do not transfer their sovereignties to the high authority, but assign it to use limited power. Confederalism allows the nation states to preserve their national independence and decision-making remains within the power of the member states.²³

The EU has some parts from confederalism. Although the member states transfer their sovereignties in some areas, they can still make appointments to the high authority and are influential in the decision-making process.

Consociationalism

Consociationalists defend that "groups" should be given power of representation in the decision-making process. The sources and authority of the groups are designated due to their size.²⁴ Developed by Arend Lijphart in 1968, the theory is defined as "sharing of power by the different segments in the society".²⁵

20 William H. Riker, "European Federalism: The Lessons of Past Experience" in Joachim Jens Hesse and Vincent Wright (eds.) *Federalizing Europe? The Costs, Benefits, and Preconditions of Federal Political Systems*, Oxford University Press, Oxford, 1996, pp.9-12.

21 Joachim Jens Hesse and Vincent Wright, "Federalizing Europe: The Path to Adjustment" in Joachim Jens Hesse and Vincent Wright (eds.) *Federalizing Europe? The Costs, Benefits, and Preconditions of Federal Political Systems*, Oxford University Press, New York, 1996, pp.375-397.

22 John McCormick, *Understanding The European Union*, Macmillan Press Ltd., London, 1999, p.4.

23 Wolfgang Wessels, "Institutions of the EU System: Models of Explanation" in Dietrich Rometsch and Wolfgang Wessels (eds.) *The European Union and Member States: Towards Institutional Fusion?*, Manchester University Press, Manchester and New York, 1996, p.23.

24 John McCormick, *Understanding The European Union*, Macmillan Press Ltd., London, 1999, p.5.

25 Arend Lijphart, *The Politics of Accommodation: Pluralism and Democracy in the Netherlands*, Third Edition, University of California Press, Berkeley, Los Angeles, London, 1968, pp.215-219; Nikolas K. Gvosdev, "Collective Rights", <http://www.geocities.com/Athens/Olympus/5357/ihf6a.html>.

The basic aim of consociationalism is to ensure the permanency of the status quo by the leaders of various cultural and social fractions which have different domestic politics from each other, through a common work to build cooperation in order to eliminate the differences and conflicts resulting from the torn structure of the society.²⁶ By taking the minorities into account, the goal is to provide equality, because unlike the pluralist democracies executive power must be shared among a large coalition. According to Lijphart, Belgium, which has socio-economic, religious and linguistic differences, has the most suitable democratic system that is built on consociationalism.²⁷ For some, this system would function successfully within the EU, since it is the union of nation states with different cultural backgrounds.

Realism

The fundamental idea of realism is Aristotle's observation that man is a political animal.²⁸ Realists advocate the international arena is completely anarchic, and the main actors are the nation states. According to realists, what lies behind international relations is competing and conflicting nation states.²⁹

For them, it is very dangerous and synthetic to change the nation state with a supranational model, because the new system will sooner or later become destructive.³⁰ The realist view contends that the existence of the EU depends on the satisfaction of the national interests of its members.³¹ Some neo-realists however, like Kenneth Waltz and John Mearsheimer believe that the sole reason for European integration has been a reaction to the two-polar system during the Cold War; thus as this period is over then there is no reason for more integration. Moreover, according to them, states henceforth should have the chance to leave the EU. Since neo-realism claims that international institutions play a minimum role in shaping international politics, it is understandable that they do not value the EU, and even sometimes see it dangerous.

Mearsheimer argues that in a realist world, cooperation, or at least maintaining cooperation is almost impossible. This is because each side would move towards its

26 Armağan Emre Çakır, *Avrupa Bütünleşmesinin Siyasal Kuramları*, Beta, İstanbul, 2001, p.55.

27 Arend Lijphart, *Conflict and Coexistence in Belgium: The Dynamics of a Culturally Divided Society*, Institute of International Studies, Research Series No. 46, University of California, Berkeley, 1981, pp.4-10.

28 Robert G. Gilpin, "No One Loves a Political Realist" in Benjamin Frankel (ed.) *Realism: Restatements and Renewal*, Frank Cass, London, 1996, p.7.

29 Alfred E. Pijpers, "European Political Cooperation and Realist Paradigm" in Martin Holland (ed.) *The Future of European Political Cooperation: Essays on Theory and Practice*, St. Martin's Press, New York, 1991, pp.16-33.

30 Kenneth N. Waltz, "Realist Thought and Neorealist Theory" in Charles W. Kegley Jr. (ed.) *Controversies in International Relations Theory: Realism and the Neoliberal Challenge*, St. Martin's Press, New York, 1995, pp.80-81.

31 John McCormick, *Understanding The European Union*, Macmillan Press Ltd., London, 1999, p.10.

own interests, so some members would have no chance other than cheating.³² Since the international system is anarchic, since there is no trust among nations, and since each state is the enemy of each other, then no international organization would have the capacity to punish the aggressive states or to keep the system in order.³³ It won't be true to claim that the realists are against European integration. They believe that integration is sometimes necessary if the process is parallel with the member states' national interests or it is seen as a tool for the members to reach their national goals.³⁴ However, realists are against all supranational institutions, including the European Parliament.³⁵

Functionalism

The Functionalist theory, excluding the political dimension, is based on economic and technical cooperation. Integration is built through creating a harmony among some of the functions of the members.³⁶ Functionalists assert that when the states start the integration process in some areas, an "invisible hand" will lead them to cooperate in more areas.³⁷

The father of functionalism, David Mitrany, believed that this theory would be a solution to eliminate conflicts among competing states and would prevent war. Increasing amounts of cooperation among states would decrease conflicts and making war would be impossible. Opposing the supranational bodies, Mitrany clarifies that the states will transfer some of their national authority to international executive bodies only for limited issues. The result will be "a working peace system".³⁸ He believed that the success of the functionalist model depends on elite performance and people's support. He insisted on the importance of excluding the political dimension from the integration process as well.³⁹

32 John J. Mearsheimer, "The False Promise of International Institutions", *International Security* 19(3), Winter 1994/1995, pp.5-49.

33 John J. Mearsheimer, "Back to the Future: Instability in Europe After the Cold War", *International Security* 15(4) Summer 1990, p.12.

34 John J. Mearsheimer, "Why we will Soon Miss the Cold War" in Richard K. Betts (ed.) *Conflict After The Cold War: Arguments on Causes of War and Peace*, Simon & Schuster, Massachusetts, 1994, pp.44-61; Kenneth N. Waltz, "The Origins of War in Neorealist Theory" in Richard K. Betts (ed.) *Conflict After the Cold War: Arguments on Causes of War and Peace*, Simon & Schuster, Massachusetts, 1994, pp.88-95; Kenneth N. Waltz, "Structural Causes and Economic Effects" in Richard K. Betts (ed.) *Conflict After the Cold War: Arguments on Causes of War and Peace*, 1994, Simon & Schuster, Massachusetts, pp.221-229.

35 Donatella M. Viola, "International Relations and European Integration Theory: The Role of the European Parliament", Jean Monnet Working Papers, January 2000, <http://www.fscpo.unict.it/EuroMed/jmwp26.htm>.

36 For more information on functionalism see. Ernst B. Haas, *Beyond The Nation-State: Functionalism and International Organization*, Stanford University Press, Stanford, 1964.

37 John McCormick, *Understanding the European Union*, Macmillan Press Ltd., London, 1999, p.10.

38 David Mitrany, "Functional Co-operation as the Road to Peace" in Evan Luard (ed.) *Basic Texts in International Relations: The Evolution of Ideas about International Society*, Macmillan, Houndmills, 1992, pp.498-504.

39 Karl W. Deutsch, *The Analysis of International Relations*, Third Edition, Prentice Hall, New Jersey, 1988, pp.222-225.

The life of the functionalist theory did not last long. By stressing the importance of the elimination of political and supranational dimensions, functionalists contradicted with themselves. Although they accepted that, once the integration process started, with a “spill over” effect⁴⁰ it would continue by widening and deepening, they were unable to see that the inclusion of the political dimension would be inevitable.

Neo-Functionalism (Federal Functionalism)

Neo-functionalists added the political dimension to the traditional functionalist theory. As a result of this, a mixture of functionalism and federalism occurred. They define integration, as a process to create a “political community” resembling the federalist supranational model. According to neo-functionalism, the continuous increase in cooperation areas would inevitably produce supranational institutions. Like functionalists, neo-functionalists point out the importance of the role of the political elite as well. And like federalists, they believe that in the course of time, decision-making power will be transferred to a supranational level.⁴¹

Institutionalism

Developed by Friedrich, Henry and Ruggie, institutionalist theory depends on the preservation of the political union and sovereignty of the states. Institutionalists basically try to build new common institutions without losing national autonomy.⁴² According to Mearsheimer, institutions, due to their prescriptive characteristic, are necessary for the states to cooperate and compete with each other. However, he also believes that institutions have a very limited effect on the actions of states. Besides, he adds that institutionalism would not be able to save the world from destabilization following the end of the Cold War.⁴³

Transactionalism

By advocating transactionalism, Karl W. Deutsch argued that the more European states and citizens communicate, the more that mutual understanding will occur. Transactionalists assume that common symbols, values and norms will lead to a

40 Spillover: According to neo-functionalists, there are two kinds of spill-over: functional and political. Functional spill-over is the interconnection of various areas, and the integration in one policy-area spilling over into others. Political spill-over is the creation of supranational governance models.

41 John McCormick, *Understanding the European Union*, Macmillan Press Ltd., London, 1999, p.14.

42 Beril Dedeoğlu, *Adım Adım Avrupa Birliği*, Çınar Yayınları, İstanbul, 1996, p.28.

43 John J. Mearsheimer, “The False Promise of International Institutions”, *International Security*, 19(3) Winter 1994/1995, pp.5-49.

feeling of common identity among European people. The existence of a common identity will open the way for a healthy and self-progressing integration. At the end of the 1960s, transactionalism was sharply criticized, because although the relations among European countries increased, neither mutual understanding nor a common identity had developed.⁴⁴

TURKISH-ARMENIAN INTEGRATION

Reasons for starting an integration process

Existing situation with hostile relations does not produce any winner currently in neither side. In fact, winners are the third parties who profit from the bad relations between the two states.

Integration among countries especially with tense relations is defended, because it is generally believed that integration brings peace. The states cooperating in many areas in the integration process are attached to each other so much that breaking the links or starting a conflict would be extremely risky. Therefore, rather than taking the risk of breaking up, they would prefer to live with the existing problems without allowing them to turn into serious conflicts.

Both Armenia and Turkey would benefit from an integration process in economic, political, social, and cultural areas, because the existing situation with hostile relations does not produce any winner currently in neither side. In fact, winners are the third parties who profit from the bad relations between the two states.

By not having normalized and good neighborly relations with Armenia, Turkey above all suffers from a psychological pressure from a lot of states, organizations and groups around the world. The pressure to recognize the 1915 events as genocide and to apologize for it creates an atmosphere of chronic defense for the Turkish people. It is irritating for people to be accused of being perpetrators and deniers of genocide. Moreover, although accepting the existence of mutual massacres, Turks do not believe that these tragic events could be accepted as genocide. Secondly, even if genocide were real, not the contemporary Turkish people, but their predecessors would have been guilty.

The EU puts political pressure on Turkey also. It will not be surprising if the EU asks Turkey to recognize the events as genocide in order to become a member. The European parliament has several resolutions asking Turkey to recognize the mutual

⁴⁴ Laura Cram, Desmond Dinan and Neill Nugent, "Reconciling Theory and Practice" in Laura Cram, Desmond Dinan, Neill Nugent (eds.) *Developments in the European Union*, Macmillan Press, Houndmills, 1999, p 9.

killings as genocide and to open the land borders with Armenia which they intentionally call “economic blockage”. Although none of the accusations and condemnations have legal conclusions for Turkey, having a bad and false record as perpetrator of genocide is not something preferable. As a result, Turkey will benefit from normalized and peaceful relations in which there would not be any accusations from and hostilities with Armenia.

When we look at the issue from the Armenian side, it can be argued that the Armenian people need good relations with Turkey much more than Turkey does. Armenia does not have problem-free relations with any of its neighbors. Its relations with Georgia are established on distrust and competition. Armenia wants the Cevaheti region in Georgia where an Armenian minority lives.⁴⁵ The Russian-supported irredentist and expansionist policies of Armenia towards Georgia are similar to the one it pursues towards Azerbaijan. It is currently only Iran which has good relations with Armenia in the region. Both countries, as stuck geopolitically without routes to reach the western world, cooperate closely due to political necessities.

Russia seems to be the main “partner” of Armenia. It is its top trading partner. However, due to the asymmetrical character of their relations, Armenia does not have an equal status before Russia. When Armenia couldn’t pay its debts to Russia, it turned over its strategic institutions to Russia. Lack of peaceful and close relations with neighbors and its isolated status, perhaps forced Armenia to give itself up to Russia. It is well known that Armenia is not independent from Russia.

In the economic sense, integration with Turkey can open a new gate to Armenian economy which is among the poor in the world. Better relations with Turkey and Azerbaijan will help Armenia to gain power firstly in the political and then in the economic sense. Therefore, it can have the opportunity to evade Russian economic and political domination.

The geopolitical position of Armenia is problematic as it is a closed country far from seas and trade centers. It immensely needs Turkey and Azerbaijan to reach the rest of the world, as both countries are on the strategic routes. The problem-ridden geopolitics also has a negative impact on Armenian economy. Delicate economy means at the same time, being powerless, which would lower the international negotiation capacity of a country. Besides, a bad economy would invite extremities and violence into domestic politics.⁴⁶ The results would be aggressive nationalism, fear, distrust, irredentism and territorial claims. In a geo-psychological sense, while

45 Kamil Ağacan, “Ermenistan-Gürcistan İlişkileri”, *Ermeni Araştırmaları*, No. 19, Sonbahar 2005, pp.62-82.

46 Sedat Laçiner, “Ermenistan Dış Politikası ve Belirleyici Temel Faktörler 1991-2002”, *Ermeni Araştırmaları*, No. 5, Bahar 2002, p.173.

historically Armenians have always been a minority, today it is trying to possess the geography it is in. This seems as the major reason behind its irredentism.

It is not always preferred to be situated in a strategic geopolitical position. Both Turkey and Armenia suffers from this characteristic of their countries. Turkey is always forced to make a choice between the west and the east. In fact, it is impossible to choose one of them for a country situated between both “sides”. When Turkey tries to pursue a balanced foreign policy, it is perceived negatively as an “axis shift”. Although not the same, Armenia has similar pressure due to its geopolitical position. In fact, it is not Armenia alone, but it is the whole region which is the target of competing foreign policies and conflicting interests, and an area of hegemony wars. However, Armenia is the weakest country in the region which is not able to resist foreign pressure and remain independent. Therefore, due to the lack of political sovereignty, Armenia is the country with the heaviest pressure on it.

Due to low population, weak economy and weak military elements, Armenia not only remains a weak country in the economic and political sense, but also is a dependent country.

Low population and constant emigration weakens the country as well. Due to low population, weak economy and weak military elements, Armenia not only remains a weak country in the economic

and political sense, but also is a dependent country. Therefore, Armenia will be confined to military alliances and various partnerships unless it gains economic independence and gradually starts to become a modern colony.⁴⁷ Currently, it seems impossible to refer to Armenia as an independent state, because it is either under the control of Russia or diaspora.

It can be asserted that the future and independency of Armenia depends on healthy relations it will establish with Turkey.⁴⁸ The first president of Armenia Levon Ter-Petrosyan said; “Unless the Armenians forget historical hostilities and normalize their relations with Turks, it will be impossible for them to gain independence from Russia”.⁴⁹

An intensive cooperation or an integration process between Turkey and Armenia would lead to a larger area to benefit from it. When we consider that the Caucasus is one of the most unstable regions in the world where almost every state has tense relations with each other, an integration process can help to save the region as a

47 Ahmet Akter, “Ermenistan Cumhuriyeti’nin Jeopolitik Analizi”, *Ermeni Araştırmaları*, No. 27-28, 2007, p.147.

48 Sedat Laçiner, “Ermenistan Dış Politikası ve Belirleyici Temel Faktörler 1991-2002”, *Ermeni Araştırmaları*, No. 5, Bahar 2002, p.221.

49 Sedat Laçiner, “Ermenistan-Türkiye İlişkilerinde Sınır Kapısı Sorunu ve İlişkilerde Ekonomik Boyut”, *Ermeni Araştırmaları*, No. 6, Yaz 2002, p.57.

whole. Turkish-Armenian cooperation will first of all facilitate economic and energy cooperation in the region. Economic and energy issues are so important that these two topics would be enough to bind the countries in the region together.

One of the most important subjects which create pressure on both countries is the psychological results of integration. Particularly for diaspora Armenians, an extremely intense process of victimization produces a heavy psychological burden. Reconciliation between Turks and Armenians would be very difficult without some degree of healing. Reconciliation involves real acceptance of each other; or in other words, it is a mutual process involving both victims and the perpetrators.⁵⁰ For healing, there is a need to forgive. When victims begin to be able to forgive, which may not even involve any contact with the perpetrator, there is a psychological relief; giving up of a burden.⁵¹

Although forgiveness is a mutual psychological relief for both sides, there are many groups who would derive benefit from the ongoing period of conflict, especially in the case of Armenians. It is not the Armenians nor the Turks, but the “foreign elements” or the “third parties” who transformed the tragic events of 1915 into a “problem without possibility of reconciliation or understanding” and aimed to use this conflict for their own interests. The states which caused World War I and destroyed the loyalty of the two nations today use the Armenians again by seemingly supporting their genocide claims.⁵² The French, British and Russians used this strategy before to divide the Ottoman territory into pieces. The French, while trying to apply the rules of colonialism in Cilicia, used the method of having Armenians and Turks to kill each other. The French ignored the massacre of Turks by the Armenians in Cilicia,⁵³ because it was planning to establish an Armenian state under their mandate.

When the Turkish and Armenian states come together to solve or forget their problems, without allowing any interference, the third parties would be unable to profit from the conflictual situation. Therefore, they would lose the opportunity of using and exploiting Armenia and Turkey to reach their political goals.

50 Ervin Staub, “Healing and Reconciliation” in *Confronting the Armenian Genocide. Looking Backward Moving Forward*, Richard G. Hovannisian (ed.), Transaction Publishers, New Brunswick and London, 2003, p.271.

51 Ervin Staub, “Healing and Reconciliation” in *Confronting the Armenian Genocide. Looking Backward Moving Forward*, Richard G. Hovannisian (ed.), Transaction Publishers, New Brunswick and London, 2003, p.273.

52 Şener Akyol, “Hukuk Açısından Türk/Ermeni Barışı” in *Çeşitli Yönlerden Türk-Ermeni İlişkileri*, Şafak Ural, Kazım Yetiş, Feridun Emecen (ed.), İstanbul Üniversitesi yayını, İstanbul, 2006, pp.297-298.

53 Selehattin Sert, *Fransızların Ermenileri Yok Etme Planı Kilikya 1918-1922*, Kum Saati Yayınları, İstanbul, 2005, p.113.

Which Types of Integration Methods Would Be Suitable?

Forcing someone to do something by rewards and penalties usually works for especially difficult processes. Balkan states today have to cooperate and integrate with each other in order to become EU members. In case of Armenia and Turkey, this method cannot bring success. As the economic and political levels of the two countries are very different from each other, it is not possible for them to become members at the same time. However - if the EU states really want the conflict to be over - the EU could provide financial assistance to both countries as carrots in return for better relations. As it is known, peaceful relations, cooperation and integration are values which are always promoted by the EU. Therefore, contributing to the normalization process of the two countries by a carrot, not by a stick, would be meaningful for the EU.

Functionalism would work best as a method of integration between two states. First of all, it is based on economic and technical cooperation, which are one of the easiest and one of the most difficult tasks to be jeopardized at the same time. Secondly, since functionalism does not involve a political dimension and is limited with technical parts, the beginning of the process will not be too problematic. As David Mitrany, the founding father of the functionalist theory asserted, when the amount of cooperation between the states increase, the possibility of conflicts and war will decrease and “a working peace system” will be created.

The difficult part of functionalist theory is to successfully determine the point to stop further integration. Functionalists defend that once the integration process in some areas start, an “invisible hand” will make them cooperate in more and more areas. However if states leave the control of the integration process to the invisible hand, it will probably move further with a “spill-over effect” towards federalism as the neo-functionalists put forward. The result will be neo-functionalism or federal functionalism where a political community is created which resembles the federalist supranational model.

Institutionalism can be conceived as another suitable integration model for Turkey and Armenia. The Institutionalist model can be used at the beginning process. Turkish and Armenian officials would decide to establish new common institutions which would lead the cooperation process. As sovereignty of the states will be preserved, there wouldn't be any nationalist reactions and resistance in terms of national autonomy. However, this constitutes the weak part of this method at the same time, which is the inefficiency of these newly built institutions. Since these institutions would not have enough power “above” the states, they may not be able to effect the decisions of the states.

Conclusions of Integration

If integration between Armenia and Turkey becomes successful, then what would be the conclusions?

Armenia would have borders with Turkey, which means Armenia would be able to better communicate with Europe. So, the first result of integration would be Armenia's chance to reach the European market if it successfully adapts free market economy to be able to compete in the global sense. Under existing circumstances, it is not possible for Armenia to increase its exports remarkably, due to lack of competitiveness. While Armenian goods do not have a chance to compete in the European or Turkish markets, Turkish goods would not be able to find enough consumers in Armenia because of the low level of purchasing power. The low population and low level of economy, which means a small and poor market, will not serve Turkish interests. Russia has a larger trading volume with Georgia – of which it went into war in the recent years – than its number one ally Armenia. In conclusion, neither Turkish nor Armenian businesses would have a big chance to make profits at the moment.

Secondly, as a result of cooperation and closer relations, Armenian people would have the peaceful sentiments of relief from the feelings of disturbance of hate, hostility and revenge. However, this can also be comprehended as a negative conclusion. If the hostile feelings disappear, the genocide issue would die out as with territorial and compensation demands. This outcome would work well for Turkey, as it would be freed from accusations and pressure. On the other hand, what makes an Armenian an Armenian today is their hopes for recognition of genocide and compensation. What happens if the only aim of living for an Armenian is destroyed? Armenians would fall into an identity crisis and would start asking again “who they are”, “what to live for” etc.

Thirdly, if Armenia and Turkey, and perhaps other countries in the region, establish a successful integration process, then they would constitute a powerful bloc against third parties. Before anything else, Armenia could speak up against Russian hegemony and become more independent. Therewith, it would not be that much easy for great powers to use and sometimes abuse the societies in the region for their national interests. They would not communicate with single states, but this time with a bigger bloc. Integration would not only make Armenia independent alone, but other countries in the whole region to be more powerful and confident, thus more independent from great powers. Integration would bring independency, stability, better economy, better relations with the neighbors and eventually peace. However, in order to achieve this power in the global arena, the countries in the integration process would have to sacrifice some of their sovereignties in favor of a big goal; becoming a larger single voice.

Global powers' approach to an integration process between Armenia and Turkey is important as well. While some of the big countries would like to see an integrated Caucasian region, others would prefer a divided region to rule them easily. Integrated Armenia and Turkey, and perhaps others in the region, would serve well to the American interests. Isolation of Russia would be vital to keep this big power "down". Being perceived as a "potential threat", Russia should be kept isolated, weak, and alone, according to American interests.

On the contrary, Russia would not like to see an integration initiative in the region. Though asymmetric, the only "ally" of Russia in the region is Armenia since all

Russia would not like to see an integration initiative in the region. Though asymmetric, the only "ally" of Russia in the region is Armenia since all the others were lost to the EU or NATO.

the others were lost to the EU or NATO. While Russia can easily dominate Armenia, and can currently frighten other states, it would not be able to control the whole bloc. Besides, a region in which the parties are hostile to each other would be preferable, because each party would be a potential trump to each other. And this would give more power to third parties. As a result of this possibility, Russia would not like to see peaceful relations among Caucasian states.

Obstacles for Integration

Turkey and Armenia are quite different in size and in political and economic culture. This makes integration of the two countries incompatible. If integration occurs among more countries, including for instance Georgia and Azerbaijan as well, then this disparity can be absorbed with fewer problems.

Since Armenia is a country which is extremely open to external pressures, third parties should also be included in the consideration. Armenia is under the control of diaspora and it cannot make any single act without Russian confirmation. Sometimes, it is put forward that the relations between Armenia and Turkey remain too much in the political context, without including any civilian element. However, Turkish hostility among diaspora is supported by Armenian businessmen to a great extent.⁵⁴ As discussed above, an integrated Caucasian region would not be in the interest of Russia. Likewise, Turkey has some restraints as well. It would not prefer to ignore or to offend Azerbaijan, although it has the power and ability to do that. It should be contended that if integration does not include confirmation of some

54 Sedat Laçiner, *Türkler ve Ermeniler. Bir Uluslararası İlişkiler Çalışması*, Genişletilmiş 2. Baskı, USAK Yayınları, Ankara, 2005, p.353.

third parties such as diaspora Armenians and Azerbaijan, the integration process can face problems.

The integration process of Armenia with the EU through Eastern Partnership may hamper its rapprochement with Turkey. Since the EU will be able to satisfy most of the needs of Armenia, it would not require Turkish friendship. The EU emerged as a significant alternative for Armenia due to the necessity to balance Russian power. However, it should be asserted that the relations eventuate to the degree that Russia permits.⁵⁵

It is almost impossible to get into an integration process with states which do not accept the territorial integrity of each other, what is more, which has territorial demands at the official level. Dissolving hostilities would be left to time in the integration process. However, there should be a minimum level of respect to initiate a process. Cooperating with an aggressive state would foster aggressiveness and destroy the platform of cooperation.⁵⁶

Moreover, as asserted above, it would be extremely difficult for Armenians to be integrated with Turkish society, of which Armenian existence in the psychological sense is completely dependent on Turkish hostility.

What is Common or Uncommon With the EU and the Turkish-Armenian Integration Project?

European countries made war with each other for many years in which all countries on the continent seriously suffered in economic, political, and psychological terms. The two main reasons of integration process have been to recover the collapsed economies altogether and to prevent making war again. The European integration process worked well in both obtaining economic recovery and making peace with each other.

When the relations of Turkey and Armenia are considered; they also had conflicts and killed each other's people. The tragedies caused a lot of people from both sides to suffer. Today, the possibility of war between the two states is not visible, so the main aim of integration will not be the prevention of war. However, the project will work to drop the on-going topics which create problems that are impossible to be solved. Mutual accusations and denials do not take the two countries anywhere and

55 Sedat Laçiner, *Türkler ve Ermeniler. Bir Uluslararası İlişkiler Çalışması*, Genişletilmiş 2. Baskı, USAK Yayınları, Ankara, 2005, pp.236, 237.

56 Sedat Laçiner, "Ermenistan-Türkiye İlişkilerinde Sınır Kapısı Sorunu ve İlişkilerde Ekonomik Boyut", *Ermeni Araştırmaları*, No. 6, Yaz 2002, p.63.

cannot even normalize their relations. Although the situation does not have similarities with the post war European countries, they need integration in order to establish normal relations.

In the economic sense, the situation does not resemble post war Europe. While Turkish economy is one of the biggest in the region, Armenian economy is the poorest. Integration of Turkey and Armenia will not have a common aim of economic recovery, because there is a huge asymmetry between the two economies.

Return to Realism

When we look at today's integration model of the EU, we see that it is being changed from neo-functionalism towards realism. The "constitution crisis" of the 2000s has been paramount to show the problems and deadlocks of the EU and its future integration tendency as well. It is extremely interesting that the major change in the reviewed constitution has been the removal of the common flag, common anthem and the taboo word "constitution" which evokes a "state". For some, the nature of the constitution has changed completely and became "EU Treaty" – later Lisbon Treaty – for others the change has remained cosmetic.

The discussions and conflicts around the constitution show us the basic problems. First of all, European people are not included in the integration process and secondly each member country wants a different type of Union due to their different needs. As a result, various members and various groups support different integration models. Some would like to continue political integration and favor a super-state, which they think will solve most of the problems in Europe; while some others believe that they do not receive enough from the EU, so they ask why lose from national sovereignty? While the EU was pursuing a neo-functionalist model of integration, realism started to be dominant. The solution that would make the two sides satisfied is a "multi-speed Europe". Before getting into the multi-speed Europe, it would be better to point out what caused realism to revive.

When we look at the legislation of a member state, we see that each year at least half of them are made not by the national parliaments, but by the EU. National parliaments and citizens lose power with every EU treaty, for they no longer have the final say in the policy areas concerned.⁵⁷ Here the problem is: the governors of the EU are not chosen by the governed. This means that 27 people who are governing half billion are irremovable as a group regardless of what it does.⁵⁸ In other words, nationally chosen ones are governing supranationally; which means

57 Anthony Coughlan, "Why the EU Cannot Go on Like This", *EU Observer*, 14.05.2007.

58 Anthony Coughlan, "Why the EU Cannot Go on Like This", *EU Observer*, 14.05.2007.

the democracy within the EU becomes problematic. Therefore, it is understandable for European people to be against further integration with the desire “to be governed by their own people”.

Referring to this problem, what the former German President Roman Herzog pointed out is pivotal:

*“People are ill-at-ease and increasingly reserved and skeptical about the EU, because they can no longer make sense of the integration process, because they can’t shake off the feeling of an ever stronger, increasingly inappropriate centralization of competencies, and because they cannot see who is responsible for which policies”.*⁵⁹

The study by Tallberg shows the problem of democracy from another aspect, pointing out the difference among the bigger and smaller member countries. According to Tallberg, “the presidency gets together with the large member states and settles the matter among them, and then they ask the other states if they are in or not”. Tallberg’s study report includes the comment of Luxembourg Prime Minister Jean-Claude Juncker as saying that “greater member states have a greater say. We never admit it, of course, but one has to acknowledge that geography and demography are playing a role”.⁶⁰

It is too hard for realists to accept the situation where the bigger states use more power than the smaller ones in the same partnership. As the preservation of national interests is paramount for each state, members will naturally evaluate their gains and losses. What Waltz argues is essential:

*“When faced with the possibility of cooperating for mutual gain, states that feel insecure must ask how the gain will be divided. They are compelled to ask not ‘will both of us gain?’ but ‘who will gain more?’ If an expected gain is to be divided, say, in the ration of two to one, one state may use its disproportionate gain to implement a policy intended to damage or destroy the other. Even the prospect of large absolute gains for both parties does not elicit their cooperation so long as each fears how the other will use its increased capabilities”.*⁶¹

The discussions during the transformation efforts of the constitution to a treaty, demonstrated the red lines, sensitivities, objections of the members, which proved

59 Roman Herzog and Lüder Gerken, “An Article on the EU Constitution”, *Welt am Sonntag*, 14.01.2007, <http://www.openeurope.org.uk/analysis/herzog.pdf>.

60 Teresa Küchler, “Big EU States Gaining Power Despite Enlargement”, *EUObserver*, 05.04.2007.

61 Kenneth N. Waltz, *Theory of International Politics*, Addison-Wesley, Reading, Mass, 1979, p.105.

us “interestingly” that some states give more importance to their national interests than the EU goals. Integrationists, by pointing out the “danger” of losing the Union’s common spirit, criticized the “rogue” states. What the “troublesome” states did was, in order to preserve their national interests, to resist sacrificing them.

Europhiles also tried to prevent member states from putting the new treaty to national referendum, which strongly challenges with Western type of democracy. As Peter Sain ley Berry noted, *“it is the dread ‘R’ word - ratification that is the cause of this denial of the obvious. Constitution equates to referendum; referendum equates to failure. Drop the word constitution and the problem is solved”*.⁶² For instance, the discussions in the UK on the referendum decision of the treaty are evaluated as “The British Treat”. The “treat” was the “impossibility of the British people to accept the treaty” and the decision for referendum would be “deflection from the goal”. As a result, since European integration is carried -or dictated- through the monopoly of the political elite, agitation from the citizens, who are becoming more and more distant from the EU, is rising.

It would be very appropriate to cite from Herzog again:

“Most people have a fundamentally positive attitude to European integration. But at the same time, they have an ever increasing feeling that something is going wrong, that an intransparent, complex, intricate mammoth institution has evolved, dissolved from the factual problems and national traditions grabbing ever greater competencies and areas of power; that the democratic control mechanisms are failing: in brief, that it cannot go on like this”.⁶³

Furthermore, the debate on the constitution/Lisbon Treaty put forth clearly that not all the members have the same needs and expectations within the EU. The cross talks on the new treaty reflected that the European integration is not among the national political goals, or at least it does not take part in the members’ foreign policy priorities. This fact brings us to the point that the EU needs a different model of integration, which is realistic, pragmatic and much more flexible.

From now on, the EU should -and probably will- choose the “multi-speed integration” model. In the official web site of the EU, it is explained as “the idea of a method of differentiated integration whereby common objectives are pursued by

62 Peter Sain ley Berry, “Behind the Muddled Language the Dread ‘R’ Word Looms”, *EU Observer*, 23.07.2007, <http://euobserver.com/18/24345>.

63 Roman Herzog and Lüder Gerken, “An Article on the EU Constitution”, *Welt am Sonntag*, 14.01.2007, <http://www.openeurope.org.uk/analysis/herzog.pdf>.

a group of Member States both able and willing to advance, it being implied that the others will follow later”.⁶⁴ “Enhanced cooperation” or “variable-geometry Europe” or “core Europe” are similar terms used to describe the idea of differentiated and separated integration method. Such a model will on the one hand give the member states opportunity to make choices through their national interests; while on the other hand, will eliminate the veto “threat”, thereby prevent blockings, deadlocks, crises, and the fear of disintegration.

It must be noted that multi-speed Europe is not a problem-free method. A report dated 1995 and prepared by the Centre for Economic Policy Research demonstrates the risks of this model. As every member state would belong to different spheres, it would be difficult to see their rights and duties in the EU. While monitoring and transparency would be hard to achieve, there might also be a tendency to treat participation in each sphere of integration in isolation. Besides, construction of links between spheres would be difficult.⁶⁵ In fact, the report studies the flexible integration models mostly from an economic aspect. Perhaps, we should clarify that it is impossible to bring 27 states together and to satisfy the national interests of all without harming any member’s interests. As a result, models such as multi-speed, variable geometry, Europe à la carte are only better than the United States of Europe model or the status quo where almost everybody is uneasy. It should be pointed out that flexible integration models are lesser of two evils.

We can even anticipate that we will not wait for a long time to conceptualize “supranationality” as a “political anachronism”.

We claim that the future integration of the EU will pursue multi-speed method, because the cross talks on the EU Treaty contained concessions. In fact, it was the first time the Maastricht Treaty of 1992 included opt-outs, which were for Denmark.⁶⁶ Although still a draft paper, it is planned for the new EU Treaty to allow the members to stay outside the integration areas such as social security, judicial affairs, defense and foreign policy. Although the multi-speed integration method de facto exists, it is too soon to speak out about it.

While choosing integration models with different speeds and levels have some benefits for the members and the EU as well; it also has some drawbacks. The first and the foremost point is vanishing of dreams such as “United States of Europe”,

64 EU official web site, http://europa.eu/scadplus/glossary/multispeed_europe_en.htm.

65 *Flexible Integration Towards a More Effective and Democratic Europe*, Monitoring European Integration 6, Centre for Economic Policy Research, London, 1995, pp.51-58.

66 For a brief information about the Danish opt-outs see. Michael J. Baun, *An Imperfect Union The Maastricht Treaty and the New Politics of European Integration*, Westview Press, Oxford, 1996, pp.115-120.

“Federal Europe”, or “the European super-state”. Therefore, the possibility of the EU acting as one voice in the international realm dies away. Besides, since there is a strong reaction towards Brussels, which is thought to be the dictating one for a long period of time, in the forthcoming years we can expect a shift of power from supranational institutions to the national bodies. If we go a step further, we can even anticipate that we will not wait for a long time to conceptualize “supranationality” as a “political anachronism”.

Since the circumstances that gave birth to an integration process in Europe do not exist anymore, it is time to return to realism and review the integration methods.

When Turkish-Armenian integration process is considered, it can be asserted that it is not vital for neither Turkey nor Armenia to get into an integration process like the post-war European countries had.

The most important point is revealing the “cost of non-integration” for both countries.

In the “real” world, the most important point is revealing the “cost of non-integration” for both countries. What are the carrots and sticks for each country? Who will win what and how much? Perhaps, it is quite a difficulty that although both Turkey and Armenia have sticks for each other, they do not have “dependable” and lasting carrots. The probability of not keeping promises or changing the decisions, as with the governments, would not be counted as a carrot. A future Armenian government could bring on the issue of genocide again by breaking the previous government’s promises, while a future Turkish government could close the border again. However, once integration starts, keeping the *pacta sunt servanda* would be much easier, because it would be too risky to discard the integration process.

Conclusion

Kenneth Waltz contends that;

*“Insofar as a realm is formally organized, its units are free to specialize, to pursue their own interests without concern for developing the means of maintaining their identity and preserving their security in the presence of others. They are free to specialize because they have no reason to fear the increased interdependence that goes with specialization”.*⁶⁷

Then why do the EU member states still try to abstain from further integration?

67 Kenneth N. Waltz, *Theory of International Politics*, Random House, New York, 1979, p.104.

This is because, in anarchy, there is no higher body or sovereign that protects states from one another.⁶⁸

Robert Powell argues that there are three issues at the centre of the neo-realist – neo-liberal debate which are the meaning and implications of anarchy, the problem of absolute and relative gains, and the tension between cooperation and distribution.⁶⁹ When we apply these three points of discussion to European integration, it becomes obvious that the current lack of enthusiasm appeared as a result of their evaluations. In other words, people started to think about the position of the EU in a hegemonic or anarchic world system, necessity of the EU, their benefits from the EU, cost of being a member, distribution of power within the EU, distribution of power in the international realm, cost of cooperation etc.

Idealism, which was inspired by the desire to avoid recreating the conditions that had led to a war that nobody wanted, seems death.⁷⁰ Realism claims that anarchy is the defining characteristic of the international system. This causes states to make security their number one concern and to seek to increase power as against other values.⁷¹ Realists assert that states are motivated primarily by their national interests, which may be economic, ethnic or territorial.⁷² For realists, power politics is no historical accident, but, as Morgenthau called it, a “human fact” and a “logical necessity”.⁷³ When we look at the EU, we see that member states are after their own national interests, national power and national security, even daring to by-pass the Union most of the time. Since the anarchical realist system is a self-help one, in which no one relies on anybody, then the EU – as an institution – becomes meaningless.

As Waltz points out, “the greater the power of the centre, the stronger the incentive for states to engage in a struggle to control it”. He claims, “the prospect of world government would be an invitation to prepare for world civil war”.⁷⁴ The EU, before a war, or before disintegration, is going to choose the multi-speed method of integration.

68 John J. Mearsheimer, “Back to the Future: Instability in Europe After the Cold War”, *International Security*, 15(4), Summer 1990, p.12.

69 Robert Powell, “Anarchy in International Relations Theory: The Neorealist-Neoliberal Debate”, *International Organisation*, 48(2) Spring 1994, p.329.

70 Stefano Guzzini, *Realism in International Relations and International Political Economy The Continuing Story of a Death Foretold*, Routledge, London and New York, 1998, p.19.

71 Richard Ned Lebow, “The Long Peace, the end of the Cold War, and the Failure of Realism”, *International Organisation*, 48(2) Spring 1994, p.250.

72 Robert G. Gilpin, “No One Loves a Political Realist” in Benjamin Frankel (ed.) *Realism: Restatements and Renewal*, Frank Cass, London, 1996, p.26.

73 Stefano Guzzini, *Realism in International Relations and International Political Economy The Continuing Story of a Death Foretold*, Routledge, London and New York, 1998, p.19.

74 Kenneth N. Waltz, *Theory of International Politics*, Random House, New York, 1979, p.112.

As Axelrod and Keohane contends;

*“Achieving cooperation is difficult in world politics. There is no common government to enforce rules, and by the standards of domestic society, international institutions are weak. Cheating and deception are endemic; yet cooperation is attained. World politics is not a homogenous state of war: cooperation varies among issues and over time”.*⁷⁵

Their argument fits appropriately to the European integration project. However, the conditions have changed dramatically. Today, people started to question the necessity of such a “deep” and “unequal” cooperation.

What lies behind the crises within the EU is about its *raison d'être*. The European integration project started in the post war period to serve as a “rescuer for the states which were on the verge of disappearance”, because European states were in a serious political, military and economic decline. However, there are no major current dangers left for the member states like economic threat (just after World War II), German threat, Soviet threat, American threat, Russian threat etc; thus further integration becomes insignificant. According to Riker, if the idea of federation emanated from military and commercial reasons, then due to the end of the Soviet threat, the military element disappeared. If federal Europe is still a dream, for Riker the only reason is trade and economy.⁷⁶ Thus, once more we come to the point that the EU should not need to be a political union. As Morgenthau and Gilpin insist, defending the national interests is the highest priority for a state. Consequently, for most of the people, the EU is not worth enough to make sacrifices especially in vital issues such as national sovereignty.

Robert Gilpin assumes a test of loyalty and self-sacrifice. While people continue to give their utmost loyalty to the nation state and are willing to die for it, very few individuals have made an equivalent sacrifice for the European Community. Thus, he says, the state still holds a virtual monopoly over human loyalty.⁷⁷ Although one of the fundamental goals of the European integration project was to kill nationalisms; it only managed to contain destructive nationalisms, but could not suppress national ambitions.

While the situation of the EU does not look very promising, so is similar for the

75 Robert Axelrod and Robert O. Keohane, “Achieving Cooperation under Anarchy: Strategies and Institutions” in David A. Baldwin (ed.), *Neorealism and Neoliberalism The Contemporary Debate*, Columbia University Press, New York, 1993, p.85.

76 William H. Riker, “European Federalism: The Lessons of Past Experience” in Joachim Jens Hesse and Vincent Wright (eds.) *Federalizing Europe? The Costs, Benefits, and Preconditions of Federal Political Systems*, Oxford University Press, New York, 1996.

77 Robert G. Gilpin, “No One Loves a Political Realist” in Benjamin Frankel (ed.) *Realism: Restatements and Renewal*, Frank Cass, London, 1996, p.26.

Turkish-Armenian integration prospect. It should be noted that opening of borders will not serve equally for the two countries' interests. While Armenia will gain a lot when the borders are opened, Turkey will not be able to gain anything. However, if the two countries dive into a process of integration, and if it works well, then both will acquire some benefits.

The idea of Turkish-Armenian integration looks like a utopia. What makes the issue almost a “dream” is the Armenian approach towards rapprochement with Turkey. According to the Armenian point of view, it is better for them to maintain the existing tension rather than to normalize relations. This is because they believe that they would be able to force Turkey to recognize the events as genocide, then agree to pay compensation and furthermore, accept to give some of its territory to Armenia. Feeling more secure with money and slightly larger territory, according to this view, Armenia will be freer than Russian hegemony.

In conclusion, although it seems extremely difficult- almost utopist to see Armenia and Turkey willing to get into a process of integration, it is not unthinkable as it will be beneficial to both sides. The problem is that Turkey will never recognize genocide and it is also far from ignoring Azerbaijani troubles, while Armenia will not stop making propaganda on genocide stories. Although Armenia can think about dropping the subject, it will not be able to do it due to the pressure of the powerful diaspora and perhaps other states as well.

Today, Armenia rejects Turkish call for dialogue. However, there is a need for dialogue to start the integration process. There is a risk that tension and break up can appear any time they start a dialogue. Therefore, a very big step should be taken to start a quick and deep integration process without pronouncing any sensitive words at the beginning. If achievements of integration are more than the achievements of “abnormal relations”, then the only solution would be to start with giant steps, rather than the traditional baby steps.

There is a risk that tension and break up can appear any time they start a dialogue. Therefore, a very big step should be taken to start a quick and deep integration process without pronouncing any sensitive words at the beginning.

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A BOOKLET REGARDING THE ARMENIAN QUESTION IN HUNGARY

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Abstract: *The activities of Armenians in Hungary against Turks had triggered the activities by the Turcophile Hungarians and Hungarian intellectuals against such activities. One of those Hungarian intellectuals is Dr. Attila Von Orbók. Orbók has exposed the real face of the Armenian issue and the role of England and Russia in the Armenian riots to the Hungarian people and Statesmen in his booklet. Orbók had published and distributed this booklet assuming its costs in Budapest, 1916. Thus, the booklet, published by Orbók, had changed the point of view of Hungarian people to the Armenian issue.*

Key Word: *Dr. Attila Von Orbók, Armenian Question, Turk, Hungarian, Budapest.*

I - Introduction

Since the 18th century, the Armenians have been among the major communities that had the grip on trade in Hungary.¹ In 1898, around thirty thousand Armenians existed in the Transylvania region of Hungary. However, all of these Armenians had become Hungarianized by losing their ethnic and religious identities.² The Minister of Finance and Commerce serving within the Hungarian Government were of Armenian origin.³ In relation to the “Armenian Question”,

1 Ferenc Eckhart, *Macaristan Tarihi*, Trans. İbrahim Kafesoğlu, Türk Tarih Kurumu Basımevi, Ankara 1949, p. 157.

2 After Hungary gaining independence in 1867, Hungarian nationalism had increased in the country and the idea of making everything Hungarian had developed. In 1868, learning Hungarian in schools had become mandatory. Some communities of the nations living in Hungary which possesses a population of 17 million have become Hungarian to only be appealed. From 1881 until 1896, 14.090 individuals have obtained Hungarian names. (Prime Ministry of Ottoman Archives, HR. SYS (Foreign Minister’s Political Division Record), File: 166, No. 2).

3 It is the translation of the official letter numbered 17, sent on 10 February 1898 by the Prime Ministry. (Prime Ministry of Ottoman Archives, HR. SYS, File 166, No. 2; István Lázár, *Transilvania A Short History*, Edited by: Andrew L. Simon, English translation by: Thomas J. De Kornfeld, Published in 1997 by Corvina Books Ltd. p.133)

the Armenians living in Hungary have carried out several unsuccessful attempts against the Turks.⁴ But, these anti-Turkish activities of the Armenians have set Hungarian Turcophile comrades into motion.

Just as in previous years, Hungarian statesmen have also refrained from harming Turkish-Hungarian friendship when the Armenian events had arisen. The Hungarians' Turkish-friendly policy has sometimes reached such an extent that some Hungarian deputies within the Hungarian National Assembly have defended the rights of Turkey by acting "more Turkish than Turks".⁵ The Hungarian press has also evaluated the news concerning the Armenian question objectively and has headlined the actual persons responsible for these uprisings. It could be seen that during this period, all Hungarian newspapers had condemned the savage murders committed by Armenian anarchists on Ottoman territories and had openly accused the English Government for inspiring these events.⁶

II – The Purpose for Writing the Booklet

One of the Hungarians taking action against anti-Turkish activities conducted in Hungary regarding the Armenian question has been Dr. Atilla Von Orbók. In 1916 in the capital city of Hungary Budapest, Orbók has written the booklet entitled "The Truth on the Armenian Riot Based on Original Official Information Obtained by the Ottoman Government Concerning the Riot of the Armenians against the State" "(Az Igazság Az Ármények Forradalmi Mozgalmáról, A Császári Ottomán Kormányának Az Örmények Államellenes Mozgalmáról Beszerzett Eredeti Hivatalos Adatai Nyomán)".⁷

Orbók has written this booklet in order to explain the truth regarding the Armenian question and the "seditions" of England and Russia to the Hungarian public who were unaware of the Armenian riots in Turkey. He has written this by making use of the albums sent to the Turkish Embassy in Budapest along with the former Russian Consul General serving in Erzurum and Van, General Mayevsky's⁸ book

4 For the activities of Armenians in Hungary against the Turks see: Yücel Namal, *Macaristan ve Ermeni Meselesi (1878-1920)*, Truva Yayınları, 1st edition, İstanbul 2010, p. 44-48)

5 Yücel Namal, *Türk-Macar İlişkileri*, İskenderiye Yayınevi, 1st Edition, İstanbul 2009, p. 152.

6 Yücel Namal, *Macaristan...*, p. 66.

7 Dr. Atilla Orbók, *Az Igazság Az Ármények Forradalmi Mozgalmáról, A Császári Ottomán Kormányának Az Örmények Államellenes Mozgalmáról Beszerzett Eredeti Hivatalos Adatai Nyomán*, Budapest 1916, Renyi Karoly Kitapevi and Yayınevi, Budapest, IV, Vigado-Utca 1; Prime Ministry of Ottoman Archives, HR. SYS, File. 2883, no.21, lef. 7.

8 General Mayevsky is the Russian general who has been the Consul General at the end of the 1800's and beginning of 1900's in Rize, Van and Bitlis. His military reports entailing his observations of Turkey have been organized into a book at the beginning of the 1900's by the Russian General Staff and have been distributed to military troop. The Turkish General Staff has obtained Mayevsky's reports and has done the Ottoman translation of the book in 1914. With the title of "*Van-Bitlis Vilayetleri Askeri İstatistiği*", it has been published (İstanbul Matbaa'yı Askeriye-Süleymaniye 1330-1914) and has distributed the limited number of books to Ottoman troops. (Bayram Bayraktar, 20. Yüzyıl Dönemecinde Rus General Mayevsky'nin Türkiye Gözlemleri, İnkılâp Yayınları, İstanbul 2007, p. 5.)

written for the Russian General Staff entitled “The Statistics of Van and its Dependent Provinces” (Van ve Tebaayi Vilayetlerin İstatistiği) and which openly displays the goal and aspirations of the Armenians.⁹ In 1916, Orbók has published this booklet with his own financial means and has distributed it to Hungarian statesmen, journalists and the public free of charge. The Ottoman Government has shown gratitude to Orbók for his booklet which he had written to enlighten neutral Catholic public opinion on the relations of the Ottoman Government and the Turkish people with Armenians and their behaviors towards them and also to serve Turkish-Hungarian friendship.¹⁰

In a letter sent to the Ottoman Foreign Ministry on July 1st 1916, Orbók has explained his purpose for writing this booklet as follows:¹¹

“I, a sincere advocate of Turkish-Hungarian friendship, have regretfully witnessed that some oppositions in Austria-Hungary and Catholics in particular, without knowing the real truth of the situation, foster some unpleasant ideas regarding the behavior of the Turkish Government and Turkish nation towards Armenians. Even more, I have received the news that one of our political parties would give a motion of censure in the Assembly due to the Ottoman Government’s supposedly unpleasant policy towards the Armenians. I regard this situation with regret since it will not only impede Turkish-Hungarian friendship, but will also constitute a threat towards the bond of brotherhood existent between the two relative nations which I mostly attempted to display the truth about in my article I published in order to fully safeguard the interests of my nation since the Balkan war. Therefore, I find it an imperative mission to eliminate these unpleasant ideas which have arisen and explaining to Hungarian general opinion (public opinion) the approach adopted by the Turkish Government and Turkish nation towards the riots carried out by Armenians. Based on the book sent to me by the Ottoman Foreign Ministry, I have published a booklet regarding this issue and have sent it to members of the Assembly, statesmen, municipalities, various institutions and all publishing houses and newspapers. And I have distributed it to the entire community. My purpose for publishing this booklet is to present the truth. At the same time, all newspapers, through their detailed articles, have established that the viewpoint of the Ottoman Government is accurate. Likewise, it is known today by everyone that the Ottoman Government has not acted for religious purposes, but has taken action against the riots which contradict the interests of the state...”

9 Prime Ministry of Ottoman Archives, HR. SYS, File 2883, No. 21, Attachment: 6, 8, 9.

10 Prime Ministry of Ottoman Archives, DH.EUM.2.ŞB (Dâhiliye Nezareti Emniyeti Umumiye 2nd Department), File. 26, No.13.

11 Prime Ministry of Ottoman Archives, HR. SYS, File 2883, No. 22, Attachment: 1.2.3.4.5.6.

III – The Presentation of the Booklet

The booklet entails the conditions of the Armenians under the control of Ottomans, the reasons for the Armenian riots, and the role of Great Powers within these riots. The booklet has been prepared based on Russian General Mayevsky's book "The Statistics of Van and its Dependent Provinces" (Van ve Tebaayi Vilayetlerin İstatistiği), which consists of the reports he wrote to the Russian General Staff, along with the sources present in the Turkish Embassy in Budapest regarding the Armenian riots.¹² The booklet has not been separated into sections. The author has observed the events as an outsider and with a Western and foreign viewpoint. The

The booklet mostly examines the Armenian riots and the influence of Great Powers within these riots.

author's objective approach within the light of these documents and its preparation based upon the official data increases its credibility. The booklet mostly examines the Armenian riots and the influence of Great Powers within these riots. The booklet is small with forty eight pages and has a paper cover. A copy of the booklet can be found in the Prime Ministry Ottoman Archives

Foreign Minister's Political Division Record (HR.SYS), File: 2883, No: 21, Lef. 7.

IV – The Situation of the Armenians and the Armenian Riots in Orbók's Booklet

In his booklet, Orbók has expressed that the Ottoman Government has displayed goodwill towards the Armenians and have provided them with privileges by trusting them. Moreover, he has added that the Armenians constitute the "elite" class of the Ottoman society and works in high-status positions in public services (Undersecretariat, Ministry).¹³ Under these conditions, the Armenians have easily preserved their own churches, built their own schools, and maintained their own language and traditions under Ottoman administration.¹⁴ However, the Armenians have failed in appreciating these privileges and favors and on the opposite, have

12 In his booklet, Orbók has made the following comment in relation to these sources: "*The Ottoman Government has published a photo album entitled "Aspirations et mouvements révolutionnaires arméniens" (Movements for Armenian Riots and Efforts), which have been sent to diplomatic representatives, the governments of allied and neutral states etc. This album independently approves the behavior of the Turkish Government and makes the accuracy of the information indisputable. Its enemies should also kneel in front of this document. Photographs of the Armenian riot being organized ever since are displayed in its pages and entails precious information relating to the notes of objective observers and authors of history*". (Orbók, p. 44.)

13 As an example, Orbók has mentioned Armenian Gabriel Noradungyan, the Foreign Minister of the Ottoman State in 1914 and Oksan Efendi as the leader of postal services. Orbók, p. 12; For extensive information on the Armenians serving in the Ottoman Empire see: Nejat Göyünç, *Osmanlı İdaresinde Ermeniler*, Gültepe Yayınları, İstanbul 1983; Mesrob K. Krikorian, *Armenians In The Service Of The Ottoman Empire 1860-1908*, Routledge & Kegan Paul, London 1977; Y. G. Çark(Rahip), *Türk Devleti Hizmetinde Ermeniler 1453-1953*, Yeni Matbaa, İstanbul 1953.

14 Orbók, *Ibid*, p. 12.

taken every opportunity to create disturbances within the state and to disrupt its peace with other states.¹⁵

Concerning the reason for the Armenian riots, Orbók has referred to the following information in Mayevsky's writing:

“By expressing that the reason for the Armenian riots in 1895 and 1896 is neither the poverty of those living in Armenian villages, nor the pressure to make them victims, Mayevsky has made the following comment in relation to the situation of the Armenians: “because, these Armenian villages were highly prosperous and were happy just as those in neighboring towns”.

The Armenian committees, regarding the goodwill of the Ottoman Government towards the Armenian riots more as a weakness, have accelerated their activities. All efforts of Armenian committees were directed towards creating an independent Armenia with the support of the UK, France, and the Russian Empire. In order to obtain this goal, they have not refrained from anything which would lead to the Ottoman Empire's decline and collapse. In 1908 following the declaration of the 2nd Constitution, when the Ottoman Government was struggling against difficulties of administration and policies that developed with the March 31st movement, Armenians took advantage of this situation by increasing their activities and on the same day started their riots¹⁶ which caused bloodshed in Adana.¹⁷

While the Ottoman Empire was trying to gain strength after being exhausted with the failures of the Balkan Wars, the Armenians expecting to fulfill their dreams and hoping to create an independent Armenia upon these ruins have attempted to lead the Ottoman Empire into collapse by utilizing all their powers.¹⁸ The Armenians, who have always gained the support of the Allied Powers, have strived towards assisting them with all their efforts and weapons, for the defeat of the Ottoman

15 As an example, Orbók has provided that when Turkey was in war with Russia in 1878 and the enemies had reached San Stefan, Patriarch Nerses Varjabedian had hastily met with supreme commander of the Russian army and Grand Duke Nikola and convinced him to add several articles in favor of the Armenians to the document referring to the former peace agreement and that when the Berlin Congress had convened, he had sent a separate delegation to make sure that these provisions mentioned in the Ayestefonos Agreement referring to the Treaty of Berlin. Moreover, he has mentioned that the Armenians want to convince Russia, who sees Turkey as an enemy, to defend them against Turkey by utilizing these methods. The Armenians who have from now on received encouragement and motivation from the Allied Powers or the representatives of Allies in the Empire, have created a private organization called the “Hinchaks” and hoped to draw Europe's attention this way. (Orbók, Ibid, p.13.)

16 Orbók, Ibid, p. 15

17 A day after the reactionary movement of 13 April 1909 to overthrow the Constitutional Monarchy, Armenians and Muslims start fighting each other in Adana and the last bloody event of the Armenian question starts this way. Upon the Armenians murdering two Muslim youngsters, the events erupt quickly and the Armenians and Muslims fight on the streets for three days. The second Adana incident develops eleven days after the first incident. It has started with some Armenian youngsters shooting the military headquarters at night. (Kámuran Gürün, *Ermeni Dosyası*, Remzi Kitabevi, 9th edition, İstanbul 2008, p. 250, 253, 252.)

18 Orbók, p. 16.

Empire and its allies.¹⁹ Before the Ottoman Government had decided on entering the First World War, the Armenian committees had already begun preparing and closely observing the tide of events. The activities carried out by Armenians during this period are the following:²⁰

- Forming Armenian gangs
- Spreading the riots
- Setting traps on the path used by the Turkish Army during their retreat and committing massacres

In the report No. 63 report that was sent to the Russian Consul Charikov in Bitlis on 24 December 1912, the following significant information was present concerning the Armenian Committee and particularly the activities of the Dashnak organizations:²¹

“The Dashnak Committee makes great effort and exerts their authority in order to gain Armenian public opinion for the benefit of Russia. The point in question is that the community acts with determination to provoke the conflict between Armenian and Muslim elements and therefore, to ensure Russia’s intervention and the occupation of the country with the aid of the Russian forces. Dashnak members use different equipment for this purpose. This way, they strive towards creating disagreements between the Muslim population and Armenians and planting seeds of fear and disintegration within the country. The Armenians in the city and village together with their religious leaders display endless sympathy towards Russia. The stance of Dashnaks and their commitment to Russia is the result of the instructions of the central committee in Istanbul”.

Notwithstanding, the Ottoman Government had knowledge of this information and was already aware of this intrigue carried out behind their back. Yet, until mid-April 1331 in Hegira (1915) when a riot broke out in Van, they still refrained from taking measures against Armenians based on this justification and also from the legitimate use of the weapon of revenge. A couple of months before this crisis erupted, Enver Pasha had warned the Armenian patriarch that if the Armenians carry out initiatives to provoke riots, since the country lacks sufficient gendarmerie and soldiers to ensure security, they will be forced, for the security and peace of the country, to eliminate all riots before they increase and will take all firm measures

19 Orbók, p. 18.

20 Orbók, p. 19.

21 Orbók, p.21-22.

for this purpose.²² Speaker of the Parliament has also warned Armenian deputies present in Armenian committees. Therefore, Armenian minorities have received the news from both churchmen and leading politicians that any kind of illegal action will create depressing consequences. However, despite all warnings, Armenians have not suspended their rebellious activities. A majority of Armenian youngsters being called upon under the Turkish flag to fulfill their military service have refrained from performing their duty and have joined the Russian Army. Therefore, they have stood by the enemy's side in order to fight against their own nation. These young Armenians were slaughtering Muslims living in the villages on the borderline. Under the influence of these events, Armenian minorities residing in different regions of the Empire have followed the chain of riots and have become courageous enough to provoke their cognates to rebel.²³

In his booklet, Orbók has provided many examples of the riots caused by Armenians. Several of these are the following:

At the end of 1914, Armenians have carried out an armed attack against the gendarmerie in *Muş* and *Kızan* and have cut off transportation and the telephone lines between Van and Bitlis. Armenian gangs comprised of army deserters and bandits have attacked the government office in Zeytun²⁴ and sought to slaughter the Muslim population regardless of women or children. Ottoman offices during their investigations in Kayseri (Cesarea) in Armenian-owned lands have found bombs, ammunition, weapons, confidential documents, codes to read the letters, instructions for rebellious gangs and many more significant evidences in cemeteries, schools and churches. It has been proven that the priest has been the leader of this unlawful and anti-government movement and the culprits have admitted that the bombs and weapons found were for the independence of Armenia. On 11 March 1915 at the Armenian monastery in Teke located at the upper part of the city of Zeytun, an Armenian gang has laid an ambush for the

A majority of Armenian youngsters being called upon under the Turkish flag to fulfill their military service have refrained from performing their duty and have joined the Russian Army.

22 Orbók, p. 30.

23 Orbók, p. 31.

24 The Zeytun (Süleymanlı) events, with a declaration of mobilization on 3 August 1914, Armenians of Zeytun appeal to officials to establish an "Armenian regiment" and when their request is rejected, Armenians rebel and start slaughtering. First, they have robbed and murder on 30 August 1914, 100 unarmed Andirins who had disbanded and returned to their villages. Then, they have killed some individuals from the Besenli Village, but around 60 of the gangs have been captured with their weapons. Around 800 Armenian gangs taking action again in February have cut off Maraş's telegraph lines and have attacked the military barracks and the government office. The gendarme commander and 25 gendarme soldiers have been martyred, while 34 of them have been injured. Moreover, many Muslims have been killed by Armenian gangs in various areas of Maraş. At the end of these events, 713 rifles, 12 shotguns, 12 mauser rifles, various bombs, 70 animals and 61 bandits including the Armenian priest and many documents belonging to the committee have been found. (Azmi Süslü, *Ermeniler ve 1915 Tehcir Olayı*, Yüzüncü Yıl Üniversitesi Rektörlüğü Yayın No: 5, Ankara 1990, p. 71-72.)

gendarmerie. The rebels have slaughtered the commander and the escort gendarmerie.²⁵

An Armenian uprising had arisen in March in the village of Timar of Van and had quickly spread to the towns of Gevaş and Çatak. This violent and imprudent uprising had devastated the city of Van and by setting fire to a large part of the city, the Armenians had slaughtered hundreds of civilians and soldiers. In the “Times” newspaper dated 8 October 1915, the following statement appeared regarding the riot: *“With the weapons they carry, Armenians have succeeded in occupying the city of Van again and numerous Ottoman Armenians and Armenian gangs administered by military officers coming from Russia and Iran (Persia) during the Battle of Sarikamish have attempted to enter Ottoman borders. On the flag of these irregulars was written the following: “Armenia is independent”, - “Armenians will be freed”.* After a short while, Russians and Armenians have captured the city of Van. The Muslim population remaining in the city has been brutally murdered by Armenians. Officials in Diyarbakır, Sivas, Suşehri, Merzifon and Amasya have captured thousands of army deserters one by one and have found a large number of bombs, ammunition, weapons, gendarme uniforms, military equipment, trumpet etc. on them. Not wanting to create disturbance in the country during these difficult times, the Ottoman Government has done what best suits them and has refrained from adopting a harsh approach.²⁶ Armenians have continued their rebellious activities within the field of operation of the Ottoman army. Moreover, Armenian rebels have all of a sudden attacked the city of Karahisar-ı Şarki²⁷ on June 1331 (1915) for no reason at all and have burnt one fourth of the Muslim population there. Eight hundred rebels have closed the city fortress and have not wanted to even hear the “paternal advice and kindly worded proposals” of Ottoman officials. Here, the Armenians have killed 150 people, including the gendarme commander. On the same date during the investigations of Ottoman officials, a large number of hidden bombs and weapons have been discovered in Izmit, Adapazarı and Bahçecik.²⁸

When the Russian navy had bombed Herakleia (Ereğli), it was determined that Armenians in Izmit and Adapazarı who had suddenly changed their stances towards Turks were acting in favor of the enemy and spying on them. Armenians have also organized the gangs in some towns and have attacked Muslims. The rebels in Bursa and the surrounding area have worked with great ambition. Armenian army deserters and partisans have created an uprising in Maraş. In the province of Ankara and Boğazlıyan, powerful Armenian gangs have slaughtered Muslims. Under these

25 Orbók, p. 32.

26 Orbók, p. 33.

27 Şebinkarahisar, a district of Giresun.

28 Orbók, p. 34.

circumstances, the Ottoman Government had decided on settling the Armenian population in safer regions. The Ottoman Government had deemed it necessary to ward off the Armenians from those regions in which the existence of the Armenian population was regarded as treacherous. They had to be relocated to regions which were not under foreign influence and in which their activities could be kept under control. In his booklet, Orbók has evaluated the riots created by Armenians on Ottoman territories in which they lived together peacefully:

“During the implementation of these measures, some have deplorably made many abuses against Armenians and victims based on brute force have taken place, but it was not possible to avoid these separate events no matter how depressing it was. A very deep and just anger had awakened among the Muslim population towards Armenians who were citizens of their own nation and who conducted riots and treasons, while they were to own a debt of gratitude to the country for being able to benefit from the blessing of legal equality”.

Moreover, they have attacked neighboring Muslim districts and many individuals have become the victims of the attack of the rebels.

The Armenians have set the gendarme regions on fire from their houses dominated the city of Urfa on 6 September 1331 (1915) and a fierce riot has developed with this signal. The Armenians have even occupied the buildings of foreign institutions and have displayed a strong resistance towards the armed officials of these offices. Moreover, they have attacked neighboring Muslim districts and many individuals have become the victims of the attack of the rebels. Eventually, a certain order was obtained in the city with the arrival of a military force with equal power and the rebels were dismissed from their refuges on October 3rd. In these clashes, twenty died and fifty injured among military and gendarme forces. The quick and effective intervention by the military authorities was successful in suppressing the uprising before it damaged the institutions of foreign, neutral, and hostile states. The charge d'affaires of neutral states did not even consider this as a problem. Furthermore, before the Armenian population was relocated, the Armenians had destroyed their homes in their own cities and had deliberately set them on fire.²⁹

V – The Armenian Question and Great Powers in Orbók’s Booklet

In his booklet, Orbók states that the Armenian riots, presented by Media of Allied and neutral powers as if a “religious” struggle is taking place on Ottoman

²⁹ Orbók, p. 35-36.

territories, carries a “political” aspect; the Armenian minority, constituting 1.5 million of the Ottoman Empire which has a total population of thirty million, has cooperated with the enemy upon the provocation of Russia and the Allied Powers and has risen in rebellion against its fatherland of four hundred years. Therefore, the Armenians have aimed at creating an independent Armenia by regaining their independence with the support of external powers.³⁰ The truth is that the Allied Powers have encouraged the Armenians to revolt by appropriately putting the deceiving vision of an “independent Armenia” inside their heads, while the only purpose was for the civil rebellions to leave the Ottoman army in a difficult position. Orbók has also expressed in his booklet that the role of Russia, which he described as the “rolling ruble”, has been significant in these riots.³¹ Moreover, Orbók has pointed out that the news and allegations of Western public opinion that Turkey is following a policy of annihilating the Armenian minority are lies entirely lacking any foundation.³²

The origin of the Armenian riots dates back to 1870 and the Armenian organizations of today have been established in those years through the financial and moral support of Russian foreign policy.³³ In order to take advantage of the religious struggle, Russia has utilized Turkish hostility existing among the Armenians in Turkey as a political instrument for many years.³⁴ The Armenians, who have been provoked by rebellious organizations in Russia, have created a bloody riot in 1892 in the region of Sason. Between 1893 and 1894, the riots have started again³⁵ and through priests possessing a Slav mentality, Armenians have appealed to Russia for external powers to intervene in the internal affairs of the Ottomans.³⁶ Russia, which has resolved the Macedonian question with blood and fire, has been successful in creating a new Macedonian question in Eastern Anatolia in the same way. The Dashnak Central Committee had reported in a confidential memorandum, dated March 5th 1913 – passed into the Ottoman Government’s possession-, that the separate branches were to be joined together, the French, English and Russian Governments had decided on dealing with the Armenian question until a permanent state of peace was established and that this committee had agreed with these states on the main principles concerning the establishment of a separate government and autonomous system in the Armenian regions³⁷. The

30 Reliable statistics do not exist on the number of Armenians in Turkey. According to the research of France, 1,150,000 Armenians live in the Turkish Empire. On the other hand, a Russian source states that this number is 2.5 million. German scholars nearly unanimously indicate that the number of Armenians has reached 1.5 million. One must calculate the most possible number lying between these two extreme amounts. (Orbók, p. 8)

31 Orbók, p. 39.

32 Orbók, p. 39.

33 Orbók, p. 8.

34 Orbók, p. 8.

35 Orbók, p. 9.

36 Orbók, p. 16.

37 Orbók, p. 17.

official statements of some statesmen are persuasive enough in displaying what kind of support the Allied powers provided Armenians and to what extent these powers encouraged them.³⁸ In this context, the statements and the correspondences are indisputable evidences. One of these evidences is the Russian Tsar's appeal to Armenians. A month before Turkey's intervention, the Tsar had presented an invitation to the Armenians in which he had called upon the Armenian citizens of the Ottoman Empire to join together in rebellion. Some sections of the Tsarist manifestation is quite interesting: "*Armenians, time has come to escape the domination of slavery and tyranny which has been hanging over you for five hundred years and which still causes victims. For all of you to benefit from freedom and rights under the Tsarist law, shed their blood!*" An individual named Ibrahim Turabyan has spoken on behalf of the committee which has recruited voluntary Armenians and the explanation provided in his response³⁹ regarding those being recruited, based on the documents mentioned above and the Armenian texts, is as follows:

"The Tsar of all Russians and the king of Armenia is pleased with the view of two hundred thousand Armenians holding bayonets; the army filled with the consciousness of this real obligation is expanding and makes an impression on our behalf. Armenians will never forget that France has defended their cases and will remember France with deep gratitude.⁴⁰ We believe that France will not only consider us as the pitiful victims of the general massacres of the past, but also as the warrior society who can die while struggling in the name of civilization. Proudful Armenia, which has been under the permanent enslavement of the barbarians after the persistent wars lasting for five hundred years and which identifies its pain with courage during threats and aspiration for freedom, responds to the Tsar's invitation and states the following: Your majesty, we are ready!"⁴¹

In his speech delivered in the inauguration of the Duma, Sazanov has announced that the Armenians will declare war against the Ottoman Empire by cooperating with the Russian army. On the other hand, during the discussions in the English Senate, Lord Cromer has stated that "the only purpose of this war is to rescue Armenia from Turkish domination". The English Government has also agreed with this statement and has confirmed it.⁴² In this period, the following idea has been dominant among Armenians:

38 Orbók, p. 19.

39 See the issue dated 22 November 1914 of the newspaper "*La Tribune*" of Geneva, the French translation of the reply has been published. (Orbók, p. 20)

40 Orbók, p. 20.

41 Orbók, p. 21.

42 Orbók, p. 21.

*“All Armenians living dispersedly in the world must now put all their efforts in supporting the success of Allied Powers. The allies of Germany are doomed to be destroyed; time has come to be born again. For this to be to our advantage, Armenians must strive”.*⁴³

The Allied Powers have taken advantage of every opportunity to convince the Armenians to rebel and therefore, to constrain the Turkish army within the country.⁴⁴ In his booklet, Orbók has stated that especially when he has examined the Armenian riots, he has discovered that Russia and the UK have been the ones provoking the Armenian community in Turkey to rebel and have been the

In his speech delivered in the inauguration of the Duma, Sazanov has announced that the Armenians will declare war against the Ottoman Empire by cooperating with the Russian army.

organizers of the Armenian riots. In order to prove his assertion, Orbók has presented the work published in 1916 in a military press house in St. Petersburg, belonging to its editor Russian General Mayevsky, who was the Russian Consul in Van and later on Erzurum. Orbók has made the following comment on this piece:

“According to what he has personally said and what the book provides evidence for, while he was Turkey’s guest and was taking advantage of

the right of privacy belonging to foreign members of diplomacy, he had acted as a spy for the benefit of Russia. He had participated in the organization of Armenian riots and was in contact with rebellious committees. The title of the book which has been published in a limited number is: The Statistics of the Provinces of Van and Bitlis.⁴⁵ This book, which constitutes historical evidence while disregarding the accuracy of the Turks’ thesis, has been prepared on behalf of the military statistics of Van and Bitlis and the Russian general staff. Its author was the Russian Consul General for six years in Van and then Erzurum. A large portion of the book entails geographical descriptions, natural conditions, means of transportation, description of fortresses and in short, everything related to a successful piece of work a chief of general staff could produce. Although it is as excellent as it could be, a special part of the book has been devoted to the descriptions of the two nation, has dealt with the relations of the different nations with each other and in particular, has been concerned with the situation of the Armenians and Kurds. While proving that the riots were organized with the help of Russia and the encouragement of the UK when mentioning the Armenians, he was convicting them. Since the Russian

43 Orbók, p. 26.

44 Orbók, p. 29.

45 Orbók, p. 41.

General's book was prepared only for the Russian general staff, it is not possible for it to be biased. He has obtained the information and findings by totally acting freely with a clear consciousness at the scene, has spoken with sympathy which is seldom seen and has brought the intrigue of Armenians towards Turkey into the open".⁴⁶ By indicating that the reason for the Armenian riots in 1895 and 1896 was not the poverty of those living in Armenian villages, nor the pressure to make them victims, Mayevsky has made the following comment concerning the situation of the Armenians: "because, these Armenian villages were highly prosperous and were happy just as those in neighboring towns".⁴⁷

VI – Conclusion

Orbók's booklet entitled "The Truth on the Armenian Riot", has had significant influence on Hungarian and Western public opinion in changing the unfavorable atmosphere towards Turks regarding the Armenian question. Following the publication of this booklet, the atmosphere of Turkish-Hungarian friendship in Hungary has increased further. While writing this booklet, Orbók's use of documents and albums sent to the Turkish Embassy in Budapest, along with the report written for the Russian general staff by former Russian Consul General, General Mayevsky, has made it possible for him to view the subject objectively and to explain the truth as it is. Orbók has clearly put forth that the Armenian question is not a religious struggle, but has emerged as a political issue. Moreover, he has indicated that during the emergence of this political issue, the UK and Russia has provoked the Armenians to rebel.

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⁴⁶ Orbók, p. 43.

⁴⁷ Orbók, p. 43.

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ANNEXES

1: The cover of Orbók's booklet entitled "*The Truth on the Armenian Riot*". (Dr. Attila Von Orbók, *Az Igazság Az Ármények Forradalmi Mozgalmáról, A Császári Ottomán Kormányának Az Örmények Államellenes Mozgalmáról Beszerzett Eredeti Hivatalos Adatai Nyomán*, Budapest 1916, Rényi Karoly Könyvkereskedése És Kiadóvalla, Budapest, IV, Vigadó-Utca 1.)



2: The page which indicates Orbók's purpose for writing the booklet. (Orbók, page 6)

ماچار افکار صوبه سی نور باره کی ارضیون حرکاتدن تمامه بی خبر بولونچور
بعضی قلوبک محافل، حکومت عثمانیه نیک ارضیه عقیده اتحاد ابدی بی تدبیرک
سوانقندن معلوماتدار اولدق قلمدن بو خصوصه مراقبه بولونچور لر . بونک
ایچون یلدیلمکینه فارسی برص فریبیت پرورده ایدن ماچار و تورک ملندی
آره سنه هیچ بر فضی سبب مستند اولدی سوی تفهیم حاصل اولماسی ایچون
ماچار تاتنه اولدی بور سال نیک تشبیه لزوم کورولدی
دوقور اور بوی آتبالا

3: The telegraph belonging to the Tbilisi Armenian national bureau, this telegraph entails the receipt of the amount of 47061 rubles for the riot. (Orbók, p.17)



BOOK REVIEW

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THE GENOCIDE OF TRUTH CONTINUES, BUT FACTS TELL THE REAL STORY

(GERÇEĞİN SOYKIRIMI DEVAM EDİYOR, AMA OLAYLAR GERÇEK HİKAYEYİ ANLATIYOR)

Author: Şükrü Server AYA

İstanbul, Derin Publications, 2010, 533 Pages.

Şükrü Server Aya's latest book entitled "The Genocide of Truth Continues, But Facts Tell the Real Story" has been published in 2010 by Derin Publications. Composed of 533 pages, this book entails numerous documents, maps and pictures related to the issue.

In our opinion, the specialty of the book is that it discusses the Armenian Question by addressing some unfamiliar events and publications and puts forth the inaccuracy of some beliefs and issues established within the public opinion of especially Western countries. We will continue our article by shortly discussing some chapters of Aya's book we find particularly interesting.

Şükrü Servar Aya has started his first chapter of the book with a book review. Aya, examining Hratch Dasnabedian's book "History of the Armenian Revolutionary Federation Dashnaktsutium 1890-1924", has conveyed an elaborate review of the book to his readers by using the maps and some of the documents in it.

The Pastermadjian Brothers is mentioned in the second chapter of the book. First of all, Aya has explained the activities of Garekin Pastermadjian who had cooperated with foreign powers against the Ottomans and was one of the coordinators of the raid executed on the Ottoman Bank in 1896. While explaining the countries Garekin has travelled to after the raid and the activities he has conducted abroad, Aya has indicated that Garekin has returned to the

Empire in 1908 and 1912 and has been elected deputy to the National Assembly from Erzurum. Actually, these points indicated by Aya are very significant. An individual returning and being elected as deputy of Erzurum after escaping abroad following leading the raid on the Ottoman Bank clearly displays the political weakness of the administrators of that period.

On the other hand, Aya has also referred to Garekin Pastermadjian's brother Vahan Pastermadjian on which there is very few information. Aya, points out that Vahan had graduated from Harbiye Military College in 1914, had fought against the Russians in the Ottoman army and was wounded in the leg during a battle, which explains that Vahan Pastermadjian is rarely mentioned by the Armenians.

In the third chapter, the author makes a comparison of several documents. The first document he addresses is the "Near East Relief Report" No. 192, approved by the US Joint Congressional/Senate Committee on April 22nd 1922. The second document is the "Memorandum" signed by A. Aharonian and Boghos Nubar, presented to the Paris Conference as the official demand of the Armenian Republic at the end of World War I.

The fourth chapter deals with the relations between the Armenian Revolutionary Federation (ARF) and the Committee of Union and Progress (CUP). Within this framework, the chapter entails an interview conducted with Dikran Kaligian in the Armenian Weekly journal. Aya describes the relations between the ARF and the CUP by providing examples. However, he indicates that these relations have ended with the elections in 1912 and underlines as the breaking point of these relations the following:

"The lack of progress in land reform and improved conditions for Armenians, and the ascendancy of reactionary elements within and without the CUP, had brought ARF-CUP cooperation almost to the breaking point".

The fifth chapter concentrates on the innocent Turkish Armenians in armed revolt. The author provides two articles which were published in the New York Times newspaper in 1918 and 1920. Evaluating these articles, Aya has reached the following conclusion:

"These experts from the newspaper should firmly prove that Armenians were no "innocent people who have been moved out of their houses for extermination", but they had regular large armies involved in many battles against their own home country the Ottoman Empire, where that had

become the upper class but were misled by Imperial Forces into promises of freedom and large lands, to fight and serve their major plan of carving up the Ottoman Empire and share it piece by piece”.

The sixth chapter deals with the Report of the public meeting to express sympathy for the Armenian cause held at the Central Hall in Westminster on June 19, 1919. Some speeches were delivered by very reputable names, such as Ex-PM Viscount Gladstone. One of Gladstone’s statements in this report clearly displays how the Armenians were taken advantage of and that the promises made to them were not fulfilled. Gladstone expresses the following:

“We owe a great deal to Armenia, not so much for what Armenians have done for us, but for what we have not done for them which we ought to have done”.

One can clearly understand that the promises made to the Armenians have not been fulfilled. However, despite all these, instead of the great states which have regarded them as instruments and have utilized them to their own advantage, the Armenians have accused and continue to accuse the Ottomans who have approached them with tolerance, have guaranteed their rights and have given high-status positions within bureaucracy.

The seventh chapter examines the U.S. Senate Resolution, “Report of the Near East Relief, 31 Dec. 1921”. The report is dated 22.04.1922, but evaluates the 1921 year-end status. It was signed by James Bartoni as chairman. The author draws attention to some of the points mentioned in the report. Some of these points are significant.

The report states that;

-300.000 Armenians returned to Cilicia after British-French occupation, but that they evacuated the region in late 1921.

-500.000 people have emigrated from Anatolia to the Caucasus region

-As the end of 1921, 200.000 to 300.000 refugees are alive in Syria and it’s envired and is in need of housing.

Throughout the report, there is not a word of Turkish atrocities or refusal of cooperation or attacks on relief goods protected by famished soldiers or Turks. The figures given in the report clearly shows how the numbers of Armenians losing their lives during their relocation have been played with for propaganda purposes.

The eighth chapter briefly explains the independent Republic of Armenia in 1918-1920 and provides some data on the Armenian army and population in that period, whereas the ninth chapter deals with the Report of Captain Emory H. Niles and Arthur Sutherland "On trip of investigation through Eastern Turkish Vilayets", which has not been referred to frequently within the research of the Armenian Question. In the report, Niles and Sutherland states that the damage in the region of Van has been made by Armenians and that Armenian groups have murdered Muslim civilians, especially after the Russian army retreated in 1917.

The tenth chapter addresses General James G. Harbord's "Report of the American Military Mission to Armenia". The main reason for General Harbord being appointed by Wilson was to examine the issue of the "Mandate for Armenia". However, the history, the present situation of the Armenian people and the political situation and suggestions for measures have also been researched by Harbord. Aya has referred to some crucial points mentioned in the report and through his own interpretations, has attempted for new viewpoints to be taken into consideration by researchers.

The eleventh chapter is consecrated to an evaluation of the Armenian losses experienced during the First World War, which have always been brought to the agenda with great distortions by Armenians. Impartial research on the Ottoman Armenian population before and after 1915 shows that the number of Armenian losses asserted as 1.5 million is 1/3rd of this number at the most. Moreover, it is necessary to indicate that this number does not represent those who have been murdered, but stands for the Armenians who have died due to different reasons. The issue of Armenian losses is distorted, brought forth the most by Armenians, and has been displayed by the author with examples of documents and reports published in foreign countries.

While expressing in the twelfth chapter that genocide fanfare is nothing but a hunt for cash, Aya has also indicated that it is quite depressing to see that most of the world public opinion still fails to notice this. The thirteenth chapter focuses on a book review again. This book, written by Samuel A. Weems and published in 2002, is entitled "Secrets of a Christian Terrorist State Armenia".

In section 14/1 of this book, Aya has drawn attention to the book and articles written by Armenian historians. He states that forged documents is continued to be used by scholars and provides as examples the books entitled the Blue Book, The Wellington House, and The Great Game of Genocide. Moreover, by presenting quite a number of forged photographs created through photomontage for propaganda purposes, Aya displays how people are tried to be manipulated. On the other hand, in chapter 14/2, the Holocaust Museum is mentioned and the

Armenians within the Nazi army. On the other hand, the thousands of Jews whose lives have been saved with the assistance of Turkey during the 2nd World War are dealt with. Relating to this issue, Aya draws attention to three points:

-The Museum was totally unaware of the Armenian Legion in the Nazi army stationed in Holland and their probable role in sending Jews to death camps. The 'devoted' historians apparently were not aware that there were 22.000 Armenian Legion soldiers (4.800 of them SS) in the Nazi army under command of General (Butcher) Dro Drastamat Kanajian, who had fought against Turks, then, escaped to Europe and later became Hitler's counsel because he knew Russians and their tactics.

-The fanatically 'dedicated historians' of the museum did not investigate which Jews in Europe escaped under daring conditions with the guidance of Turkish diplomats. Was such a large operation of Turkish diplomats, involving as many as 15.000 Jews sent in special train caravans via Turkey to Palestine not known or was it overlooked?

-The parody of these distortions, is that the Museum declared 'Armenians as victims of an unproven genocide' when (partly) 22.000 of them were certainly involved in the death of thousands of Holocaust victims.

Chapter fifteen once again addresses a book review. The book entitled "Ambassador Morgenthau's Story" has been reviewed in detail and attention has been drawn to the reality distorted for propaganda purposes. Chapter sixteen briefly puts forth that the US was not neutral on the issue of the Armenian Question and that the Americans supported Armenians. Furthermore, it also focuses on the discussions taking place during the Paris Peace Conference. While chapter seventeen also often refers to "Ambassador Morgenthau's Story", it deals with the Annual Report of the American Board of Commissioners for Foreign Mission's dated September 24, 1916.

The role of great powers within the Armenian Question is a subject matter which has been addressed and examined from various angles by many scholars and academicians. The influence of countries such as the US, Russia and England on the Armenian Question is worthy of separately being a thesis subject. Within this framework, in chapters 18 and 19, Aya attempts to convey the British Great War and its role in the Armenian Question, based on a book review. This book, written by Akaby Nassinian and published in 1984 in London, is entitled "Britain and the Armenian Question, 1915-1923".

The twentieth chapter again focuses on a book review and responds to the

Armenian genocide allegations. Gaston Gaillard's book entitled "The Turks and Europe" deals with Turkish-Armenian relations during the First World War. Gaillard not only expresses that the conditions of Armenians living in Turkey is no worse than the conditions of Armenians living in other countries, but also indicates that Armenians exaggerate their population. Chapter 21 conveys some points of Edward J. Erickson's book entitled "The Armenians and Ottoman Military Policy, 1915". Predominantly, the book is about the condition of the Ottoman army and the Armenian threat.

Şükrü Server Aya concludes his book with the examination of Robert F. Zeidner's book entitled "The Tricolor Over The Taurus". This book elaborates the French occupation of Cilicia, vicinity, and the incidents during the period 1918-1922.

In conclusion, Şükrü Server Aya's book brings into light events and documents not known quite well, puts forth some biases and therefore, acts as a valuable source for those wanting to research the Armenian Question.

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