## LETTER OF A GROUP OF RETIRED TURKISH AMBASSADORS TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA, MRS.NANCY PELOSY

#### April 1st, 2009

Once again, extremist factions within the American-Armenian communities have launched their yearly campaigns asking the US Congress the adoption of a resolution recognizing their claims of "Armenian Genocide".

We, a Group of Retired Turkish Ambassadors, whose friends and colleagues have been brutally murdered by Armenian terrorists, categorically object to such political initiatives based on false and untenable premises.

The arguments set forth in the draft resolution are inaccurate, unfounded and are no more than tendentious assertions. If adopted, it will constitute a monumental symbol of one-sidedness, and an affront to the dignity of the Turkish people whose ancestors are accused of a detestable crime they had not committed. The silence of the draft Resolution on the losses and sufferings of the Turkish people during the same period is another regrettable aspect.

The "FINDINGS" in Section 2 of the draft resolution calls for a detailed rebuttal which we are ready to provide in an appropriate setting in the Congress. Here we shall draw Your attention to a few points of overriding importance:

- The "post-World War I Turkish Government" was not a government legitimately representing its people, but merely a remnant of the Ottoman Government under the captivity of British troops. It had no authority beyond the city of Istanbul under occupation. The so-called "court martial" formed in /1919 by that government were no more than the tools of the occupation forces. Their judges, who had even refused to hear the witnesses of the defendants, were appointed by the political opponents of the "Young Turks". Even the British lawyers considered these courts to be a "farce" and an offence to the credibility of the British and Ottoman Governments.
- According to international law, the crime of genocide cannot be ascertained by parliamentary sub-committees or other political organs, but only by competent and impartial courts.
- Documents in the US archives (derived mainly from missionaries who had relied on Armenian sources) have been dismissed by the British Attorney General in 1920 as "personal impressions and opinions" unsuitable for use in

legal proceedings. At the time the British had the possibility of obtaining any document they wanted in Turkey.

- US Ambassador Morgenhtau never visited Eastern Anatolia. When writing his "story", he relied on the words of his two Armenian assistant-interpreters. His efforts to convince the United States to declare war against the Ottoman State was well known, as were his personal political ambitions. Most of the subsequent American ambassadors, including Admiral Bristol, as well as the American Observer Mission have contradicted his allegations. The reports of Captain Emory Niles and Mr. Arthur Sutherlands on the atrocities carried out by Armenian gangs and volunteers attached to occupation forces can be found in the American archives albeit in a mutilated form (U.S. 867.00/1005).
- The three Ministers mentioned by name were tried in absentia not for the "massacre" of the Armenians, but for having dragged the State into World War I on the side of Germany. Two of them were subsequently assassinated by Armenian terrorists, as were 31 innocent Turkish diplomats who had not yet been born at the time of these events. All members of the Ottoman Parliament and high level officials detained by the British Government and deported to the Island of Malta were later released for "lack of evidence" of war crimes.
- It has been clearly established that the presumed words of Hitler were the invention of a journalist, and were not recorded in any archive.
- Personal merits or stance of Mr.Lemkin cannot change the internationally recognized legal principle that only a competent court can rule whether or not the crime of genocide has been committed.
- Neither the United Nations, nor the Genocide Convention have ever recognized or made mention of "an Armenian Genocide", as suggested in the draft resolution. The special UN Working Group refused to endorse the "Whitaker Report" containing this allegation on the grounds that it was not the Group's task to pass judgment on history.
- Statements such as the "first genocide of the 20th Century" are thoughtless assertions against the Turkish nation, are morally unjust and ethically wrong, given the facts of history. In the Balkans alone, the 19th and 20th centuries witnessed the death of millions of Turks and Muslims subjected to ethnic cleansing, as a result of massacres, diseases and hunger. Only a part of them succeeded to reach Turkey in a pitiful state. No missionary or relief organization helped them; their sufferings were scarcely reported in the West, they remained as the forgotten sons and daughters of history.

The collusion and cooperation of the elements of the Armenian population with the invading Russian, French and British forces, and the destruction and massacres they have committed against civilian populations is a fact attested to not only by official Ottoman records, but also by several American, British and Russian sources. Secretary of State R. Lansing is unequivocal when he reports to President Wilson: "The betrayal of the Armenians against the State is the cause of their relocation". Official records set forth that an Armenian Delegation wanted to participate in the Peace Conference as "the representatives of the Armenians who were de facto participants in the war on the Allied side against the Ottoman State". The memorandum they submitted on February 28, 1919 to the Conference confirms their "betrayal", alongside the extreme territorial claims they had advanced. As Secretary Lansing has admitted, the relocation of the Armenian population in Eastern Anatolia was prompted by real security concerns.

It is acknowledged, however, that under the conditions of war, the relocation process could not be managed as it should have been. During the relocation, unwarranted deaths and suffering was witnessed mainly due to disease, bandits and tribal attacks (in particular of those who had found refuge in Anatolia after their expulsion from their homelands by Armenians); but the same tragic destiny was shared also by Turks and other Muslim populations. More than 2.5 million of them perished in the same war; according to some estimates 518,000 Turks and some Jews were killed by Armenian para-military troops and gangs. It was these very organizations that had spearheaded the uprisings, fought against the Ottoman armies, massacred hundreds of thousands of innocent civilians. and destroyed entire settlements and communities. Their objective was to prepare ethnically clean territories for a future Armenian state in areas where they never held a majority. There is extensive documentation that these groups were armed and organized by Tsarist Russia and France, and received financial help from missionary organizations.

It is a common knowledge that relocation of populations during wars and national emergencies is not a measure that has been resorted to solely by the Ottoman State. The exchange of Greek and Turkish populations (as seen fit, inter alia, by Winston Churchill) was agreed to at the Lausanne Peace Conference. During the Second World War, as a precautionary measure, the United States had interned 300,000 of its own citizens of Japanese origin for several years under dire conditions for fear of their collaboration with an enemy thousand of kilometers away in another corner of the globe. US Courts later recognized this measure as legitimate. At the end of this war, six million German inhabitants of Central Europe were deported to Germany by a decision taken at the Potsdam and Yalta conferences. The insufficient organization, logistics and in particular poor protection provided by the victorious Allied armies were the main causes of the death of at least 1,000,000 Germans. If the Ottoman armies fighting on five fronts could not provide sufficient protection to relocated groups, or could not prevent losses caused by natural causes and diseases, this was not due to an intent to destroy these groups but resulted from the insufficiency of their means and resources under war conditions.

In fact, immediately after the War, Allied Governments were unable to put forth a single genuine document proving the Ottoman Government's intent to annihilate their Armenian subjects. However, there is abundant documentation to the contrary. The Ottoman Ministry of Interior had given strict instructions for the protection of these people, monitored their progress, warned or punished those officials who had failed their duties and diverted considerable sums for logistics from the war budget. We are not aware of another example of a government that permitted its subjects to receive foreign humanitarian assistance while acting at the same time with the intent of killing them. By permitting the continuation of the activities of the American missionaries and the distribution of relief material to relocated Armenians without hindrance, both the Ottoman and Nationalist governments had showed that they did not harbor such intent. Besides clearly attesting to this fact, report No.192 of the "Near East Relief" approved by the joint session of the Senate -House of Representatives on 22 May 1922, provides invaluable information regarding the numbers of those assisted (obviously alive) and the emigration movements, thus confuting the exaggerated numbers presented as corresponding to the victims of the relocation.

How could this be designated as genocide if the State took all measures possible under the conditions of war to ensure the protection of the relocated population?

The malicious exaggeration that 1,500,000 Armenians died has no factual basis. According to Ottoman census figures, the total Armenian population at that time in Turkey was 1,294,000. It is estimated that about 900,000 of them living in Eastern Anatolia were to be subjected to relocation; meaning their transfer and resettlement within the territory of the same state. Ottoman documents also show that 220,000 of the relocated subjects later returned to their homes. Even if credit is given to American documents only, the report of the American Consul in Aleppo informing his government of the safe arrival and resettlement of 500,000 Armenians in his consular area appears to challenge these exaggerated figures, which presume a death toll higher than the total Armenian population of Anatolia. The registers of several Western Governments recorded large numbers of Armenian immigrants and refugees. Russian records and the Report No.192 of the "Near East Relief" show that no less than 350,000 Armenians followed the retreating Russian forces or preferred to emigrate instead of returning to their homes at the end of the War. The 132.000 children mentioned in the draft resolution as being adopted by American families should be added to these figures. A simple calculation made by demographers is sufficient to prove the unrealistic exaggeration of these figures: If the present global Armenian population is accepted as the descendants of the such a limited number of Armenians to have survived the relocation, this would mean a population explosion unheard in the history of mankind. By the same rate of growth, the present day population of Turkey would have reached three hundred million, almost equal to the population of the United States, instead of the present 72 million.

Prominent scholars (Turkish, American or others), refute these exaggerations as the remnants of war propaganda (as later acknowledged by British historian Arnold Toynbee) or as the products of ethnic and religious bias. The same bias also explains the lack of any reference to Turkish-Muslim deaths.

Of course, the number of casualties is important. However, in order to qualify such unfortunate events as "genocide", it is not the numbers, but irrefutable proof about the existence of the intent to destroy a people as such that needs to be established. At the end of the same war, Allied governments who were in possession of all official records and archives could not produce any credible document or evidence proving this element of intent. They consequently released all the ministers and parliamentarians who were detained or interned in Malta for prosecution of war crimes.

As the Republican generations of our nation, we may not relish delving into the sad pages of our history. However, this does not mean that we are not prepared to face the truth. We acknowledge also the human suffering in the histories of other nations including those of the colonial period. We object, however, to the misuse of these events for revanchisme and narrow political or other interests. In our country, speaking for or against a version of the events of 1915 is not prohibited by law in contrast to the practices of some other countries. The Turkish Government has formally proposed the formation of a commission composed of Turkish and Armenian scholars and the opening for their examination of all state archives, including the archives of the Armenian organizations that had spearheaded the uprisings. The refusal so far to accept joint and impartial research is the irrefutable evidence of the lack of good-will behind the genocide accusations. We have therefore to conclude that not us, but those who refuse objective research, are afraid of facing the truths of their own history. We will wait patiently for a positive answer, because it is only through dialogue that reconciliation can ever be attained between the Turkish and Armenian nations.

We hope that the Honorable members of the Congress will recognize the risks of the formalization by legislative fiat of such contested allegations by political decisions, parliamentary or otherwise. To attempt to codify history in a political context is bound to have serious implications well beyond the subject matter of that Resolution. "Genocide" is a legal concept defined in the 1948 UN Convention and only a due and impartial legal process by a competent court can certify its existence and issue an indictment to this effect. We would expect that the Congress of the United States, itself an edifice of law, to refrain from acting as a self-appointed tribunal.

We believe that the final objective of any survey of the events of the late 19th and early 20th centuries should be to promote peace and mutual understanding between the Turks and Armenians. These two peoples lived together for almost ten centuries in friendship and cordiality. We should therefore ask: What other interests are served besides the self-serving interests of the "Armenian Genocide" industry, were the Congress to adopt such a resolution? Will it help the on-going delicate process of

normalization of relations between Turkey and Armenia or the resolution of the issue in contention? Will it serve the interests of Armenia, or of the United States? And finally, what impact it would have on Turkish-American relations which are no less important today than they were in the past?

Some in the Republic of Armenia or elsewhere may consider such allegations as politically useful, even a convenient cover for the occupation of a fifth of the territory of the Republic of Azerbaijan and the expulsion of more than one million people from their homes. Even recent history shows that such illusions can only serve to fuel feelings of injustice and pave the way to enmities and new conflicts. Victimized and offended peoples would legitimately consider any cooperation with the aggressors and offenders as immoral. The feelings of the Turkish people, which consider Azerbaijan as a sister nation, cannot be much different.

Turkey was among the first to recognize (for the second time in modern history) the independence of Armenia, lending a helping hand for the development of relations based on legally binding bilateral and multilateral treaties. The responsibility of the present unsatisfactory state of relations falls upon the extremists supported by Diaspora organizations which do not seem to care about the harmful consequences of an indefinite postponement of the normalization of relations between Turkey and Armenia. These elements prevent the Armenian State from following the path of reason, moderation and reconciliation.. No reasonable observer can overlook the benefits which a land-locked Armenia with scarce natural resources, reduced to the position of a forward military base of the Russian Federation stands to gain from regional cooperation in the Caucasus. The harm done to the true interests of the Armenian people struggling with poverty is obvious.

The Honorable members of Congress should therefore take into consideration that the adoption of this resolution will undoubtedly pose new barriers to the Turkish and Armenian governments in their search for common understanding and solutions concerning these issues.

The adoption of this draft resolution will inevitably create serious complications affecting Turkish-American relations as well. How one can imagine that the Turkish people could overlook the injustice done by the highest political authority of its long-time ally if the Congress fails to take the slightest trouble to consider arguments other than those raised by ethnic Armenian activists? For some governments and political bodies to act under the impulse of local political interests may be attractive; however, we believe such motives should not overshadow their even more important responsibility in regards to international moral, legal, strategic and political implications of their actions. With regard to extreme Armenian claims, the Turkish people will assess the actions and policies of our friends and foes on the basis of what stand they take on our views and arguments.. Provoking sentiments of injustice and discrimination can only benefit the radical ideologies

It is unthinkable that the Turkish people tolerate and forget about the injustice done, if the US Congress adopts this draft Resolution. That is bound to have a serious debilitating effect on Turkish-American relations which can reach the desirable level only with the support of their peoples. The many possibilities of cooperation between Turkey and the USA in the Middle East, the Caucasus, the Balkans, in Afghanistan and Iraq, in the field of energy, in the joint struggle against terrorism and other transnational challenges are likely to suffer as a result. The goodwill already generated by the planned visit of President Barrack Obama to Turkey may be lost.

We certainly would not relish the happening of such negative developments in the relations of the two allies who had fought against common foes side by side in the distant corners of the globe. What we are asking now from the Honorable members of the US Congress is to be fair and refuse to adopt this draft resolution based on the distortion of the history. It is only through justice, fairness and truth that Turkish-American friendship and cooperation can endure and the real interests of the Armenian nation can be served.

### STATEMENT OF PRESIDENT BARACK OBAMA ON ARMENIAN REMEMBRANCE DAY, APRIL 24, 2009

Ninety four years ago, one of the great atrocities of the 20th century began. Each year, we pause to remember the 1.5 million Armenians who were subsequently massacred or marched to their death in the final days of the Ottoman Empire. The Meds Yeghern must live on in our memories, just as it lives on in the hearts of the Armenian people.

History, unresolved, can be a heavy weight. Just as the terrible events of 1915 remind us of the dark prospect of man's inhumanity to man, reckoning with the past holds out the powerful promise of reconciliation. I have consistently stated my own view of what occurred in 1915, and my view of that history has not changed. My interest remains the achievement of a full, frank and just acknowledgment of the facts.

The best way to advance that goal right now is for the Armenian and Turkish people to address the facts of the past as a part of their efforts to move forward. I strongly support efforts by the Turkish and Armenian people to work through this painful history in a way that is honest, open, and constructive. To that end, there has been courageous and important dialogue among Armenians and Turks, and within Turkey itself. I also strongly support the efforts by Turkey and Armenia to normalize their bilateral relations. Under Swiss auspices, the two governments have agreed on a framework and roadmap for normalization. I commend this progress, and urge them to fulfill its promise.

Together, Armenia and Turkey can forge a relationship that is peaceful, productive and prosperous. And together, the Armenian and Turkish people will be stronger as they acknowledge their common history and recognize their common humanity.

Nothing can bring back those who were lost in the Meds Yeghern. But the contributions that Armenians have made over the last ninety-four years stand as a testament to the talent, dynamism and resilience of the Armenian people, and as the ultimate rebuke to those who tried to destroy them. The United States of America is a far richer country because of the many Americans of Armenian descent who have contributed to our society, many of whom immigrated to this country in the aftermath of 1915. Today, I stand with them and with Armenians everywhere with a sense of friendship, solidarity, and deep respect.

# PROTOCOL ON THE ESTABLISHMENT OF DIPLOMATIC RELATIONS BETWEEN THE REPUBLIC OF TURKEY AND THE REPUBLIC OF ARMENIA

The Republic of Turkey and the Republic of Armenia,

Desiring to establish good neighbourly relations and to develop bilateral cooperation in the political, economic, cultural and other fields for the benefit of their peoples, as envisaged in the Protocol on the development of relations signed on the same day,

Referring to their obligations under the Charter of the United Nations, the Helsinki Final Act, the Charter of Paris for a New Europe,

Reconfirming their commitment, in their bilateral and international relations, to respect and ensure respect for the principles of equality, sovereignty, non-intervention in internal affairs of other states, territorial integrity and inviolability of frontiers,

Bearing in mind the importance of the creation and maintenance of an atmosphere of trust and confidence between the two countries that will contribute to the strengthening of peace, security and stability of the whole region, as well as being determined to refrain from the threat or the use of force, to promote the peaceful settlement of disputes, and to protect human rights and fundamental freedoms,

Confirming the mutual recognition of the existing border between the two countries as defined by the relevant treaties of international law,

Emphasizing their decision to open the common border,

Reiterating their commitment to refrain from pursuing any policy incompatible with the spirit of good neighbourly relations,

Condemning all forms of terrorism, violence and extremism irrespective of their cause, pledging to refrain from encouraging and tolerating such acts and to cooperate in combating against them,

Affirming their willingness to chart a new pattern and course for their relations on the

basis of common interests, goodwill and in pursuit of peace, mutual understanding and harmony,

Agree to establish diplomatic relations as of the date of the entry into force of this Protocol in accordance with the Vienna Convention on Diplomatic Relations of 1961 and to exchange Diplomatic Missions.

This Protocol and the Protocol on the Development of Relations between the Republic of Turkey and the Republic of Armenia shall enter into force on the same day, i.e. on the first day of the first month following the exchange of instruments of ratification.

Signed in Zurich on October 10, 2009 in Turkish, Armenian and English authentic copies in duplicate. In case of divergence of interpretation, the English text shall prevail.

TÜRKİYE CUMHURİYETİ ADINA Lans Ahmet Davutoğlu

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# PROTOCOL

#### ON

### DEVELOPMENT OF RELATIONS

#### BETWEEN

#### THE REPUBLIC OF TURKEY AND THE REPUBLIC OF ARMENIA

The Republic of Turkey and the Republic of Armenia,

Guided by the Protocol on the Establishment of Diplomatic Relations between the Republic of Turkey and the Republic of Armenia signed on the same day,

Considering the perspectives of developing their bilateral relations, based on confidence and respect to their mutual interests,

Determining to develop and enhance their bilateral relations, in the political, economic, energy, transport, scientific, technical, cultural issues and other fields, based on common interests of both countries,

Supporting the promotion of the cooperation between the two countries in the international and regional organisations, especially within the framework of the UN, the OSCE, the Council of Europe, the Euro-Atlantic Partnership Council and the BSEC,

Taking into account the common purpose of both States to cooperate for enhancing regional stability and security for ensuring the democratic and sustainable development of the region,

Reiterating their commitment to the peaceful settlement of regional and international disputes and conflicts on the basis of the norms and principles of international law,

Reaffirming their readiness to actively support the actions of the international community in addressing common security threats to the region and world security and stability, such as terrorism, transnational organised crimes, illicit trafficking of drugs and arms,

1. Agree to open the common border within 2 months after the entry into force of this Protocol,

2. Agree to conduct regular political consultations between the Ministries of Foreign Affairs of the two countries;

implement a dialogue on the historical dimension with the aim to restore mutual confidence between the two nations, including an impartial scientific examination of the historical records and archives to define existing problems and formulate recommendations;

make the best possible use of existing transport, communications and energy infrastructure and networks between the two countries, and to undertake measures in this regard;

develop the bilateral legal framework in order to foster cooperation between the two countries;

cooperate in the fields of science and education by encouraging relations between the appropriate institutions as well as promoting the exchange of specialists and students, and act with the aim of preserving the cultural heritage of both sides and launching common cultural projects;

establish consular cooperation in accordance with the Vienna Convention on Consular Relations of 1963 in order to provide necessary assistance and protection to the citizens of the two countries;

take concrete measures in order to develop trade, tourism and economic cooperation between the two countries;

engage in a dialogue and reinforce their cooperation on environmental issues.

3. Agree on the establishment of an intergovernmental bilateral commission which shall comprise separate sub-commissions for the prompt implementation of the commitments mentioned in operational paragraph 2 above in this Protocol. To prepare the working modalities of the intergovernmental commission and its sub-commissions, a working group headed by the two Ministers of Foreign Affairs shall be created 2 months after the day following the entry into force of this Protocol. Within 3 months after the entery into force of this Protocol, these modalities shall be approved at ministerial level. The intergovernmental commission shall meet for the first time immediately after the adoption of the said modalities. The sub-commissions shall start their work at the latest 1 month thereafter and shall work continuously until the completion of their mandates. Where appropriate, international experts shall take part in the sub-commissions.

The timetable and elements agreed by both sides for the implementation of this Protocol are mentioned in the annexed document, which is an integral part of this Protocol.

This Protocol and the Protocol on the Establisment of Diplomatic Relations between

the Republic of Turkey and the Republic of Armenia shall enter into force on the same day, i.e. on the first day of the first month following the exchange of instruments of ratification.

Signed in Zurich on October 10, 2009 in Turkish, Armenian, and English authentic copies in duplicate. In case of divergence of interpretation, the English version text shall prevail.

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Dışişleri Bakanı

**Annexed document:** Timetable and elements for the implementation of the Protocol on development of relations between the Republic of Armenia and the Republic of Turkey

#### Timetable and elements for the implementation of the Protocol on development of relations between the Republic of Turkey and the Republic of Armenia

Timing
within 2 months after the entry into force of the Protocol on the development of relations between the Republic of Turkey and the Republic of Armenia
2 months after the day following the entry into force of the Protocol on the development of relations between the Republic of Turkey and the Republic of Armenia
within 3 months after the entry into force of the Protocol on the development of relations between the Republic of Turkey and the Republic of Armenia
immediately after the adoption of the working modalities of the intergovernmental commission and its sub-commissions at ministerial level
at the latest 1 month after the first meeting of the intergovernmental commission

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