

FACTS AND COMMENTS

(OLAYLAR VE YORUMLAR)

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Abstract: *This article deals with two subjects, the first, under the title “Turkey-Armenia relations” relates the indirect territorial demand on 5th of July, 2013 of Armenia from Turkey. The second subject concerns developments on genocide allegations during the last two years in twenty one countries and three international organizations.*

Keywords: *S. Sarkisian, E. Nalbantian, R.T. Erdoğan, A. Davutoğlu, H. Demoyan, A. Hovsepyan, Pan-Armenian Lawyers Forum, Germany, Australia, Austria, Belarus, Bulgaria, Czech Republic, Denmark, Armenia, Georgia, Great Britain, Spain, Israel, Sweden, Italy, Canada, Hungary, Portugal, Slovakia, Ukraine, Uruguay, European Union, OSCE, Council of Europe*

Öz: *Bu yazıda iki konu ele alınmaktadır. Birincisi, Türkiye-Ermenistan ilişkileri başlığı altında, Ermenistan’ın dolaylı bir şekilde 5 Temmuz 2013 tarihinde Türkiye’den toprak talep etmesidir. İkinci konu ise yaklaşık son iki yıl içinde soykırım iddiaları konusunda yirmi bir ülkede ve üç uluslararası kuruluşta meydana gelen gelişmelerdir.*

Anahtar Sözcükler: *S. Sarkisyan, E. Nalbantyan, R.T. Erdoğan, A. Davutoğlu, H. Demoyan, A. Hovsepyan, Tüm Ermeni Hukukçuları Forumu, Almanya, Avustralya, Avusturya, Beyaz Rusya, Bulgaristan, Çek Cumhuriyeti, Danimarka, Ermenistan, Gürcistan, İngiltere, İspanya, İsrail, İsveç, İtalya, Kanada, Macaristan, Portekiz, Slovakya, Ukrayna, Uruguay, Vatikan, Avrupa Birliği, Avrupa Güvenlik ve İşbirliği Teşkilatı, Avrupa Konseyi*

I. TURKISH-ARMENIAN RELATIONS

Turkish-Armenian relations have experienced a stable period for almost the past four years since signing of the protocols on 10 October 2009. This is mainly because the protocols have not been put into implementation.

The protocols, which have been decided on upon lengthy negotiations, foresee the establishment of normal relations between the two countries and within this framework, the opening of the borders and establishment of a framework for cooperation. However, since issues such as the genocide allegations,

acknowledgment of territorial integrity by each side and the issue of Karabakh have remained unsettled; disputes and tensions would continue even if the protocols were implemented. Therefore, with the intention of using the protocols as an instrument for the settlement of the disputes, Turkey wanted one of the existing problems -the Karabakh issue- to be settled or at least for a step to be taken towards its resolution in order for the protocols to start being implemented. But, Armenia has not accepted this.

On the other hand, the Armenian Constitutional Court adopted a resolution that prevented the genocide allegations from being discussed and that at least put forth reservations on the recognition of Turkey's territorial integrity. Moreover, with the support of the US and the EU, Armenia requested for the protocols to be ratified and implemented without being linked to any preconditions and in order to achieve this, with the purpose of putting pressure on Turkey, wanted the genocide allegations, which until then had never turned into an official claim, to be recognized and for its consequences to be eliminated. However, rather than the discussion of these issues which have no legal basis, Turkey insisted on progress being made on the Karabakh issue which is the most current issue among others and which can greatly contribute to the settlement of other issues, if it is resolved. Upon Armenia's rejection, a stable and at the same time a tense situation in relations between the two countries emerged. Armenia's demand for land from Turkey on July 5, 2013, even indirectly, has increased tensions further.

1.1. PAN-ARMENIAN FORUM of LAWYERS

Commemorating the 100th anniversary of the 1915 events with various ceremonies and activities is an issue that almost every Armenian is strongly interested in. Some of them, nearly superstitiously, consider 2015 as the year

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that Turkey would recognize the genocide, apologize for it, pay compensation, give the Armenian properties back; and moreover, would meet Armenia's demand of land; or that, at least a process satisfying this demand would begin this year.

Despite the Diaspora's and in lesser extent the Armenian public opinion's expectations about the activities foreseen for 2015; no significant preparation has been observed about the path to be followed, although it was discussed to a great extent.

Armenia took the role of the coordinator on these issues¹ and President Serj Sarkisyan issued a decree on April 23, 2011 on "the establishment of a State Commission for coordinating events dedicated to the 10th Anniversary of the Armenian Genocide".

The State Commission has gathered three times so far in 2011, 2012, and 2013 and reviewed the preparations. The crucial point is that practically no information has been given about what kind of ceremonies and activities would be done and there is no plan announced, although there is not much time till the anniversary. The reason of this is still vague. It could have been done with the intention of not alerting Turkey, or the delay for certain decisions about what would be done or lack of required financial support may have cause this.. The Secretary of State Commission Hayk Demoyan said that the commission should have been established earlier and complained about its slow performance². Moreover, President Sarkisyan said that 2015 was not the ultimate goal; that the main aim was to make Turkey recognize the genocide; that, therefore, these activities would continue after 2015³. It is understood that 2015 is seen as a final date for Turkey to recognize the genocide allegations but as the beginning of a process to that end. However, the important point in this issue is how and by which means a small country like Armenia and a dispersed Diaspora would make such a Turkey, a big and powerful country, recognize the genocide allegations. The answer to this question has become clear in "Pan-Armenian Forum of Lawyers" which was held in Yerevan on 5th July, 2013.

The Pan-Armenian Forum of Lawyers – in short, the Forum - is a kind of an NGO constituted by Armenian and Diaspora lawyers. It is not a member of the State Commission mentioned above. However, it is understood that the second meeting of the Forum would be useful for "the 100th Anniversary"

1 "RA President's decree on the establishment of a state commission for coordinating events dedicated to the 100th anniversary of the Armenian Genocide" May 27, 2011 <http://www.mindiaspora.am/en/News?id=1394>

2 "Plan For 100th Anniversary Appeal: Leader of Commission Says Unity Needed in Quest for Genocide Recognition" *Armenianow*. April 24, 2013.

3 Ömer Engin Lütem, "Facts and Comments", *Ermeni Araştırmaları*, No: 44, pp. 16-17.

and therefore, it is titled as “Through the 100th Anniversary of the Armenian Genocide”.

In his opening speech in the Forum, President Sarkisyan stated that legal issues related to Armenian Genocide was the focus of the Forum, that lawyers would provide theoretical and practical contributions for the recognition of Armenian Genocide in the international level, and that their efforts to attract the attention of other countries’ to the 100th Anniversary of the Armenian Genocide were commendable, and helpful to prevent the crime of genocide in rest of the world.

He also said, “International recognition, of the Armenian Genocide, its condemnation and elimination of the consequences will always be an imperative. As long as there exists Armenian state, all efforts to deny and send an oblivion this historical reality will be doomed to failure. The greatest crime against humanity must be recognized and condemned once and for all and first of all by Turkey itself.”

Recognition of Armenian Genocide allegations by other countries and the main international organizations is an issue on which all Armenian presidents and other authorities specifically put emphasis. However, until now, Armenia has not made a clear demand for that Turkey to recognize and condemn the 1915 events as genocide.. President Sarkisyan has increased the dose of his criticism towards Turkey after the protocols failed, and started to ask Turkey to recognize and condemn the genocide allegations. Besides, beyond recognition and condemnation of it, he insisted in “removal of the consequences of the genocide”. As it is understood, this expression shortly means giving Armenian properties back, paying compensations, and ceasing some land from Turkey to Armenia. However, as the land issue was not officially mentioned, this leads to a conviction that Armenian demands are only the recognition of the genocide, giving Armenian properties back, and paying compensation.

Armenian Attorney General Agvan Hovsepyan eliminated this conviction with a report⁴ that he introduced to the Forum of Lawyers. He, furthermore, indicated that it was required to pay tangible compensation to “the heirs of genocide victims” ” (to descendants of those who were forced to emigrate), to return the church buildings and lands to the Armenian Church, and added that “the Republic of Armenia shall get back its lost territories.”

4 This report is entitled as “A. Hovsepyan: Recognition of Armenian Genocide Shall Have A Perfect International Legal Provision” and the subtitle “RA Prosecutor General Aghvan Hovsepyan’s Report at the Second Pan-Armenian Conference of Lawyers ‘Ahead of the 100th Anniversary of Armenian Genocide”.

Before presenting a detailed analysis of the issue of land demand, we will summarize the main arguments of the Attorney General's report, which, it seems, will be the main document with regard to the Armenian demands from Turkey.

The report, besides expressing satisfaction that many countries have recognized and condemned the Armenian genocide allegations, states that the international community has not given a final solution to this issue. This stems from the geographical-political interests of mainly the big powers, and at times, the collision of these interests. Such is the situation today and it was a century ago. The issue of the recognition of the genocide allegations should be moved to the legal dimension. It is impossible to solve the issues of international recognition of the genocide allegations and Turkish-Armenian relations in general, without any legal proofs based on a scientific ground. In this context, the Armenian General Attorney has put forward some ideas that are nonsense and that cannot be proved, as if the Armenian genocide occurred between 1876 and 1923; thus, responsibility of that event is bore not only by the Ottoman Empire but also by contemporary Turkey, and its founder Kemal Atatürk's arms are painted with Armenian blood as well. According to the General Attorney, it is indisputable that Armenian genocide committed in Turkey is fundamentally proved.. Among the evidence, the according to the report, were the court martial trials that took place in 1919-1920. The report claims that the main responsible part for the Armenian Genocide is Turkey; however, it also has some accomplices, and the duty of Armenian Lawyers is to reveal them.

The report states that, it is necessary to conduct serious studies about the legal problems on eliminating the consequences of Armenian Genocide.

Elimination of the consequences of Armenian genocide allegations depend on the issue of compensation. In this context, heirs of the victims of the genocide should be materially compensated, churches and church lands should be returned, and Republic of Armenia should get back the lost territories. However, all of those requirements should have a perfect legal basis.

The international recognition of the Armenian genocide allegations is only a component of the solution of the Armenian issue and the normalization of the Turkish-Armenian relations; it has a legal component; and it should be resolved on the basis of fundamental principles of international law. Beginning from Berlin Congress to the last protocols that were not ratified, all the international treaties on Armenian nation and its territories should be subjected to appropriate international legal expertise.

The Armenian General Attorney has stated that the Treaty of Sèvres is an

important one among the treaties that concern the Armenian society. Although non-ratified by signatories, it was not rejected and, therefore not denounced by the Treaty of Lausanne.

The General Attorney stated that President Wilson's arbitral award on 22 November, 1923 was also crucial from the aspect of the normalization of the Turkish-Armenian relations; according to article 89 of the Treaty of Sèvres, Turkey and Armenia agreed to submit the issue of borders to the arbitration of U.S. President; if both sides accept to have recourse for the resolution of the dispute between them to the arbiter; that means that they will follow the decision of the arbiter; furthermore, this decision is conclusive and cannot be subjected to statutory period of limitations. The decision of the arbiter President Wilson has the same characteristic- being conclusive and not subjected to statutory period of limitations- for Turkey, Armenia and all other countries that signed Treaty of Sèvres; and 103.599 km² of land would be given to Armenia with this decision.

The General Attorney claimed that if Treaty of Sèvres did not come into effect, article 89 did not come into effect either and, accordingly, the decision of President Wilson is not binding either. But article 89 is the formulation of the expression of will of Armenia, Turkey and other countries that signed the Treaty of Sèvres to consult to the arbitral award of President Wilson; the issue of ratification of the Treaty of Sèvres or leaving it ungratified has no relation with this expression of will of the parties. In other words, for the General Attorney, although Treaty of Sèvres was not ratified; the expression of intent is still valid. Moreover, the General Attorney asserted that there was no word in Treaty of Lausanne laying down the Turkish-Armenian border, thus the current Turkish-Armenian border did not comply with the Treaty of Lausanne.

The General Attorney stated that one could object that the Turkish-Armenian border had already been laid down by the Treaty of Moscow dated 21 March, 1921, however, that, the signatories (Turkey and the Soviet Union) were not internationally recognized at the time and could not be considered as subjects of international law. Therefore, the Moscow Treaty could not be considered as a full international treaty, the General Attorney wrote. Furthermore, Armenia was not allowed to participate in the negotiations, and did not sign the treaty; thus according to the principles of international law, as third party that was not a signatory, Armenia did not bear any responsibility.

While claiming that one could object that Armenia had signed the Treaty of Kars of October 21, 1921, the General Attorney claimed that the treaty had not been initially valid as Armenia had been a part of Russia at the time and not a subject of international law.

The General Attorney said “Today, Armenian-Turkish border is not laid down yet. I think, for legal solution of the dispute it is necessary to prepare a big claim package with appropriate juridical arguments and submit it to Armenian authorities, later to the UN body making legal decisions to solve the issue of handing it to International Court of Justice.”

Having provided the important points of the Armenian General Attorney A. Hovsepyan’s report, which also available in English in full in the “Contemporary Documents” section of our journal, it would be useful to present a clause by clause summary of those points..

- For the Armenian Genocide to be internationally recognized, this issue should be transferred to the legal arena.
- Elimination of the consequences of the Armenian Genocide depends on the issue of “compensation”, which includes giving compensation and returning properties to the descendants of those who were exposed to forced emigration, giving churches and the lands belonging to the churches back to the Armenian Church, and giving land to Armenia. However, these demands should be formed on a perfect legal basis.
- President Wilson’s arbitral decision dated November 22, 1921 which defined the Turkish-Armenian border is still valid.
- The Moscow Treaty, dated March 21, 1921, which defined the Turkish-Armenian border is not valid.
- The Kars Treaty, dated October 13, 1921, which was on the same issue, is not valid.
- For a legal solution of all the disputes between Turkey and Armenia, a big claim package should be submitted in an application to the International Court of Justice. According to the statement⁵ accepted by the Forum at the end of the consultations; it was agreed to compile a list of complete and substantiated documents based on the views expressed during the forum, the existing studies and documents, as well as the norms and principles of international law in order to eliminate the consequences; to collaborate with the State Commission and the committees established in the Armenian diaspora; to establish a special committee that would make the package of legal documents on key issues related to the Armenian Genocide allegations.

5 English version of this notification is in the part of “Archival Documents” in the previous issue of our journal.

As can be seen, some demands based on the genocide allegations were put forward in the Forum. The most important of all, without a doubt, was demand of land from Turkey through questioning the legality of the Turkish-Armenian border. This particular issue is what the Turkish Ministry of Foreign Affairs mainly reacted to. The statement by the Ministry in the “Question-Answer” session is provided below.

QA-18, 12 July 2013, Statement of the Spokesman of the Ministry of Foreign Affairs of Turkey in Response to a Question Regarding the Declaration of the Prosecutor General of Armenia about the Border between Turkey and Armenia.

What stands out in this brief statement, from a legal perspective, is that Armenia, in its claim of land from Turkey, contradicted with its obligations (respect for the principle of territorial integrity) as a member of the United Nations (UN) and the Organization for Security and Co-operation in Europe (OSCE).

We deplore the declaration made by the Prosecutor General of Armenia, Aghvan Hovsepyan, during his presentation at the Pan-Armenian Forum of Lawyers held in Yerevan on 5-6 July 2013 - opened with the remarks of the President of Armenia Serzh Sargsyan - that the border between Turkey and Armenia has never been legally established and that lost Armenian land should be returned to Armenia.

Such a declaration made by an official occupying a position as important as that of Prosecutor General reflects the prevailing problematic mentality in Armenia as to the territorial integrity of its neighbor Turkey and to Turkish-Armenian relations and also contradicts the obligations it has undertaken towards the international organizations of which it is a member, particularly the UN and the OSCE. One should be well aware that no one can presume to claim land from Turkey.

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Politically, the following expression is the most significant in the statement: “One should be well aware that no one can presume to claim land from Turkey.” Indeed, no one can presume to claim land from Turkey, especially Armenia.

In a statement⁶ regarding the issue, Foreign Minister Davutoğlu stated that, they called on those who attempt to take even a piece of pebble from Turkey not to cross the line and added: “Let alone having someone propose it, it cannot even be a matter of discussion.” While stating that the remarks on this issue were just “nonsense”, the Foreign Minister, emphasized that, for the peace in Caucasus, everyone should know their limits that it would be a win-win situation only when this was done,; whereas, those who made such arguments would lose. IN addition, he called on everyone to come to reason, and stated that territorial integrity of Turkey and Azerbaijan were both fundamental to Turkey.

Neither the US nor the EU countries have made an official comment with regard to the claim of land from Turkey by the Armenian General Attorney. Presently, there have not been commentaries regarding this issue in the media.

On the basis of the principles of international law, it would not be difficult to prove the invalidity of the General Attorney’s views presented in the report. However, it would be so detailed and long that it would not fit into this text. It would be more appropriate to leave such an analysis aside until there is further progress. In conjunction with this, we would like to touch upon some issues to give our readers an idea about the legal significance of General Attorney’s views.

The main subject of the General Attorney’s report is the international recognition of Armenian Genocide allegations. The basic document of the international law on the issue of genocide is the Convention on the Prevention and Punishment of the Crime of Genocide, dated 1948. There is no reference to this Convention in the report.

It is claimed in the report that while the Treaty of Sèvres is still partially valid, Moscow and Kars Treaties of 1920 are invalid. Presently, there are some international agreements on the validity of these treaties. In the event that this issue is taken to the International Court of Justice or to another international authority, these agreements would be consulted. However, there is no reference to these agreements either, in the General Attorney’s report. Shortly, the views of the General Attorney on the validity of the treaties have no place in the context of principals of international law and are just a result of the logic of the General Attorney. In this context, it would not be difficult to disprove the General Attorney’s arguments.

6 “Davutoğlu’dan Ermenistan Başsavcısı’na Sert Yanıt” (Davutoğlu’s Harsh Response to the Armenian Attorney General), *Hürriyet*, 17 Temmuz 2013.

1.2. EXPLANATIONS and COMMENTS

Before diagnosing this situation, the Armenian General Attorney's "adequacy of representation" in other words, to what extent he represents the Armenian state, should be determined. As in the other countries, Armenian General Attorney is an authority in the legal issues of his own field, and neither bears responsibility nor he is an authority regarding the international affairs of the country. However, when this incident is closely examined, it can be seen that the General Attorney did not directly demand land from Turkey, and that Armenia called for an investigation in establishing a legal basis for the demands to be made to Turkey, including the land demand. It should be also stated that none of the segments of the Armenian society showed a negative reaction against this attitude by the General Attorney, and no one interrogated General Attorney for his report. Besides, in the Armenian political system, the Presidency's authorities are so broad that it would not be possible for the General Attorney Hovsepyan to make such an attempt without knowledge and consent of President Sarkisyan. Today, as claim for land may be a cause of armed conflict, this attitude is not welcomed and is even generally condemned by the international society. President Sarkisyan, most probably, taking this into consideration, did not claim land himself but had the General Attorney do it.

If one examines this issue from a political perspective, it has been the case since Armenia gained its independence in 1991 that Armenian Presidents and members of the cabinet have been carefully avoiding such attitudes that could seem like land claims from Turkey. On the other hand, they also have not made claims that could mean they recognized the existing border, as it is in force according to Kars Treaty. President Sarkisyan followed his predecessors' policy for two years after his election. Then parting with those policies, he approved the recognition of the existing border between Turkey and Armenia with the "Protocol on Establishment of Diplomatic Relations" on October 10, 2009.

However, Turkey's intention of linking the ratification of the Protocols to the solution of Nagorno-Karabakh conflict brought about a great discomfort in Armenia and left President Sarkisyan in a difficult situation, who had secured that the protocols were signed despite the opposition by the Diaspora. With that, Sarkisyan started to follow a policy that would help him avoid the Protocols, and in that sense, he benefited from the Constitutional Court which investigated if the protocols commensurate with the Armenian Constitution. In a decision made in three months after the signing of the protocols, the Court interpreted some articles of the Protocols, and it stated, with the condition of complying with these,, the Protocols would not be conflicting with the Constitution

The following matters are significant in the interpretations by the Court: The first matter is that the article in the Protocol on establishment of diplomatic relations on the recognition of the border by the two countries, would be only about border-crossing and that would not impose any obligation to Armenia. Therefore, it is intended to emphasize that the recognition of the existing border by Armenia would not come to mean recognition of Turkey's territorial integrity. The second matter is that according to Article 11 of the Armenian Declaration, Armenian Genocide is real and cannot be discussed; in other words, subcommission on the historical dimension proposed by the Second Protocol would not bear any responsibility for debating the genocide. The third matter is the expression that there would be no relation between the Nagorno-Karabakh issue and the Protocols.

The decision of the Armenian Constitutional Court eliminates the advantages of the Protocols for Turkey. Turkey, along with making an objection to the decision of Constitutional Court⁷, did not object to the Protocols and these documents remain on the agenda of the Foreign Affairs Committee of the Grand National Assembly of Turkey.

Armenia, on the other hand, tried to retract the Protocols from the Parliament as part of its policy of getting rid of them; however, upon the expression of objection by the US, EU, and probably Russia, as an intermediate formula, Armenia temporarily omitted the Protocols from the agenda of the Armenian Parliament on April 22, 2010⁸.

Turkey's insistence on linking the implementation of the Protocols with developments on Nagorno-Karabakh conflict, and escalation of the Turkish-Azerbaijani cooperation after signing of the Protocols; and besides, in a year after the protocols, the signing of the Treaty for the Establishment of High Level Strategic Cooperation Council between these two countries in September 15, 2010 made the Armenians finally understood that they could not construct a normal relationship with Turkey in their own terms, and Armenia thereon started to follow such a policy which could be described as hostile and aggressive from time to time. Briefly, there have been radical changes in Armenia's policy towards Turkey during President Sarkisyan's term. While, previously, Armenia kept silent about Turkey's recognition of the genocide allegations; now it is clearly being demanded. Previously, Armenia avoided such statements that related to claim of land from Turkey; whereas, now legal attempts that would be the basis of the land claim have officially been initiated.

7 Ömer Engin Lütem, Olaylar ve Yorumlar, *Ermeni Araştırmaları*, Sayı 35, s. 19

8 Ömer Engin Lütem, Olaylar ve Yorumlar, *Ermeni Araştırmaları*, Sayı 35, ss. 46–50

Consequently, Armenia has now been following a different policy towards Turkey. This is the case because of the failure of the Protocols which were mostly beneficial for Armenia in the final analysis, and because of further development of the close relationship between Turkey and Azerbaijan, and the cooperation between them following the signing of the Protocols. On the other hand, it is seen that this new policy is in line with the activities planned for 2015 towards Turkey. Indeed, such demands related to Turkey's recognition of the genocide and to claims of land would raise the importance of the activities and make them draw more attention.

Consequently, Armenia has now been following a different policy towards Turkey. This is the case because of the failure of the Protocols which were mostly beneficial for Armenia in the final analysis, and because of further development of the close relationship between Turkey and Azerbaijan

However, since it is not possible that Turkey would keep silent to this new policy of Armenia, it may be expected that the dispute between Turkey and Armenia would carry on a new level, that Nagorno-Karabakh conflict, which is in fact in a dead lock, and other problems Armenia has with Azerbaijan would be affected by this development; that a period of depression would finally start in the South Caucasus; and that plans to achieve peace, security, and cooperation in the South Caucasus, which is desired much by the US

and EU and not objected by Russia, would be postponed.

1.3. Turkey's Position and Davutoğlu's visit to Armenia

In the period examined, Turkey's efforts to reach normal relations with Armenia continued. Upon Aliyev's re-election and his meeting with President Sarkisian in Vienna on 19 November- which was portrayed as a positive one by the media-, conditions suitable for a Turkish-Armenian meeting were established. Turkey, previously, had sought to contact Armenia and in that vein, asked for Swiss mediation. He said, upon journalists' reminder of the 4th anniversary of the signing of the Protocols, that Turkey attached importance to the normalization of Turkish-Armenian relations, but in order for this normalization to be permanent, the issues in the Southern Caucasus, especially the Nagorno-Karabakh issue between Armenia and Azerbaijan, must be settled and the occupation of Azerbaijani territories must come to an end, that they had shown great effort for the protocols to be implemented and that these had not entirely fallen off the agenda, but that there was no opportunity for the protocols be implemented due to the resolution adopted by the Armenian Constitutional Court and the tensions emerging in the region

later on. Davutoğlu, expressing that now they were looking towards advancing with new creative ideas, said that they would increase their efforts in this direction in the coming period and that, in the case that Turkish-Armenian relations are normalized, then most of the issues would settle into a resolution framework in parallel to the Azerbaijani-Armenian relations⁹. According to the news in the press, Davutoğlu, wishing Switzerland to step in once again, told Foreign Minister Didier Burkhalter that if Armenia would start to leave the occupied territories in accordance with a clear timeline predetermined by Armenia and accepted by Baku, Turkey would start the implementation of the Protocols¹⁰.

It did not take long for Yerevan to respond to Davutoğlu's statements. The spokesman of the Foreign Ministry said: "Four years have passed since the initialing of the Armenian-Turkish protocols and since then the Armenian side has constantly heard the same old song from Ankara about some creative approaches," and added, "All these statements are nothing other than a permanent attempt by Ankara to veil the Turkish side's torpedoing of the ratification and implementation of the Armenian-Turkish protocols without preconditions, which is expected by the international community,"¹¹ Edward Sharmazanov, spokesman of the ruling Republican Party and the Vice-President of the Armenian Parliament, stated, concerning Turkey's intention of linking the opening of the borders to withdrawal of troops by Armenia from the "liberated territories", that talking with Armenia in the language of ultimatums is a thankless job and that they had always said that relations between Turkey and Armenia should develop without preconditions. Furthermore, he said, "it is better for Turkey to use its influence in urging Azerbaijan to withdraw from the occupied territories of Karabakh¹² and herself to end the occupation of Northern Cyprus and that the Armenian people lived, lives and will live in Karabakh, because Karabakh is a part of Armenia's sacred homeland."

Foreign Minister Davutoğlu also provided in the Turkish Grand National Assembly's Planning and Budget Commission on 21 November 2013 information that complemented his initiatives. He said that presidential elections had took place in Armenia and Azerbaijan, that public support for both leaders was confirmed and therefore, that time had come for peace in the Caucasus. Providing information on a process initiated for this purpose, Davutoğlu, indicated that this issue had also been addressed during Aliyev's

9 "Türkiye-Ermenistan İlişkilerini Geliştirmeye Çalışıyoruz" (We Are Trying to Develop Turkish-Armenian Relations), *Haber 7.com*, 11 October 2013.

10 "La position de la Turquie sur le conflit du Haut-Karabagh", *Armenews*, 13 November 2013. "Turkey Asks Swiss Mediation in Armenia-Azerbaijan Conflict" *Today's Zaman*, 12 November 2013.

11 "Yerevan Reacts to Ankara's Remarks on Reviving Relations" *Hürriyet Daily News*, 15 Ekim 2013.

12 Except for some small parts like Martakert, the entire region of Karabakh is under Armenian occupation.

visit- which will be explained below, stated that he had discussed this issue with US Secretary of State John Kerry during his visit to the US and that Prime Minister Erdoğan would also discuss this issue with President Putin during his visit to Moscow.

In response to a question posed by parliamentarian Sinan Oğan of MHP from İğdır on whether or not any preparation had been made towards the opening of the Turkish-Armenian border gate, Davutoğlu said that there were progress in this direction, that there might be a surprise development if Azerbaijan could be persuaded, but that this depended on the condition of Armenia withdrawing from Karabakh and stated “If this is accomplished, both the border gate and the railroad will open. Of course we want to achieve this together with Azerbaijan”¹³. Foreign Ministry spokesman Levent Gümrükçü, stated to the Turkish journalists, who asked for additional information on the matter, that they were working together with Azerbaijan in full cooperation and coordination, that all kinds of developments were addressed comprehensively together, and that parallel to the ending of the occupation of the Azerbaijani territories, he evaluated Turkey’s steps towards developing cooperation with Armenia positively, adding that no contact had yet been made with Armenia on this matter¹⁴.

After being re-elected, President Aliyev conducted his first official visit to Turkey. In the press conference held together with Prime Minister Erdoğan, he said that Karabakh was not just Azerbaijan’s problem, but also Turkey’s problem. For his part, President Aliyev said that Azerbaijan had full trust in Turkey when it came to the case of Nagorno-Karabakh¹⁵. Thus, it became clear that the Azerbaijani side supported Turkey’s initiatives.

According to the press, Ankara was also discussing this proposal with members of the Minsk Group¹⁶.

Through the efforts of the Minsk Group, President Aliyev and Sarkisian met for the first time in Vienna on 19 November 2013 after two years. Concerning this meeting, President Sarkisian said that he also saw President Aliyev’s will to resolve the problem and that he himself also desired a resolution in the shortest time possible. Then he said “but with which conditions does Azerbaijan want the settlement of the problem, with which conditions do we

13 “Davutoğlu’ndan Sürpriz Ermenistan Hazırlığı” (Surprising Armenia Preparation by Davutoğlu) *Aksam.com.tr*, 6 November 2013.

14 “Türkiye Dışişleri Bakanlığı: Ermenistan ile İrtibat Yok” (Turkish Foreign Ministry: There is No Contact with Armenia). *Baku-1News.com.tr*, 8 November 2013.

15 “Nagorno-Karabagkh is Turkey’s Problem Too, Says Erdoğan” *Today’s Zaman*. 13 November 2013.

16 Sami Kohen. “Azerbaycan ile Bütünleşme... Ermenistan ile Normalleşme?” (Integration with Armenia.. Normalization with Armenia?) *Milliyet*, 15 November 2013.

want it, this is the whole issue. When assessing the meeting in general, I consider it constructive. Talks are a new phase and start within the resolution process” and indicated that they had instructed the Foreign Ministers of both countries to start negotiations in December^{17,18}.

According to the news¹⁹, Prime Minister Erdoğan, during his visit to Moscow on 22 November 22, mentioned this matter to President Putin and indicated that the Minsk Group, since 1992 when it was first founded, had not achieved any progress and said that the peace process must be rekindled and for this, Turkey and Russia must work together.

Thus, with the efforts of Turkey, an appropriate conjuncture emerged for the settlement of the issues in the Southern Caucasus. According to the press, Ankara had prepared a road map for a peaceful resolution in the Caucasus. Withdrawal of Armenia from the Azerbaijani rayons (districts) surrounding Karabakh, and, in connection to this, opening of the border gates by Turkey (and Azerbaijan) with Armenia formed the essence of this roadmap. Armenia had verbally accepted withdrawing from two of the rayons. In the case of Armenia declaring that it would withdraw from these areas, Davutoğlu would hold talks in Yerevan- to which he visited to attend the Organization of the Black Sea Economic Cooperation’s Ministerial Meeting- and then the border would open²⁰.

While no reaction was received from the Armenian Foreign Ministry, National Assembly Deputy Speaker Edward Sharmazanov showed reaction to this news by providing mocking statements that five rayons had been mentioned in the past, now two rayons were spoken of and if this continued there would not be any issue of withdrawal from any rayon²¹.

Turkey’s proposal to open the border on the condition of Armenia withdrawing from Karabakh and the other Azerbaijani territories is not new and has been repeated several times in the last four years, but it has not been accepted by Armenia. Armenia links the returning of the seven rayons surrounding Karabakh to determining the status Karabakh region will possess in the future. Deep differences exist in the views of the sides on this issue. While Azerbaijan

17 “ Serj Sarkisian: Azerbaycan Cumhurbaşkanı Sorunu Çözme Arzusunu Gördüm. Ancak bu Yeterli Değil” (Serge Sarkisian: I saw in the Azerbaijani President the Will in Resolving the Conflict, but this is Not Enough) *NEWS.am*, 23 November 2013.

18 “Yukarı Karabağ’da Yeni Bir Aşama Başladı” (A New Phase Starts in the Nagorno-Karabakh Conflict) *www.ntvmsnbc.com*, 24 November 2013.

19 “Erdoğan’dan Putin’e: Kafkaslara Barışı Beraber Getirelim” (From Erdoğan to Putin: Let Us Bring Peace to the Caucasus Together) *Türkiye*, 28 November 2013.

20 “Ermenistan ile ilişkilerde Sürpriz: Çekilme Başlıyor.” (A Surprise in Relations with Armenia: Withdrawal Starts) *Sabah*, 28 November 2013.

21 “Armenian Parliament Vice-Chair on ‘Withdrawal From Two Karabakh Rayons” *News.am*, 28 November 2013.

defends that Karabakh should continue being a part of Azerbaijan with extensive rights given to the Armenians of Karabakh, Armenia insists that this region should be an independent state. Currently, Turkey reiterates its proposal to open the border with the condition of having Armenian forces withdraw from the Azerbaijani rayons surrounding Karabakh. It is understood that, in order to prove the seriousness of this proposal, the restoration of the Kars-Gyumri railway, highway and border facilities have been started.

As will be mentioned below, at the Summit of the Heads of State of Eastern Partnership Countries held on 29 November in Vilnius, President Sarkisian delivered a speech on the occasion of Armenia and the European Union adopting a Joint Declaration²². In his speech, mainly addressing Armenian-European Union relations, the President, also said, although it was not the occasion, “I believe that consistent adoption of the European values can help Turkey to reconcile with its own past. Today thousands of Turkish people condemn the Armenian Genocide and stand by us to commemorate the victims of the Genocide. I believe that on the eve of the Armenian Genocide Centennial the Turkish authorities should be able to demonstrate will and decline the policy of denial. In order to continue its integration with the European Union in a capacity of a European nation Turkey still faces the challenge of opening the last closed border in Europe and establishing diplomatic relations with Armenia. We expect that the EU member States, as our partners, will fully engage themselves and display consistency in order to remove the illegal blockade of Armenia by Turkey”.

It is unnecessary to bring forth the issues between Armenia and Turkey in a meeting on the relations between Armenia and the European Union. However, it could be seen that, Sarkisian, by doing so, sought to provide two messages for the upcoming period when Armenia’s contacts with the European Union will weaken.

The first of these messages concern the 100th anniversary of the genocide allegations and is directed towards gaining the most possible support from the European countries for the activities to be held on this occasion. For this, Sarkisian uses the slogan that countries should reconcile with their past, which is recently very popular especially within some circles in Europe. Moreover, he tries and emphasizes the validity of his views by indicating that some Turks support Armenia’s genocide allegations.

His second message is directed towards Turkey in convincing it to open its border with Armenia. For this purpose, he again refers to some slogans like

22 <http://www.president.am/en/press-release/item/2013/11/29/President-Serzh-Sargsyan-speech-at-the-third-Eastern-Partnership-summit/>

“the last closed border in Europe” and “illegal blockade”. However, the Turkish-Armenian border is not the last closed border in Europe (in principle, the Georgia-Russia border is also closed). Moreover, even though the land border is closed, airspace is open. Turkey conducts trade with Armenia through Georgia, which is constantly developing. Since there is no obstacle to the movement of persons, many Armenians work in Turkey or visit Turkey for tourism. Therefore, there is actually no blockade and there is nothing contradictory to international law.

If Armenia had signed the Association Agreement, then President Sarkisian’s claims that “Turkey should recognize the genocide” and “open the border” could have found support in European countries. However, it is not expected right now, when Armenia has drifted away from the European Union, that this kind of claims would create reactions except among certain segments.

During President Sarkisian’s speech, optimism is perceived regarding relations with Azerbaijan and the Karabakh issue. Sarkisian said that after a pause of almost two years a meeting of the Presidents of Armenia and Azerbaijan itself was a positive phenomenon, but also added that it was too soon to talk of the results. Furthermore, he put forth that the successful outcome of the negotiations in reality depended on their ability to reject the negative rhetoric and ease the tension on the Line of Contact. However, neither the “negative rhetoric” nor the small-scale conflicts seen occasionally throughout the Line of Contact, although disturbs Armenia, are not important factors in resolving the Karabakh issue. The settlement of this issue depends, before everything else, on Armenia abandoning its expansionist policy and believing that peace will be to the advantage of Armenia the most.

Last of all, although Sarkisian, in his speech, has displayed prudent optimism for the resolution of the Karabakh conflict, he has displayed the usual harsh attitude regarding issues with Turkey and particularly the genocide allegations. If in the future the Karabakh issue enters a phase of resolution and therefore Turkey opens its border, it is possible that even this positive development will not affect the genocide allegations and Armenia will continue to accuse Turkey of genocide in and after 2015 and will claim compensation.

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Davutoğlu, while in Yerevan to attend the Organization of the Black Sea Economic Cooperation's Ministerial Meeting on 12 December 2013, hold talks with Edward Nalbandian and discussed the issues between the two countries.

Meanwhile, Turkey's gesture of goodwill was not evaluated well in Armenia. Deputy Minister of Foreign Affairs Shavarsh Kocharyan asked Davutoğlu to visit the genocide monument, stated that the border should be opened to have the relations between the two countries recover²³, organized demonstrations against the Turkish delegation in front of the hotel that the meeting would take place²⁴. Even though it is not a rule but an observed practice that the heads of visiting delegations- in person or all together- visit the President, this visit did not actually take place, and this created the impression that this had resulted from Sarkisian's unwillingness to meet Davutoğlu.

In return, Davutoğlu, like the other heads of delegations, had the opportunity of having a tête-à-tête meeting with Nalbandian. However, the two ministers did not have a press conference together.

In a written statement made by the Armenian Foreign Ministry on this meeting²⁵, it was declared that Nalbandian reaffirmed the principled position of Armenia on the normalization of Armenian-Turkish relations without any preconditions.

Davutoğlu, on the other hand, told the Turkish journalists that the meeting took place in a warm and sincere setting; that differences of views existing between the two countries had already been known; that it was crucial to hold meetings more often and follow the developments and that Turkey wished to elevate its relations with Armenia to the highest point, like it does for its relations with the rest of its neighbors. Additionally, Davutoğlu, said that the peace and stability project in Caucasasia was in Turkey's agenda. He expressed that there had been a bit of interruption in its communications with Armenia, that it would not be right to have the impression that, in this kind of negotiations, the problems would have been solved altogether, but that it was nonetheless not possible to resolve disputes without having consultations and forming dialogue; that it was important to go beyond the psychological threshold and to synchronize the meetings, and that the meeting with Nalbandian was significant in that sense.²⁶

23 *Today's Zaman*, 9 Aralık

24 "Ermenistan'da Soykırım Protestosu" *Haberler.com*, 12 Aralık 2013 (Genocide Protests in Armenia)

25 <http://www.mfa.am/en/press-releases/item/2013/12/12/bsec29th bil/>

26 "Psikolojik Eşiğin Aşılması Önemliydi" *RS FM* 13 Aralık 2013 (It was Crucial to Go Beyond the Psychological Treshold)

Davutoğlu told the journalists, upon his arrival in Yerevan, that he considered the Armenian relocation as a practice that was completely wrong; that what the Ittihadists had done was inhumane and that the current government had never adopted relocation.²⁷ These remarks has had coverage in the Armenian and the Diaspora press, but there have also been claims that these expressions were made to hamper the activities to be made for the 100th anniversary of the Armenian genocide.²⁸

This visit, which the Armenians were reluctant for, was significant because, for the first time in a long time, there were direct talks with the Armenians as a result of Turkey's attempts. Most probably, Armenians, as they revealed to the press in fact, has not gone beyond conventional views that the relations between the two sides should be normalized without preconditions. However, it has been revealed that they themselves, by doing so, prevented talks and negotiations, aiming to resolve disputes, from happening. Turkey, on the other hand, has shown that it had the opposite stance with its proposals and attempts seeking to resolve disputes.

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1.4. European Court of Human Rights' Decision Regarding Doğu Perinçek

Doğu Perinçek announced that the Armenian genocide was “an international lie” in various conferences he attended in Switzerland in 2005. Reacting to this, Armenian associations in Switzerland reacted to Perinçek's statements, and applied for legal proceedings against him. In 2007, the Lausanne court, in which the legal case took place, convicted Perinçek of racial discrimination. His appeals were rejected by the Vaud Cantonal Court and further by the Federal Court. Upon exhaustion of domestic remedies, Perinçek brought the case before the European Court of Human Rights. The Court ruled on 17 December 2013 that Doğu Perinçek's freedom of expression was violated in an unfair and groundless manner.

The mentioned decision included some statements that constituted a damage to the Armenian claims.

27 “Tehciri Benimsemiyoruz” *Hürriyet*, 13 Aralık 2013 (We don't Acknowledge Relocation)

28 Harut Sasunyan “Davutoğlu Charm Offensive During Visit to Armenia” *Asbarez*, 17 Aralık 2013.

The first is that there is not a general consensus as to genocide took place, especially in the academic community.

Moreover, the Court stated that only 20 out of about 190 states that make up the international community took decisions in their parliaments recognizing the Armenian genocide allegations and that such decisions did not come from the governments of those states.

Lastly, the court made a clear distinction between the Armenian claims and the holocaust crimes committed by the Nazis against Jews, putting on record that they are not similar.

The European Court of Human Rights has not taken a decision on whether or not the 1915 events were genocide as this would be out of ECHR's jurisdiction. However, the points mentioned above would at least overshadow the Armenian claims.

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For the validity of the verdict, there must be no appeal filed within three months, or in the case of an appeal, a court to be established with a larger membership must ratify this decision.

In the case that the decision is finalized, it would not be possible to claim the Armenian genocide allegations with impunity, as it has been done up until today. Besides, the plausibility of the activities planned for 2015 would be open to discussion as most of them are based on the genocide claims.

II. Customs Union Membership? EU Association?

2.1. Introduction

In our last article where we examined Armenia's relations with the European Union on the one hand and with the Customs Union on the other, which Russia wants to create and will later on transform into a Eurasian Union²⁹, we had indicated that it was difficult for Armenia, which for economic reasons wants integration with the European Union and for security reasons was obliged to maintain close relations with Russia, to continue its "Complementary Policy" which does not accord with each other and that therefore in the near future,

29 Olaylar ve Yorumlar, *Ermeni Araştırmaları*, Sayı 42, (2012) ss.27-38

Armenia will have to make a decision between the Eurasian and European Unions. We had also indicated that, when taking into consideration Russia's influence and perhaps even dominance over Armenia, this country did not truly have a right to decide. Our view had occurred more rapidly than expected and in 2013, especially as a result of the developments taking place in the second half of this year, Armenia had officially declared on 3 September 2013 that it would take part in the Customs Union created by Russia.

As mentioned above, Armenia has not actually chosen between the Eurasian and European Unions by its own freewill, but has been forced to declare that it wants to enter the Customs Union as a result of some pressures of Russia it has utilized cautiously.

Here, we must indicate that Russia has not exerted direct, but indirect pressures over Armenia and this way, it has prevented the Armenian public opinion from being affected negatively. On the other hand, Armenian officials have been attentive to indicating that they have not been pressured by Russia to enter the Customs Union. Within this framework, President Sarkisian has said: "don't believe those who say the Russians have forced us to become a member of the Customs Union".

Concerning this issue, to make it convenient for our readers, it is noteworthy to mention again the pressures we had indicated in the "Russia's Instruments of Pressure over Armenia" section of our previous article³⁰. One of the important pressures is the price of natural gas Russia applies to Armenia. Russia sells natural gas to Armenia way below world prices, but in order to bring these prices closer to market prices³¹, it sometimes raises the prices. However, for Armenia, buying natural gas from market prices means that it is entering a serious economic crisis and for this price to be maintained at an appropriate level is obliged to accept some claims of Russia.

In order for this situation to be understood better, it is crucial to mention Russia's primary position within the Armenian economy. In short, all natural gas and electricity distribution companies are still in Russia's hands. Moreover, apart from some hydroelectric power stations, Russia also manages the Metsamor nuclear power station which neighbors Iğdır. Armenian railways are also managed by a Russian company. Since it seems too expensive, Armenia does not want to use much credit from the free market and appeals

30 Olaylar ve Yorumlar, *Ermeni Araştırmaları*, Sayı 42, (2012) ss.32-33

31 Although Russia reiterates that it wants to sell natural gas from free market prices, in practice natural gas prices show great variation according to countries. Within this framework, it has been understood from a research that the price of natural gas sold to countries other than those of the former Soviet Union where in general prices are low, is between 313 and 564 dollars for 1000 m³ and that Turkey has paid in average 406 dollars. (*Hürriyet*, 4 February 2013). "Gazprom Gazı Kime Kaç Dolara Sattığını Açıkladı" (Gazprom Declared Who It Sold Gas to for How Much)

to Russia whose conditions are more suitable. However, Russia is insistent on the credit it provides to be paid back on time. It has been seen that in situations where the payment has been postponed, the debt has been cleared by sometimes transferring some industrial facilities to Russia.

Approximately 1 billion dollars sent by the Armenians working in Russia each year to their countries is very valuable for the Armenian economy.

Armenia is also dependent on Russia in the area of defense. First, Armenia's borders (its borders with Turkey and Iran) of the former Soviet Union period are still protected by Russian forces. Then, most of the weapons the Armenian army needs are provided by Russia. Finally, it could be seen that there exists an opinion and even a belief in Armenia that if another war breaks out with Azerbaijan, Russia will take their side. These factors, at times when needed, turn into instruments that allow Russia to put pressure on Armenia.

New ones have in the recent months been added to these instruments of pressure. In short, these include Russia selling arms worth billions of dollars to Azerbaijan, President Putin constantly delaying his visit to Armenia and some persons, who have no official title but without doubt reflects the views of the Russian Government, warning Armenia in taking part in the Customs Union.

In this situation, there is almost no possibility for Armenia to deviate from or do the opposite of a line of policy that Russia sees appropriate. If Russia has seemed as if it has not pressured Armenia too much in joining the Customs Union, it could be understood that this has been to prevent the reactions that could be received from the Armenian public opinion, which seems extremely sensitive. In the end, after experiencing a period of hesitation, Armenia has willingly accepted to join the Customs Union as if it has never been under pressure and has further strengthened Russia's positive image in Armenian public opinion.

At the beginning of this year, everyone was in agreement that Armenia would sign an Association Agreement with the European Union and that this agreement would at the same time comprise a "Deep and Comprehensive Free Trade Area" (DCFTA). Although in Armenia the tendency of signing an Association Agreement with the European Union and a Customs Union Agreement with Russia and other countries was observed for a while, after the European Union clearly declared that it is impossible for the DCFTA and Customs Union to be in accord with each other, Armenia abandoned its tendency and signing an Association Agreement with the European Union gained priority. However, based on also establishing some kind of tie with the

Customs Union due to having close relations with the Russian Federation, there was an attempt to form a cooperation agreement with this Union or to gain an observer status³². But, events have shown that Russia has not taken kindly to this idea.

It could be understood that it does not seem possible for Russia, who approaches the issue entirely from a political aspect and seeks the Republics forming the Soviet Union to form close cooperation with each other, to accept this behavior which means that Armenia chooses the European Union. Even though some Armenian officials have said that it is out of the question for Armenia to join the European Union as a full member beyond association, this has not satisfied Russia.

It is true that Russia has not openly criticized Armenia for this matter, but some events have shown that Armenia choosing European Union association instead of the Customs Union has become a matter of dispute between the two sides and has created displeasure. For instance, after being re-elected, President Sarkisian has visited Moscow in March and has met with President Putin. But, there has been no information that Customs Union membership has been discussed. Since it is not possible for such an important subject not to be discussed, it could be presumed that the two sides have not been able to reach an agreement. Russia had organized an unofficial summit conference in Bishkek with the presidents of the Collective Security Treaty Organization (CSTO) countries to which Armenia is also a member. Sarkisian did not attend this conference by giving the excuse that it coincides with the Armenian national day. However, he could have attended it even at a later hour. This event has also been interpreted within Armenian press as a reaction to the increase in natural gas prices³³.

On the other hand, Armenia's desire to somehow establish relations with the Customs Union has caused concerns for the European Union. During President Sarkisian's official visit to Poland at the end of June, President Komorowski told his counterpart in front of journalists that he understood the desire of Armenia to develop the best possible relations with Russia, but it is impossible to act at the same time on two different economic areas³⁴.

During his visit to Armenia on July 9, European Commissioner Responsible for Enlargement and Neighborhood Policy Stefan Füle has informed the press that negotiations over Armenia to sign the Association Agreement with the

32 "L'EU met en garde l'Arménie" *Armennews*, 11 June 2013.

33 "Le président Sarkisian ne se rendra pas à Bichkek pour un sommet informel des alliées de la Russie" *Armennews*, 28 May 2013.

34 "Unclear Geopolitical Directions of Armenia" *Vestnikkavkaza.net*, 8 July 2013.

European Union were coming to a final stage³⁵. Füle, who also indicated that it was possible to provide some funds to Armenia, has said that these funds would be granted in parallel to the reforms made by Armenia and has listed these reforms as making significant progress towards democracy, working towards fundamental freedoms, fighting against corruption and harmonizing legislation with the European Union³⁶. Füle has not provided any information concerning the amount of funds but has said that in the European Union's next financial cycle of 2014-2020, more financial assistance has been envisaged for the countries which will boost reforms³⁷. On the contrary, information has been provided within the Armenian press that this assistance could be between

Füle has called upon Armenia to reach an agreement on the resolution of the Karabakh issue based on the Madrid principles and concerning the normalization of relations between Turkey and Armenia.

1.5 and 2 billion dollars³⁸. On the other hand, Füle has said that apart from providing funds, the European Union would also support other international investors to take interest in Armenia³⁹. Let us note that Russia providing aid to Armenia in the form of donation has never occurred, at least until now.

By providing statements on other issues besides financial ones, Füle has called upon Armenia to reach an agreement on the resolution of the Karabakh issue based on the Madrid principles and concerning the normalization of relations between Turkey and Armenia, has said that they continue to call upon Turkey to continue its process of joining the European Union and that European Union membership requires maintaining good relations with neighbors⁴⁰. (These statements mean that Turkey must resolve its issues with its neighbors in order to become a member of the European Union) Füle, who has also referred to Armenia-Russia relations and in the meantime, to the increase in Russian natural gas prices and Russia selling arms to Azerbaijan, has said that he could not comment on whether these pressures were put on Armenia with regard to the signing of the Association Agreement with the European Union and that the Armenians must decide on whether or not they were pressured.⁴¹

Right after Füle's visit to Armenia, European Peoples Party Summit has been

35 "European Union is loyal to its commitment supporting Armenia: Stefan Füle" *Armenpress*, 9 July 2013.

36 "Füle Explains EU Integration" *Lragir.am*, 10 July 2013.

37 Ibid.

38 "Armenia Between Brussels and Moscow" *Vestnik Kavkaza*, 7 July 2012.

39 "Füle Explains EU Integration" *Lragir.am*, 10 July 2013.

40 "Stefan Füle: We Need Partners to Be Always Trusted" *Aysor.am*, 10 July 2013.

41 Ibid

held in Moldova's capital city Kishinev. President Sarkisian, in his speech, indicated that the DCFTA, which is still being negotiated with the European Union, would not be able to function as required if the Armenian-Turkish border does not open, has tried to push the European Union in putting pressure on Turkey concerning this matter⁴².

With a press release dated 24 July 2013⁴³, the European Commission has declared that within the framework of an association agreement, the Republic of Armenia and the European Union have reached an agreement that day on the establishment of a Deep and Comprehensive Free Trade Area (DCFTA). In this declaration which summarizes what kind of benefits the Free Trade Area will carry for Armenia, it is indicated that this agreement would cause Armenia to gain 146 million Euros in the long run, that this corresponded to an increase of 2.3% in Armenia's gross national product and that due to the Free Trade area, it was foreseen for Armenia's exports to European Union countries to increase by 15.2% and its imports by 8.2%.

Therefore it had become official that Armenia would sign the Association Agreement with the European Union, including the DCFTA. However, since this agreement must also be presented to other member countries of the Union, it was envisaged for it to be initialed before being signed and for this to occur at the Summit of Eastern Partnership Program to be held on 28-29 November 2013.

Meanwhile, it has drawn attention that no declaration has been issued in Armenia in parallel to the European Commission's press release or that it has not been confirmed in any other way that Armenia has reached an agreement with the European Union.

2.2. Pressures on Armenia

Although the Armenian public opinion generally supports Russia, recently it has been seen that complaints by this country have increased.

As can be presumed, at the top of these complaints is the increase in natural gas prices. This increase, which is approximately 50%, has started being applied upon Armenia's request after Sarkisian being elected as president in April. By reflecting this increase to consumers as 18%, the Armenian Government had greatly prevented any criticisms that could have been

42 <http://www.president.am/en/press-release/item/2013/07/11/President-Serzh-Sargsyan-participated-in-EPP-summit-Moldova/>

43 http://eeas.europa.eu/armenia/index_fr.htm

received, but has been forced to pay the difference of 150 million dollars per year. There have been news in the press that the Armenian Government wanted the Russian company Gazprom to pay the 150 million dollars, that 80% of the Armenian natural gas distribution companies is in the hands of Gazprom and that an agreement has been reached for Gazprom to pay the 150 million dollars in exchange for the remaining 20% to also be handed over to this company⁴⁴.

Secondly, it is possible to mention that Russia has sold arms to Azerbaijan which is worth almost one billion dollars. This has especially caused a very negative effect in Karabakh. For instance, Arkady Karapetyan, who was an Armenian commander in this region in 1991, had accused Russia of preparing genocide for the Armenians of Karabakh. On the other hand, Deputy Prime Minister of Karabakh Arthur Agabekyan had described this arms sale as “treacherous”. On the opposite, it has been seen that the Armenian public authorities have displayed a stance that considers this arms sale as normal. By making a bizarre comparison, Deputy Foreign Minister Shavarch Kocharian has said that if Russia’s arms sales deal with Azerbaijan is just business, then Armenia signing the Association Agreement with the European Union is also business⁴⁵. This way, on the one hand he has tried not to exaggerate these two events while on the other, has tried to convey a message that if Russia is free in selling arms to Azerbaijan, then Armenia is free in signing an agreement with the European Union.

In the meanwhile, a simple incident has caused Armenian public opinion to seriously criticize Russia. A truck, driven by a driver named Hrachya Harutyunyan who works in Russia, has caused the death of 18 people by colliding with a bus. Harsh criticisms on this driver published in the local press and in particular, brining this person in front of the court by making him wear a woman’s robe has been perceived in Armenia as if Russia is humiliating the Armenians. In effect, unprecedentedly, demonstrations have been held in front of the Russian Embassy in Yerevan. The Armenian press has also criticized Russia and there have been those creating conspiracy theories that Russia created this situation in order to display its displeasure in the agreements Armenia wants to conclude with the European Union⁴⁶. Although a continuously strengthening xenophobia exists in Russia, the conviction has been reached that the Armenian press has exaggerated the Harutyunyan incident.

44 “Russian-Armenian Deal on Gaz Price Subsidy Agreed” *RFE/RL*, 29 August 2013.

45 *Arminfo.am*, 22 August 2013.

46 “Chairman of Armenian Helsinki Committee: Russia has used Hrachya Harutyunyan Case as part of its anti-Armenian campaign” *Arminfo.am*, 17 July 2013.

It must be, on the one hand, due to Armenian public opinion's extreme sensitivity and, on the other hand, the idea that openly criticizing the Armenian government would bring more harm than benefit that while Russia supports Armenia becoming a member of the Customs Union, it has refrained from publicly criticizing it from becoming an associate member of the European Union. On the other side, as mentioned above, President Sarkisian and other Armenian officials have put forth that Russia has not applied pressure on Armenia to join the Customs Union. However, when Armenia's intention to establish an association with the European Union had become evident, Russia had to convey its dissatisfaction to the Armenian government and the public opinion through indirect means.

In an interview delivered on July 8, Vyacheslav Kovalenko, who was the Russian Ambassador in Yerevan from 2009 to March of this year, said that Armenia was reluctant to seek membership in the Customs Union, on the other hand, it was close to signing the association agreement with the European Union, but one would ask what real assistance, except for advice and promises for the future has the European Union provided to Armenia. Furthermore, by stating that the Association Agreement with the European Union would mean that allied relations between Russia and Armenia have their boundaries, has recalled the words of an Armenian author a century ago that Russia is the sole guarantor of Armenia's survival and has quoted the words of another author that "Armenia can only live with Russia or not live at all"⁴⁷. Moreover, Director of the Institute of Commonwealth of Independent States Konstantine Zatulin has criticized the disdainful attitude to the Eurasian integration project in Armenia⁴⁸.

Officials of the Russian Foreign Ministry have chosen not to speak on this issue, but have still expressed their dissatisfaction by allowing a low-rank official to talk. Aleksander Vasiliev, who is the First Secretary at the Embassy of the Russian Federation in Yerevan, by greatly exaggerating, has compared the Association Agreement foreseen to be signed with the European Union with the Molotov-Ribbentrop Pact signed between the former Soviet Union and Nazi Germany on the eve of the Second World War and which enabled them to occupy several Eastern European states⁴⁹.

On the other hand, it is quite likely that Russian Security Council Secretary Nikolai Patrushev and CSTO Secretary General Bordyuzha's visit made to Armenia in June, whose purpose was not informed⁵⁰, concerned Armenia becoming a member of the Customs Union.

47 "Ex-Russian Envoy Warns Armenia Over European Integration Drive" *RFE/RL*, 8 July 2013.

48 "Sarkisian Calls For EU Pressure on Turkey" *Asbarez*, 12 July 2013.

49 "Putin Sarkisian to Hold More Talks on Integration Process" *RFE/RL*, 30 August 2013.

50 "Unclear Geopolitical Directions of Armenia" *Vestnik Kavkaza*, 9 July 2013.

However, the effect of these warnings has not been observed in Armenia. Deputy Foreign Minister Shavarsh Kocharian seemed confident that the Association Agreement and the DCFTA would be signed in Vilnius, that there is no inconvenience in Armenia joining both the Customs Union and the DCFTA and has tried to explain his view by bringing forth that Armenia does not want to become a full member of the European Union and NATO.

Due to historical reasons, Russia's prestige in Armenia is great. But, increasing natural gas prices, selling arms to Azerbaijan which would essentially be used against Armenia and the incident of Hrachya Harutyunyan should have shaken Russia's position within public opinion. However, a public opinion poll has revealed that by 77.2% Russia is Armenia's greatest friend. In comparison, it could be seen that for reasons that could be understood, Azerbaijan is considered as the greatest enemy by 62.7% and that Turkey is the second greatest enemy by 32.5%⁵¹.

On the other hand, the those who give full support to European Union membership (associate membership) is 26.4%⁵², whereas those supporting Russia's Customs Union is 61%⁵³. When considering that the ruling Republican Party and the main opposition parties support association with the European Union and that with the exception of the small Communist Party, no party openly opposes this association, it is difficult to understand how the Customs Union, whose benefits to Armenia is unclear, has gained so many supporters. The following view of a Russian publication could bring some explanation: "80% of the Armenian political elite are pro-Western, while 80% of the population is pro-Russian"⁵⁴.

It is noteworthy to indicate that the indirect instruments of pressure Russia applies to Armenia have also started being applied directly to the other former Soviet Union members which will sign an Association Agreement. Russian Deputy Prime Minister Dimitri Rogozin has said that Moldova's signing of the Association Agreement would bring grave consequences and it has been understood in this context that Moldova could create difficulties in its exportation of wine to Russia. In fact, news has started being published that the importation of Moldavian wines could be banned for not according with the Russian rules of health and security⁵⁵. Right after, this importation has been suspended. Romania, a European Union member, has declared that it

51 Caucasus Analytical Digest, No.53,54, 17 July 2013

52 Ibid. It indicates that there is a category who "more or less support" EU membership and that their percentage is 28.1%. These could be those who will support EU membership in the future.

53 *Vestnik Kavkaza*, 9 July 2013.

54 *Vestnik Kavkaza*, 30 April 2013.

55 "AB, Ermenistan'ı Rusya'nın Gümrük Birliğine Kaptırdı" (EU Lost Armenia to Russia's Customs Union) *Euractiv.com.tr*, 4 September 2013.

will increase its imports of wine from Moldova, whereas the European Commission has started inspecting the increase in the wine quota for Moldovan wine⁵⁶. Due to these measures, Moldova has signed the Association Agreement in Vilnius on 29 November.

On the other hand, Ukraine, which is determined in signing the Association Agreement with the European Union and resists Russia's pressures, has tried another method. One of Putin's advisors Sergey Glyazev has said that if Ukraine joins the Customs Union, it will make a profit of 8 billion dollars due to the price cuts to be applied to Russian natural gas and moreover, that financial assistance will be provided to Ukraine⁵⁷. As will be examined below, eventually this country has also not been able to sign the Association Agreement, but this has caused large demonstrations of protest in the country.

Russia's pressures have drawn the reaction of the European Union and this issue has started to be discussed in the European Parliament. Stefan Füle, while indicating in his speech that any threats from Russia are unacceptable and that this is not how international relations should function in Europe in the 21st century, has stated that association agreements concluded with the European Union are not against Russia, but that on the opposite, Russia will greatly benefit from European integration⁵⁸.

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In a lengthy resolution adopted by the European Parliament on 12 September 2013 which in general concerns the association agreements and in particular concerns Russia's pressures⁵⁹, in summary, after recalling non-intervention in internal affairs, sovereignty of countries, good cooperation among states and some other fundamentals govern international relations, states that the pressures exerted by Russia are unacceptable and calls on Russia from refraining from taking such action. Furthermore, it calls on the European Commission to take action in defense of the European Union's partners.

Since this resolution is not only a warning against Russia, but is also a declaration of an idea or recommendation, it is not possible to say that it has created a serious effect.

56 "EU Warns Russia Over Trade Threats to Ex-Soviet Bloc" www.bbc.co.uk, 12 September 2013.

57 "AB, Ermenistan'ı Rusya'nın Gümrük Birliğine Kaptırdı" (EU Lost Armenia to Russia's Customs Union) Euractiv.com.tr, 4 September 2013.

58 "EU Deplores Russian Pressure on Eastern Neighbors" *RFE/RL*, 12 Eylül 2013.

59 http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2013_0383+0+DOC+XML+V0//FR&language=FR

2.3. Armenia Cannot Resist Russia

At a time when Europe, under the influence of news received from Armenia, believed that Armenia will not join the Customs Union and will be contented with signing a protocol with this union or with forming a loose tie such as being an observer and on the contrary, will sign an Association Agreement in Vilnius in November 2013 with the European Union, including the DCFTA, President Sarkisian has visited Russia and met with President Putin, signing a statement which indicated that Armenia will first join the Customs Union and then will participate in the formation of a Eurasian Economic Union.

The statement is as follows:

Joint Statement of the Presidents of Armenia and Russia⁶⁰

Moscow, September 3, 2013

As a result of the negotiations held in Moscow on September 3, 2013 the President of the Republic of Armenia S. Sargsyan and President of the Russian Federation V. Putin confirmed the objective of further developing economic integration processes in the Eurasian area.

In that context, the President of the Republic of Armenia S. Sargsyan announced the decision of the Republic of Armenia to join the Customs Union and to take necessary steps toward that end, and later to participate in the formation of the Eurasian economic union.

The President of the Russian Federation V. Putin expressed his support for the aforementioned decision of the Republic of Armenia and stated readiness of the Russian side to comprehensively assist the Republic of Armenia in that process.

President of the Republic of Armenia S. Sargsyan

President of the Russian Federation V. Putin

According to this statement, Armenia's obligations are the following:

- a. Armenia will join the Customs Union, for this it will take necessary steps.

⁶⁰ <http://www.president.am/en/press-release/item/2013/09/03/President-Serzh-Sargsyan-and-President-Vladimir-Putin-joint-statement/>

- b. Later on, it will also participate in the formation of the Eurasian Economic Union.

On the other hand, the Presidents of the two countries have also issued a Joint Statement on the same day⁶¹. In this document, after it was indicated that through a separate statement, the Presidents reiterated the resolve of the countries to develop economic integration processes in the Eurasian area, the agreements they reached on other matters have also been stated. The important points could be summarized as follows:

- a. The commitment of the Presidents to the exclusively peaceful means for the resolution of the Karabakh conflict, in the format of a joint work with the Co-chairs of the Minsk Group, based on the principles of non-use or threat to use force, territorial integrity of the states, equal rights and self-determination of peoples.
- b. Cooperation in the political-military and military-technical areas will be further strengthened and improved. It would be appropriate to understand this statement as Russia, by taking into consideration political conditions, will provide/sell advanced arms to Armenia in the technical area.
- c. The two countries are ready to modernize and diversify the Armenian economy. With this, they want to express that Russia will provide assistance to Armenia in the economic field.
- d. The two Presidents noted the importance of the currently functioning Armenian NPS and of the project for the construction of a new nuclear power station. Here, it draws attention that Russia has not made any promise to build a new nuclear power station.
- e. The two leaders stressed the importance of continued efforts aimed at the implementation of joint programs related to infrastructure, building of railroads, as well as new logistics and communication routes. Russia has also not made any promise on this issue.

After the two statements mentioned above were signed, President Sarkisian has delivered a speech⁶² and has provided some short information concerning the content of these documents. In terms of its general lines, Sarkisian has talked in accordance with the content of these documents signed, but has also referred to a matter concerning the European Union which was not mentioned

61 Ibid

62 <http://www.president.am/en/press-release/item/2013/09/03/President-Serzh-Sargsyan-working-visit-to-Russian-Federation/>

in the documents. He has said that this decision does not preclude Armenia's dialogue with European Union structures, that through the assistance of European partners Armenia has implemented serious institutional reforms, and in that sense today's Armenia is a more efficient and competitive state than it was years ago. Furthermore, he has indicated that Armenia is determined to continue the reforms.

By declaring in the presence of Putin that Armenia will continue some relations with the European Union, Sarkisian has tried to prevent any complication from developing in the future with Russia due to these relations. On the other hand, by indicating that reforms will be at the center of relations to be maintained with the European Union, Sarkisian has pleased the Union.

In his speech⁶³, President Putin has emphasized the economic aspect of Russia-Armenia relations and has said that the volume of trade reached 1.2 billion dollars, that Russia's accumulated investments in Armenia amount to 3 billion dollars, that this is almost half of all foreign investment, that about 1,300 Russian companies are active in Armenia, and that an investment of 500 million dollars has been made in Armenian railways operated by Russia. These statements of President Putin display that Russia is active in Armenia in all areas and in fact that this presence is turning into some kind of domination.

Therefore, following quite a long process, Armenia has preferred Eurasia over Europe; or rather it has been obligated to make such a preference. Not a desirable proposal, but the indirect pressure exerted by Russia has been determinative in Armenia making such a choice. Armenia's inclusion into the Customs Union has or should bring some interests. What has been gained in the economic field is uncertain. Actually, it has been seen that an unclear formula that this inclusion "will bring new economic perspectives for Armenia" has been used⁶⁴. From this, the conclusion that Russia has not promised financial assistance to Armenia is reached. Since decrease in natural gas prices is foreseen in exchange for the distribution company to be handed over to Russia, it cannot be considered as assistance. On the opposite, if Armenia had signed the Association Agreement, including the DCFTA, with the European Union, it would have received financial assistance of around 1 billion dollars or even more for various projects. Moreover, upon the recommendation or guarantee of the Union, it would have more easily reached international credits. The Customs Union does not provide such opportunities.

63 "Putin, Armenian President Adress Media After Talks – Kremlin Transcript" President of Russian Federation Website, 4 September 2013.

64 This formula has been used the Spokesman of the ruling Republican Party and Vice-President of the Armenian Assembly Eduard Sharmazanov. "Un officiel arménien affirme que la sécurité de l'Arménie va être boostée" *Armenews*, 27 September 2013.

In this situation, the question of why Armenia has preferred the Customs Union when it has not gained any particular benefit in the economic area come to mind. According to some press news, Armenia has stood by Russia due to security considerations. Regarding this issue, information regarded as concrete exists within the press. According to one news article⁶⁵, during Russian Security Council Secretary Nikolai Patrushev's visit to Armenia, which we mentioned above, a military and technical cooperation agreement between the two countries had been signed. This agreement gives Armenia the right to directly buy arms from Russian factories. This way, arms will be able to cost cheaper. Moreover, arms used within the Russian army will also be able to be bought. On the other hand, Russia and Armenia will form a joint defense enterprise. It could be understood that here, production of ammunition and the repair of arms and armaments will take place. Therefore, it could be seen that with the Customs Union, Armenia has been tied to Russia in the area of defense as much as it has in the economic area, or rather that its existing ties have increased. In the area of defense, which is considered to be vital, being dependent on one country generally does not create good consequences.

In short, when looking from the outside, the conviction that by joining the Customs Union, Armenia has not made a good deal in the economic and defense areas is created. However, when considering that a part of Armenia's borders is protected by Russia, that it obtains its arms from Russia, its railways and natural gas and petroleum distribution is in Russia's hands, and that the only nuclear power station that provides a significant amount of the country's electricity is operated and repaired by Russia, it could be seen that Armenia has no other choice but to do what Russia says due to Russia's domination in the country. In this situation, Armenia's sovereignty has turned into a relative state. But, Russia has not only achieved this superior position through its own efforts, but also with the consent of the Armenian governments. In this context, if in the future complaints about some behaviors of Russia emerge, it will be recalled that Armenia has a large share in the two countries drawing very close to each other and the complaints will be assessed accordingly.

On the other hand, even after Armenia accepted to join the Customs Union, Russia has continued to play its card of defending Armenia in order to influence public opinion. For this, in an unusual manner, commander of the Russian base in Gyumri Captain Andre Ruzinsky has issued a statement. He has said that the Armenia-Azerbaijan dispute could cause a conflict and that if Azerbaijan was to adopt a decision to restore jurisdiction over Karabakh by forceful means, the military base could enter into an armed conflict in accordance with the treaty obligations within the framework of Collective Security Treaty (CST)⁶⁶.

65 "Armenia and Russia to Ratify Direct Weaponry Purchase Deal" *Vessnik Kavkaza*, 24 September 2013.

66 "Lack of Response to Russian Commander's Remarks" *Turan News Agency*, 31 October 2013.

The base commander's statements have created quite a lot of reactions. As explained in the section entitled "Armenia's Security Question" in this article, according to the CST's 4th article, In case an act of aggression is committed against any of the States Parties, all the other States Parties will render it necessary assistance, including military one, as well as provide support with the means at their disposal. Armenia is a member of the CSTO (Collective Security Treaty Organization) which fulfills the CST, while Azerbaijan is not. However, in case of an aggression, the intervention of CST member countries is not automatic and requires reaching a unanimous decision. Under ordinary conditions, there is almost no possibility for the Muslim (and of Turkish origin) members of the organization to allow force being used against Azerbaijan.

We believe that Commander Ruzinsky's statement is directed towards satisfying Armenian public opinion which always has security concerns. In fact, in a public opinion poll conducted at that time, the ratio of those approving Armenia's Customs Union accession has increased from 67% to 86%.

However, the issue that is problematic in Ruzinsky's statements is that the military base in Gyumri could enter into an armed conflict if "Azerbaijan was to adopt a decision to restore jurisdiction over Karabakh by forceful means". Since Karabakh is legally not part of Armenian territory and since no one asserts this, on what grounds will the Russian military base make such an intervention? Meanwhile, it is also known that Secretary General of CSTO Nikolai Bordyuzha has provided statements indicating that Karabakh

is not part of this organization's area of responsibility⁶⁷.

We believe that Commander Ruzinsky's statement is directed towards satisfying Armenian public opinion which always has security concerns. In fact, in a public opinion poll conducted at that time, the ratio of those approving Armenia's Customs Union accession has increased from 67% to 86%⁶⁸.

Therefore, after a positive atmosphere was created within Armenian public opinion, General Anatoli Vaysak, Head of Russian Defense Ministry's Security Department, has fixed the blunder made intentionally by saying that the Russian military base cannot intervene in the Karabakh conflict because this region is neither part of Russian territory nor part of Armenian territory, therefore it has no connection to the CSTO⁶⁹.

67 "Lack of Response to Russian Commander Remarks" *Turan News Agency*, 31 October 2013.

68 "86% of Armenian Respondants Has Favorable Attitude Towards Custom Union Accession" *NEWS.am*, 8 November 2013.

69 "La protection de la Russie ou comment lire entre les lignes..." *ArmeniaNow*, 8 November 2013.

2.4. Reactions, Criticisms

Armenia all of a sudden making a U-turn and choosing the Customs Union, which is under Russia's management, instead of the European Union Accession Agreement and the DCFTA with which its negotiations had been concluded has been seen as a surprise in the international sphere and has caused some reactions.

a. The European Commission

In a statement issued by the European Commission⁷⁰, it has been declared that the Commission has noted Armenia's wish to join the Customs Union, that it looks forward to understanding better from Armenia what their intentions are and how they wish to ensure compatibility between these and the commitments undertaken through the Association Agreement and DCFTA and that once this consultation has been completed, the Commission will draw its conclusions on the way forward.

As can be seen, the reaction of the European Commission is restrained. It does not go beyond stating that it will determine its stance base on the information received from Armenia.

As can be seen, the reaction of the European Commission is restrained. It does not go beyond stating that it will determine its stance base on the information received from Armenia. On the contrary, the reactions of some of the Union's officials are more diverse. Stefan Füle, Commissioner responsible for enlargement, has said that it difficult to imagine the signing at Vilnius of the Association Agreement and that based on the information they have, the compatibility of obligations to the Customs Union with those under an Association Agreement and the DCFTA look problematic⁷¹.

The reactions received from the political wing of the European Union are harsher. After Chairman of the European Parliament's Committee of Foreign Affairs Elmar Brok indicated that Russia exerts pressure over Armenia concerning the Karabakh issue and that Russia blackmailed a small country like Armenia in making this decision, has said that he supports the European Union's relations with Armenia in the future, but that the European perspective has come to an end for Yerevan⁷².

In a resolution adopted by the European People's Party, a non-organ of the European Union but formed in order to support this Union which has a center

70 "Deep Free Trade Agreement Compatible With CIS Economic Cooperation: EU" *ARKA*, 5 September 2013.

71 "EU Signals No Association Agreement With Armenia" *RFE/RL*, 6 September 2013.

72 "Putin Ermenistan'ı AB'den kopardı" (Putin Ripped Armenia from the EU) *abhaber*, 5 September 2013.

left tendency and generally supports Armenia, has said that they regret the decision of Armenia to join the Customs Union which undermines the achievements of Armenia towards the European Union and that membership in the Russian-led union is incompatible with concluding the Association Agreement⁷³.

b. The European Parliament

Although it is an organ of the European Union, it can sometimes adopt difference stances than those of the European Commission and the Council of the European Union. We observed above that the European Commission displayed a restrained reaction towards Armenia's sudden decision of joining the Customs Union and in particular, that it tried to maintain its relations with Armenia within the bounds of possibility. On the other hand, although the European Parliament has not very openly criticized Armenia, it has experienced events which display that the majority of the parliament is displeased with the country's decision of joining the Customs Union.

The first of these events is some members of the Parliament postponing their visit to Yerevan that was to be conducted on 28-29 October for the Armenia-EU Commission inter-parliamentary cooperation. While the reason for such postponement was not explained, there were news in the Armenian press that its purpose was to protest Armenia's decision of joining the Customs Union⁷⁴ and the likelihood of this being true is quite high.

The second event is much more important. On 23 October 2013, the European Parliament has adopted a resolution entitled "European Neighborhood Policy: Towards a Strengthening of Partnership"⁷⁵. Evaluations regarding the countries to which the neighborhood policy is applied exist in the resolution. Although it is stated that Armenia's progress made in democratic standards and in the fulfillment of Association Agreement requirements are recognized, the resolution also indicates that deficiencies exist in the area of democracy and that progress should also be made in the areas of governance reforms, including law enforcements, judicial sectors and the fight against corruption. It is also expressed in the text that the latest move by the President of Armenia concerning the Customs Union is regretted, that such a policy is not compatible with the Association Agreement, that it deplors, in this regard,

73 "EU Signals No Association Agreement With Armenia" *RFE/RL*, 6 September 2013.

74 "EU Members of Parliaments Cancel Visit to Yerevan" *Vestnik Kavkaza*, 23 October 2013.

75 European Parliament resolution of 23 October 2013 on the European Neighbourhood Policy: towards a strengthening of the partnership. Position of the European Parliament on the 2012 reports. (2013/2621(RSP)) <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2013-0446+0+DOC+XML+V0//EN&language=EN> -

the fact that this choice was made without fully fledged parliamentary scrutiny or an open debate in Armenia society and by hoping, in this regard, that Armenia will continue European Union related reforms, calls for a pursuit of cooperation with the European Union.

In the resolution, the following points have been expressed concerning the Karabakh issue. First of all, it is stated that the occupation by one country of the Eastern Partnership of the territory of another violates the fundamental principles and objectives of the Eastern Partnership. Then, it recalls the resolution and principles that must be complied with for the settlement of the Karabakh issue and indicates that the resolution of the Karabakh conflict should comply with UN Security Council resolutions 822, 853, 874 and 884 of 1993 and the Minsk Group Basic Principles, enshrined in the L'Aquila joint statement of 10 July 2009.

The most important articles of the four above-mentioned resolutions adopted by the UN Security Council in 1993 are the ones concerning the withdrawal of occupying forces from occupied areas of Azerbaijan. Among the principles conveyed in the L'Aquila Joint Statement are items that rather support Azerbaijan's views such as the returning of the territories surrounding Karabakh to Azerbaijani control, an interim status for Karabakh providing guaranties for security and self-governance and the rights for refugees to return to their former places. Apart from these, some other points exist which reflect Armenian views such as the self-determination of peoples, future determination of the final legal status of Karabakh through a legally binding expression of will (like a referendum or plebiscite), and a corridor linking Armenia to Karabakh being established. When considering these provisions together, recognizing the existence of an independent Karabakh state, which Armenia still defends, becomes impossible.

The European Parliament's resolution has drawn the reactions of Armenia. First, Deputy Foreign Minister Shavarsh Kocharian⁷⁶ and shortly after Foreign Minister Edward Nalbandian have declared that this resolution is at odds with the official positions of the European Union as well as the US, Russia and France. If such contradiction exists, this should not have been conveyed by Armenia, but by the European Union, US, Russia or France.

The second point which the Minister and Deputy Minister brought forth was that the authors of that wording (in other words, the European Parliament) should understand that they bear responsibility for its possibly negative impact

76 "Yerevan Paps EU Parliament Over Karabakh Claim" *RFE/RL*, 24 October 2013. "Edward Nalbandyan: Formulation About Nagorno-Karabakh in European Parliament's Resolution.... Run Counter to EU's Official Stance" *Arminfo*, 30 October 2013.

on the negotiation process and undermining of the efforts of the OSCE Minsk Group aimed at the peaceful settlement of the conflict. If this was really the case, then this should have also been conveyed by the Minsk Group. On the other hand, since the meeting of President Aliyev and Sarkisian almost a month later in Vienna constitutes proof that the negotiation process is continuing, the case of undermining, which the Minister and Deputy Minister expressed, has not occurred.

c. The Reactions of Some Countries

Although not wanting to openly express it, the accession of Armenia to the Customs Union in an unexpected manner after negotiating the Association Agreement with the European Union for approximately 3.5 years has created negative reactions within the European Union and in some member countries. Swedish Foreign Minister Carl Bildt, who put in great efforts in the implementation of the neighborhood policy, together with Foreign Minister Miroslav Lajcak of Slovakia, have stated that they have come to the conclusion that the Association Agreement has been eliminated from the Armenian agenda⁷⁷.

Through partnership, Poland is a country that has very much supported the joining of Armenia to Europe. However, Armenia's proposal to sign the Association Agreement after the DCFTA is eliminated has even not been supported by this country and Nalbandian, who had visited Poland for this purpose, had returned with empty hands⁷⁸.

Among the European Union officials, Elmar Brok, Chairman of the European Parliament's Committee of Foreign Affairs, has always shown interest in the subject of Armenia's association and has openly expressed his ideas. When Armenia's decision to join the Customs Union became apparent, Brok has said that it is not that Europe lost Armenia, but rather Armenia lost its European prospect⁷⁹, that Moscow uses the Karabakh conflict as an instrument of pressure on Armenia and Azerbaijan and is not interested in its settlement⁸⁰. Although these views are not much openly expressed, it could be understood that they are shared among European Union circles. On the other hand, it could be seen that when Russia, which regards the European Union's neighborhood policy as interfering in its sphere of influence and therefore wants to prevent this policy, is unable to deject Ukraine, Moldova and

77 *Trendinfo*, 11 September 2013. "Sweden: Association Agreement With Armenia Eliminated From Agenda"

78 "Poland Also Rejects Alternative EU-Armenia Accord" *RFE/RL*, 17 September 2013.

79 "Armenia Lost its European Prospect.." *News.am*, 25 September 2013.

80 "Brok: Armenia and Azerbaijan Are Hostages of Moscow's Policy" *Turan Information Agency*, 24 September 2013.

Georgia's European Union ambitions, has attached particular significance to Armenia joining the Customs Union.

On the other hand, as a result of the pressures from Russia, Ukraine has also postponed the signing of the Association Agreement with the European Union a week left until the Vilnius summit. Prime Minister M. Azarov has declared that they made this decision "to ensure the national security of Ukraine"⁸¹. Large demonstrations have been carried out against the Government's decision. A Turkish news agency speaking with one of the demonstrators has conveyed that this person said: "We are here, because we want to protect our rights. We are European society. We don't want to give Ukraine to the domination of the Russian Empire. If this continues, we will become Russia's colony. We are members of an independent and civil European family"⁸².

While no official reaction was received from the US right after Armenia accepting to join the Customs Union, a US Department of State official not wanting his name to be disclosed has told Radio Liberty that all countries have the right to choose their own path of economic integration according to national interest and that the US hopes that Armenia will carry on with European integration even after pledging to join the Customs Union⁸³. Then, US Ambassador in Yerevan John Heffern has indicated that Armenia joining the Customs Union will not affect relations with the US and that these relations are based on Armenia's welfare, the settlement of the Karabakh issues through peaceful means and the normalization of relations between Turkey and Armenia by reaching reconciliation⁸⁴.

On this point, let us indicate that although there is the conviction that the US's influence in Armenia is restricted, its financial aids are not much, does not sell arms in principle, does not openly support Armenia regarding the Karabakh issue and relations with Turkey, and the two countries have close relations due to the Armenian Diaspora in the US, this is not quite true. For instance, while President Sarkisian, after being elected in 2008, had visited Moscow more than 30 times, he did not (or was unable to) conduct any official visit to Washington.

As expected, no official reaction to Armenia's decision of joining the Customs Union came from Turkey. Without dwelling upon this event too much, the media presented it as news and except for one article⁸⁵, no other writing has been come across that only focuses on this event.

81 "Ukraine Drops EU Association Plans" *Asbarez*, 21 November 2013.

82 "AB Yanlıları Tüm Gece Eylem Yaptı" (EU Advocates Held Protests the Whole Night) *Haber Türk*, 22 November 2013.

83 "U.S. Urges Armenia to Keep Up European Integration" *RFE/RL*, 5 September 2013.

84 "Les Etas-Unis restent confiants après le retournement arménien" *Armenews*, 18 September 2013.

85 <http://www.avim.org.tr/degerlendirmetekli.php?makaleid=6137> – Alev Kılıç, "Armenia Has Opted to Join the Eurasian Economic Union" *AVİM Bulletin*, 6 September 2013.

d. Reactions in Armenia

The reactions of Armenian political parties to the decision of joining the Customs Union have varied according to whether they are in power or are within the opposition.

The Republican Party, the great partner of the coalition in power, has naturally supported this decision. While Spokesman of the party Eduard Sharmazanov has said that the decision meets the national interests of Armenia⁸⁶, Hovhannes Sahakyan, Secretary of the party's parliamentary faction has said that Armenia is already included in a Russian security network, and thus cannot remain aloof from any economic ties, but that Armenia would continue to cooperate with the European Union and Armenian joining the Customs Union could not upset such ties⁸⁷.

The reactions of Armenian political parties to the decision of joining the Customs Union have varied according to whether they are in power or are within the opposition.

Head of the Rule of Law Party and Secretary of the Armenian National Security Council Arthur Baghdasaryan has repeated the official view that Armenia's entry into the Customs

Union does not hinder the Association Agreement with the European Union and has said that Russia will intensify its involvement in the development and diversification of Armenian economy and as a proof of this soon new programs and projects will be seen⁸⁸.

Concerning this matter, Vardan Bostanjyan, member of the Prosperous Armenia Party which did not join the Government Coalition following the parliamentary elections, after saying that the main objective must be the security of Armenia and Karabakh, has indicated that the Armenian products cannot cause breakthrough in the European markets at least in the first five years, that the main market of Armenian export sales is Russia and that when considering these factors, the Armenian President made a decision that is the most appropriate⁸⁹.

On the other hand, the Dashnak Party has issued a statement on this issue, criticizing the government for not providing the necessary information to the public regarding this decision and stating that they assume that the primary

86 "Le parti au pouvoir affirme que la décision de rejoindre l'Union Douanière répond aux intérêts nationaux de l'Arménie" *Armenews*, 9 September 2013.

87 "Republican Party Spokesman: There can be no Talk of Russian Pressure" *Hetq.am*, 4 September 2013.

88 "Baghdasaryan: Entry into Custom Union Does Not Hinder Signing Association Agreement With EU" *Panorama.am*, 9 September 2013.

89 "President Decision to Join Custom Union Was Rational; Prosperous Armenia Party Member" *News.am*, 4 September 2013.

reason for the Armenian President's decision was the security issues of Armenia and Karabakh, that any economic integration must give clear guarantees for maintaining and consolidating the security and developing the economy of Armenia, whereas this decision shall not become an obstacle before the continuation of Armenia activities in the European direction⁹⁰. As can be seen, despite its criticizing tone, the Dashnaks' statement actually supports Armenia's decision.

In a statement made on this issue, Armenian National Assembly Chairman and Armenia's first President Levon Ter-Petrosyan, after saying that he has reservations about Armenia's decision to join the Customs Union, has lambasted President Sarkisian's last-minute decision as humiliating and shameful and said that the European Union committed a serious mistake by supporting Sarkisian for the last five years⁹¹. On the other hand, another member of the party Aram Manukyan said that it is Sarkisian's habit not to inform his people of his actions, for instance that the Turkey-Armenia protocols were also initialed quite unexpectedly and that Armenia is losing its image of a reliable country⁹².

Raffi Hovannissian, Head of the Heritage Party, seen to be under the influence of the US Armenians, has opposed Armenia's decision to join the Customs Union. Stepan Safaryan from the same party has said that joining the Customs Union puts Armenia's independence into danger, because apart from being economic, this Union also carries a geopolitical feature and moreover, that Armenia has been devoid of entering the European market and the opportunity to create a democratic and continuous state⁹³.

Boris Navasardian, speaking on behalf of some civil society organizations which defend integration with the European Union, has criticized the Government's stance of foreseeing the signing of the Association Agreement without the DCFTA and has said that meaningful political association with the European Union is impossible without DCFTA because the free-trade agreement would not only open the market to Armenia but also requires a radical reform of the Armenian business environment⁹⁴.

Last of all, we must note that a day after Armenia declared its decision on 4 September 2013, a protest rally was organized in front of the Presidential

90 "Decision to Join Customs Union Was Laden With Huge Responsibility for Armenia's Future- ARF" *News.am*, 4 September 2013.

91 "Ter Petrossian: "Sarkissian a trompé l'Europe et humilié l'Arménie" *Armnews.am*, 10 September 2013.

92 "Oppositionist: Serzh Sargsyan is Completely Illegitimate and Acts at Foreign Forces' Bidding" *Arminfo.am*, 10 September 2013.

93 "Rulling Party Says Customs Unions Decision Meets Armenia's National Interests" *ArmeniaNow*, 6 September 2013.

94 "Government Bid to Dilute Accord With EU Criticized" *RFE/RL*, 5 September 2013.

Residence in Yerevan opposing the Customs Union. The rally participants had declared that by joining the Customs Union, Armenia would make a step towards restoration of the former Soviet Union and had asked President Sarkisian's resignation. Moreover, a clash had broken out between the demonstrators and police and nine demonstrators had been arrested⁹⁵.

As can be seen, parties holding a great majority of the seats in the Armenian National Assembly had adopted a stance that favors the Customs Union and within the bounds of possibility had supported relations with the European Union. The number of those with the opposite view is less and their influence in the political area is limited.

2.5. The Armenian Government's Stance

Following the announcement that Armenia will join the Customs Union, Deputy Foreign Minister Shavarsh Kocharian made a statement on how relations with the European Union could be from now on. He has accepted that the DCFTA is incompatible with the membership of the Customs Union and said that Armenia would continue to cooperate with the European Union as much before, with the exception of the DCFTA. Furthermore, he has expressed that they are willing to sign the Association Agreement and are ready to maintain all other programs with the European Union and to continue the implementation of reforms⁹⁶. It could be understood that Foreign Minister Edward Nalbandian, who visited Brussels right after Armenia declared its decision and met with European Commissioner responsible for Enlargement and Neighborhood Policy Stefan Füle, also shares the same views. At the same time, Nalbandian's visit has fulfilled the European Union's wish mentioned above to obtain information from Armenia.

According to a press release by the Armenian Foreign Ministry concerning this visit⁹⁷, Nalbandian has reiterated Armenia's readiness to continue the broad cooperation with the European Union on mobility, enhancement of the reform process, good governance, democracy, human rights, and multisectoral economic cooperation, underlining the will of Armenia to develop close partnership as much as it is appropriate for the European Union and so that it would not contradict Armenia's membership to the Customs Union.

In short, except for the DCFTA, Armenia wants to sign the Association Agreement and to maintain all its other relations with the European Union.

95 "Protests Against Joining Customs Union Outside Presidential Residence" *AMT*, 4 September 2013.

96 "Armenia Willing to Continue EU Cooperation" *Asbarez*, 5 September 2013.

97 "Foreign Minister Met With EU Commissioner" Press Release, 5 September 2013. http://www.mfa.am/en/press-releases/item/2013/09/05/meeting_Füle/

This way, it has tried and continued its policy of benefitting economically from the European Union and from Russia in the area of defense.

On 12-13 September 2013, the European Union's Eastern Partnership Informal Foreign Ministerial meeting has been held in Yerevan. Stefan Füle, who attended the meeting on behalf of the European Commission, has expressed the Union's stance opposite to Armenia's stance mentioned above regarding the European Union⁹⁸. Contrary to Armenia's proposal to sign the Association Agreement by excluding the DCFTA, Füle has said that the Association Agreement is actually one agreement, one treaty, that it is not two treaties and they are two parts of one treaty, that there are clear links between those two parts and that you cannot separate just one at the expense of the other. This way, the fact that the European Union does not accept Armenia's proposal of signing the Association Agreement by separating the DCFTA has gained clarity.

Füle has also indicated that the European Union stands ready to continue developing ties with Armenia through a "new legal framework", but that he is skeptical about the Armenian side's desire to work it out in time for the EU Summit in Vilnius slated for November. It could be understood from Füle's statements that since the Association Agreement cannot be signed, Armenia seeks for a new document to be prepared that would regulate relations with the EU and for it to be signed during the Vilnius Summit. Although not rejecting this, by stating that this document will not work out in time until November, Füle has indicated beforehand that no document will be signed with Armenia at the Summit. The points to be included in the new document, or in Füle's words, in the "new legal framework", has not been explained. It has been understood that it is expected from Armenia to present some proposals concerning this issue⁹⁹.

Although it is understood from Stefan Füle's statements that Armenia will not sign an Association Agreement with the European Union, President Sarkisian has personally made some contacts to achieve this when opportunities arise. As Armenia chairs the Committee of Ministers of the European Council, he has delivered a speech in the Parliamentary Assembly on 2 October 2013¹⁰⁰ and has responded to the questions. In short, the Armenian President has stated that they want to sign an association agreement with the European Union envisaging mainly political reforms and that he will participate at the Summit in Vilnius with the thought that some changes could be made to the document

98 "EU Sees No Association Accord With Armenia" *RFE/RL*, 13 September 2013.

99 "British Ambassador Says Armenian Authorities Should Present Clear Proposals on Those Fields Where They See Further Cooperation With EU" *ARKA*, 30 September 2013.

100 <http://www.president.am/en/statements-and-messages/item/2013/10/02/President-Serzh-Sargsyan-participated-at-the-session-of-the-PACE-speech/>

negotiated until now with the European Union¹⁰¹. By taking advantage of being already in France, Sarkisian has also met with President François Hollande. It is natural that Sarkisian has requested Hollande's help in a document which would preserve Armenia's ties to the European Union being signed in Vilnius. However, in the Elysée Palace's statement concerning this visit, this issue has not been mentioned.

In a similar manner, Armenian Foreign Minister Edward Nalbandian has also tried to convince officials in signing a document regarding relations with the European Union. Apart from the political reforms to be made by Armenia, no information exists on the content of this document. One source has even indicated that the document to be signed could be symbolic¹⁰².

The reason for Armenia to insist so intensely on signing a document with the European Union during the Vilnius Summit is that it has completely entered Russia's orbit after declaring that it would join the Customs Union. On the other hand, Armenia's policy pursued for years and shortly described as "complementary" of cooperating with Eastern countries and the European Union for economic development and with Russia for security has also come to an end. However, Armenia needs a balance which it can also bring forth against Russia when necessary. This is actually why, even if symbolic, Armenia is willing to sign an association document with the European Union. Yet, even though the European Union is uncomfortable with Armenia making a U-turn, it has not adopted a "punishing" approach towards Armenia in order not to push the country further into Russia's lap. It desires to establish some kind of cooperation with Armenia. Therefore, similarities exist between the stances of Armenia and the Union. The problem stems from what the cooperation will be and on what legal basis it will be founded upon not being determined. As mentioned above, European Commissioner responsible for the Enlargement and Neighborhood Policy Stefan Füle had said that the European Union is ready to develop relations with Armenia through a "new legal framework", but that he is skeptical about the Armenian side's desire to work it out in time for the Summit to be held in Vilnius in November. But, Armenian officials have continued their insistences on a document being signed in Vilnius. In the meanwhile, according to a news item, signing a document in Vilnius with Armenia entailing issues like the protection of human rights, implementing democratic reforms and combating corruption, rather more in the form of a proclamation, was envisaged¹⁰³.

101 "L'Arménie espère toujours trouver un accord d'association" *Armenews*, 3 October 2013.

102 "Armenian Authorities Adopt "New Line" in European Integration" *NEWS.am*, 5 October 2013.

103 "Vilnius'ta AB'yle 1,5 Sayfalık Ortak Bildiri İmzalanacak" (A Joint Statement of 1,5 pages will be Signed with the EU in Vilnius) *NEWS.am*, 16 October 2013.

On the other hand, the European Union has announced that it will sign two agreements with Armenia during the summit in Vilnius. The first of these is the Visa Facilitation Agreement which provides ease to those of Armenian nationality to enter European Union countries. The other is the Readmission Agreement regarding Armenian nationalities entering European Union countries through illegal means to be readmitted by Armenia¹⁰⁴. Both agreements do not carry a political, but a technical aspect.

As for Armenia, it is seen that Armenia has acted towards joining the Russian controlled Customs Union as soon as possible after it gained clarity that the Association Agreement with the European Union would not be signed without the DCFTA. For this purpose, President T. Sarkisian has created seven working groups within the Government. Despite this impatient stance by Armenia, negotiations to be held with the Customs Union countries (Russia, Kazakhstan, Belarus) could last for months and furthermore, many changes must be made to Armenia's regulations¹⁰⁵. In short, Armenia's accession to the Customs Union will take quite a long time.

It is seen that Armenia has acted towards joining the Russian controlled Customs Union as soon as possible after it gained clarity that the Association Agreement with the European Union would not be signed without the DCFTA.

Thus, Armenia's accession to the Customs Union has reached the phase of implementation and this has satisfied President Putin which he has expressed in a letter to President Sarkisian¹⁰⁶. Despite all the claims by Armenia, President Putin refrained from providing a date for visiting this country and as mentioned above, used this visit as an instrument of pressure over Armenia. After it became clear that Armenia would join the Customs Union, some developments took place, and the date of the visit was determined as December 2nd when it was certain that this visit would take place, although it was not announced first due to security reasons,

It could be seen that NATO also pursued the European Union's policy of maintaining its ties with Armenia to a certain extent, while on the other hand, Armenia is also willing to develop these ties. James Appathurai, NATO Secretary General's Representative for Southern Caucasus and Central Asia, has praised Armenia's cooperation with NATO; has reiterated NATO's readiness to support defense reforms in Armenia and has emphasized that

104 "EU Hopes For Conclusion of Visa Facilitation and Readmission Agreement With Armenia in Vilnius: Stefan Füle" *NEWS.am*, 4 October 2013.

105 "Le Gouvernement arménien annonce le lancement du processus d'adhésion dans L'Union Douanière" *Armenews*, 20 September 2013.

106 "Putin Again Hails Armenian Entry into Russian-Led Bloc" *RFE/RL*, 23 September 2013.

Armenian officials, including President Sarkisian, had told him that nothing would hinder deepening relations with NATO along with being a CSTO and Customs Union member¹⁰⁷.

In Armenia, particularly in the press, some views against the Customs Union have been brought forth that have not quite affected public opinion.

The first of these views is that Armenia would not gain any or it would gain little economic benefit from the Customs Union. On the contrary, there are those who assert that natural gas prices would fall if it becomes a Customs Union member which is possible. Moreover, there are also those who put forth that Armenian goods would be sold to Customs Union countries more easily. This is also possible. But, Armenian goods directed to the Customs Union mean that not much would change in their quality, whereas the production of goods of high quality would be necessary in order to sell goods to the European Union. Over time, this could have caused serious improvements especially in the industrial sector.

The second view is that if Armenia joins the Customs Union, it will at least partially lose its sovereignty or independence. These views are seen in the political area as much as in the press. For instance, Mikael Hayrapetyan, Head of the Conservative Party, has said that Armenia's accession to the Customs Union will further restrict its sovereignty which is already limited¹⁰⁸. On the contrary, Deputy Foreign Minister Shavarsh Kocharian has indicated that each country of the Customs Union maintains its sovereignty, notwithstanding each member of the union confers a certain part of its authority to the Union¹⁰⁹. This view is true and applies to all countries that are members of international organizations. On this point, it should be noted that reduction in Armenia's sovereignty rights does not arise from being a member of the Customs Union, but from gradually becoming closer to a great country like Russia, because then the final word will come from Russia.

The third and, in our view, a serious issue is what the status of the Karabakh region would be with the Customs Union; in other words, whether this region would join the Customs Union together with Armenia. Concerning this issue, Russia's view has not yet been come across. According to the international law, as Karabakh is not part of Armenia, the Customs Union should not apply to this region. If Karabakh is left outside the Customs Union, customs duty will be collected from the commercial activities between this area and

107 "NATO Representative Told the 'Secret' *Lragir*, 18 October 2013.

108 "Armenia Accession to Custom Union Means Further Restriction on its Sovereignty" *Tert.am*, 24 October 2013.

109 "All countries of Custom Union Maintain Their Sovereignty: Deputy Foreign Minister" *Armenpress*, 19 September 2013.

Armenia, whereas Deputy Foreign Minister Shavarsh Kocharian has strictly opposed this possibility by indicating that there can be no border between Armenia and Karabakh¹¹⁰. However, if Karabakh is an independent state, as alleged by Armenia, it would be appropriate for it to remain outside the Customs Union. On the other hand, as Azerbaijan justly defends, since Karabakh is an autonomous area in Azerbaijan, it should not be a part of the Customs Union. Therefore, it is quite difficult to support the Armenian view which considers Karabakh as if it is included in the Customs Union.

On the other hand, if Karabakh was included in the Customs Union, it would be appropriate for Azerbaijan to object to this by putting forth that Karabakh exists within its own boundaries. It could be conceived that such a development would also negatively effect or even halt talks on the Karabakh issue. Since the draft agreement related to Armenia's accession to the Customs Union has not been published, it is unclear whether or not it includes the Karabakh region. However, since Armenia is no longer an associate to the European Union, this matter no longer carries importance for the time being.

Meanwhile, let us indicate that a scholar from the Diaspora has approached the issue from another perspective, putting forth that the Customs Union, even if indirectly, would include Karabakh and that every international regulation comprising Karabakh would make it easier for this region to be annexed to Armenia¹¹¹.

As can be seen, although there are some groups in Armenia that oppose the Customs Union, public opinion polls have shown that a majority of the public supports the Union and furthermore, has great confidence in Russia. According to a research conducted by the Eurasian Development Bank, 67% of the people interviewed (62% in 2012) has said that they want Armenia to join the Customs Union. Those regarding Russia as “a friendly country” exceed 90%¹¹². On the opposite, 45% of the youth indicating that they want to study in European Union countries, while only 17% expressing that they want to study in Russia or in a country of the former Soviet Union is an interesting finding.

2.6. The Vilnius Summit

The fact that Armenia had presented a draft to the European Union concerning the document to be signed in Vilnius-only to be rejected-, was learned through

110 “La polémique se poursuit” *Armenews*, 13 September 2013.

111 Raymond Azadian, *mirrorspectator.com*, 17 September 2013.

112 “Majority of Young Armenians Would Like To Study in An EU Country Rather than Russia” *ARKA*, 24 October 2013.

the press¹¹³. While Armenia's proposals have not been explained,, it is not difficult to make presumptions. As Armenia expressed before on various occasions, it sought to sign a document that preserves, within the bounds of possibility, the other sections of the Association Agreement excluding the DCFTA, but this was not accepted by the European Commission.

During the Summit of the Heads of State of Eastern Partnership Countries organized in Vilnius on 29 November 2013, Armenia and the European Union issued a joint statement. The original text of this short statement is given in the footnote¹¹⁴.

In the statement, the following points are mainly indicated:

- a. Although the Association Agreement has not been signed, the two sides specify that they want to continue cooperation in all areas of “mutual interest”. This way, they have wanted to show that ties between Armenia and the European Union have not been abolished.
- b. The European Union wants its member states or associated member countries to fulfill some conditions. Although Armenia is not an associated member, a paragraph exists in the statement that it is committed to fulfill the conditions. These are the improvement of democratic institutions and judiciary, the promotion of human rights, rule of law and good governance, the strengthening of civil society, and the fight against corruption. Moreover, it has also been asked from Armenia to fulfill some principles in the economic area.

Armenia was also supposed to comply with these rules during negotiations on association continuing for almost four years. But, as the fraudulent elections have shown, it is not possible to say that significant developments in these areas have taken place in Armenia. Since the importance of these issues within the Customs Union and later on in the Eurasian Union is also

113 “Armenia and EU Cannot Reach Agreement on Vilnius Document – Newspaper” *NEWS.am*, 26 November 2013.

114 http://www.mfa.am/en/press-releases/item/2013/11/29/eu_js/

JOINT STATEMENT BETWEEN THE REPUBLIC OF ARMENIA AND THE EUROPEAN UNION (Vilnius, 29 November 2013)

The EU and Armenia enjoy close links and reconfirm their commitment to further develop and strengthen comprehensive cooperation in all areas of mutual interest within the Eastern Partnership framework.

Based on common values, both sides are committed to further cooperation aimed at the continuous improvement of democratic institutions and judiciary, the promotion of human rights and rule of law, good governance, the fight against corruption, the strengthening of the civil society, the further improvement of the framework for enhanced trade and investments, the continued implementation of the mobility partnership and increased sectoral cooperation.

Based on their common endeavour to build upon the existing framework of cooperation, the EU and Armenia stress the importance of revisiting the basis for their relations.

The EU and Armenia acknowledge that they have completed negotiations on an Association Agreement, including a Deep and Comprehensive Free Trade Area, but will not proceed with its initialling due to Armenia's new international commitments. They agree on the need to update the EU-Armenia ENP Action Plan.

relative from now on, it could be expected for the developments in these areas to be much more severe.

As known, countries to become members of the European Union must conform to the Copenhagen criteria and in particular, to the principle of good neighborly relations. It cannot be said that Armenia pursues a policy of good neighborly relations while it is at war with one of its four neighbors and has no diplomatic relations with another. Yet, the statement does not entail this principle and this can create the notion for Armenia that continuing the irreconcilable policy it has pursued until now towards Azerbaijan and Turkey has no inconvenience from the European Union's aspect.

- c. The importance of revisiting the basis for relations between the European Union and Armenia is emphasized in the statement. It is also indicated that the sides agree on the need to update the EU-Armenia European Neighborhood Policy Action Plan. This means that works will be conducted towards determining on what foundations and in which areas relations between the two sides will be carried out.
- d. The statement also puts forth that the European Union and Armenia acknowledge that they have completed negotiations on an Association Agreement, including a DCFTA, but will not proceed with its initialing due to Armenia's new international commitments. This way, Armenia has accepted responsibility for the Association Agreement not being able to be signed.

If Armenia had signed the Association Agreement, there is no doubt that the European Union's aid would have been much higher.

Without doubt, this statement is way below the expectations of Armenia, because apart from the European Union adopting a general approach that it will form cooperation in the future, it has not made any promises to Armenia. In particular, there is no statement that would mean that funds to Armenia will continue. However, it is possible that aid provided for some projects will continue until the projects are finished. According to one source, this aid was 110 million Euros for the year 2014¹¹⁵. If Armenia had signed the Association Agreement, there is no doubt that the European Union's aid would have been much higher. Although no specific number has been indicated for this, the source mentioned above has brought forward that 6 billion Euros was envisaged to be given to Armenia during the 3-4 year period. Due to the

115 "EU Was Ready to Provide Armenia With 6 Billions Euro Aid in 3-4 Years- Concord Center Head" *ARKA*, 26 November 2013.

economic situation the European Union is still in, the allocation of this money to Armenia could have been difficult. But, it is normal for Armenia to require this amount or even more in order to develop economically.

President Sarkisian has delivered a speech during the Summit of Eastern Partnership¹¹⁶, stating that Armenia is determined to continue with the implementation of the deep and large-scale reforms which exist in the Joint Statement mentioned above. He has also said that building and strengthening Armenian nationhood upon the European model has been the conscious choice of Armenia and that process is hence irreversible. But, he has not mentioned why Armenia has chosen the Russian model if the European model is so important.

Another point drawing attention in his speech is that the Eastern Partnership should become a natural bridge that promotes integration from the Atlantic to the Pacific Oceans and this is as if Armenia also somehow suggests to Russia to become an associate to the European Union.

The Armenian President's speech was focused on the Armenian-European Union relations. In an environment where many statements are issued, referring to other subjects would have been baseless. But, without having such concerns, Sarkisian had also touched upon Armenia's relations with Turkey, the genocide allegations, the 100th anniversary of 1915 and also the Karabakh issue. By doing so, although relations with the European Union have weakened, he has tried to convince the Union and member states to continue to support Armenia in these issues.

Sarkisian's words regarding Turkey and Karabakh have been mentioned in our article's section of "Turkish-Armenian Relations".

III. ARMENIA'S SECURITY ISSUES

Just like every other country, Armenia also has security needs. Due to the clashes with Karabakh not coming to an end with a peace treaty, but with a ceasefire, and also due to Armenia's legal occupation of Azerbaijani territories, Azerbaijan reserves the right to take back its territories according to the article 51 of the United Nations Charter. For this reason, it is likely for clashes between the two countries to re-emerge. It is possible for Armenia to withdraw from the occupied territories and in return, to make peace with Azerbaijan and eliminate the possibility of war by obtaining, under international

116 <http://www.president.am/en/press-release/item/2013/11/29/President-Serzh-Sargsyan-speech-at-the-third-Eastern-Partnership-summit/>

guarantee when necessary, a special status for the Karabakh Armenians. However, Armenian public opinion, which is still under the impact of the military success achieved in early 1990's, the stance of some political parties-with the Dashnaks at the forefront-, which abuse the military success and the Republican Party generally acting in a similar manner, have blocked reconciliation with Azerbaijan and therefore, has increased the chance of war. Besides, with the opportunities gained by selling petroleum and natural gas, Azerbaijan has strengthened its armament and its defense. For some time, Azerbaijan's defense budget has been higher than Armenia's total budget. At a date not far away, Azerbaijan will gain absolute advantage over Armenia in the military field and will be able to use its opportunities in this field to rescue its territories under Armenian occupation.

At this stage, beyond keeping hold of the occupied Azerbaijani territories, Armenia also needs foreign aid for the defense of its own territories and it could be seen that under current conditions, this function can best be fulfilled by Russia. Russia seeks to hold influence in the Southern Caucasus, which it had fully dominated in the past and for this, it takes advantage of Armenia in which it established a military base. Therefore, Armenia's need for security and Russia's desire to maintain its presence in this region find a middle ground and forms a strategic partnership.

However, Russia not only requires influence in Armenia, but also in the other two countries of the Southern Caucasus, Georgia and Azerbaijan, which according to Armenia are at a stronger position. For reasons known, it is difficult or will at least take a long time for Russia to re-establish its former relations with Georgia. On the contrary, at least due to its policy of armament, it has common points with Azerbaijan in some areas. This situation is the weak spot of the Russia-Armenia strategic partnership and creates the result of Russia's support to Armenia, especially in the area of defense, not being certain, but relative; in other words, it varies according to conditions.

On what legal foundation is Russia's contribution to Armenia's defense based?

From the aspect of bilateral relations, the situation is as follows:

- a. With an agreement concluded with Russia in 1995, Armenia had given Russia a military base near the town of Gyumri. Additionally, it had been agreed for Russia to safeguard Armenia's borders from the former Soviet Union period. This way, Armenia believes that Turkey would not want to interfere through Armenian territories in the armed conflicts between Armenia and Azerbaijan and, by taking this into consideration, determines and conducts its policy towards Azerbaijan. This situation, "the Russian

umbrella” forms a basis for Armenia’s uncompromising and sometimes violent policies towards Turkey. In short, Armenia does not steer clear of Turkey in the military field due to “the Russian umbrella”.

- b. Armenia’s borders with its other two neighbors (Georgia and Azerbaijan) are not protected by Russia.

Although this is the actual situation, Armenian politicians, from time to time, make statements meaning as if a treaty or at least an agreement has been reached for Armenia’s borders with Azerbaijan to be protected by Russian forces. This situation was especially observed in 2010 during the extension of the Russian military presence in Armenia.

The duration of the agreement Armenia signed with Russia in 1995 concerning the establishment of a military base in Gyumri, which we mentioned above, is 25 years and will end in 2020. While there is almost ten years until it expires, the agreement was extended on 20 August 2010 for 24 years until 2044¹¹⁷. Therefore, it became clear that the only Russian military presence in the Southern Caucasus would continue at least until the middle of the century; in other words, that Russia never had the intention to abandon the Southern Caucasus.

As for what this agreement brought in for Armenia, news were published in the press that the Gyumri base, together with the Armenian armed forces, would also provide security to Armenia and moreover, that Russia accepted to provide modern and suitable arms and special military equipment to Armenia¹¹⁸. Furthermore, President Sarkisian, in the press conference held with President Medvedev on the day of the signing of the agreement, said “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 by 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”¹¹⁹. This has confirmed the news in the press. However, Medvedev has not referred to this issue.

A short while after this visit, President Medvedev had conducted an official visit to Baku in early September 2010 in order to maintain a balance between

117 Detailed information on this issue could be found in *Ermeni Araştırmaları* No:36. (2010). pp.74-82

118 “Russia-Armenian Defense Pact Will Avert New War in Karabakh” *Armenianliberty.org*, ve *RFE/RL* 17 August 2010.

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

Armenia and Azerbaijan. Right before this visit, Russian Foreign Minister Sergey Lavrov, in an interview delivered to an Azerbaijani newspaper¹²⁰, has referred to the Russian base in Armenia and said that the protocol signed with Armenia on 20 August extended the presence of Russian military base in Armenia and nothing more, that it did not change either the function of the base or the number of the servicemen at that base or the number of the arms, that the main purpose of the base was to ensure the interests of the Russian Federation, that these interests included maintaining stability in the South Caucasus and Caspian region, and that this goal did not change with the extension of the agreement¹²¹. During his visit, President Medvedev also talked in the same manner and put forth that the protocol signed did not constitute a threat to Azerbaijan's security¹²².

In conclusion, no written promise of Russia that it will protect Armenia against Azerbaijan or any other country exists. Armenia asserts that, with the agreement of 20 August 2010 that extends the term of the Gyumri base, Russia has assumed the responsibility of providing security to Armenia and moreover, that it has accepted to provide modern weapons to the Armenian army, while Russian officials prefer to remain silent on this issue.

Another possibility concerning this issue is that an agreement not revealed to the public has been concluded between Russia and Armenia. This is possible, but article 102 of the United Nations Charter is the directive that every international agreement shall be registered with the Secretariat. Since agreements not registered cannot be brought forward before any organ of the United Nations, it is assumed that Russia will not appeal to this method that is considered as null in international law and is not acknowledged among the public due to the problems created by the "secret" treaties of the First and Second World Wars. On the other hand, the emergence of a secret defense agreement made with Armenia, which certainly will emerge, would damage Russia-Azerbaijan relations. Therefore, while Russia wins Armenia, it will lose the wealthy Azerbaijan and this not a usual manner in the Russian diplomacy. However, the situation is different in multilateral relations.

Armenia is a party to the Treaty on Collective Security founded by the Russian Federation in particular and some Republics disintegrating from the former Soviet Union (Armenia, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan and the Russian Federation). It is also a member of the Collective Security Treaty Organization (CSTO) created by these countries.

120 "Russian FM Sergey Lavrov on Essence of St. Petersburg Proposals on Nagorno-Karabakh Conflict, Major Goal of Russian Military Base in Armenia" *Today Azerbaijan*, 29 August 2010.

121 Ibid.

122 "Dimitri Medvedev rassure l'Azerbaïdjan sur l'Accord arméno-russe" *Armenews*, 3 September 2010.

Article 4 of the Treaty on Collective Security relates to the attacks that could be carried out against the member states. According to this article, in case an act of aggression is committed against any of the Member States, rest of the Members States will provide it with necessary assistance, including military one, as well as provide support with the means at their disposal in exercise of the right to collective defense in accordance with Article 51 of the UN Charter¹²³. According to this, if Armenia faces an attack, it can receive military assistance from the Member States to the Collective Security Treaty. While this is the case, this assistance is not self-driven. In other words, in the case of an attack against Armenia (or another Member State), military assistance will not be provided immediately, and the Member States must make an unanimous decision unanimously. Under current conditions, it is difficult to suppose that the CSTO will allow Muslim countries to use military force against Azerbaijan. In fact, President Sarkisian has indirectly referred to this situation. In his speech delivered at the CSTO Council meeting on 23 September 2013 in the city of Sochi in Russia¹²⁴, the Armenian President has said that in their documents-including the Moscow Declaration adopted last December- the importance of the exclusively peaceful resolution of the Karabakh conflict through the mediation of the OSCE Minsk Group based on the UN Charter, the principles and norms of international law-particularly those pertinent to the non-use of force or threat to use force-, equality and right of people for self-determination and territorial integrity of the states were stressed, but that contrary to the spirit of the decisions were adopted, some of the member states in other settings and in other organizations on the same issue adopted declarations which disagree with the decisions adopted in the framework of the CSTO. He has also indicated that many countries have their own interests related to Azerbaijan, however that the adoption of the documents which are based on the interest-inspired relations is unacceptable for Armenia when they run against the interests of the CSTO.

123 The text of this article is as follows: “In case an act of aggression is committed against any of the Member States all the others Members States will provide it with necessary assistance, including military one, as well as provide support with the means at their disposal in exercise of the right to collective defense in accordance with Article 51 of the UN Charter” .

Without changing its essence, the following amendment has been made to the article in 2010: If one of the Member States undergoes aggression (armed attack menacing to safety, stability, territorial integrity and sovereignty), it will be considered by the Member States as aggression (armed attack menacing to safety, stability, territorial integrity and sovereignty) to all the Member States of this Treaty.

In case of aggression commission (armed attack menacing to safety, stability, territorial integrity and sovereignty) to any of the Member States, all the other Member States at request of this Member State shall immediately provide the latter with the necessary help, including military one, as well as provide support by the means at their disposal in accordance with the right to collective defence pursuant to article 51 of the UN Charter.

The Member States shall immediately inform the United Nations Security Council on the measures taken on the basis of this article. When implementing these measures, the Member States shall adhere to the relevant provisions of the UN Charter.

124 <http://www.president.am/en/press-release/item/2013/09/23/President-Serzh-Sargsyan-participated-at-the-session-of-the-CSTO-Collective-Security-Council/>

Although President Sarkisian has not explained in his speech which countries “some of the member states” are, it is without doubt that these are the CSTO’s Muslim countries of Kazakhstan, Kyrgyzstan and Tajikistan. These countries have accepted the unanimously reached decisions of the Organization of Islamic Cooperation which embrace Azerbaijan’s views on Karabakh. Furthermore, Kazakhstan and Kyrgyzstan have adopted a declaration at the Turkic Speaking States Summit held in Azerbaijan’s city of Qabala on 16 August 2013 which envisaged the settlement of Karabakh within Azerbaijan’s internationally recognized borders¹²⁵.

Most of the military forces under the command of the CSTO are Russian forces. However, it is not possible for Russia to provide military assistance to another Member State on its own based on article 4 of the CST, because this article states that military and other kinds of assistance could only be made collectively.

Another point on this issue that should not be ignored is the following: if the Karabakh issue turns into an armed conflict, legally, this might not entail an attack against Armenia. No one doubts that the seven “rayons” surrounding Karabakh which are currently still under Armenian occupation belong to Azerbaijan. Therefore, a military operation conducted by Azerbaijan with the purpose of rescuing these areas from Armenian occupation would not entail an attack against Armenia, thus not requiring the CSTO’s intervention.

A similar situation exists in Karabakh. According to the international law, this area is part of Azerbaijan. Therefore, a military operation to get these territories back will not mean that an attack has been carried out against Armenia. We examined above that although legally this is the situation, commander of the Russian military base in Gyumri Captain Ruzinsky had issued an opposite statement and that later on, a Russian general had said that the CSTO has no connection to Karabakh.

On the other hand, Armenia does not argue that this region is in their territory and that it is an independent region, or at least a state. But, as this region - which is unable to fight against Azerbaijan although it has armed in its own way- is not internationally recognized, it is unable to conclude a defense agreement with another state except with Armenia or cannot ensure its defense within an organization like the CSTO.

Another factor regarding this issue is how much Russia can be trusted. Despite close relations and even the military alliance it has with Armenia, Russia has been selling arms to Azerbaijan all along. The final sale took place in June

125 “Armenia Slams Turkic Allies Over Pro-Azeri Statement” *RFE/RL*, 23 September 2013.

2013 and was worth 1 billion dollars¹²⁶. Russia has been selling arms to Azerbaijan for years. These sales are worth 5% of total arms sales and among the former Soviet Union countries, the biggest arms sale is made to Armenia in order to maintain the military balance in the Southern Caucasus¹²⁷. Since there is no doubt that these arms will first be used against Armenia when necessary, arms sales is to the detriment of Armenia. However, with the appeal of winning dollars, Russia does not abstain from making these sales. Excuses that this final sale was directed towards keeping military parity in the Southern Caucasus¹²⁸ or that this sale did not breach military parity¹²⁹ have been brought forth. What is interesting is that statements were received from Armenia that defended Russia and tried to underestimate the importance of this sale. For instance, Secretary of the Armenian National Security Council Arthur Baghdasaryan has said that Armenia is equipped with superior arms than Azerbaijan¹³⁰, whereas Armenian Defense Minister Seyran Ohanyan, in a rush to defend Russia, has said that military-technical cooperation with Russia is on a high level and that Armenia retains the balance in the region in qualitative terms¹³¹. The final sale worth one billion dollars constitute modern weapons of 90 tanks, 100 armored personal carriers, motorized guns and rocket launchers. Azerbaijan has increased its defense budget, which was worth 163 million dollars in 2003, currently to 3.7 billion dollars. This amount exceeds Armenia's entire state budget¹³². In this situation, it is difficult to believe that Armenia maintains parity. The military balance between Armenia and Azerbaijan can only be achieved if the Russian forces in Armenia are also included to the Armenian forces. If this is the situation, it means that it has already been decided for Russian and Armenian forces to act together against Azerbaijan and this situation is unacceptable for Azerbaijan. Events have shown that Russia prioritizes its financial interests regarding arms sales. But, since it is difficult for Armenia to obtain weapons other than from Russia, the country necessarily is dependent in this area on Russia.

It is possible to draw the following conclusions from what we have explained so far:

- a. Russian forces deployed in Armenia will protect Armenia against any attacks by Turkey and/or Iran.

126 "Armenia Unfazed by Reported Russian Arms Supplies to Azerbaijan" *RFE/RL*, 19 June 2013.

127 "Vladimir Yevseyev: "Only Two States in the CIS Can Afford Russian Arms" *Vestnik Kavkaza*, 23 July 2013.

128 "N. Bordyuzha: Russia Sold Arms to Azerbaijan to Keep military parity in South Caucasus" *Arminfo*, 26 June 2013.

129 "Armenian-Azeri Parity not Breached" by Russian Arms Supplies" *RFE/RL*, 26 June 2013.

130 "Armenia Equipped with Superior Arms than Azerbaijan" *Armenpress*, 27 June 2013.

131 "Seyran Ohanyan About Arms Race: The situation is Under Control" *Medimax*, 26 June 2013.

132 "Defense Chief Dismisses Azeri Buildup" *RFE/RL*, 28 June 2013.

- b. It is not clear whether Russia has made any promise that it will bilaterally safeguard Armenia. Normally, as Russia assuming such liability will very much negatively affect relations with Azerbaijan, this does not seem reasonable.
- c. It is difficult and almost impossible for the CSTO to take a decision to safeguard Armenia with the rule of unanimity.
- d. If a military intervention is made to the seven Azerbaijani rayons and/or to Karabakh, it will not be considered as an attack made towards Armenia and will not require the CSTO's intervention.

As can be seen, if clashes start again, assistance will or will not be provided to Armenia according to the place or places the clashes occur and the conjuncture dominant at that point. Therefore, it is not possible to say that agreements with Russia or being a CSTO member will certainly provide security to Armenia.

There is another way for security to be provided: Resolving a disagreement that threatens security. It is without doubt that Armenia has occupied the territories belonging to Azerbaijan. No state recognizes Karabakh. Therefore, the likelihood of settling this conflict by accepting Armenia's views does not exist. In this situation, withdrawing from the seven occupied Azerbaijani rayons, bringing an end to this conflict by determining a status for Karabakh within the framework of Azerbaijan's territorial integrity and this way, not only ensuring its own security, but also starting a period of peace and cooperation in the Southern Caucasus seems as the most reasonable approach.

As can be seen, if clashes start again, assistance will or will not be provided to Armenia according to the place or places the clashes occur and the conjuncture dominant at that point. Therefore, it is not possible to say that agreements with Russia or being a CSTO member will certainly provide security to Armenia.

IV. DEVELOPMENTS ABOUT GENOCIDE ALLEGATIONS IN SOME COUNTRIES AND INTERNATIONAL FOUNDATIONS

In the last volumes of our journal, very important developments about genocide allegations that were occurred in the countries such as USA and France were covered in detail, and due to the lack of space, other developments in other countries could not been addressed. Yet there have been also important developments on the issue of genocide allegations in other countries. In this issue of our journal, the developments about genocide

allegations in question in the countries and some of establishments being discussed will be covered.

Our article is divided into two parts. First part which is titled as “Some of Countries” includes 21 countries. They are alphabetically like the following: 1. Germany, 2. Australia, 3. Austria, 4. Belarus, 5. Bulgaria, 6. the Czech Republic, 7. Denmark, 8. Armenia, 9. Georgia, 10. England, 11. Spain, 12. Israel, 13. Sweden, 14. Italy, 15. Canada, 16. Hungary, 17. Portugal, 18. Slovakia, 19. Ukraine, 20. Uruguay, 21. Vatican

Three organizations are examined in the second part titled as “International Establishments”.

European Union, 2. The Organization for Security and Co-operation in Europe (OSCE), 3. The Council of Europe

A. Some Countries

1. Germany

Following the US, Germany is the second important country that the Armenian Diaspora attaches importance on the issue of genocide allegations. There exists a view that this powerful country of Europe, in case it recognizes the genocide allegations by Armenia, would force Turkey to recognize the allegations and this will provide Armenia a convenient ground to fulfill its demands. However, this is just an assumption. Events show that although there is a tendency to recognize the genocide allegations in Germany, German Government does not have an intention to force Turkey in this respect; if she forced Turkey, Turkey would absolutely not accept that position and, in the end, relations between these two countries would be harmed. The German Government surely is aware of this and thus, keeps its distance from the Armenian demands.

As mentioned above, the German public recognizes the alleged Armenian genocide. However, this issue is on the very bottom of the list. There are some reasons behind it. Firstly, except some of the leftist groups, the issue of genocide is not issue that is generally desired to be talked about in the German public for obvious reasons. The Armenian Diaspora in Germany is composed mostly of 1960s’ migrants from Turkey and their number is about 30.000. It would not be very true to claim that they all are interested in the genocide allegations. Although there are some Armenian foundations trying to spread these allegations throughout Germany, they are not very influential due to the

existence of a Turkish population of 2.5 million and to reluctance by the majority of German politician. However, as we will see below, they also do not lag behind doing demonstrations or making demands.

After it was accepted that Turkey would be an EU member in the case of fulfilling certain conditions, some EU countries started issuing decisions on the recognition of Armenian Genocide allegations. At the time, this issue was discussed frequently in the German Parliament and in the end; a text accepted by the Christian Democrats and Socialists was adopted without a discussion on June 15, 2005. The significance of this text was the fact that it did not include a definition of genocide for the 1915 events, although the text was very long and included comments and views on 1915 emigration of Armenians. This issue was avoided with a formula of stating “Many independent historians, some countries’ parliaments, and international organizations name 1915 events as genocide.” This formula made neither Armenians nor Turks happy. While Turkey severely criticized this decision¹³³, it continued to maintain its normal relationship with Germany. On the other hand, Armenian Government avoided this matter. Armenian militants in Germany criticized this decision and they could not make any results although they made some attempts for the recognition of 1915 events as genocide.

There is not much room to analyze all of the mentioned attempts. Therefore, we will be mentioning just some of them.

Aiming to communicate with electorates directly, German Chancellor Angela Merkel initiated a process through which the electorates could submit laws they wished Germany to pass through the internet. Among proposals sent by the electorates, there was a law suggesting that those who deny Armenian and Syrian Genocide allegations should be charged, and this proposal was ranked first with 157.000 signatures among the proposals made on the internet¹³⁴. In a meeting with some of the proposers, Merkel refused this suggestion indicating that this could damage relations with Turkey, a great partner in commerce,

Previously, Prof. Tessa Hofmann, who has been a great defender of Armenian Genocide allegations in the last thirty years in Germany, failed in a request she proposed to Bundestag about having consultations on charging those who deny Armenian Genocide¹³⁵.

133 For the mentioned decision of Germany see Ömer Engin Lütem, “Facts and Comments”, *Ermeni Araştırmaları*, Issue 16-17, pp. 66-73.

134 “German propose Passing of Bill that considers Armenian Genocide’s Denial Unlawful” *News.am*, July 7, 2012.

135 “Bundestag to Consider Petition on Criminalization of Genocide Denial” *ParArmenian.Net*, February 27, 2012.

Considering these developments, it is understood that the German Government and majority of Bundestag were not willing to support the attempts that legally go beyond the decision of on the Armenian issue. Although Chancellor Merkel linked this with its trade relations with Turkey, it is doubtless that she considered the strategical importance of Turkey and the position of 2.5 million Turks living in Germany.

Moreover, in Germany any kind of demonstration can be done about Armenian Genocide allegations within the context of freedom of speech. As a matter of fact, official authorities can support these. For instance, German Ministry of Foreign Affairs financed a project titled “Adult Education and Oral History Contributing to Armenian-Turkish Reconciliation”¹³⁶. A book published in Turkish, Armenian, and English on this project, that included several interviews, were published¹³⁷. The significance of this is that the German Ministry of Foreign Affairs intervened in the issue of “pacification and reconciliation” which is Turkey’s and Armenia’s business, and that Germany financed a project which featured the Armenian Genocide allegations. What is interesting is that so few people were informed in Turkey about the project and the book that, the project and the book did no contribution to the reconciliation of the two countries and/or the two societies. Furthermore, nowadays Turkish-Armenian relations are much worse than it was in 2010.

A development that was much more significant was surely the opening of the House of Lepsius in Berlin. Johannes Lepsius (1858-1926) was a Protestant priest and an evangelist. He spent a part of his life in Ottoman Empire and was interested in especially Armenians there, and wrote a book on this matter. Lepsius tried to turn the German public opinion to Armenians’ advantage and gave importance to the propaganda as Ambassador Henry Morgenthau did for the American public opinion.

Among the works of Lepsius, his book titled “Deutschland und Armenian 1914-1918: Sammlung diplomatischer Aktenstücke (Germany and Armenia 1914-1918: An Anthology of Diplomatic Documents)” was specifically criticized.

Lepsius, with permission to work on German diplomatic documents of World War I, published this book after “cleaning up” the documents to the advantage of Armenians, and editing them to acquit Germany with regard to the 1915 events. The distortions by Lepsius were discovered later on and, in the last

136 Muriel Mirak-Weissbach, “Can Germany Mediate Armenian-Turkish Reconciliation” *Center for Research on Globalization*, October 31, 2011.

137 These discussions were published under the title of “Speaking to One Another: Personal Memory Explanations in Turkey and Armenia”. http://speakingtooneanother.org/assets/uploaded/Birbirimizle_Konusmak.pdf-2010.12.13.pdf

years, he was written about by scholars that have a different political orientation in the matter¹³⁸. Moreover, Lepsius was known by his extreme rightist views. However, he could not have the chance to serve for Nazi Germany since he died in 1926.

Lepsius has always been safeguarded by German Protestant Church of which he was a member. The church and some German politicians who can be considered as rightists have tried to add to his reputation since 1980s by highlighting his cloth and his works in this area without mentioning his distortions and his orientation as an extreme rightist. In this context, the idea of collecting Lepsius' documents in his home in Potsdam near Berlin, which he had lived in until his death, and turning the house into a library and research center was brought forward. However, counterviews by Turkey, a part of Turkish community in Germany, and the German Leftist Party's prevented this project to come true¹³⁹. After Bundestag adopted the decision mentioned above in 2005, German Government gave the green light for this project.

The house was opened on May 3, 2011 with a ceremony with the attendances of Representative of the Federal Government for Culture Bernd Neumann from CDU Party, Armenian Ambassador Armen Martirosyan, officials from the Protestant church, and members of the "the House of Lepsius Organization". The president of the organization, Peter Leinemann, said that Lepsius House included an exhibition of the Armenian culture, history, and 1915 genocide, and, besides a conference hall and a library. He also stated that life of Lepsius and his family were also represented in this house. In that sense, it is understood that the Lepsius House is a ground rather to introduce Armenian views in the context of 1915 events. Moreover, Leinemann clearly said that the house represented the Armenian Genocide¹⁴⁰.

On the other hand, Representative of Culture, Neumann, stated that Lepsius House would be a place of union for the Turkish and Armenian cultures¹⁴¹ - although he did so with the intention of ease possible reactions by Turkey and the Turks in Germany-, while Leinemann stated that the house would serve for improvement of the relations between Turkey, Armenia, and Germany¹⁴².

138 Cem Özgönül's book "*Der Mythos eines Völkermordes. Eine kritische Betrachtung der Lepsiusdokumente sowie der deutschen Rolle in Geschichte und Gegenwart*" (2006) (Genocide Legend. A critical view of Lepsius documents and the role of German in history and today) which stresses the alterations Lepsius did on behalf of both Armenians and Germans and one of German writers who defend the genocide allegations Wolfgang Gust's book "*Der Völkermord an den Armenien 1915/16. Dokumente aus dem Politischen Archiv des deutschen Auswärtigen Amtes*" (2005) (Armenian Genocide 1915/16. Documents from German Foreign Ministry Political Archive) which stresses the alterations of Lepsius rather to justify Germany can be concerned in this issue.

139 "Turks destroyed Armenian Memorial, we have built it." *Ntvmsnbc* <http://www.ntvmsnbc.com/id/25209213/>, May 3, 2011.

140 "La Maison Lepsius Inauguré en Allemagne" *Armenews.com.*, May 8, 2011.

141 "Turks destroyed Armenian Memorial, we have built it." *Ntvmsnbc* <http://www.ntvmsnbc.com/id/25209213/>, May 3, 2011.

142 "La Maison Lepsius Inauguré en Allemagne" *Armenews.com.*, May 8, 2011.

However, the main reason behind the fact that Turkey and Armenia can not establish good relations is the genocide allegations.

Although there is a tendency in Germany not to be included in Armenian Genocide allegations, it can also be seen that when it is compelled, it acts in accordance with those allegations. One example was observed during a meeting conducted by the private organization Hamburg Turkish Society Youth, titled “Armenian Tragedy in Ottoman Period” early April 2012. A hall was requested from Hamburg University for a speech by the well-known historian Prof. Norman Stone to be held in, and the hall was permitted to be used. However, the permission was cancelled after the Armenian Community in Germany had written a letter to the University President Prof. Dieter Lenzen and accused Prof. Stone of denying the allegations¹⁴³.

Although there is a tendency in Germany not to be included in Armenian Genocide allegations, it can also be seen that when it is compelled, it acts in accordance with those allegations.

Lastly, it should be stated that the German politicians visit the Genocide Monument and stand for a moment of silence during their visits to Armenia. Among those who visited the monument, there are German Minister of Foreign Affairs Guido Westerwelle, Minister of State Cornelia Pieper, Vice-President of the Bundestag Wolfgang Thierse, and President of the Bundestag Norbert Lammert.

2. Australia

Australia is a community which was formed as a result of migration of various nations to the continent. Among these nations-although they are few in number- there are Armenians, Greeks, Syrians, and Assyrians that migrated in the last years of Ottoman Empire and there are also Turks who settled after 1960s. According to the statistics of Australia¹⁴⁴, population of Turks was 59.404 in 2006. With the addition of Turkish Cypriots, this number is to be over 61.000. The number of Syrians and Assyrians are 24.505, while Armenians amount to 15.791. The number of Greeks is indicated as 365.145. It would be correct to add most of the Cypriots, which is stated as much as 10.719, to this number.

143 “Armenian Tension in Germany” *Haberx.com*, April 16, 2012.

144 “20680-Ancestry (full classification list) by Sex – Australia” Australian Bureau of Statistics, Data of 2006 Census [http://www.censusdata.abs.gov.au/ABSNavigation/prenav/ViewData?breadcrumb=POLT&method=Place%20of%20Usual%20Residence&subaction=-1&issue=2006&producttype=Census%20Tables&documentproductno=0&textversion=false&documenttype=Details&collection=Census&javascript=true&topic=Ancestry&action=404&productlabel=Ancestry%20\(full%20classification%20list\)%20by%20Sex&order=1&period=2006&tabname=Details&arcacode=0&navmapdisplayed=true&](http://www.censusdata.abs.gov.au/ABSNavigation/prenav/ViewData?breadcrumb=POLT&method=Place%20of%20Usual%20Residence&subaction=-1&issue=2006&producttype=Census%20Tables&documentproductno=0&textversion=false&documenttype=Details&collection=Census&javascript=true&topic=Ancestry&action=404&productlabel=Ancestry%20(full%20classification%20list)%20by%20Sex&order=1&period=2006&tabname=Details&arcacode=0&navmapdisplayed=true&)

There is a clear tendency among Greeks, Armenians and Syrians to keep alive the memories of the experiences they had during or after the Ottoman era which actually which caused them to migrate. Although it can be considered normal in one hand; on the other hand, supposing that it is exaggerated, this indicates a pursuit of national identity which, in turn, leads us to observe that they take their identity, which they acquired in their new homeland, for insufficient. Besides, it is also seen that majority of these groups have become Australian at large and they do not attach importance to “the old stories”. However, the number of those who do not leave behind the recent history and are still looking for a kind of “revenge” is not few.

Like it is in the rest of the world, the most radical one among these groups is Armenians. Although politically motivated violence has been rare in Australia, Turkey’s Consul General Şark Arıyak and his bodyguard Engin Sever were assassinated in Sydney on December 17, 1980. Justice Commandos took responsibility for the assassination and the perpetrators could not be found. It is possible that the perpetrators were from the Armenian Community in Australia or that, even if they were from another country, they were assisted by the Armenians in Sydney and left the country afterwards.

It has been an encouragement to put genocide allegations forward that Armenians were not condemned clearly in the Australian public for the assassination.

In addition to the erection of some monuments to the 1915 events, the motion passed by the Parliament of New South Wales in 1997 was first of its kind as a decision on the alleged. . The motion condemned attempts to deny or distort the Armenian Genocide and all other acts of genocide. It was stated in the motion that in New South Wales, 24 April was designated throughout New South Wales as a day of remembrance of the 1.5 million Armenians who fell victim to the first genocide of this century and requested the Commonwealth Government to recognize this day.¹⁴⁵.

145 For the full version of this text see “Armenian Genocide Commemoration” Parliament of New South Wales Full Day Hansard Transcript <http://www.parliament.nsw.gov.au/prod/parlment/hansart.nsf/V3Key/LA19970417004>



The second motion was adopted in about ten in another state by the Parliament of South Australian in April 30, 2009. With this motion, it was claimed that not only Armenians but also Greeks (Pontic), Syrians and other communities of “Minor Asia” had been subjected to genocide and these “genocide” acts were condemned. Moreover, the Parliament of Australia was requested to recognize these genocides. The Turkish Ministry of Foreign Affairs reacted to this decision and considered it as an irresponsible act, stated that they sadly witnessed the obedience of Australian local politicians to the pressures by the Armenian and Greek lobbies, that Turkey had suggested an Impartial Historical Commission to be to be established for a decision to be made about the events in the past, and the mentioned motion by the Parliament was contradicting with the existence of strong feelings friendship between Turkish and Australian societies. On the other hand, by calling on the Australian Ambassador in Ankara, it was highlighted that this kind of events might damage the relationship between Turkey and Australia. The Ambassador stated that the Commonwealth Government did not have an intention to adopt this motion and be involved in these matters¹⁴⁶. Meanwhile, it should be noted that the Commonwealth Government does not have an authority to interfere in the decisions taken by the State Parliaments.

146 For detailed information about this issue see Ömer Engin Lütem, “Facts and Comments” *Ermeni Araştırmaları* No: 32, pp. 48-50.

While the Australian Commonwealth Government, taking into consideration the good relations with Turkey, avoids to adopt the claims by Armenians or other communities that are against Turkey or support it in any way, it is seen that it does not use the term “genocide”, an additionally that it supports the proposal with regard to the “Historical Commission”, that this stance caused the objection of the militant Armenians and that a campaign war launched to submit petitions in this matter.¹⁴⁷

On the other hand, it is also observed that State politicians change their stance when they take office on Federal level. For instance, Armenians were very pleased when Bob Carr, the then Premier of a state, who was considered to be helpful in the adoption of the decision in 1997 by which the New South Wales Assembly recognized the genocide allegations and additionally inputting up a statue of Armenian Genocide in the garden of the State Parliament, became Minister of Foreign Affairs in the Commonwealth Government. This assignment was seen as a step that brought Australia a step closer to recognizing the Armenian genocide¹⁴⁸. However, in less than a year, Bob Carr’s attitude toward the Armenian issue in his new position started to be a subject of complaint. His depiction of the Armenian issue as a historical dispute in a statement and his expressions that the Australian Government would not take a stance on this issue were condemned with a huge disappointment by Dashnak prone Armenian National Committee (ANC) which is the primary Armenian political organization in Australia¹⁴⁹.

Although there are some groups in the Australian Parliament who recognize the alleged Armenian genocide in, they are not sufficient to have a decision adopted.

An increase in the demonstrations in support of the allegations that Armenians and other Ottoman Christian minorities were subjected to genocide and of the Armenian views on the issue of Karabakh has been observed since 2002. While the reason of this is not very clear, it might be because of the fact that the 100th anniversary of 1915 is coming up.

On May 20, 2012, the opening of a statue for Syrian, Pontic Greek and Armenian victims of genocides in the city Salisbury in the state of South Australia took place. In that ceremony, there were prominent people from these three communities, clerics from three churches, and some state representatives. In the speeches made in the ceremony, Australian Federal

147 “L’Australie Change de Position”*Armenpress*, April 6, 2010.

148 “Newly Appointed Australian Foreign Minister Recognizes Armenian Genocide”*Armenpress*, March 4, 2012.

149 “ANC Australia Condemns Foreign Minister Bob Carr For Calling the Armenian Genocide a “Historical Dispute”*Armenpress*, February 25, 2013.

Government was called on to condemn the heinous acts committed against the Christians of Anatolia and to pressure Turkey to acknowledge and apologize for the atrocities committed¹⁵⁰.

In a decision adopted on October 25, 2012, the Parliament of New South Wales stated that it “recognized the right to self-determination of all peoples including those of the Republic of Nagorno-Karabakh and called on the Commonwealth Government to officially recognize the independence of the Republic of Nagorno-Karabakh¹⁵¹.”

This decision is quite surprising. First of all, it was taken by unanimity. It is very rare that a decision is taken unanimously on a case that barely concerns Australia, that is not in the scope of authority of a state parliament, and that is not supported by any country except Armenia. This shows us the influence of Armenian minority in the Parliament of New South Wales.

The Armenian Minister of Foreign Affairs Edward Nalbandian said that this decision would open the way to the international recognition of Nagorno-Karabakh¹⁵². The interesting point here is that while Armenia argues for the independence of Upper Karabakh, it does not officially recognize it itself. The main reason behind this is that the recognition would lead Azerbaijan to withdraw from the Minsk Group, would cause the tension increase, and maybe would trigger armed conflicts again.

It was also covered in the press that Azerbaijan had sent a diplomatic note to Australia, and that, in return, the Australian Government stated that, in accordance with the international community’s stance, it did not recognize Nagorno-Karabakh as an independent country and did support the territorial integrity of Azerbaijan¹⁵³.

Another motion adopted by the Parliament of New South Wales on unanimity on May 1, 2013 increased the tension between the parliament and the Turkish society in Australia and additionally caused Turkey to react (This decision was also adopted in the secondary parliament of the New South Wales).

In the mentioned decision, to sum up, it is stated that whereas the parliament had passed a motion in 1997 recognizing and condemning the Armenian Genocide, it recognized that Assyrians and Greeks (Pontic Rums) were

150 “Assyrian, Greek, Armenian Genocide Monument Unveiled in South Austria” *Aina.org/news*, May 25, 2012.

151 “Australia New South Wales Recognize Karabakh Independence” *Asbarez*, October 25, 2012.

152 “Foreign Minister of Armenia: The Resolution Passed by Australia’s New South Wales State to Pave the Way to the International Recognition of Nagorny Karabakh” *Arminfo*, October 26, 2012.

153 “Reactions to recognition of Karabağ have been increasing in Australia” *Haberimport.com*, November 20, 2012.

subjected to qualitatively similar genocides by the Ottoman Government between 1914-1923. The parliament condemned the genocides of the Assyrians, Armenians and Greeks, and, lastly, called on the Federal Government to condemn these genocides.

Despite the efforts by the Turkish Embassy in Australia and the Turkish Consul General in Sidney to give information about the historical events and their emphasis on the inaccuracy of the characterization of these events as genocides; South Wales Parliament's insistence almost intentionally in its views caused Ankara to react. Ministry of Foreign Affairs, with a press release numbered 133 on May 7, 2013, briefly stated that it severely condemned and rejected this decision which was in not way compatible with historic facts and that while the existing friendly relations existing between the peoples of Turkey and Australia would not deteriorate because of this unilateral decision, its negative repercussions were nonetheless inevitable. Additionally, following the statement that proponents of such initiatives would deprived of the hospitality and friendship that are never withhold from the people of Australia, the statement continued:

Shortly, the Turkish Minister of Foreign Affairs declared that those who had prepared this motion and accepted it in the local parliament would not be invited to the great memorial ceremony of the 100th anniversary of Çanakkale Wars.

“These persons who try to damage the spirit of Çanakkale/Gallipoli will also not have their place in the Çanakkale ceremonies where we commemorate together our sons lying side by side in our soil.”

Shortly, the Turkish Minister of Foreign Affairs declared that those who had prepared this motion and accepted it in the local parliament would not be invited to the great memorial ceremony of the 100th anniversary of Çanakkale Wars.

Considering its importance, the full text of this declaration is given below:

No: 133, 7 May 2013, Press Release Regarding the Motion Passed by the Legislative Council of the Parliament of the State of New South Wales in Australia

The Legislative Council of the Parliament of the State of New South Wales in Australia passed on 1 May 2013 a motion entitled “Assyrian, Armenian and Greek genocides”.

We strongly condemn and reject this motion which is in no way compatible with historic facts. The fact that this motion has been passed

through a fait accompli by a local politician, whose antagonism to Turkey in his attitude and behavior is well-known, during a session at the State Parliament attended by a small number of parliamentarians, shows how lightly and unsoundly such a sensitive issue is dealt with. It is evident that history will not be rewritten by such motions passed with petty political calculations under the influence of ethnic lobbies known for their excesses and prejudices.

Although the solid friendly relations existing between the peoples of Turkey and Australia will not deteriorate because of this unilateral decision which is the fait accompli of a small group, its negative repercussions are nonetheless inevitable. In this context, the proponents of such initiatives aimed at dealing a blow to the very special relations that exist between our peoples will doubtlessly be deprived of the hospitality and friendship that we will never withhold from the people of Australia. These persons who try to damage the spirit of Çanakkale/Gallipoli will also not have their place in the Çanakkale ceremonies where we commemorate together our sons lying side by side in our soil.

Necessary representations with Australian authorities have been made, stressing that our primary expectation from the Australian authorities for the sake of our relations that have developed so far on the basis of friendship, is that they be more attentive to unacceptable claims directed towards Turkey and the Turkish identity and that they take timely action against initiatives carrying anti-Turkish content and hate-speech.

The Battle of Çanakkale has a different meaning for Australia (New Zealand) in that it emphasizes the revival of their national identities. This is why these wars are very important both for historic reasons and the present domestic policies. Every year, many Australians and New Zealanders visit Turkey to commemorate the Battle of Çanakkale. It would offend some that they won't be able to make that visit in the 100th anniversary of these wars. However, New South Wales Parliament's support for the Armenian views on the Armenian issue and the issue of Karabakh without reservation has obligated Turkey to take this precaution, although Turkey has been obviously very sensitive about Armenian Genocide allegations since Consul General Şarik Arıyak in Sidney was assassinated in 1980.

The impacts of Turkey's this decision have already started to be felt. Fred Nile who introduced the decision dated May 2013 to the Parliament of New South Wales tried to soften the situation by stating that their aim was not to denigrate Turkey, and the mentioned genocides (Armenian, Assyrian, and Pontic Greek)

were committed not by the Republic of Turkey which has great relations with Australia but by the Ottoman Empire¹⁵⁴.

Vache Kahramanian, the President of Armenian National Committee of Australia (Australian Dashnak Committee) aggravated the situation when he stated that the press release by the Turkish Foreign Ministry meant that the members of the parliament of the New South Wales wouldn't be able to enter Turkey, and even if they did, they would not be treated hospitably¹⁵⁵ However, as it is mentioned in the press release by the Minister of Foreign Affairs, there were very few parliamentarians who attended the meetings in the Assembly. Therefore, the number of those who are not welcomed in Turkey would relatively be small.

The last point we would like to emphasize is that the mentioned decision taken by the parliament of New South Wales created solidarity among various communities with Turkish origins in Australia. A group of almost 2.000 people coming from Turkey, Azerbaijan, North Cyprus, and Central Asia Turkic Republic held a protest and made slogans such as "Leave history to historians", and "the parliament is not a court to judge." in front of the parliament building on June 18, 2013.¹⁵⁶

3. Austria

During his visit to Yerevan in July, 2012, Heinz Fischer, the President of Austria-a country that can be considered as one of the small countries in Europe- visited the Genocide Memorial, and stood for a moment of silence¹⁵⁷. It is hard to find an appropriate explanation for Fischer's attitude¹⁵⁸ who had said that the Austrian Parliament had not recognized the alleged Armenian Genocide; that there had not been a particular movement in Austria in this regard, and who had said that he had sincere and perfect relations with President Gül, when he visited Turkey a week prior to his visit to Yerevan.

Relations between Turkey and Austria can be considered as good. However, extreme rightist movements, which are very strong in this country and sometimes influential on politics, cause some problems for Turks who mostly became Austrian citizens when they discriminate or try to have others discriminate the Turks. Ambassador Ecvet Tezcan's clear expressions of these

154 "Turkey's Criticism of Genocide Motion Rebuffed" *Aina.org/news*, June 3, 2013.

155 "Turkey Bans Australian Lawmakers From Gallipoli" *Panorama.am*, May 11, 2013.

156 "Turkish Communities in Australia Protest Genocide Recognition" *Aina.org/news*, June 18, 2013

157 "Le Président Autrichien Heinz Fischer a Visité le Musée du génocide arménien" *Armenews*, July 9, 2012.

158 "Austria President Heinz Fischer: Muslims have certain contributions to our country." *Zaman*, June 29, 2012.

problems and description of the facts in 2011¹⁵⁹ did not create a good impression and caused Fischer to postpone his visit to Turkey.

4. Belarus

The Parliament of Belarus has also not taken a decision as to recognize of the Armenian Genocide allegations.. However, the relations between Armenia and Belarus are at a good level as both countries are members of the Collective Security Treaty Organization (CSTO) which is a military organization. This explains why, President Alexander Lukashenko, and Minister of Foreign Affairs Martynov visited the Genocide Memorial and placed a wreath before the memorial on May 15, 2013 and in April, 2012, respectively.

On the other hand, there is also press coverage on the attempts by the Vice-President of the Armenian National Assembly Eduard Sharmazanov to erect an Armenian *khachkar* (cross-stone) in the Hero-Fortress memorial in the Brest province in Belarus¹⁶⁰.

5. Bulgaria

Bulgaria is a very active country with regard to the issue of recognition of genocide allegations. This is firstly because of the hostility against Turks and Turkey, which is common in Bulgaria. Secondly, it is because of the Armenians who migrated to this country after the 1915 events, who currently amount to about 30,000 and of which almost all nourish hatred for Turks and Turkey.

Bulgarians' hostility towards Turkey stems from its history. The most important issue in domestic politics for the Bulgarian Principality (Kingdom after 1909)- which was founded in 1878 after the Ottoman Empire won the "93 War" against Russia, and, which was dependent on the Ottoman Empire in appearance but acted independently of the Empire, and, firstly was under Russia's control, then Austria-Hungary's, and lastly the German Empire's- was to establish a Bulgarian Nation. Indeed, prior to 1878, nationalist views were not common- excluding a few intellectuals - in the country. Bulgarians' contribution to the "93 War" on the side of Russia was very limited. For the establishment of a Bulgarian nation, the following were promoted: the Bulgarian history, the necessity of the establishment of the "Great Bulgaria" which would have the same boundaries as in Byzantine times, the panslav

159 "Recall your delegate, otherwise I am not going to come" *Hürriyet*, April 4, 2011.

160 "Armenian cross-stone to be placed at Brest Fortress of Belarus" *News.am*. 13 Temmuz 2013.

notions, and the hostility against Ottomans/Turks. Thus, in a very short period of time as twenty years, nationalism became the main political ideology in Bulgaria.. This ideology attributed Bulgaria's lagging behind other European countries to the Ottoman hegemony, besides, supported the desire to fight the Ottoman Empire as the "Great Bulgaria" included Carigrad (Istanbul), and established the political and psychological ground for the Turks -who were the very last in Bulgaria and constituted over 10% of total population- to be emigrated or assimilated.

Bulgarian Kingdom participated in the Balkan Wars, World War I and World War II with the intention of partially establishing the Great Bulgaria and was defeated in all of them. In the communist period (1946-1989) as the Soviet Union did not support it, the "Great Bulgaria" dream had to be given up; however, extreme nationalist notions continued to exist and, this time, it showed itself practically in the efforts to create one nation, in other words, in forcing all the non-Bulgarian ethnic societies to become Bulgarians by assimilation. But, as Turkey resisted, these efforts did not come to fruition towards the Turks, the biggest minority in Bulgaria.

After President Jivkov's being overthrown in 1989, extreme nationalism regressed in Bulgaria but it did not become marginal nor it came to power. The main scope of the extreme nationalists, which are organized through some political parties, has been to form opposition against Turks and Turkey. As Armenians in Bulgaria are also hostile against Turkey, an unwritten alliance between extreme nationalists and the Armenians in Bulgaria has been formed.

Armenians, with the support of the extreme nationalists, worked towards having the Bulgarian Parliament adopt a motion recognizing the Armenian genocide allegations. The information about the significant attempts on this matter was given in our previous issues¹⁶¹. These attempts, however were prevented by those Bulgarian Governments that attached importance to having good relations with Turkey. Therefore, having changed their tactics, while they have continued in their efforts to have the parliament take such a decision, they have started to work on passing decisions with the same character through city councils and were very successful at it.

It has been observed that some of these city councils that recognized the Armenian Genocide allegations have made efforts to establish relations with some cities in Turkey using the "twin town" procedure. Then this procedure in Turkey was suspended. According to the news reports, upon request by the Ministry of Foreign Affairs, the Ministry of Domestic Affairs, in an official

161 Ömer Engin Lütem, "Facts and Comments", *Ermeni Araştırmaları* Issue: 20-21, pp. 20-46-47; Issue: 25, pp. 24-25; Issue: 27-28, pp.35-36; Issue: 29, pp.15-17; Issue: 32, pp. 53-54.

letter in February, 2010, asked¹⁶² the municipalities of the 81 cities and 923 provinces to limit cooperations and visits, and to suspend the procedure of establishing “twin towns” with the municipality of Stara, Zagora, Rusçuk, Silistre, Gabrovo, Dobriç, Vrasta, Pazarçık, Varna, Şumnu and afterwards Burgaz, the municipalities that recognized 1915 events as genocide. In accordance with this official letter, the municipality of Tekirdağ suspended¹⁶³ its twin town relationship with Şumnu, and then put an end to some of its projects with Edirne Yanbol financed by the EU.. The municipality of Yanbol called off its decision recognizing the Armenian Genocide allegations¹⁶⁴. Consequently, it can be said that the decision of suspending the “twin towns”

As the Bulgarian Parliament did not recognize the Armenian Genocide allegations, the President of Bulgaria should have acted accordingly.

procedure and other relations has been successful in warning the municipalities in Bulgaria that did or was preparing to recognize the Armenian Genocide allegations.

On the other hand, attempts proposing Bulgarian National Assembly’s recognition of the Armenian Genocide allegations continued.

A suggestion, put forth by extreme rightist party ATAKA in the beginning of 2010, which proposed that Turkey should pay compensation to Bulgarians who had left Turkey during the Balkan Wars and that the 1915 events should be accepted as genocide was rejected with the reason that it could have a negative impact on the Bulgarian-Turkish relations.¹⁶⁵

After a while, the conservative Order, Law and Justice (OLJ) Party, proposing a draft notification in March, 2010, requested that it should be named genocide that the Armenians were forced to relocate in the Ottoman era, that the Bulgarian and Armenian architectural and religious heritage in Turkey should be maintained as a part of European civilization, and that Bulgarian government should determine¹⁶⁶ its stance towards Turkey’s EU membership in accordance with Turkey’s recognition of Armenian Genocide. However, this attempt also proved abortive.

As the Bulgarian Parliament did not recognize the Armenian Genocide allegations, the President of Bulgaria should have acted accordingly. However, Prime Minister Boyko Borisov, during his visit to Armenia in April 2012, went

162 “When Bulgarians also attempt to announce Turks as Armenian Genocider...” *Nethaber*, March 28, 2010,

163 “Edirne Freezes Twinning Agreement with Yambol over “Armenian Genocide” *EMG.RS*, January 11, 2011.

164 “Yambol Municipal Council Cancels Declaration Recognizing Armenian Genocide” *Focus News*, October 26, 2012.

165 “Bulgarian Parliament Rejects Armenian Genocide Motion Not to Spoil Relations With Turkey” *PanArmenian.Net*, February 7, 2010.

166 “Bulgarian Party Submits Declaration For Parliament to Condemn Genocide” *Asharez*, March 18, 2010.

to the genocide memorial, stood for a moment of silence, and wrote in the guestbook: “A deep bow to the victims of this horrible tragedy. Such tragic events should never be forgotten.”¹⁶⁷

6. Czech Republic

According to the Armenian press, the Committee on Foreign Affairs, Defense and Security of the Parliament of the Czech Republic, has passed a decision in February 7, 2013 that saw Khojaly events as racial cleaning and describes it as a “genocide”¹⁶⁸, the Czech parliament adopted this decision on 20 February¹⁶⁹. This incident has caused an exaggerated indignation in Armenia and there have been commentaries on the press that demanded the diplomatic relations with the Czech Republic to be cut off¹⁷⁰.

Czech Ministry of Foreign Affairs stated that they were not informed about the preparation of such a decision, that there has not been any alterations in the official position of the Czech Republic had not changed with regard to finding a peaceful solution to the Karabakh issue through workings of the OSCE Minsk Group Co-presidents, and that they pursued the policy of friendly and mutually advantageous relations both with Azerbaijan and Armenia¹⁷¹. Moreover, Czech Republic First Deputy Prime Minister and Minister of Foreign Affairs Karel Schwarzenberg, said in speech in the award ceremony of Azerbaijani human rights defender Intikam Aliev on 4 March 2013, that the West should not behave like an ostrich and hide its head in the sand against the human rights violations in Azerbaijan and that he would not apologize for the truth¹⁷².

Karel Schwarzenberg visited Armenia in April 10-12, 2013. In a press conference during his visit, he stated that it was not accurate that the resolution by the Committee on Foreign Affairs, Defense and Security, had been adopted by the whole parliament, that the Khojaly events cannot be compared to what happened to Armenians hundred years ago and that they are in different categories¹⁷³.

167 “Bulgarian PM Pays Tribute to Armenian Genocide Museum” *Novinite*, April 3, 2012.

168 “Jaromir Stetina Suggest Denouncing Resolution on Khojaly Presented by Czech MP” *Panorama.am*, February 19, 2013.

169 “Will Armenia Cut Diplomatic Ties With Czech?” *Lragir.am*, February 20, 2013.

170 *ibid.*

171 “Azerbaijani MFA Published Document Before Czech Parliament Made it Public: Czech Side is Unpleased” *Times.am*, February 21, 2013.

172 “Czech Foreign Minister Not Intended to Apologize to President İlham Aliev For Calling Him Dictator” *Panorama.am*, April 25, 2013.

173 “We Cannot Compare Khojaly Events With What Happened to Armenians Hundred Years Ago – Czech FM” *News.Am*, April 11, 2013.

Furthermore, after Schwarzenberg visited the Genocide Memorial and stood for a moment of silence, he wrote on the special guest book: “The centenary of all those horrors will be marked soon. This is not only your history, but the history of the whole humanity. These photos [in the museum] tell us the terrible truth about what a human being can do.”¹⁷⁴

These events mentioned above prove that there is still an instable political life in Czech Republic. An important committee of the Assembly sees Khojaly events as a racial cleaning and genocide; whereas, Deputy Prime Minister underrates this decision. Moreover, he does not hesitate to speak against Azerbaijan. On the other hand, in early June, a group from the Czech Parliament visited Karabakh and met Bako Sahakyan, the president of this region. As it is known, Azerbaijan is against such visits that could lead to the conclusion that this region is independent and autonomous, which is in fact legally dependent on Azerbaijan.

Karel Schwarzenberg’s visit to Armenia, while aiming to overcome the negative impact of the mentioned decision on the Khojaly events passed by the related committee of the Parliament, was also about the policy of recovering Armenia from the Russian impact, and of connecting her to the West with associate membership of the EU. Supporting this policy, Czech Minister stated during his visit to Armenia that his country was ready to assist the integration process with the EU¹⁷⁵, that the views of Armenia and Czech Republic coincided with 95 per cent¹⁷⁶, and that Czech Republic could serve as a mediator in the issue of Karabakh conflict¹⁷⁷.

The visit of Czech Republic Ministry of Foreign Affairs to the Genocide Memorial in Yerevan should be evaluated in the framework of the rapprochement policy with Armenia. However, the fact that the Czech Parliament has not adopted any resolution on the Armenian Genocide allegations, despite some attempts, makes the Minister’s visit to the Genocide Memorial and his remarks incompatible with the Parliament’s policy on this matter. Furthermore, it is also possible that behind the Czech Minister’s visit -that would not be welcomed by Turkey-, there lies the belief that Turkey’s EU membership would not materialize in the short or even in the middle term.

One of the results of these attempts by the Czech Republic in its policy of rapprochement with Armenia was observed in the Czech Senate. Senator Jaromir Stetina stated that he would try to have a notification describing these

174 “Czech Foreign Minister Pays Tribute to the Armenian Genocide Victims” *Armradio.am*, April 11, 2013.

175 “Karel Schwarzenberg. Czech Republic Ready to Assist Armenia’s EU Integration” *Armenpress*, April 12, 2013.

176 “Armenia and Czech Republic’s views coincide by 95 per cent - Karel Schwarzenberg” *News.am*, April 11, 2013.

177 “Czech Republic Ready to Act as Mediator in Karabakh Conflict” *News. Am*, April 17, 2013.

events as genocide passed, on the occasion of 100th anniversary of genocide allegations, firstly by the Senate's related Committee and then by the General Assembly¹⁷⁸.

7. Denmark

Denmark is one of the European Union countries that has not recognized the Armenian genocide allegations and that, in its Parliament, has not passed a resolution on this matter. However, it must have been found appropriate to fulfill the insistent demands by Armenia and the Armenian diaspora to some extent that an exhibition titled as "Armenian Genocide and the Scandinavian Response" was launched in November 2012 in the Royal Library in Copenhagen with the request of the Armenian Ambassador Hraçya Agacanhhan. Upon the objection of the Turkish Ambassador Berki Dibek, the director of the Library stated that Turkey, if it desired, could also launch an exhibition to explain its stance on the matter. Having found out about the situation, a newspaper (*Berlingske Tidende*) started a campaign claiming that the Royal Library had given into the pressures of Turkey and this campaign was supported by the "genocide supporters" in the country, extreme rightist Denmark People's Party, and a member of the Copenhagen City Council Aslan Rasmussen whose father was a Turk¹⁷⁹.

In fact, all over the world, there were and have been attempts to have the Armenian genocide allegations recognized. Turkish Embassies or the Consulate Generals have been opposing them by claiming that they have been, indeed, aiming to slander Turkey. What makes this event interesting is the fact that the "Armenian Lobby in Turkey" had sent a letter to the director of the Royal Library, that severely criticized Turkey for this event. (With the term "Armenian Lobby in Turkey", a group of intellectuals and artists that are Turkish and, that recognize and support the Armenian genocide allegations as much as extreme Armenians are meant to be addressed. However, contrary to the assumptions, among these, there are only a few Turkish Armenians.)

In the letter, it has been claimed that Turkish governments have been denying the genocide for 90 years, and repressing those who accept it: that, it is not accurate that there are two different views for the 1915 events; that over one and a half million Armenians were forcefully exiled from the country and murdered by the state. In the letter, which claims that denial, systematic pressure, and the strategy of deterrence have been continued and that the last

178 "Jamomir Stetina to Introduce Declaration on Armenian Genocide Recognition to Czech Senate" *Armenpress*, April 24, 2013.

179 "Democracy Lesson from Our Intellectuals to Denmark" *Zaman*, January 4, 2013.

victim of this was Hrant Dink who was assassinated in 2007, it is also put forward that Turkey's pressures and strategies of deterrence will continue with the mentioned exhibition, and it is said, addressing the director of the Royal Library, that "The support you will give to this regime which is based on denying history and facts is same with supporting an apartheid regime. We would like to warn you that with the support you provide to Turkey, you are preventing the struggles of democratization in this country." The letter proposes a highly exaggerating claim like "Peace, democracy, and stability in the Middle East can occur by regimes facing history honestly. Turkey is preventing this with her policies of denial." It ends by demanding the director

The Armenian Parliament rejected a draft bill on March 21, 2012, that proposed to condemn the genocide of Pontic Greeks, Syrians, and other ethnic groups during the Ottoman era.

to consider the proposal for the "alternative exhibition"¹⁸⁰. The list of the signers of the letter is provided in the footnote¹⁸¹. This group is composed more or less of those who have been organizing or participating in the activities for the commemoration of April 24 in the recent years.

As it has been considered, an exhibition could be launched in response to the other, allowing the opposite view being expressed, the interesting point about the letter is that it is, in fact, reflecting a non-democratic and an unfair mentality as it is requested in the letter that the opposing view should not be allowed.

8. Armenia

Armenia, while it has been seriously struggling to have the Armenian genocide allegations being recognized by other countries, it is observed that it does not agree to recognize some other genocide allegations.

The Armenian Parliament rejected a draft bill on March 21, 2012, that proposed to condemn the genocide of Pontic Greeks, Syrians, and other ethnic groups during the Ottoman era, brought up by the Heritage Party led by Raffi Hovannisian. Only the Heritage Party and Dashnaks voted for this bill.

Galust Sahakyan, who spoke on behalf of the Republican Party that is in

180 Same source.

181 Fikret Adanır, Taner Akçam, Ayhan Aktar, Cengiz Aktar, Cengiz Ađlan, Ahmet Altan, Maya Arakon, Oya Baydar, Yavuz Baydar, Osman Baydemir, Murat Belge, Halil Bertay, İsmail Beşikçi, Hamit Bozaslan, İpek Çalışlar, Nilüfer Göle, İřtar Gözaydın, Gençay Gürsoy, Ayşe Hür, Ahmet İnel, Ayşe Kadiođlu, Gülten Kaya, Ümit Kıvanç, Ömer Laçiner, Roni Margulies, Baskın Oran, Cem Özdemir, Esra Mungan, Sırrı Sakık, Betül Tanbay, Zeynep Tanbay, Turgut Tarhanlı, Ufuk Uras, Şanar Yurdatan.

power, said that there was no political necessity to adopt the bill, that views of the minorities in Armenia should be taken into account before debating this bill, that they respected the communities that were subjected to genocide in the Ottoman era, and that they condemned these “massacres”¹⁸².

As it is seen, Sahakyan makes a distinction between “genocide” and “massacre”, and so he indirectly implies that only Armenians were subjected to genocide. Moreover, Sahakyan’s view of having “no political necessity” is not clear enough. On the other hand, the “need to take into account the views of the minorities in Armenia” seems very meaningless since there is not a remarkable amount of Greek and Syrian minorities in Armenia, and minorities with that size would not be able to reject this draft bill. Besides, it is hard to understand the rationale behind the rejection of the mentioned draft bill considering that Diaspora Armenians establish close relations with Pontic Greeks and Syrians in many countries especially in USA, Sweden, and Australia to make genocide allegations recognized. The most reasonable explanation of this is that the Armenian Government, which gives priority to having the widest recognition of the Armenian genocide allegations in the international arena in the course of 2015, would not want to create obstacles in the way of its case by trying to defend other genocide allegations that, it seems, are insignificant to itself.

9. Georgia

According to Georgian statistics, in the Samtshe-Javakheti region, and mostly in Ahalkalek, there are about 124,000 Armenians¹⁸³. Although this minority - under the influence of Armenia- has a large scale of minority rights, they generally are not satisfied with their lives and have an attitude of constantly complaining about it. The Georgian Government tries to act considerably towards this minority as it attaches importance to having good relations with Armenia. It is seen that the views against Turkey, especially the genocide allegations, were intended to put forward by this minority with the support of a few Georgian politicians; however, it seems that this attempt was not quite successful. On the other hand, there are approximately 280,000 of Azerbaijanis in Georgia¹⁸⁴.

Lastly, it is understood from the news on the press that Jondo Bagaturia, a parliamentarian from the opposition party, has put the issue of Georgia’s recognition of the Armenian genocide allegations forward in the Georgian

182 “Armenian Deputies rejected the bill ‘Genocides in Ottoman Period’ .” *Hye-Tert*, March 21, 2012.

183 [En.wikipedia.org/wiki/AArmenians_in_Samtskhe-Javakheti](http://en.wikipedia.org/wiki/AArmenians_in_Samtskhe-Javakheti)

184 “Azerbaijani” *Wikipedia* <http://en.wikipedia.org/wiki/Azeri>

Parliament in May 2011; that Azerbaijani parliamentarian A. Süleymanov certainly rejected it and that, as a result of this dispute, the session was paused for a while¹⁸⁵.

It is seen that the Georgian Government officials prefer not to talk about the genocide allegations and in case they have to, they try to avoid the subject with a solution of saying “Armenians’ pain is close to the Georgian people”¹⁸⁶ as the Defense Minister Bacho Akhala did in April 2001.

Although their own country has such cautious attitudes towards the issue of Armenian allegations, it was observed that Georgian officials did not hesitate

Although their own country has such cautious attitudes towards the issue of Armenian allegations, it was observed that Georgian officials did not hesitate to visit the Genocide Memorial during their visits to Armenia, either.

to visit the Genocide Memorial during their visits to Armenia, either. Defense Minister Bacho Akhalya, mentioned above, is one of them¹⁸⁷. Previously, Foreign Minister Grigol Washadze visited the memorial in 2009¹⁸⁸. According to Armenian sources, President Saakashvili visited the memorial in 2004 and 2009¹⁸⁹. However, while not keeping them as secret, the Georgian side intentionally does not want to announce these visits much. On the other hand, it is seen that the previous Prime Minister of Georgia, Bidzina Ivanishvili, has attached importance to make

public his visit to the Genocide Memorial during his visit to Armenia in January¹⁹⁰.

In conclusion, it is possible to assert that the Georgian politicians do not take sides considering their country’s close cooperation with Turkey, however, as they attach importance to having good relations with Armenia, they try to strike a balance by visiting the Genocide Memorial during their official visits to this country.

10. England

We have provided detailed information, in previous issues of our journal, on the efforts to have the Parliaments of Great Britain recognize the Armenian

185 Armenews.com, May 25, 2011.

186 “Georgian Defense Minister Avoids Question About Genocide” *News.am*, April 18, 2011.

187 Same source

188 “The Foreign Minister of Georgia Grigol Vashadze visited Tsisernakaberd Memorial Complex” The Armenian Genocide Museum Institute, Yerevan <http://www.genocide-museum.am/eng/news-2009.php>

189 The Armenian Genocide Museum Institute, Yerevan <http://www.genocide-museum.am/eng/news.php>

190 “Ivanishvili Paid Tribute to Memory of Genocide Victims” *Armenpress*, January 17, 2013.

genocide¹⁹¹. To summarize briefly, almost no one in the House of Commons supports the views of the Armenians. In the House of Lords, however, the number of those who support those is more, although, it is still very far from being the majority. This situation diverted the Armenian militants to the local parliaments, and, the Scottish Parliament and the Assembly for Wales took decisions recognizing the genocide allegations. Lastly, although a proposal submitted to the Scotland Parliament and was signed by the majority of parliament members, according to an Armenian press agency¹⁹², included some expressions recognizing the genocide allegations, this proposal did turn into an official decision.

Wales played a primary role in Armenian genocide allegations. Parliament of this region took decisions on this matter in 2001 and 2006. Rowan Williams, who was the Archbishop of Wales and the Archbishop of Canterbury between 2002-2012, was an active defender of the Armenian genocide allegations. Although during his last post he did not express his views about the genocide allegations very much -as this could be against the policies of the government-, he, even if it was indirectly, spoke of them whenever possible. For instance, he made a mention of the Armenian genocide allegations among with other genocides during the “Holocaust Memorial Day”, which is organized every year to commemorate mainly the genocide of the Jews¹⁹³.

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Although no motion has been passed by the Parliaments of Great Britain on this matter, it is seen, especially in the House of Lords, that general meetings take place on the matter. Finally in a meeting held on June 17, 2011, Baroness Cox, Baroness Shreela Flather, Lord Evabury, Lord Bishop of Chester, and Lord Tomlinson, who are known be supporters of the Armenians, mentioned the genocide allegations.. Minister of State Lord Howell, who responded to them on behalf of the government, stated that hundred thousands of Armenians faced with terrible acts in 1915 had died because of armed attacks, starvation, and illnesses; and added that they thought it would be more appropriate to evaluate the common history of Turkey and Armenia together; that they supported the attempts in accordance with this; that countries such as the USA and France also supported this; and that Great Britain should act meticulously and carefully about the actions intended to deteriorate and recognize these fragile and significant attempts¹⁹⁴.

191 Ömer Engin Lütem, “Facts and Comments” *Ermeni Araştırmaları* Issue 36, pp. 60-62; Issue 27-28, p. 31.

192 Petition on Armenian Genocide Recognition Received the Support of Majority of Scottish Parliament” *Armenpress.am*. May 25, 2013.

193 Archbishop Highlights Armenian Experience in Genocide Remembrance” *Ekklesia*, January 27, 2011.

194 “Attempt to ‘1915’ Memorial Day in England” *Hürriyet*, June 18, 2011.

11. Spain

As one of the big countries in Europe, Spain is one of the countries that are desired by the Armenian militants to recognize the genocide allegations. Upon rejection of the proposals on the matter by the Spanish Parliament, the matter was headed towards states with extensive autonomous rights, and, while some of them like Valencia rejected the recognition, Catalonia (2010), the Balearic Islands (2010), and the Basque Country (2007) accepted it¹⁹⁵.

A proposal, submitted by the Republican Left of Catalonia on the recognition of the Armenian genocide allegations to the Foreign Affairs Commission of the Spanish Parliament in March 2011 and supported by the Basque Nationalist Party, was rejected by 31 votes against 2 votes¹⁹⁶. In 2012, the same scenario was repeated, and this time, the proposal was rejected by 36 votes against 3 votes¹⁹⁷.

In the meetings on this matter, the spokesperson for the ruling party stated that they were against making a historical revision, and, that, instead they wanted to urge the rapprochement between Turkey and Armenia. The spokesperson for the opposition party, on the other hand, asserted that these kinds of decisions, as it was in the example of France, have negative impacts on the Turkish-Armenian relations. Moreover, addressing the parliamentarians of the Basque region, the spokesperson for the Democracy and Progressive Unionist Party said: “Before shedding crocodile tears for Armenians, cry for those who lost their lives in the terror attacks in the Basque region and condemn these terrorist attacks... The worst thing for Armenians is to be defended by you.”¹⁹⁸

It can be seen that support for Armenian ideas by Catalonia and Basque region, where separatist movements are strong, creates reactions in the Spanish Parliament. That is to say, Armenian militants backed the wrong horse in this country.

12. Israel

Israel has started to attach more importance to Armenian genocide allegations especially after the “Mavi Marmara” event, and the Israeli Parliament has started to discuss this matter in order to have a decision taken when

195 Ömer Engin Lütem, “Facts and Comments” *Ermeni Araştırmaları* Issue 36, pp. 59-60; Issue 27-28, p. 37; Issue 23-24, p. 66; Issue 25, pp. 18-19.

196 “Rejection from Spain to Armenian Allegations” *Ntvmsnbc*, March 10, 2011.

197 “Rejection from Spain to ‘Armenian Genocide’ Allegations” *Ntvmsnbc*, May 24, 2012.

198 Ibid

needed. Information about these discussions was provided in our previous issues¹⁹⁹.

A second response to Turkey by the Israeli Government has been in accordance with its policy to try and improve its relations with Armenia. For this reason, the Israeli Minister of Public Diplomacy and Diaspora Affairs Yuli Edelstein and the Minister of Agriculture Orit Noked visited Armenia²⁰⁰. They also did not fail to visit the Genocide Memorial. Despite these gestures, it does not seem possible for Israel and Armenia to have an advanced level of cooperation because of their foreign policies.

Israel is a country against Iran for known reasons. Armenia, however, has close political relations and cooperation with Iran because of the natural disharmony between Azerbaijan and Iran, and on the other hand, because of open border gate with Iran despite the fact that it is closed with Turkey and Azerbaijan.. The attendance of President Sarkisyan in the oath taking ceremony of the recently elected Iranian President Hasan Ruhani has been a concrete proof of this intimacy. On the other hand, there are intense relations between Azerbaijan and Israel stemming from the fact that they can confront Iran together when needed, and, of which, the actuality can be protected by Israel's arms sales to Azerbaijan..

The issue of the recognition of the Armenian Genocide allegations by Israeli Parliament was finally transferred to the Commission.

While the tension caused by the event "Mavi Marmara" has continued, Prime Minister Erdoğan's speech in the Forum of "Alliance of Civilizations" organized in Vienna in the end of February that included his words, "We must consider- just like Zionism, or anti-Semitism or fascism- Islamophobia as a crime against humanity", caused negative reactions in countries in which many Jews live, such as Israel and primarily the USA; and a campaign was launched against Turkey and the Prime Minister. Under these conditions, it was thought that Knesset might have taken a decision about the recognition of Armenian Genocide allegations.

In these circumstances, it was very surprising when the Israeli Prime Minister Benyamin Netanyahu called Prime Minister Erdoğan about 20 days after the Vienna Forum on March 22, 2013 to apologize for the "Mavi Marmara" event and informed him that compensation would be paid. This has changed the status quo. It is known that what caused Netanyahu to make this move was the friendly pressure of President Obama. This case shows that both the USA

199 Ömer Engin Lütem, "Facts and Comments" *Ermeni Araştırmaları*, Issue: 39, pp. 57-60; Issue: 42, pp. 39-43.

200 Ömer Engin Lütem, "Facts and Comments" *Ermeni Araştırmaları*, Issue: 42, pp. 39-43.

and Israel acted with the consideration of Turkey's special position in the Middle East and the need for cooperating with Turkey.

Despite Netanyahu's apology, the relations between Turkey and Israel have not been normalized as some issues related to Palestine, especially the issue of giving compensation to those who were killed, have not been resolved yet.

As it has been expected, the issue of the recognition of the Armenian Genocide allegations by Israel started to be discussed in Knesset in April 23rd, coinciding with the memorial ceremony of April 24th. There is no need to explain this meeting in detail since it is clear that it includes the same elements with last year's meeting²⁰¹ and it has been clear since the beginning that no decision will be taken. Briefly, in this meeting²⁰², in which all speakers seem to recognize the Armenian Genocide and support Knesset in passing a resolution accordingly, only Ofir Akunis, the Deputy Minister in the prime ministry, stated that as Israelis, they had the responsibility of remembering the tragedies of humanity, that one of these tragedies was the massacre of the Armenian community, and that the Israeli State did not deny these horrible events, and he added that investigating the related events must be done through open debate, not by political declarations²⁰³. Turkey agrees with the view that no political decision about the issue of genocide allegations should be taken, and that, however, these should be the subject of scientific discussions.

Consequently, Deputy Minister suggested discussing the matter; however, added that Knesset should not pass a resolution on it and Knesset, in accordance with this, directed the matter to the Committee, to be discussed in more detail, as it was done before. It is observed that Israelis, taking into account their relations with Turkey, do not wish to pass any resolution on the genocide allegations in Knesset; however, that they have continued to keep this matter on the agenda in order to create a pressure on Turkey.

13. Sweden

As is generally known, the Swedish Parliament passed a resolution to recognize the Armenian genocide allegations on March 11, 2010²⁰⁴. Briefly, it was stated in this resolution that, in addition to the Armenians; Assyrians, Syrians, Chaldeans, and Pontic Greeks were also subjected to genocide under the Ottoman Empire. The resolution, furthermore, requested the Swedish

201 Ömer Engin Lütem, "Facts and Comments" *Ermeni Araştırmaları*, Issue: 42, pp. 39-43.

202 "In Israel, Both Coalition and Opposition Urge Remembrance of Armenian Genocide" *Ha'aretz*, April 23, 2013.

203 Ibid.

204 Ömer Engin Lütem, "Facts and Comments", *Ermeni Araştırmaları* Issue 35, pp. 36-37.

Government to make an initiative towards the Turkish Government, and also towards the European Union and the United Nations in order to have the Ottoman Empire recognize the claimed genocide of the mentioned minorities. Objecting to this decision, Swedish Minister of Foreign Affairs Carl Bildt stated that historical events should not be evaluated on political level but should be discussed by the concerned parties. Moreover, he asserted that this decision would not create any positive impact on the normalization process Turkish-Armenian relations.

Turkey reacted to this decision; recalled its ambassador to Sweden for a while; and Prime Minister Erdoğan's visit to Sweden was canceled²⁰⁵.

However, the resolution -passed by one vote- has caused a lot of discussion, as the Swedish Government has not fulfilled the demands since then. As the Swedish Constitution grants the authority of determining the foreign policy to the government, the resolutions to be passed by the Parliament on this matter are not binding for the government. However, Turkish Assyrians; some political institutions such as the Social Democratic Labor Party and the Leftist Party; some left oriented media establishments; and, of course, the Armenians living in this country stated the necessity for the government to apply this mentioned resolution on all occasions²⁰⁶. But the government did not change its attitude towards this matter. On the other hand, although Minister of Foreign Affairs Carl Bildt, who was the addressee of the mentioned pressures, went to the Genocide Memorial and stood for a moment of silence during his visit to Armenia on June 14, 2010; the pressures were not alleviated.

In about two years, during President Abdullah Gül's visit to Sweden, this matter inflamed again and some activities with the attendance of Assyrians were organized. The President, who did not mention this matter in his speech in the Swedish National Assembly, later on said to the journalists that this matter should be dealt not by politicians but by experts²⁰⁷.

The Socialist Party in opposition declared that they would implement the mentioned resolution in case they came into power²⁰⁸.

There is a particular point about recognition of the genocide allegations by some countries' parliaments that must be kept in mind. Parliaments can easily pass such resolutions, as they do not bear responsibility for foreign policy; but, on the contrary, the governments, executing foreign policy, would not

205 Ibid, p. 37.

206 "Reaction to Sweden Government not Applying Genocide Decision" *Hye-Tert*, November 24, 2012.

207 "SPD Will Recognize Turkish Genocide of Armenians" *Dagens Nyheter*, March 14, 2013.

208 Ibid.

prefer to have a dispute with Turkey for an incident that occurred a century ago. In that sense, there is no guarantee that, in case of Socialists coming into power in Sweden, they would execute this act of the Parliament. What can utmostly be expected is that they could make a claim about this matter from Turkey, the EU, and the UN; however, they could try to avoid disputes by being non-insistent.

14. Italy

The Italian Parliament recognized the Armenian genocide allegations in 2000 by referring to the decision, dated 1987, of the European Parliament. There is a small but influential Armenian community in Italy and this community has tried to bring the genocide allegations to the agenda at every turn.

It is observed that, on this matter, the Italians benefit from literature, and the works of Antonia Arslan, an Italian writer and academic of Armenian origin born in 1938, are pioneers in the issue of genocide and the Ottoman Armenians. Her work “La Messeria delle Allodole” (Skylark Farm, 2004) received many awards and became the subject of a film with little success by well-known director Taivani Brothers in 2007²⁰⁹. Her works “La Strada di Smirne” (Street of İzmir, 2009) and “Il Libro di Mush (Book of Muş, 2012) are about Ottomans and Armenians.

Paolo Cossi, a well-known producer of cartoon albums, played an important role in spreading genocide allegations through Italy with his published album “Medz Teghern Il Grande Male (Genocide, A Big Enormity) in 2007 of which the cover illustrated an Ottoman soldier holding an Armenian’s head cut-off.. Moreover, Paolo Cossi’s last album “Ararat, la Montagna del Mistero” (Ağrı, Mountain of the Mystery, 1912) discusses Ottomans’ massacre of Armenians.

The final political development has been the erection of an Armenian “Kachkar” (a big stone cross) in the city of Bari on January 11, 2013. Meanwhile, it should be stated that many assemblies of Italian cities and towns have taken decisions in recognition of the Armenian genocide allegations. According to an Armenian source, these decisions amount to 37²¹⁰. While most of these are small cities and towns; there are also big ones such as Milan, Rome, Florence, Venetia, and Genova.

209 *Ermeni Araştırmaları*, Issue 23-24, pp. 56-58.

210 According to *armenian-genocide.org*, an Armenian cite, these are cities and towns recognizing genocide allegations in Italy: Caponogara 1997, Sanguinetto 1997, Bagnacavallo 1997, Fusignano 1997, Montorso Vicentino 1997, Padova 1997, Monterforte d’Alpone 1997, S. Agata Sul Santerno 1997, Cotignola 1997, Asiago 1997, Lugo 1997, S. Stino Livenza 1997, Ponte di Piave 1997, Conselice 1997, Villafranca Padovana 1997, Milano 1997, Parma 1997, Solarolo 1997, Imola 1998, Faenza 1998, Feltre 1998, Venezia 1998, Firenze 1998, Ravenna 1998, Thiene 1998, Castelsilano 1998, Montana Feltrina 1999, Genova 1998, Massa Lombarda 1999, Roma 2000, Salgareda 2000, Belluno 2000, Sesto San Giovanni 2000, Udine 2001, Di Bertiole 2001, Reggio 2005, Viterbo 2005, Isola del Liri 2011.

Considering the positive and close relations with Turkey, the Italian Government officials generally keep silent when it comes to the issue of genocide. In that sense, it was found strange when Italian Ambassador Bruno Scapini said in Yerevan that a country that respects universal values and that is on its way to democracy should recognize this crime.

It is very rare for Italy to make high-level visits to Armenia. Therefore, it should be stated that although the visit by Italian Minister of Defense Giampaolo Di Paola to Armenia on October 16, 2012 drew attention, the number of visits by the European Union countries to Armenia have increased after it became certain that Armenia would sign a partnership agreement with the European Union. Minister Di Paola visited also the Genocide Memorial.

15. Canada

Canada was a scene of Armenian terror in 1980s and, as for the Armenian claims, it is one of the countries that recognized the Armenian Genocide allegations in 1990s and 2000s.

States of Quèbec and Ontario, when they recognized the genocide allegations in 1980 -when these allegations were not prevalent-, were almost the precursors of the Armenian terror that would start shortly after. Afterwards, the state of British Columbia, took a similar decision in 2000; and, Quèbec, where the Armenian militants were very active, repeated its decision in 2003 and 2004.

On federal level, the Canadian House of Commons passed decisions in 1996 and 2004, the Canadian Senate in 2002, recognizing the genocide allegations. Prime Minister Harper recognized the allegations firstly verbally and then in writing in 2006.

Recognition of genocide allegations by parliaments, although it would not lead to a conclusion beyond evaluating a historical event or in other words commenting on it, would be significant in the sense that it becomes a government policy when the head of the government makes a similar evaluation in writing. However, as the members of the Canadian Cabinet are as not insistent as the Prime Minister on this matter and besides, the continuous objection by Turkey to these decisions and declarations prevent the Canadian Government to perform an active role with regard to the Armenian Genocide allegations and especially when it comes to the demands of Armenians from Turkey. Turkey's response to the decisions taken in the Canadian Assemblies and to the pro-Armenian attitude on the part of the

Canadian Prime Minister were so strong that Turkish ambassadors has been called twice to Ankara for consultations²¹¹. Moreover, there have been some rumors saying that there would be some trade restrictions and that Turkey would not award some bidding to Canada. These issues were discussed in detail in our previous articles²¹².

The Canadian Ministry of Foreign Affairs, being aware of the fact that Canada's stance on the Armenian issue has caused a serious dispute with Turkey and that it could even strain relations, urges the Prime Minister to act more moderately. On the other hand, it should not make sense, for a country

Briefly, after a period of serious tension, the relationship between Turkey and Canada has started to enter a stage of improvement. The monument erected in 1982 in the name of Military Attaché Colonel Atilla Altukat, who was assassinated by Armenian terrorists, has strengthened this improvement.

like Canada that allows immigrants, that it embraces past experiences of each immigrant group and get in conflicts with other countries in this cause. However, Prime Minister Harper has easily done this. Although the populations of those with Turkish and Armenian origins are almost the same, he has opted for Armenians because they are more active and more interested in the politics; and, besides, he has been on the side of Jews against Palestinians. However, he has become to have more of a moderate stance -although he did not change his mind-through strong reactions of Turkey and his own Ministry's prompting. For instance, in the identical statements released in reference

to April 24th in 2012 and 2013, upon touching upon the recognition of the 1915 events by Canadian parliaments as genocide, he stated that this was a day that they acknowledged solemnly, not to cast blame back into the distant past, but to guide them to a better future; that the Turkish and Armenian Canadians could live together sharing values of tolerance and openness; and, that Canada supported efforts by Armenia and Turkey to seek reconciliation including an open border, the establishment of diplomatic relations and the implementation of a dialogue of the events of 1915. Other issues in this statement, except for the genocide allegations, are acceptable for Turkey. However, while the Armenian militants have stated that there is no need to discuss the events of 1915 as it is generally recognized as genocide; they would not have approved Stephen Harper's remarks on the two countries' entering into a conversation.

211 Ambassador Aydemir Erhan in 2006, Ambassador Refet Akgünay in 2009 were invited to Ankara.

212 For the decisions taken about Armenian genocide allegations in Canada and Turkey's reaction to them see Ömer Engin Lütem. "Facts and Comments" *Ermeni Araştırmaları* Issue: 2, p. 25; Issue: 6, pp. 15-16; Issue: 12-13, pp. 14-17; Issue: 20-21, pp. 21-26; Issue: 30, pp. 30-31; Issue: 32, pp. 50-51; Issue: 36, p. 56.

Briefly, after a period of serious tension, the relationship between Turkey and Canada has started to enter a stage of improvement. The monument erected in 1982 in the name of Military Attaché Colonel Atilla Altıkat, who was assassinated by Armenian terrorists, has strengthened this improvement.

While the Canadian public is certainly against terrorist acts, Canada witnessed the Armenian terror acts and had difficulties in coping with these acts. In 1980s, the most intense period of the Armenian terror, the Turkish Embassy in Canada and its personnel received many anonymous threats from Armenians. Although Canadian authorities were notified about these, this did not give any result.

The first terrorist act against Turks in Canada, dated on April 8, 1982, resulted in the serious injury of Commercial Counsellor Kâni Güngör. Güngör became paralyzed for his whole life. The perpetrators could not be found through the investigations held by Canadian authorities.

The Armenian terrorists in general were trained in some camps in Lebanon and were sent to foreign countries to perform their acts. However, as they were not knowledgeable about the conditions of the country they were sent to, Armenian citizens of that country helped them to specify the target, follow daily actions, and determine the place of assassination. It was hard to find the perpetrators since they were unknown to the local security offices, and, for this, the authorities had to find the abettors in the Armenian community. This could not be easily done because of political sensitivities. Furthermore, that the perpetrators left the country as soon as possible made it difficult to catch them.

Within about four months of the attack committed to Kâni Güngör; Colonel Atilla Altıkat, the Military Attaché in the Turkish Embassy in Ottawa was assassinated on August 28, 1982. Colonel Altıkat was shot in his car, when he stopped at the traffic lights on his way to the embassy, by a person who got out of the car behind.

This incident is important in several aspects. For the first (and last) time, a Turkish army officer was killed by Armenian terrorists. Since there was military rule in Turkey, this act was thought to be directly targeting the Turkish Army. Besides, since terrorists claimed that they were in an armed struggle against Turkey, they considered it more crucial to assassinate a Turkish army officer than to assassinate a diplomat, and this encouraged them.

This assassination was considered as important by also the Canadian Government since Officer Altıkat was the first foreign diplomat assassinated

in Canada. Although the perpetrators could not be found, with Prime Minister Pierre Trudeau's instructions, the Ministry of Foreign Affairs and the Ministry of National Defense flew their flags at half-mast; the Canadian Minister of National Defense, the Army Chief, and the General Attorney attended the ceremony in the airport to send his mortal remains to home; and additionally, the Canadian brigade of nine soldiers escorted the funeral²¹³.

The final attack carried out to a Turkish diplomat in Canada was the one against the Turkish Embassy in Ottawa on March 12, 1985. During this attack, a Canadian bodyguard was killed; 13 people including Ambassador Coşkun Kırça, his wife and children were taken hostage; the Ambassador later on escaped but he got seriously injured. In the end, three Armenians who carried out this attack were captured and they were sentenced to life, being eligible for parole after serving a minimum of 25 years imprisonment. They were released after having served 25 years. As mentioned above, it was significant in terms of developing the relations between Turkey and Canada that the Canadian authorities granted permission for the erection of a monument in the name of Officer Atilla Altıkat. Taking into consideration possible rejections and blockings by Armenians and Armenian supporters in the Canadian Parliament, the news of the building of the monument were not shared with the public, although it was not a secret. The monument was built by sculptor Azimet Karaman, Architect Levent Timurhan, and Reha Benderoğlu. In the shape of a half-sphere with a 6-meter diameter; the monument weighs 26 tones and is composed of wooden and metal elements. It was produced in Turkey and transported to Ottawa and mounted. The monument was approved by NCC (National Capital Commission) which is an office responsible for any work of art and grand building to be built in Canada²¹⁴. The monument was built on the lawn right next to the road where Altıkat was martyred²¹⁵.

The monument was opened on September 20, 2012 with a ceremony with the attendances of Turkish Foreign Minister Ahmet Davutoğlu, Canadian Foreign Minister John Baird, Officer Altıkat's wife and children, and Turkey's Former Ambassador to Ottawa Refet Akgünay who highly contributed towards the production of this monument Davutoğlu and Baird made speeches during the ceremony. The writings on the monument are like this²¹⁶:

213 There is detailed information about the assassination committed to Colonel Altıkat in Bilal N. Şimşir's book "*Our Martyr Diplomats*" (Bilgi Publishing House, Ankara 2000). pp. 551-580.

214 "Martyr Diplomats Memorial / Ottawa, Canada" *Arkiv* <http://www.arkiv.com.tr/proje/sehit-diplomatlar-aniti/1263>

215 This area is on the corner of these roads: Island Park Drive and John A. Macdonald Parkway

216 "The Text on the Introductory Signboard of Colonel Atilla Memorial" Ministry of Foreign Affairs Official Website http://www.mfa.gov.tr/site_media/html/albay-atilla-altikat-aniti.pdf

This monument is dedicated to the memory of the Republic of Turkey Ottawa Embassy Military Attaché Colonel Atilla Altıkat who lost his life in this cross road by an assassination committed by terrorists in August 27, 1982.

In the name of all other diplomats and public officers who were martyred during their assignments abroad, this monument witnesses the principles of permanent peace, freedom, and coexistence between Turkey and Canada.

With its perfect sphere shape, the monument symbolizes martyrs' places of eternal rest. Sphere's wide side looking to the sky opens to "Door of Eternity"; its narrow side looking to the ground opens to "Gate of Time". Each of prisms inside the monument represents martyrs that sacrifice their lives. The only prism in the "Gate of Time" perpetuates the memory of Martyr Officer Atilla Altıkat.

God rests souls of our beloved martyrs makes their places heaven.

As one can see, the perpetrators of the assassination of Officer Altıkat have not been mentioned on the monument. This was presumably demanded by the Canadian authorities to be able to prevent the pressures that would come from Armenians. Additionally, that the monument was dedicated to "*all other diplomats and public officers who were martyred during their assignments abroad*" makes its approval easier.

Davutoğlu briefly mentioned the Armenian terror his speech in the opening ceremony of the monument. In an interview with a Canadian newspaper²¹⁷, he went on and stated that it must be questioned why the Turkish Foreign Minister had not visited Canada for 14 years; why the relations between these two countries were not as good as other relations such as the Turkish-Brazilian relations; and stated that Harper Government's formal recognition of Armenian genocide allegations in 2006 had created a psychological obstacle in the relations; that Turkey would not accept to such political pressures; that Turkey would not question what happened to Red Indians in North American continent; that it was not the place of a third country's Parliament to determine what happened in other lands a century ago; and that they hoped that Canada would contribute to reconciliation efforts between for Armenians and Turks, rather than taking sides on this issue.

That a monument was built in Canada in the name of Colonel Altıkat where he was martyred has been a very important step in Turkey's struggle with

217 "Straddling Europe, Middle East, Turkey's view is from eye of storm" *The Globe and Mail*, September 21, 2012.

the Armenian terror and, in general, with Armenia's propaganda against Turkey and Turks. Because this monument is the proof that Armenians' politically motivated violence is not acceptable. This monument and other monuments that we hope would be built in other countries, where Turkish diplomats were martyred by the Armenian terror, would cause not only condemnation of the terror but also questioning of the views of Armenians on the events of 1915.

16. Hungary and the "Ramil Safarov" Event

Ramil Safarov, an Azerbaijani army officer who attended a language course in NATO in 2004, killed an Armenian army officer from the same language course, Gurken Margarian, who had insulted the flag of Azerbaijan. Safarov was tried in Hungary, and was sentenced to life imprisonment, although it was matter of mitigation. The Azerbaijani Government made several initiatives firstly to reduce Safarov's punishment; and then to get him released in a short time after the sentence, or to extradite him to Azerbaijan. In response, Armenia made efforts in the opposite way.

Hungary released Safarov in August 31, 2012. This was done in accordance with the Convention on the Transfer of Sentenced Prisoners, dated March 21, 1983. The convention foresaw an opportunity for foreign prisoners to serve their sentence in their own countries. For this, the sentencing country and the home country had to agree. Article 12 of the convention stated that states could grant pardon, amnesty or commutation of the sentence in accordance with their own constitution and other laws. After Safarov returned to Azerbaijan, President Aliiev pardoned him Safarov exercising his executive authority. Moreover, it was covered in the news that his accumulated wages was paid to him during his imprisonment of almost nine years; that an apartment was provided for him; and that he was promoted to the rank of major.

This provoked a massive reaction from Armenia which was also a result of the presidential elections that would take place soon. While Azerbaijan was gravely criticized of releasing Safarov, diplomatic relations and all official contacts with Hungary were suspended as of August 31, 2012. Furthermore, an intense campaign was launched against both Azerbaijan and Hungary with active contributions of the Armenian Diaspora and the Armenian churches. As a result of this campaign, Safarov's release was condemned by some international organizations, primarily by the European Parliament and the Parliamentarian Assembly of Council of Europe. The Western media acted in the same way.. However, this campaign did not effect Azerbaijan that had released Safarov in accordance with the 1983 Convention.

Although the opposition in Hungary tried to weaken the government led by Prime Minister Victor, it did not succeed in doing so. Criticism by the EU countries and reactions by the public opinion in these countries led the Hungarian government to immediately normalize its relations with Armenia; however, it was not possible because of reluctance on the side of Armenia.

While Armenia had organized a successful campaign against Azerbaijan and Hungary, it found itself in a tough situation as the campaign did not cause an effect on the policies of neither Azerbaijan nor Hungary, and tried to move the issue onto the international arena. Hence, some news on the press pointed out that the Safarov issue would be taken to the United Nations Committee on the Elimination of Racial Discrimination²¹⁸ but this did not take place. Correspondingly, Armenia has provided the means with which the inheritors of the Armenian army officer Gurken Margariyan, who was killed, could apply to the European Court of Human Rights²¹⁹.

Lastly, Armenian Minister of Foreign Affairs Edward Nalbandian stated on April, 2013 that Armenia was ready to normalize relations with Hungary; however, for this, Hungary should take certain steps in that direction²²⁰. Although he did not mention what these steps were, after a while, the inauguration of a khachkar (a big cross made of stone) “dedicated to the victims of the Armenian Genocide” in April 22, 2013 in the city of Szeged in Hungary was seen as one of these steps. In the ceremony, President Sarkisyan’s sibling who attended the ceremony as an ambassador of good will said: “although the recent period had witnessed some difficult moments, they have been swept away like ash in the wind”²²¹. However, the relations between these two countries were not normalized. It was covered in the press that Armenia demanded an apology from Hungary for this²²².

The part of this event that concerns Turkey was that as one of the steps to normalize relations with Armenia, Hungarian authorities allowed the inauguration of a khachkar related to the genocide allegations; in other words, that Hungarians appeased to Armenia over Turkey.

17. Portugal

While Portugal had been known as a country far from Armenian activities, as

218 “Armenia to Appeal to UN Committee on Elimination of Discrimination On Safarov Case” *News.am*, March 1, 2013.

219 “Complaint on Safarov Case Filled to European Court of Human Rights” *News.am*, March 1, 2013.

220 “Armenia Ready To Mend Ties With Hungary, But...” *Armradio*, April 14, 2013.

221 “Armenian Genocide Memorial Erected In Hungary” *Armenpress*, April 22, 2013.

222 “La Hongrie N’est Pas Prête À Faire Des Excuses à l’Arménie Dans l’affaire Safarov Selon Le Site Hongrois “Hu-Lala” *Armenews.com*, April 28, 2013.

a result of the attacks against Turkish diplomats in 1982 and 1983, it became the first in the agenda.

Administrative Attaché Erkut Akbay in the Turkish Embassy in Lisbon and his wife Nadide Akbay, who was a secretary in the embassy, were attacked by Armenian terrorists in their car in front of their house. Erkut Akbay died on the premises, while his wife Nadide Akbay was seriously wounded, stayed in a hospital in Lisbon for a period of time, was brought to Turkey and died in Hacettepe Hospital in Ankara on January 10, 1983. Dashnak originated Justice Commandos took responsibility for the attack, and the perpetrators could not be found.

Within about a year, five Armenian terrorists attacked the building of the embassy in Lisbon and killed a Portuguese police officer on July 27, 1983²²³. The embassy personnel responded to shooting and a Turkish bodyguard killed one of the terrorists. While the terrorists could not enter the embassy building-which was their main goal-,they occupied the Ambassador's Residence and took Chargé d'affaires Yurtsey Mihçioğlu's wife Cahide Mihçioğlu and his son Atasay Mihçioğlu hostage. The Portuguese government held a meeting led by Prime Minister Mario Suarez Presidency and decided for an armed intervention. The terrorists responded to the shooting of the Portuguese special forces. At a moment when shooting stopped, there was an explosion in the Ambassador's Residence. Four Armenian terrorists died, Cahide Mihçioğlu got seriously injured, was taken to a hospital and died there, and her son Atasay Mihçioğlu survived with relatively minor injuries.

This event caused the condemnation of the Armenian terrorism on large scale as it occurred within two weeks of the bombing at the Orly Airport which left 8 dead and 60 injured. Even US President Reagan felt the necessity of making a declaration on this, and described these events as barbarous and inhumane, and said "no complaint, whether it is real or imaginary, can legitimize horrific events of modern times." Briefly, the events in Lisbon, along with the Orly events, played an effective role in ending the Armenian terrorism.

Up until today, there have been some questions left without answers about the Lisbon attack. Why were the two big Armenian terror acts performed in Portugal where only a small number of Armenians live and where there are no popular political view excusing terrorism for any reason? It is known that terrorists are provided support by Armenians living in the countries which the terror acts are performed in. Who provided support in Portugal? Could it be the Gulbenkian Foundation in Portugal or the Armenians working for this

223 Information about the attack to Lisbon Embassy was taken from Bilal N. Şimşir's book "Our Martyr Diplomats" (Bilgi Publishing House, Ankara 2000). pp. 715-743.

foundation that provided this support for them? As it is known, Calouste Gulbenkian, who was an Ottoman Armenian, became very wealthy as result of his shares of Iraqi petrols and then used his wealth to collect pieces of art and exhibit them. Although it would seem quite appropriate, the idea that the Gulbenkian Foundation had a connection with Armenian terror could not go beyond being a doubt, and no proof was found on this matter. However, on the other hand, it was not released who helped those Armenian terrorists, of which none is Portuguese.

The second question is about the rationale behind the explosion in the Embassy. As it will be seen below, Dashnaks claim that terrorists (freedom fighters as they call themselves) chose to attempt suicide instead of surrendering. At those times, it was clear that suicide was not necessary since it was evident from the events that Armenians were not punished much in Europe. The normal thing to do would be to maintain the occupation as long as possible and make it heard in the public, and then to surrender. Thus, in a phone conversation with Chargé d'affaires Mihçioğlu, they stated that their aim was to have their case heard, that there was a text in the pocket of their friend who was shot, and that they wanted it to be published. This was not done. Then, at a moment when the Portuguese special team stopped shooting and when there was relatively a quiet moment, an explosion occurred. There are two different views on how this happened. The Armenian terrorists were not very capable of using explosive substances and guns since they were comparatively not trained well. Previously, there were such situations when they fired but could not shoot, and at least one of them had a bomb explode in their hand. Therefore, it is possible that the explosion in the ambassador's residence took place because of the lack of experience on the part of the terrorists.. The second possibility suggested by Yurtsev Mihçioğlu was that Cahide Mihçioğlu might have thought her son was dead -when, in fact, he fainted after he was hit on the head- and that she might have exploded the substances that can be easily arranged to explode when they are plugged in. Cahide Mihçioğlu, who was known as very patriotic and brave, had such a character that she was capable of doing this.

The attack by the Armenian terrorists on the Embassy was, in fact, a big failure since the Embassy Building-the main target as it is understood- could not be occupied; the text prepared by the terrorists could not be read out loud; and, moreover, five terrorists were killed. It is understood that this event caused a demoralizing effect on Dashnaks. However, after a while, this failure turned into a kind of heroism, a "precedent". According to this, people in question are freedom fighters who chose to attempt suicide instead of surrendering. By sacrificing themselves, they ensured that the Armenian case was heard on a large scale. Every year, Dashnaks hold ceremonies to commemorate the act and death of the five terrorists, called "The Lisbon Five". It is observed that,

this year on the 30th anniversary of the event, the ceremonies have been emphasized, and commentaries written on this issue have increased in number.²²⁴.

On June 7, 2013, on the 31st anniversary of the attack on Erkut and Nadide Akbay, a monument dedicated to their memory, as well as to all diplomats and government officials fallen while on duty abroad, was launched.. In a statement made by the Ministry of Foreign Affairs on this matter, it was asserted that Cahide Mihçioğlu was also martyred as a result of Armenian

Slovakia's close interest in the Armenian genocide allegations can only be explained by the fact that Slovakia itself had annihilated its own Jews during World War II and by its desire to appear as the most sensitive country towards the genocide in order to justify itself or at least to be accused less.

attacks 13 months after the above-mentioned attack²²⁵. The opening ceremony of the monument was attended by the Turkish Ambassador in Lisbon, Ebru Barutçu Gökdenizler, and the Mayor of that region (Oeira), and relatives of martyres²²⁶.

This monument is the second monument dedicated to the memory of the victims of Armenian terror after the monument built in 2002 in the memory of Colonel Atilla Altıkat who was martyred in Ottawa in 1982 (please see the 'Canada' part).

18. Slovakia

In 2004, Slovakia, passed a decision to recognize the Armenian genocide allegations²²⁷. Later on, in 2008, with the efforts of the then Deputy Prime Minister and Minister of Justice Stefan Harabin, and, in spite of Foreign Minister Jan Kurbis's objection, it was proposed in the Slovak Parliament to add an article to the Slovak Penal Code about criminalizing the denial of the Armenian genocide allegations²²⁸. This article became a law in September 1, 2009. According to this, while only the denial of the Jewish genocide were to be punished up until today; this law has provided an opportunity for the imprisonment of those who deny other genocides for up to 5 years²²⁹.

224 As an example, Ara Khachatourian "Editorial: Remembering The Heroes of Lisbon 5" *Asbarez*, July 26, 2013; Antranik Kasbarian (Member of Dashnak Party Central Committee) "The lessons of Lisbon" *The Armenian Weekly*, August 1, 2013.

225 No: 162, 6 June 2013, Press Release Regarding the Monument to Fallen Diplomats to be Unveiled in Lisbon. http://www.mfa.gov.tr/no_-162_-6-june-2013_-press-release-regarding-the-monument-to-fallen-diplomats-to-be-unveiled-in-lisbon.en.mfa

226 "Memorial for the victims of ASALA" *Hürriyet*, June 9, 2013.

227 Ömer Engin Lütem, Olaylar ve Yorumlar. *Ermeni Araştırmaları Sayı 16-17*, ss 37-39

228 Ömer Engin Lütem, Olaylar e Yorumlar. *Ermeni Araştırmaları Sayı 30*, ss. 32,33

229 *Nouvelles d'Arménie Magazine* No. 184, April 2012, p. 29

Slovakia's close interest in the Armenian genocide allegations can only be explained by the fact that Slovakia itself had annihilated its own Jews during World War II and by its desire to appear as the most sensitive country towards the genocide in order to justify itself or at least to be accused less. Stefan Harabin helped Armenian militants about Armenian genocide allegations and he is still continuing helping. Stefan Harabin is still the president of Slovakia Supreme Court.

There is a Khachkar (a big stone cross) built in the center of Bratislava, the capital of Slovakia, to commemorate "the victims of the Armenian genocide". President of the Armenian Constitutional Court Garig Harutyunyan and President of the Court of Cassation

Arman Mkrtumyan who visited Slovakia on April 4, 2012 placed a wreath on the khachkar. Stefan Harabin stated in his speech on this occasion that any Turkish official, regardless of his rank, or any other person who dared to deny the fact of the Armenian genocide in Slovakia would immediately be sentenced to 5 years in prison. The interesting point here is that Harabin would in fact be pleased by imprisonment of Turkish officials in the case that they denied the Armenian genocide allegations. We have already presented that Stefan Harabin, during his terms as the Justice Minister first, and then, the Deputy Prime Minister, had used extreme expressions on the Armenian issue; and that beyond embracing the Armenian genocide allegations, he acted and talked like an Armenian militant.²³⁰ His manners have not changed in five years. On this matter, it should be noted that any Turkish official who deny the Armenian genocide cannot be investigated, let alone be sentenced, because of diplomatic immunity. It is very surprising that a former Justice Minister and a current President of the Court of Cassation does not know this basic principle of law or that he does not want to take it into consideration even if he knows it.

As the Slovak Parliament recognizes Armenian genocide allegations, the Slovak Cabinet members visit the Memorial of the Genocide during their visits to Yerevan. For instance, Deputy Prime Minister Mirtoslav Lajcak visited the Memorial on October 10, 2012.

Finally, it is observed that Turkey, in spite of Slovakia's stance towards the Armenian genocide allegations, has made efforts to establish good relations with Slovakia. In this context, Slovak President Ivan Gasparovic's visit to Turkey on August 20, 2013 was successful, according to the news coverages²³¹.

230 Ömer Engin Lütem, "Facts and Comments" *Ermeni Araştırmaları* Issue 30, p. 33.

231 "Gül hosted for diner in honour of the President of Slovakia" *IHA*, August 20, 2013.

19. *Ukraine and Crimea*

There is a quite crowded and influential Armenian minority in Ukraine. This group has been making efforts for a decision recognizing the Armenian genocide allegations to be passed by the Ukrainian Parliament for year; however, this has not been possible because of the intense relations between Turkey and Ukraine, especially on economic arena. Nevertheless, attempts by the Armenians have been continuing²³². Lastly, a new draft decision on this matter was presented to the Parliament of Ukraine on June 6, 2013²³³.

It is observed that the strategy of passing decisions in the Ukrainian republics and in some cities with big Armenian communities was embraced since it was not possible to have it passed in the parliament. The best example of this is the decision passed by the parliament of the Autonomous Republic of Crimea in 2005, which could not be lifted despite the efforts. Moreover, some city councils such as in Kiev and Uzhgorod passed similar decisions²³⁴. Kiev City Council additionally permitted building of a monument for the Armenian genocide²³⁵. The same council requested the Ukrainian Parliament to recognize the Armenian Genocide²³⁶. On the other hand, some well-known Ukrainians have been making efforts for this decision to be passed by the Parliament.

While the Ukrainian Parliament did not pass this decision, Foreign Minister Konstantin Grishchenko visited the Genocide Memorial in Yerevan during his visit to Armenia and left a wreath at the memorial. The Foreign Minister wrote in the memorial guestbook in the that the suffering of the Armenian nation in 1915 was not alien for the Ukrainian people who had experienced the most tragic page of their history in 1932-1933²³⁷. The Minister was referring to the famine, called “holodomor”, which had been caused by Stalin in Ukraine because of political reasons and had left more than 3 million people dead. The idea that this famine is genocide is quite prevalent in Ukraine. Therefore, the Ukrainian public and politicians are sensitive about the genocide allegations.

In the meantime, it would be useful to mention that the President of Ukrainian

232 There is a brief information about Ukraine’s stance towards Armenian genocide allegations presented in *Ermeni Araştırmaları* Issue: 37-38, p. 150; Issue: 39, pp. 64-65.

233 “DRAFT Resolution of Armenian Genocide Recognition Introduced in Ukrainian Parliament” *Armenpress*, June 8, 2013.

234 “Uzhgorod City Council Recognizes Armenian Genocide” *PanArmenian*, May 20, 2010.

235 “Monument to Victims of Armenian Genocide to be Established in Kiev” *PanArmenian*, February 25, 2010.

236 “Ukraine’s Verkhovna Rada Urged to Proclaim April 24 as the Commemoration Day of the Armenian Genocide Victims” *Panorama.am*. April 29, 2011.

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

Parliament Volodymyr Lytvyn also visited the mentioned memorial in July 2011²³⁸.

The latest development on Ukraine is that two parliamentarians originated from Armenia has presented a draft law to the parliament on the recognition of mass killing of Armenians by the Ottoman Empire between 1915 and 1922 as genocide; and on commemorating April 24th as the day of genocide victims. The draft was discussed by Ukrainian Parliamentary Committee on Human Rights, National Minorities and Interethnic Relations and was evaluated as unacceptable. Mustafa Jamil, a committee member and the Vice-President of the Parliament from Crimea, presented information on the matter and stated that such a proposal should be firstly investigated by historians and a joint decision should be reached; that, on the other hand, it was rejected considering the fact that such a decision may undermine the international friendship²³⁹.

Crimea is an autonomous republic of Ukraine. Tartars who are the main community in this region compose only 12% of the population since they were exiled in the times of Stalin. The majority is Russians with 58%. Ukrainians constitute 24% of the population. Armenians are 0.5%. Briefly, Crimean Tartars are a minority in their own country.

The Crimean Parliament passed a decision recognizing the Armenian genocide allegations in 2005. The cooperation of Armenians, a small community with bigger influence, with especially the Russians and that the majority of the members of the Crimean Parliament were not well informed about the events of 1915 played a role in this. This decision created discomfort in Turkey due to the fact that closeness between the Crimean Tartars and Turks to the extent of being same. However, as it is mentioned above, the Crimean Tartars were not in a position to prevent the passing of this decision as they have become a minority in their own country.

During a visit in early April 2013, the President of Turkish Grand National Assembly Cemil Çiçek stated, in a meeting with the Head of the Parliament of Crimean Autonomous Republic Vladimir Kostantinov, that the parliaments should not take decisions about historical events and it should be left to historians; that, although this decision was said to be lifted following the elections in 2012, this was not fulfilled; and, that, it would be appropriate to lift this decision as soon as possible²⁴⁰. While it was not known how the Head of the Crimean Parliament responded to this; Sergey Shuvaynikov, the

238 "Volodymyr Lytvyn Pays Tribute to Memory of Armenian Genocide Victims" *Armenpress*, July 11, 2011.

239 "Exemplary Genocide Decision from Ukraine Parliament" *TurkishNY.com*, July 30, 2013.

240 "The President of Turkish Grand National Assembly Çiçek is in the Autonomous Republic of Crimea" *Zaman*, April 6, 2013.

presenter of the decision of 2005 objected to Çiçek's request and stated that the lifting of this decision would be an act of disrespect towards the large Armenian Diaspora in Crimea²⁴¹.

20. Uruguay

As it can be remembered, the Armenian Diaspora has been continuing to systematically bring forward genocide allegations against Turkey and has been trying to have parliaments of some countries take decisions on this matter since 1965, the 50th anniversary of 1915 events. In this context, the Parliament of Uruguay was the first parliament that recognized the Armenian genocide allegations in 1965. It has played an important role in this that there is a small but politically active Armenian community and almost no Turks in return, and that there is not a representative office of Turkey in Uruguay.

On March 26, 2004, Uruguay accepted a decision which recognized April 24th as "The Day of Recognition of the Armenian Martyrs" and obliged radio and television services to allocate part of their program to this event on this day²⁴².

Despite Uruguay's leading position in recognizing the Armenian allegations, the contacts between these two countries are not intense because of the geographical distance. However, upon Armenia's request, two high level visits to Armenia were performed by Uruguay in 2012.

The first visit took place in May 2012 by Uruguayan Foreign Minister Luis Almagros. During his visit to the Genocide Memorial, he stated that Armenian Genocide was a crime not only against Armenian nation but against the whole humanity²⁴³. In a press conference with Armenian Foreign Minister Edward Nalbandian, he made some statements reflecting Armenia's views; stated that the Karabakh issue should be resolved on the basis of self-determination; that Uruguay adopted the proposals of the Minsk Group; and, that this issue could not be resolved by military terms²⁴⁴.

The second visit was made by President of the Uruguayan House of Representatives Jorge Orrico in November 2012. Upon his visit to the Genocide Memorial, Orrico indicated that there was an Armenian Genocide Museum in Uruguay, and besides made a statement not quite meaningful like

241 Turkish Parliament Speaker Urges Crimea to Cancel Resolution Recognizing Armenian Genocide" *Arminfo*, April 9, 2013.

242 "Day of Recognition for the Armenian Martyrs" Uruguay, Bill Number 17.752, *Armenian-Genocide.org* http://www.armenian-genocide.org/Affirmation.282/current_category.7/affirmation_detail.html

243 "Uruguayan MFA Visited Tsitsernakabert" *Times.am*, May 4, 2012.

244 "Uruguay Thinks Karabakh Issue Should be Resolved on the Basis of Self-Determination" *Armenpress*, May 4, 2012.

“Armenia is an important strategic partner for Uruguay”²⁴⁵. (There is not even diplomatic representation of Armenia in Uruguay nor diplomatic representation of Uruguay in Armenia). Orrico and the commission in his accompany went to Karabakh and met Bako Sahakyan, the President of the Armenian Administration in this region, and mentioned about the possibility of Uruguay’s recognition of the “Republic” of Karabakh. Upon this incident, it was understood that Azerbaijan sent a diplomatic note to Uruguay²⁴⁶.

Lastly, preparation for opening an Armenian Genocide Museum in Uruguay were started on July 17. The museum was built by the Uruguayan Ministry of Education and Culture and the Armenian community. The museum will not only refer to the Armenian Genocide but also to the defense of human rights in general and the recognition of other genocides such as the Holocaust or the African genocides during slavery. It is planned to be launched on April 24, 2015²⁴⁷.

21. Vatican

The Papacy is a Christian Catholic organization with government status. Because of this feature, it can not establish close relationships with Muslim countries, besides it can be said that it has a prejudice against Muslim countries, however normal relations are tried to be performed as much as possible.

For Vatican, Turkey is important both in terms of foreign policy and religion. The Vatican wishes to have good relations with Turkey since it is the most powerful country in Middle East. On the other hand, Turkey has the lands that Christianity had firstly developed on, and only Christians were settled on these lands until the 11th century. Vatican tries to protect the religious works of art from the first period of Christianity in Turkey; to put convenient ones to use; and to protect cultural and religious rights of Christians and especially of the Catholic minority in Turkey. Moreover, the Vatican, in accordance with the relations with other Christian churches, has the policy of having close relations with Ecumenical Patriarchate of Istanbul which it recognizes its the ecumenical (universality) feature. In that sense, Popes have visited the Patriarchate in the previous years.

The Vatican has not faced any difficulty in cooperating with Turkish Governments on the issue of protection of Christian works of art in Turkey

245 “Armenia is an Important Strategic Partner for Uruguay: Jorge Orrico” *Armenpress*, November 13, 2012.

246 “Muchas Gracias, Uruguay” *The Armenian Observer*, December 14, 2012.

247 “Armenian Genocide Museum Launched in Uruguay” *Press Office of Diario Armenia*, July 20, 2013.

and of the rights of Catholics. In spite of this, Popes' visits to the Patriarchate have sometimes caused some problems. The main difficulty is that Turkey does not recognize the ecumenical feature of Patriarchate. In other words, it views the Patriarch as the religious leader of the Greeks in Turkey and not as the supreme spiritual leader of all Orthodox people.. However, the Vatican attaches importance to the Patriarchate because of its ecumenical characteristic. So much so that Pope Paul VI wanted to come to Istanbul just to visit the Patriarchate in 1967, but he was obliged to visit Ankara when Ankara insisted on the necessity of a visit to Turkey by the Pope as the head of the state. After this official visit, he particularly visited the Patriarchate in Istanbul. This method was also used for other Popes' visits. The

The majority of Armenians do not adhere to the Vatican as they are in the Gregorian sect. On the other hand, there is a small number of Catholic Armenians. Agacanyan, one of them, rose to the cardinalship position, and, even became one of the most important candidates for the office of pope in 1958.

The majority of Armenians do not adhere to the Vatican as they are in the Gregorian sect. On the other hand, there is a small number of Catholic Armenians. Agacanyan, one of them, rose to the cardinalship position, and, even became one of the most important candidates for the office of pope in 1958.

The Vatican still has the policy of having good relations with other Christian sects and in the meantime, of providing the recognition of spiritual primacy of the Pope. This issue becomes prominent in its relationship with the Gregorian Armenian Church. In return for better relations on a higher level, the Gregorian Armenian Church wishes the Vatican to recognize the Armenian Genocide allegations. It is doubtless that the Vatican, which had showed interest in the relocation of 1915 and even requested it to be halted, has received this request positively. However, because of the reasons stated above, it is understood that Vatican firstly rejected this to maintain the good relations with Turkey. Upon Turkey was recognized as a candidate for full membership to the EU, Vatican, in 2000, recognized the Armenian Genocide allegations²⁴⁸. However, wishing to make a nuance in this policy, Pope Jean-Paul II used the expression "Metz Yegern" (great disaster) which may have the same meaning in the Armenian language instead of the word "genocide" during his visit to Yerevan in 2001 and did not touch upon this subject again.

His predecessor Pope Benedict XVI, on the other hand, was mindful of not using the term "genocide" considering Turkey's stance.

248 Enough detailed information about Vatican's recognition of Armenian genocide allegations was once given in our journal. See *Ermeni Araştırmaları* Issue: 3, pp. 13-15.

Upon Pope Benedict XVI's resignation, it has appeared in a short span of time that the newly elected, Italian originated Argentinian Cardinal Jorge Mario Bergoglio, who took name Franciscus (Francis in English, Francesco in Italian, François in French) on March 13, 2013, recognized the Armenian Genocide allegations.. Cardinal Bergoglio made some remarks in this context. For instance, in a statement made in the opening ceremony of a Khachkar in Argentina in 2005, he stated that he wished to be buried underneath the stone after his death²⁴⁹; and in 2006, he urged Turkey to recognize the genocide as the gravest crime of Ottoman Turkey against the Armenian people and the entire humanity²⁵⁰; and in 2011, he condemned “the abominable crime of genocide that the Turkish state committed against the Armenian people between 1915 and 1923”,²⁵¹ and in a book composed of his interviews, which was published just after his election as Pope²⁵², he said, while mentioning the massacres made in the name of God, “The Turks did it with the Armenians, the Stalinist Communists did it with the Ukrainians and the Nazis with the Jews”

It is without doubt that his contacts with the Armenian community in Argentina and the decisions passed in the parliament²⁵³-which makes Argentina the country that recognized the genocide to the greatest extent- have been influential in Cardinal Bergoglio's persistent belief that Armenians were subjected to genocide. Undoubtedly, antagonizing Turks and/or Turkey in the context of Islamophobia would build a reputation in a Catholic country with a small Turkish community and a very small community of other Muslims.

Statements and acts of a cardinal would only concern the Catholic church in the country he is based in. However, statements of popes are very crucial as they are the spiritual leader of all Catholics and as they would not be in the wrong, based on their impeccability. On the other hand, their statements create political consequences, as they are heads of state of the Vatican in addition to their spiritual role. In this context, it might be expected that the new Pope would follow the steps of his predecessor Pope Benedict XVI on the issue of Armenian Genocide allegations. Besides, as the Vatican had recognized the Armenian Genocide allegations in 2000, there is no need for every pope to make this recognition.

249 *Armenpress*, April 3, 2012.

250 “New Pope Urged Turkey to Recognize genocide in 2006”*Asbarez*, March 15, 2013.

251 Harut Sassounian, “Will Pope Francis Repeat Cardinal Bergoglio's Words on the Genocide” *The Armenian Weekly*, March 19, 2013. Harut Sassounian,

252 Jorge Mario Bergoglio & Abraham Skorka *On Heaven and Earth: Pope Francis on Faith, Family and the Church in the Twenty Century* Image Publishing, April 2013, ISBN 978- 0770435066, p. 21.

253 Argentine National Assembly accepted two decisions recognizing Armenian genocide allegations and accepting the day April 24 as an off day in 1993, 2003, 2004, 2005, 2006, and 2007.

It was surprising that during a meeting with a delegation of Catholic Armenians on in July 3, 2013, the newly elected Pope responded to a lady in the delegation who had said that she was a descendant of genocide victims; and stated that “the first genocide of the 20th century was that of the Armenians”. Moreover, it was covered in the press that he had stated, during an opening ceremony of the Armenian Embassy in the Vatican more or less on the same dates, that he wished to hold a religious ceremony in Yerevan on the 100th anniversary of the “genocide”²⁵⁴.

In a statement issued by the Foreign Ministry²⁵⁵ in the following days, it was stated that the Pope expressed views reflecting opinions of Armenians regarding the 1915 events; that this period needed to be understood in its entirety and such an exercise required a reliable factual basis, and that, for this purpose, Turkey had proposed the establishment of a joint commission composed of Turkish and Armenian historians. The statement went on by stating that “while, from the legal point of view, no competent international court had taken up the events of 1915 and while differing opinions among scholars clearly existed, third parties in authority should not exploit history for political reasons by passing one-sided judgments; what was expected of the office of the Pope, under the responsibility of the spiritual authority it has been endowed with, as to contribute to world peace instead of bringing out enmity from historical events. It also stated that the Holy See should refrain from taking steps that might cause harm to the bilateral relations between Turkey and the Vatican that may be difficult to repair.”

Therefore, briefly and clearly, it was stated that the Pope did not have the authority to decide on the 1915 events; that he should not bring out enmity by these events, and that bilateral relations would be harmed if he continued to support the genocide allegations.

Lastly, there has been news on the press that Pope will visit Istanbul Patriarche on November 30, 2014, an important day (Aya Andrea) for the Orthodox world²⁵⁶. It is doubtless that realization of such a visit would be due to the change in the Pope’s stance regarding the genocide allegations.

254 “Pope Plans to Attend 2015 ceremony in Armenia Amid Ankara’s Genocide Protest” *Armradio.am*. June 10, 2013.

255 “About Pope’s expressions about 1915 events” Ministry of Foreign Affairs Official Website, Contemporary Explanations No: 163, June 8, 2013 http://www.mfa.gov.tr/no_-163_-8-haziran-2013_-papa_nin-1915-olaylarina-iliskin-ifadeleri-hk.tr.mfa (English version “Press Release Regarding the Pope’s Statements on the Events of 1915” www.mfa.gov.tr/no_-163_-8-june-2013_-press-release-regarding-the-pope_s-statements-on-the-events-of-1915.en.mfa - No: 163, 8 June 2013.)

256 “Pope will come Turkey in November 2014” *Zaman*, July 15, 2013.

B. INTERNATIONAL ORGANIZATIONS

1. European Union

European Union's decision to sign a Free Trade Agreement and partnership agreement with Armenia in the context of the Eastern Neighborhood Program caused an increase in the number of visits by European Union officials to Armenia. In this context, President of the European Council Herman Van Rompuy and the President of European Commission Manuel Barroso visited Armenia on July 4, 2012 and on December 1, 2012, respectively and left wreaths on the Genocide Memorial.

European Parliament's resolution "on a political solution to the Armenian question" passed in 1987 had recognized the Armenian genocide allegation; requested Turkey to recognize it; and stated that the refusal by the Turkish Government to recognize it would create an obstacle in Turkey's full-membership to the Union. In most of the resolutions passed by the Parliament, in accordance with the progress reports on Turkey that were issued following recognition of Turkey as a candidate for full-membership to the European Union in 1999, there were references to the resolution dated 1987. However, the important point here is that the resolutions passed by European Parliament in such issues have the characteristics of an advice. No prerequisite condition such as recognizing the Armenian genocide allegations were put forward during the membership negotiations. The decision dated 1987 and the references to this decision in the following years indicate the general idea about the Armenian genocide allegations in the Union. It is possible to claim that this general idea constitutes the basis for the visits of Rompuy and Barroso to the memorial.

The important point here is that the resolutions passed by European Parliament in such issues have the characteristics of an advice. No prerequisite condition such as recognizing the Armenian genocide allegations were put forward during the membership negotiations.

There is no information with regard to the mentioning of the genocide allegations in these visits, although it is understood that issues of normalization of the Turkish-Armenian relations, and confirmation and implementation of the protocols were discussed. At the present time, while there have been many problems between Turkey and the Union, and the issue of membership of Turkey to the Union is in a deadlock; the executive organs of the European Union would not wish to create more tension in the relations because of the genocide allegations. On the other hand, it is seen that Diaspora has been trying to execute the idea that Turkey cannot be a member of the Union unless she recognizes the Armenian genocide allegations. For instance,

a Dashnak Newspaper titled *Asbarez*, which is published in the US, wrote a while ago that President of the European Parliament Martin Schultz said that the precondition of Turkey's membership to the Union was her recognition of Armenian genocide²⁵⁷. Although Schultz denied this²⁵⁸, those claims were repeated for a while.

2. Organization for Security and Cooperation in Europe (OSCE)

OSCE, which was founded in 1975 to help to end the Cold War with respect to some norms about security, human rights, and democracy among the European countries, has currently 56 members. This organization made a great effort to stop the war, which started on the issue of Karabakh, with a truce. The Minsk Group, which is responsible of resolving the Karabakh conflict, was established within this organization.

OSCE Parliamentary Assembly President Riccardo Migliori visited Armenia last year in February; visited the Genocide Memorial and stood for minute of silence. In his speech, he asserted that many countries did not know of the Armenian genocide allegations, time was needed for all to recognize this genocide, and this was the tragedy of not only Armenians but all of Christians of the world²⁵⁹.

There is not a single decision taken by OSCE about the Armenian genocide allegations. In this context, the President of the Parliamentary Assembly of this organization should have avoided such remarks that could mean the recognition of the Armenian genocide allegations. Far from doing this, the President tried to bring forward a religious dimension to those events by claiming that it was a tragedy for the Christianity world.

3. Council of Europe

In a visit to Armenia, Jean-Claude Mignon, the President of the Parliamentary Assembly of the Council of Europe, went to Genocide Memorial on June 1, 2013, stood for a moment of silence and wrote on the guestbook: "This touching visit to the Memorial perpetuates the sad memory of the innocent victims of the Armenian Genocide, Every day the European Council struggles not to allow the repetition of such a tragedy"²⁶⁰

257 "Genocide Recognition Precondition to Turkey's EU Bid, Says Euro Parliament President" *Asbarez*, September 18, 2012

258 "Martin Schultz dément avoir évoqué la question du génocide arménien" *Armenews.com* September 20, 2012.

259 "Time is needed in order everybody recognize Armenian genocide, Riccardo Migliori" *Armenpress*, February 19, 2013.

260 "PACE President: Turkey Should Accept Armenian Genocide And Face Reality" *Armenpress*, June 1, 2013.

Council of Europe Parliamentary Assembly has not taken a single decision concerning the recognition of the Armenian genocide allegations. Jean-Claude Mignon should not have visited the mentioned memorial since he visited Armenia not in his personal capacity but on behalf of the Assembly, and he especially should have used such remarks that clearly reflected his recognition of the Armenian genocide allegations. From this point of view, it can be seen that Mignon went beyond his authority during his visit to Armenia.

In conjunction with this, we should indicate that Armenians have occasionally claimed that Council of Europe Parliamentary Assembly have recognized the Armenian genocide allegations. With Mignon's visit to Armenia, the Armenian press has covered this issue again and it was stated in the press that the Assembly had adopted two separate declarations on the Armenian genocide in 1998 and 2001²⁶¹. However, there are no such declarations among the decisions of Assembly. On the contrary, among the documents published by the Assembly, there are two "written declarations": written declaration number 275 dated 1998 and number 320 dated 2001, signed by those who expressed their recognition of Armenian genocide allegations. The declaration, dated 1998, was signed by 51 people, whereas the declaration, dated 2001, was signed by 63. The number of the members in the Assembly, however, is 318. For a document to be adopted in the Assembly, it should be brought in to the agenda, put up for discussion, and voted on; and in the case of having the majority, it should be declared by the President. Two documents mentioned above were not decisions adopted by the Assembly since they did not go through this process. Moreover, on these documents, it is written: "This written declaration commits only the members who signed it." Therefore, it would be a deception to introduce these "written declarations" as the decisions of the Assembly.

In the past years, this method of introducing "written declarations" was also applied in other occasions. However, it is understood that Armenian militants did not refer to these since only small numbers of signatures could be collected. The last development regarding this issue occurred in 2010. A text prepared by Armenian members of the Assembly, proposing the recognition of genocide allegations, were to the Assembly by Jean-Claude Mignon who was administrating the Assembly as vice-president at the time. 20 people signed it²⁶².

Another deceptive event occurred in the United Nations. In a report on genocides presented to the Human Rights Subcommittee in 1985, the Armenian genocide allegations was presented among other examples. Since

261 "PACE President Paid Tribute to Memory of Armenian Genocide Innocent Victims" *Armenpress*, July 1, 2013.

262 Ömer Engin Lütem, "Facts and Comments" *Ermeni Araştırmaları* Issue: 36, p.64.

then, the Armenians have presented this as if the United Nations had recognized the genocide allegations. However, this mentioned report was just “noted” without any proceedings. In other words, it did not pass through the required processes and was not put to vote. Upon the insistence by the Armenians, the United Nations Secretary General Ban Ki-moon made a declaration on April 30, 2007 and stated that the UN has taken no position with regard to the events of 1915 up until then²⁶³.

Another issue worth to be mentioned with regard to Council of Europe is about Jean-Claude Mignon’s remarks on Turkey during his visit to Armenia. According to the Armenian press²⁶⁴, he asserted that Turkey should recognize the Armenian genocide allegations; that this would be one of the most important steps towards its membership in the European Union; and, that Turkey should accept the “committed genocide” and face the history and reality. He also stated that there were quite many victims and human tragedies committed by Turkey. It is obvious that the President of the Assembly’s attitude has been very far from impartiality, which he has to adopt in the fulfillment of his duty, and it is rather in the manner of Armenian militants.

263 “Ministry of Foreign Affairs’ statement dated June 8, 2007 and numbered 89” *Ermeni Araştırmaları* Issue: 25, p. 18.

264 “PACE President: Turkey Should Accept Armenian Genocide And Face Reality” *Armenpress*, June 1, 2013.

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