

# FACTS AND COMMENTS

(OLAYLAR VE YORUMLAR)

**Ömer Engin LÜTEM**

(R) Ambassador

Honorary President of the Center for Eurasian Studies (AVİM)

oelutem@avim.org.tr

**Abstract:** *This article will first evaluate Armenian President Serzh Sargsyan's two recent speeches at the 6th Pan-Armenian Armenia-Diaspora Conference and at the UN General Assembly. Secondly, the article will analyze Armenia's search for a new strategy towards the recognition of Armenia's 1915 allegations and developments in the Armenia-Diaspora relations. Thirdly, a recent court decision by the European Court of Human Rights will be examined, in which the court found the Armenian Catholicosate of Cilicia's (located in Antelias, Lebanon) appeal for the return of properties in Turkey to be inadmissible. Fourthly, the article will look at the tense condition of Turkey-Germany relations, which is reflected in Germany's support to Armenian allegations through a series of meetings, the most recent of those being WATS. Lastly, this article will evaluate Namibia's and two Namibian tribes' claims for recognition and compensation from Germany for the crimes (asserted to constitute genocide) that Germany committed at the beginning of the 20th century in Namibia's lands.*

**Keywords:** *Serzh Sargsyan, 6th Pan-Armenian Armenia-Diaspora Conference, Armenian Catholicosate of Cilicia, European Court of Human Rights, WATS, Namibia, Germany*

**Öz:** *Bu çalışmada ilk olarak Ermenistan Devlet Başkanı Serj Sarkisyan'ın Altıncı Tüm Ermeniler Ermenistan-Diaspora Konferansı ve daha sonra BM Genel Kurulu'nda yaptığı konuşmalar değerlendirilecektir. İkinci olarak Ermenistan'ın 1915 olaylarına dair iddialarının tanınması yönünde yeni strateji arayışı ve Ermenistan-Diaspora ilişkilerinde yaşanan gelişmeler incelenecektir. Üçüncü olarak (Antelias, Lübnan'da bulunan) Kilikya Ermeni Katolikosluğu'nun Türkiye'den talepleri ve bu taleplerle ilgili olarak AİHM'in aldığı kabul olunamaz kararından söz edilecektir. Dördüncü olarak Türkiye-Almanya ilişkilerinin gergin seyrine değinilecektir, ki bu gerginliğin yansıması Almanya'nın Ermeni iddialarına verdiği destek çerçevesinde yakın zamanda düzenlenen WATS*

*toplantısında görülebilmektedir. Son olarak bu çalışmada Namibya hükümeti ile iki Namibyalı kabilenin Almanya'ya yönelik ülkenin 20'inci yüzyılın başlarında Namibya'nın topraklarında işlediği suçlarla ilgili olarak (bu suçların soykırım teşkil ettiği ifade edilmektedir) tanıma ve tazminat talepleri incelenecektir.*

**Anahtar Kelimeler:** Serj Sarkisyan, Tüm Ermeniler Ermenistan-Diaspora Altıncı Konferansı, Ermeni Kilikya Katolikosluğu, Avrupa İnsan Hakları Mahkemesi, WATS, Namibya, Almanya

## Turkey-Armenia Relations

President Serzh Sargsyan touched upon the Turkey-Armenia relations in his long speech during the Sixth Pan-Armenian Armenia-Diaspora Conference on 18 September 2017.

Sargsyan stated that Turkey has refused to implement the 2009 Zurich Protocols, thus showing the world once again that its government is not concerned with regional peace. He explained that he removed the protocols off the National Assembly's agenda in 2015 and that he voiced this situation in the United Nations General Assembly.<sup>1</sup>

The Protocols are no longer a current problem. President Sargsyan's current handling of the subject is due to him being previously highly criticized by the Diaspora because of the Protocols. While the scale of the criticism has surely dwindled, criticism nevertheless continues. In the Sixth Pan-Armenian Armenia-Diaspora Conference, it was seen that Sargsyan tried to take precautions in the face of the possibility that the Diaspora representatives might have discussed the Protocols.

Regarding Turkey, Sargsyan also referred to the genocide issue. He stated that Turkey's continuing "denial" of the "Armenian Genocide" is a clear disrespect to the values of modern civilization, which is why, Sargsyan stated, that the international society and the Diaspora should accept a new strategy on this issue. Additionally, Sargsyan stated that many of the world's leading countries recognize and condemn the "genocide" and that the Armenians living in these countries can announce their victories and that cooperation can be made for "a new agenda" to be established in these countries.<sup>2</sup>

In recent years, several developments have sufficiently shown that the Armenians' policy of having their genocide claims widely accepted has not been successful. These developments are as follows:

- 1) The International Court of Justice's decision that a claimed act of genocide must be proven without leaving any room for doubt (the 2007 Bosnia-Herzegovina trial), and the European Court of Human Rights' decision on the *Perinçek v. Switzerland* case that there is no consensus

1 "President attends 6th Pan-Armenian Armenia-Diaspora Conference," *Official Website of the President of the Republic of Armenia*, September 18, 2017, <http://www.president.am/en/press-release/item/2017/09/18/President-Serzh-Sargsyan-took-part-in-Armenia-Diaspora-Conference/>

2 "President attends 6th Pan-Armenian Armenia-Diaspora Conference."

among historians that the 1915 events were a genocide and that the Holocaust and the claims of Armenian genocide are different from each other.

- 2) The observed increase in foreign historians who do not consider the 1915 events as a genocide.
- 3) The less than expected number of state parliaments that have accepted the genocide claims on the centenary of the Armenian relocation (2015).

*In short, Armenia's policy of getting Turkey to accept the genocide claims with the help of other countries has been unsuccessful. The best indication of this are the statements by President Sargsyan on the subject of determining "a new strategy" and "a new agenda".*

Some of these countries' governments made statements afterwards softening their parliament's previous decisions. Furthermore, Armenians will not be satisfied with these countries simply acknowledging the genocide claims. They expect them to support Armenians in making Turkey accept these claims (as in, putting pressure on Turkey). However, no country has made such an attempt regarding this subject.

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President Sargsyan regarding what we referred to above on the subject of determining "a new strategy" and "a new agenda".

Turkey's desired acceptance of the genocide claims has importance for the Armenians in two ways. Firstly, under the formula of attaining justice, Armenian communities around world have been exposed to a kind of brainwashing for a hundred years now by Armenian churches, political parties, associations. This brainwashing involves teaching Armenians to feel negative and destructive feelings such as racist hatred towards Turkey and Turks. A second reason is an issue that has occurred relatively recently, in which there is a necessity to form a basis to demand reparations and perhaps land from Turkey. This would be provided in the most perfect way if Turkey accepts the genocide claims. However, this is not possible, as Turkey has no intention of accepting such claims.

The aspect we want to address lastly is that it is the diaspora Armenians who are expected to determine a new strategy and agenda. What Armenia should do on this subject is not mentioned in any way. The Diaspora playing the main

role regarding the genocide issue is a formula created during Ter-Petrosian's presidency in Armenia (1991-1998). In this way, Armenia, which was already experiencing major problems during that period, did not want a new burden and did not want to harm its good relations with Turkey. Ter-Petrosian left his presidential post 20 years ago and his ideas no longer hold much currency in the Armenian world. Regarding the claims of genocide, the Diaspora continues to be more active than Armenia.

Since it is not possible for Turkey to recognize the genocide claims, the determining of a new strategy and agenda will not change the situation. Regarding the subject, by means of assigning the task to the Diaspora, Sargsyan might have aimed to keep Armenia and himself as far away as possible from probable criticism and arguments that might occur in the future.

President Sargsyan also referred to the subject of the Protocols during his speech in the United Nations General Assembly on 19 September 2017.<sup>3</sup> He stated that Armenia does not put forward recognizing "the genocide" as a precondition for the normalization of the bilateral relations with Turkey and that, as a result of Armenia's initiative, the Zurich Protocols were signed between the two countries in 2009. He stated, however, that these documents were not confirmed and claimed that Turkey put forward illogical preconditions regarding this subject (as it can be remembered, Turkey linked the approval of the Protocols to positive developments on the Nagorno-Karabakh issue). Continuing his speech, Sargsyan stated that Turkey is mistaken if it thinks that it can hold these documents hostage and only approve them when it will be most convenient. According to Sargsyan, Armenia will declare the Protocols completely invalid because they have not brought any positive developments and that Armenia will enter Spring of 2018<sup>4</sup> without these protocols on its agenda. On the other hand, Sargsyan mentioned that the forming and sustaining of normal relations between the two countries is necessary for approaching the current problems.

Actually, the 2009 Protocols not being approved and thus not being implemented is a subject that has lost its relevance. Armenia, to counterbalance the criticism from the public opinion that it is acting

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3 "President partook in the session of the UN General Assembly," *Official Website of the President of the Republic of Armenia*, September 20, 2017, <http://www.president.am/en/press-release/item/2017/09/20/President-Serzh-Sargsyan-attended-UN-General-Assembly/>

4 It is understood that a reference is being made to the foundation of the Republic of Armenia on 28 May 1918.

imprudently and incompetently regarding this issue, removed the Protocols from the National Assembly's weekly agenda and then withdrew them from the Assembly in 2015, but did not state that it rejected these documents.

On the other hand, Turkey has followed the normal procedure and has sent the Protocols to the Grand National Assembly of Turkey's Foreign Affairs Commission. This process has been repeated after every general election. The Foreign Affairs Commission has not discussed these documents yet. As the Commission determines its own agenda, there is no procedure-related discrepancy.

It is understood from Sargsyan's words that he will "denounce" (discredit) the Protocols prior to the 100th year of the proclamation of the Republic of Armenia to win electoral points in his country's public opinion. Since Turkey is not resorting to such a method, Armenia will make itself look like (in the international scene) a country that does not value reconciliation.

It was not possible for President of Turkey Recep Tayyip Erdoğan to immediately respond to Sargsyan, since he spoke before Sargsyan in the United Nations General Assembly. In spite of this, in his speech, President Erdoğan referred to South Caucasus issues (even if it was very briefly), making important statements from our standpoint. The President stated that more effort must be made to solve the conflicts in Karabakh, Abkhazia, and South Ossetia and that such crises being neglected today will cause them to turn into regional and even global conflicts tomorrow.<sup>5</sup>

Concerning the settlement of the Nagorno-Karabakh issue, it is a known that Turkey takes Azerbaijan's side without reservations. Turkey also gives the same degree of importance for the settlement of the issues in Abkhazia and South Ossetia, which is an expression of its continuing stance of not approving Russia's Abkhazia and South Ossetia policies (similar to its stance regarding Russia's Crimea and Ukraine policies) despite the positive bilateral relations between the two countries.

If we are to get back to the subject of the Protocols, it is seen that these documents are attributed almost no importance in Turkish public opinion. This situation has even caught the attention of the Dashnaks, as the foreign relations specialist Giro Manoian stated in a speech that he did not believe that there would be a positive development regarding the Protocols, that this stems from

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5 "Erdogan Says More Efforts Needed to Settle Karabagh Conflict," *PanArmenian*, September 20, 2017.

Turkey having many internal and external problems, and that building its relations with Armenia is not among its agenda items.<sup>6</sup>

On the Armenian side, the Diaspora has always been against any form of agreement or reconciliation so long as Turkey does not accept the genocide allegations. It can be seen that Armenian public opinion, which generally does not have such a firm position, recently has been expressing stronger negative views. According to a public opinion survey made in 2015 by the Caucasus Research Resource Centers (CRRC), which is an American institution, about half of the people that responded said that the opening of the Turkey-Armenia border would “endanger Armenia’s national security”.<sup>7</sup> Additionally, 82% of them have stated that Turkey cannot be trusted. It is possible to characterize these reactions as social paranoia. However, it is difficult for the Armenian public to think otherwise in an environment where Turks and Turkey are constantly being defamed and denigrated.

Concerning the Protocols and its effects on Turkey-Armenia relations, the latest development of 2017 occurred when the Foreign Minister of Armenia Edward Nalbandian reiterated in 13 December President Sargsyan’s earlier statements that Armenia would declare the Protocols null and void due to a lack of progress. Nalbandian accused Turkey of coming up with “groundless preconditions”<sup>8</sup> regarding the ratification of the Protocols.

The Ministry of Foreign Affairs of Turkey immediately published a response to Nalbandian’s statement, stating that the claims made by Nalbandian “do not reflect the truth and aim at misleading the world public opinion.”<sup>9</sup> The Ministry’s statement underlined that the Turkish government continues to attach value to the Protocols and normalizing relations with Armenia:

“Turkey has pursued its efforts to normalize relations with Armenia on several levels since Armenia proclaimed its independence in 1991.

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6 “Giro Manoyan Says Armenian President’s Statement on Zurich Protocols Was Right,” *168.am*, September 20, 2017.

7 “Yerevan Signals Scrapping of Turkish-Armenian Accords,” *RFE/RL*, September 20, 2017.

8 “Armenia will enter the spring of 2018 without Armenian-Turkish Protocols – Nalbandian,” *Panorama.am*, December 13, 2017, <https://www.panorama.am/en/news/2017/12/13/Armenian-Turkish-Protocols-Nalbandian/1878427>

9 “No: 385, 14 December 2017, Press Release regarding the Claims of Mr. Edward Nalbandian, Minister of Foreign Affairs of Armenia,” *Ministry of Foreign Affairs of the Republic of Turkey*, December 14, 2017, [http://www.mfa.gov.tr/no\\_-385\\_-ermenistan-disisleri-bakani-edward-nalbantyanin-iddialari-hk\\_en.en.mfa](http://www.mfa.gov.tr/no_-385_-ermenistan-disisleri-bakani-edward-nalbantyanin-iddialari-hk_en.en.mfa)

In this context, the said Protocols, aiming to normalize relations between Turkey and Armenia are the result of the negotiations facilitated by Switzerland.

However, the Constitutional Court of Armenia, with its ruling on 12 January 2010 introduced additional preconditions and restrictive clauses that are against the letter and spirit of the Protocols.

... It is a well-known fact that the Armenian diaspora was against the signing of the Protocols from the onset and has been pressuring the Armenian Government not to ratify them.

...

Despite Armenia's negative stance on the Protocols, Turkey is committed to the primary clauses of the Protocols. These Protocols are still on the agenda of the Turkish Grand National Assembly's Foreign Affairs Commission and for their ratification, it is essential that a favorable political atmosphere and peace in the South Caucasus is secured."<sup>10</sup>

It did not take long for the Ministry of Foreign Affairs of Armenia to issue a response of its own.<sup>11</sup> In its statement, the Ministry accused Turkey of "distorting" the letter and spirit of the Protocols. The Ministry alleged that Turkey "intentionally" brought the ratification process to a halt and that Turkey "is not ready yet to normalize the Armenian-Turkish relations."

As such, in the context of Turkey-Armenia relations, the year 2017 ended with Turkey and Armenia directing accusations against each other. It should be pointed out, however, that Armenia possesses internal dynamics that present a significant impediment to a possible normalization with Turkey. Since it is not possible for Turkey to accept the historical claims (which form the basis of the impediments) put forth by Armenia and the Diaspora, there is not much that Turkey can do to remove the impediments generated by Armenia's internal dynamics.

### **The Armenia-Diaspora Conference**

The Pan-Armenian Armenia-Diaspora Conference (Armenia-Diaspora Pan-Armenian Forum) has been established for several reasons, including: 1) To

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10 ""No: 385, 14 December 2017..."

11 "Turkey not ready to normalize relations with Armenia: Yerevan," *PanArmenian.net*, December 16, 2017, <http://www.panarmenian.net/eng/news/250027/>

ensure that Armenia and the Diaspora maintain institutional contacts, 2) To create an opportunity for the leading Diaspora Armenians to closely familiarize themselves with Armenia, 3) To draw the attention of the Diaspora Armenians to Armenia's situation and especially its economic struggles, and trying to convince them to make as much as aid as possible, and 5) To decrease, as much as possible, the criticism made by a portion of diaspora Armenians regarding common illegal acts in Armenia such human rights transgressions and corruption. The sixth instance of the conference was organized in Yerevan in 18-20 September 2017.

In his long speech Sargsyan stated,<sup>12</sup> briefly, that the Diaspora youth are referring to themselves as being “multi-ethnic” and highlighted the importance of developing new programs to strengthen the national identities of these youngsters. With these words, the Armenian president referred to the most important issue facing the Diaspora, which is assimilation. The Armenians who have migrated to foreign countries are rapidly dissolving, especially in predominantly Christian societies. The number of Armenians in the Diaspora who speak Armenian and who are aware of Armenian mannerisms and customs is low. This “alienation” is negatively affecting their relations with Armenia.

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The discourse which has been continuing for years, claiming that the 1915 events were a genocide, that justice must be served for the Armenians, is the main reason the diaspora Armenians are interested in Armenia, which they perceive as the “base” or “motherland”. President Sargsyan must be aware of this, since in his speech he wanted the Diaspora representatives to preserve their identity and at the same time be good citizens of the countries they live in, and for them to refuse assimilation but to integrate to those countries as much as possible.

Another subject that President Sargsyan dwelled on was the decrease in Armenia's population, which Armenia describes as very worrying. Sargsyan stated that they are aiming for the population to reach four million in 2040. It

12 “President attends 6th Pan-Armenian Armenia-Diaspora Conference.”

will be difficult to reach this aim by simply increasing the birth rate. There must be migration to the country for the following 25 years to attain such a population goal. With his statements, Sargsyan indicated that a portion of the Armenian diaspora should settle in Armenia. However, it is not realistic to expect Armenians who are residing in countries that have better economic conditions than Armenia to settle in Armenia. This kind of a migration could only be possible if the country they reside in has conditions that are worse in comparison to Armenia. But finding such a country is difficult. There are speculations that even the approximately ten thousand Armenians who have migrated from Syria to Armenia are leaving Armenia after the situation in Aleppo has turned back to normal. In this situation, it seems that Armenia's decreasing population problem will continue to remain unsolvable. Because this situation will create a weaker Armenia in the following years, it is even probable that some political consequences will occur as a result of this.

In his speech, Sargsyan invited the diaspora Armenians to invest in Armenia. The first condition for investment is a belief that a profit can be made. Due to its economic struggles and its serious problems with Turkey and Azerbaijan, Armenia is still far from being a country attractive for investment.

In his speech, Sargsyan repeated his country's known policy regarding the Nagorno-Karabakh issue. Moreover, as we have explained in the "Turkey-Armenia Relations" section, he stated that they will disregard the 2009 protocols signed with Turkey.

As a result of the efforts put forth in the conference, a Final Declaration was approved on 20 September 2017.<sup>13</sup> We will briefly summarize this Declaration's chapter pertaining to Turkey and Karabakh.

It is mentioned that, for developing democracy in this region regarding the Karabakh issue and Karabakh's full integration to the international community, the Karabakh citizens should use their right to determine their own future. With these words, it is understood that, despite all efforts, the Karabakh administration (which has not been recognized by any country) will continue its efforts for recognition with the excuse of seeking integration with the international community.

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13 "6th Pan-Armenian Armenia-Diaspora conference concluded, final declaration adopted," *AraratNews.com*, September 21, 2017, <http://www.araratnews.am/6th-pan-armenian-armenia-diaspora-conference-concluded-final-declaration-adopted/?lang=en>

Additionally, it is stated that Armenia's, the Armenian administration in Karabakh's, and the Diaspora's problems of today and tomorrow can be solved with the joint efforts of the Armenian state, the Armenian church, and all the Armenian organizations and institutions. What is interesting about this is that a special place has been given to the Armenian church and the Armenian state. Nowadays, even if churches have power on a moral level, it is clear that this power is not a remedy for the solution of the problems Armenia is facing. On the other hand, it is a known aspect that, due to Catholicos Aram I's extreme behavior, an institution such as the Catholicosate of Cilicia only further stultifies the current problems, let alone solving them.

The Final Declaration mentions the genocide allegations, which the Armenian diaspora is most sensitive about and even equates itself with. According to this, the "Armenian Genocide" must be internationally recognized and condemned. Moreover, a unified and coordinated policy must be pursued to remedy its results. But there is no clarity on how this will be achieved. The only things mentioned are increasing awareness about the "genocide", maintaining historical memory, and placing importance on passing it onto new generations. This means that, as it has been until now, the breeding of animosity and hate speech towards Turkey and Turks and policies based on this will continue to be supported.

What does the Armenian public opinion think about this conference? According to a survey conducted by a journalist,<sup>14</sup> 7% of the interviewees said that the conference was influential, 36% said that they did not consider the conference especially influential, 40% said that it was an unnecessary conference, 17% said that they never heard of the conference. In short, it is understood that the conference did not create a significant influence in Armenia.

In the meantime, it is necessary that we briefly touch upon the fact that the Armenian diaspora is not a monolithic entity. The Diaspora members are differentiated based on the country they reside, and there are different attitudes even in amongst the Armenians of the same country. The reason for this situation is that, no matter how much effort is made, the assimilation phenomenon is increasingly becoming stronger, and an important part of the Diaspora is slowly receding from Armenianness. The latest and striking example of this is the owner of a public relations firm in New York, Ronn Torossian, who made a contract with Turkey to handle some of the prosecution

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14 Ami Chichakyan, "Survey: The majority thinks that the Armenia-Diaspora Forum was another useless gathering," *Aravot*, October 2, 2017, <http://www.aravot-en.am/2017/10/02/200735/>

procedures attempted to be made towards President Erdoğan's bodyguards during his visit to Washington. Harut Sassounian, one of the well-known columnists of the Diaspora, has accused him of not being a real Armenian.<sup>15</sup> Torossian's response to this was that he has never felt like an Armenian.<sup>16</sup>

### **The Catholicosate of Cilicia's Real Estate Demand**

During the period of the Ottoman Empire, an Armenian Catholicosate was located in the city of Sis (modern-day Kozan/Adana). This institution continued to function throughout World War One. Afterwards, following the end of the French invasion in 1921, despite the French military officials having expressed an opposite view, the Catholicosate left Sis. After some time, this Catholicosate was re-established in the city of Antelias close to Beirut in Lebanon.

During the Cold War years, thinking that diaspora Armenians being devoted to the Catholicosate of Etchmiadzin in Armenia would entail certain risks, the US and its allies attributed importance to the Catholicosate of Cilicia. In this regard, they sought to have some of the Diaspora churches come under the administration of the Catholicosate of Cilicia. For such an endeavor, the US and its allies utilized the help of the Dashnak Party. In the end, under the influence of the Dashnaks, the Catholicosate of Cilicia became an institution that generally supports radical ideas, especially on issues concerning opposition towards Turkey. By contrast, the Catholicosate of Etchmiadzin, because it was under the Soviets' control via Armenia, has taken a more moderate stance towards Turkey.

Catholicos Aram I, who still heads the catholicosate in Antelias, is a person known for his staunch opposition towards Turkey. He expressed his attitude during the centenary events as well. When the tendency to demand reparations and some property from Turkey arose this year in Armenia under the formula of "abolishing the results of the genocide", Aram I quickly took action by demanding that the church and monastery buildings in Sis be given to the Catholicosate. Moreover, it is beneficial to state that Armenia has not officially demanded reparations or property from Turkey up until now.

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15 Harut Sassounian, "Ronn Torossian Hired to do PR For Turkey; Is He Really an Armenian?" *California Courier Online*, November 15, 2017.

16 Harut Sassounian, "Turkish PR Agent Ronn Torossian's Father and Grandparents Are Armenians," *California Courier Online*, November 23, 2017.

With this intent, a lawsuit the Catholicosate filed in the Turkish Constitutional Court on 25 April 2015. However, the Constitutional Court did not acknowledge the Catholicosate's claim, stating that internal remedies (domestic law channels) had not been exhausted. Under normal circumstances, the Catholicosate should have first filed its claims in lower instance Turkish courts. If the verdicts delivered in such courts is not found to be satisfactory, it is possible to appeal and then finally go to the Constitutional Court.

Right after the Turkish Constitutional Court turned down the case, Aram I pressed charges at the European Court of Human Rights (ECtHR) on 8 December 2016. It was observed from the statements made in this process that through this case, it was aimed to create negative publicity against Turkey.

In a speech he made on 19 October 2017, Aram I informed that the ECtHR had turned down the case. Actually, it can be concluded that this case was turned down at an earlier date -on March 2017, but the Catholicosate did not inform the public about this at that time.<sup>17</sup> Like the Turkish Constitutional Court, the ECtHR turned down the case because internal remedies had not been exhausted. Moreover, this decision by the ECtHR cannot

be appealed. Aram I has harshly criticized the ECtHR regarding this issue, questioned how a 900-page request could be turned down, and requested that the Court review its decision. However, this is not possible. The ECtHR has made a decision according to its own rules, a decision that cannot be appealed.

By the way, let us indicate that this decision was not related to the return of the church and other buildings, which was the basis of the Catholicosate's original claim. It was only related to the internal remedies as stipulated in Turkish legislation. Accordingly, if Aram I or his catholicosate apply to Turkish courts and pursue the use of domestic law channels, and then finally go to the Constitutional Court and get turned down, it will then be possible to apply to the European Court of Human Rights. However, this looks like a slim possibility. This is so because the main reason why the legal claim was initiated was not to receive the church and other buildings in Kozan, which

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<sup>17</sup> Harut Sassounian, "European Court Finds Catholicosate's Suit Inadmissible; And Could Not Be Appealed," *Asbarez*, October 26, 2017.

no longer has a significant Armenian community. The legal claim was clearly meant to exploit this subject so that the an anti-Turkey activity could be implemented. But this did not happen, as the full implementation of international law rules prevented such a perception operation from taking place.

Meanwhile, Aram I's defeat in the same European Court of Human Rights where Doğu Perinçek won a case already gives an idea about the legal acceptability of the Armenian claims reportedly planned to be made against Turkey.

### **The WATS Meeting in Germany**

The Workshop on Armenian Turkish Scholarship (WATS) meetings, which have been organized since 2000 with the partnership of Ronald Suny, Fatma Müge Göcek, Kevork Bardakjian, and Gerard Libaridian from the University of Michigan, are a series of meetings that have defined their aim as surpassing Armenian and Turkish nationalistic discourses on the 1915 events and creating a free academic discussion environment where Turkish and Armenian academics will be able to search for answers to the questions of “what and how”. The latest of these meetings was held in 14-17 September with the help of Lepsiushaus institute (among other organizers). This institute derives its name from a German individual named Johannes Lepsius, who wrote a book titled “Germany and Armenia” containing unsubstantiated material received from US Ambassador Morgenthau and the Armenian Patriarchate. It was later understood that the said book presented information and documents full of serious falsifications and distortions.

One of the striking points in the discussions about the aforementioned meeting, leaving aside its symbolic importance in the sense that it was coorganized by an institute named after someone like Lepsius, is that it took place during a period when a crisis had erupted in the Turkey-Germany relations after the German Federal Parliament's decision regarding the 1915 events. It is conspicuous that Germany, in the shadow of the conflicts between the two countries, has used a platform such as WATS (which has, in reality, contradictory aims to its officially stated ones), as a pressure tool against Turkey.

However, perhaps more importantly, while the meeting was presented as an academic platform, on the contrary, it turned into a meeting excluding academic discussions regarding the 1915 events and encouraging an anti-

Turkey political discourse. From this aspect, the WATS meetings are not really concerned with discussing the Turkish-Armenian controversy from a scientifically neutral perspective with the help of new academic findings and research. The said meetings have the characteristic of being a political platform where only one side's views are accepted and promoted beforehand against many other views regarding the Turkish-Armenian controversy.<sup>18</sup> The attendance and paper submissions of academics who had alternative views from the one-sided views the organizing individuals and institutions were trying to impose were turned down by unacademic excuses such as there being no room left for further attendance.

Since the meeting did not have an academic conference characteristic and the organizers did not have the motivation to act academically, after some time, this subject came up in the Turkish public opinion and started receiving reactions. After receiving the said reactions, Sabancı University, which initially had its official logo and name among the list of organizers in the published program of the meeting, stated that the university did not make any contribution to the meeting. One of the striking aspects of the meeting was that, after the meeting was organized, the North America Middle East Studies Association (MESA) accused Turkish officials and YÖK (the Council of Higher Education of Turkey) of pressuring academics who had informed that they would be attending the meeting. Even though these accusations turned out to be false, the WATS organizers were unable to respond to these cases with any explanations.<sup>19</sup> This process that invalidates the WATS meeting's claims of being academic and neutral has been a striking example of how the 1915 events are aimed to be used as a pressure tool in the Turkey-Germany relations.

*From this aspect, the WATS meetings are not really concerned with discussing the Turkish-Armenian controversy from a scientifically neutral perspective with the help of new academic findings and research. The said meetings have the characteristic of being a political platform where only one side's views are accepted and promoted beforehand against many other views regarding the Turkish-Armenian controversy.*

18 "WATS and the Triumph of the Political over the Scientific," *Center for Eurasian Studies (AVİM), Commentary No: 2017/64*, September 8, 2017, <http://avim.org.tr/en/Yorum/WATS-AND-THE-TRIUMPH-OF-THE-POLITICAL-OVER-THE-SCIENTIFIC>

19 "Further Questions on the Integrity of WATS Organizers," *Center for Eurasian Studies (AVİM), Commentary No: 2017/71*, September 22, 2017, <http://avim.org.tr/en/Yorum/FURTHER-QUESTIONS-ON-THE-INTEGRITY-OF-WATS-ORGANIZERS>

## Namibia's Demands of Genocide Recognition and Reparations from Germany

In the beginning of the 20th century, the Herero and Nama tribes living in lands that are now a part of Namibia had rebelled against the German colonial administration that was managing the said lands at that time. The German colony administration issued a systematic annihilation policy in order to suppress this rebellion. The annihilation policy implemented against the Herero and Nama tribes has been proven in a very concrete way and this historical fact has been pursued persistently by the Namibian people. However, Germany's systematic annihilation policy against the Herero and Nama tribes has remained an unknown and undiscussed subject in Germany and other countries until recently. Germany and other European countries, which have issued decisions from their parliaments and accepted laws regarding disputes about genocide, have remained strangely silent on the subject of what Germany has done in today's Namibia during the beginning of the 20th century. Recently, this situation has begun to change, and even if the reason for this change is not completely understood, the subject of Germany paying reparations to Namibia and apologizing is being frequently brought up now. As a result, the German government has initiated a series of negotiations with the Namibian government.

The latest round of the negotiations took place in Berlin during the end of September. In the context of the negotiations, the people of Namibia demand that Germany recognizes these events as a genocide, apologizes regarding these events, and pays reparations.<sup>20</sup> However, the German government has not made a statement regarding this subject to the German public opinion or to the international community, thus it is seen that Germany is trying to quietly finalize the negotiations. Regarding the meeting in September, it is interesting that, apart from one source in the German media,<sup>21</sup> almost no place was given to this news, and in the said single source, it was stated that the German government does not want to make any explanation to the public regarding this negotiation process. Despite the German government's displeasure, information about the meeting has been shared to with the public opinion by

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20 Mehmet Oğuzhan Tulun, "Germany and Genocide," *Center for Eurasian Studies (AVİM)*, Analysis No: 2017/3, <http://avim.org.tr/en/Analiz/GENOCIDE-AND-GERMANY>; Albertina Nakale, "Namibia: PM Allays Fears Over Genocide Negotiations," *AllAfrica.com*, September 25, 2017, <http://allafrica.com/stories/201709250212.html>

21 Christiane Habermatz, "Viel Druck im Kessel bei Verhandlungen mit Namibia," *Deutschlandfunk*, September 30, 2017, [http://www.deutschlandfunk.de/voelkermord-an-herero-und-nama-viel-druck-im-kessel-bei.1773.de.html?dram:article\\_id=397153](http://www.deutschlandfunk.de/voelkermord-an-herero-und-nama-viel-druck-im-kessel-bei.1773.de.html?dram:article_id=397153); Mehmet Oğuzhan Tulun, "Germany and Genocide - II," *Center for Eurasian Studies (AVİM)*, Analysis No: 2017/31, <http://avim.org.tr/en/Analiz/GENOCIDE-AND-GERMANY-II>

the Namibia Committee which was aiming to expose Germany's attitude.<sup>22</sup> According to this, it is stated that the amount of reparations claimed to be demanded from Germany is 400 billion Namibia dollars (meaning, about 25 billion euros or 30 billion US dollars). It is further stated that Germany is trying to quietly handle this subject of claims and demands mentioned in these negotiations by providing high amounts of aid<sup>23</sup> instead of paying reparations to Namibia. This is due to Germany's fear that the country's post-Holocaust "confrontation" policy may falter. Furthermore, it is helpful to state that until today, Germany has been the country that has provided the most development aid to Namibia with around 800 million dollars. So, Germany is trying to use these development aids as hush money to cover up recent disturbing accusations directed at it by Namibia. Again, in the framework of "fiscal and financial cooperation projects and programmes", the Namibian press has shared the information that an aid worth 133,5 million Euros will be made to Namibia by Germany.<sup>24</sup>

*This ethnic cleansing by Germany carried out in what is now Namibia and the questionable attitude exhibited during negotiation process regarding this subject, Germany's decision in its parliament to recognize the Armenian claims (which is a controversial subject), and its keen support to propaganda activities made against Turkey all have much importance in providing an example of how Germany politicizes the subject genocide allegations against Turkey.*

If we are to explain all this in legal terminology, Germany perceives these aids as a part of "reparative justice", thus they are still trying to pursue a policy that will not be legally binding.<sup>25</sup> Hence, until now, Germany has not given any response to a negotiation position document regarding recognition, apology, and reparation that the Namibia government had sent on July 2016.<sup>26</sup> It is understood that Germany does not intend to accept these events as genocide or pay genocide reparations as Namibia is demanding from it.

22 Erdem Güneş, "Berlin'in Soykırım Pişkinliği," *Aydınlık*, October 2, 2017, <https://www.aydinlik.com.tr/berlin-in-soykirim-piskinligi-dunya-ekim-2017-2> ; Tulun, "Germany and Genocide – II."

23 Ndanki Kahiurika, "Talks smooth but no agreement – Ngavirue," *The Namibian*, October 3, 2017, <https://www.namibian.com.na/59940/read/Talks-smooth-but-no-agreement-%E2%80%93-Ngavirue> ; Tulun, "Germany and Genocide – II."

24 Alvine Kapitako, "Germany avails N\$2 billion to Namibia," *New Era*, September 25, 2017, <https://www.newera.com.na/2017/09/25/germany-avails-n2-billion-to-namibia/> ; Tulun, "Germany and Genocide – II."

25 Daniel Pelz, "Is Germany responding to Namibia's genocide claims?" *Deutsche Welle*, November 14, 2017, <http://www.dw.com/en/is-germany-responding-to-namibias-genocide-claims/a-41383513>

26 Tulun, "Germany and Genocide – II."

At this point, it is useful to state that the approaches of the Namibian government and the Herero and Nama tribes are different from each other.<sup>27</sup> While the Namibia government is describing the dilemma with Germany in a diplomatic language by stating that the negotiations are not progressing, the Nama and Herero tribe representatives are stating that the Namibia government is not representing them fairly and that they may start a new reparation process towards Germany if they feel it necessary.

This ethnic cleansing by Germany carried out in what is now Namibia and the questionable attitude exhibited during negotiation process regarding this subject, Germany's decision in its parliament to recognize the Armenian claims (which is a controversial subject), and its keen support to propaganda activities made against Turkey all have much importance in providing an example of how Germany politicizes the subject genocide allegations against Turkey. While the German Federal Parliament finds no risk in making political decisions regarding the controversial 1915 events and Armenian claims, it was able to turn down the draft resolution presented to the Parliament in March 2016 foreseeing the recognition of the historically documented 1904-1908 events as a "Namibian Genocide".<sup>28</sup> We will continue to follow Germany's approach on this subject in the following period as well.

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27 Tulun, "Germany and Genocide – II."

28 Tulun, "Germany and Genocide."

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