



ARMEN MARUKYAN

**THE PROBLEM OF THE ARMENIAN GENOCIDE WITHIN THE
CONTEXT OF RELATIONS BETWEEN THE INFLUENTIAL
ACTORS OF WORLD POLITICS AND TURKEY**

UDC

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The monograph deals with the current state of the influential and leading countries' relations, namely those of Russia, the United States and the European Union with Turkey. The problem of Armenian Genocide is discussed within the context of present contradictions and interests in Russia-Turkey, the USA-Turkey and the EU-Turkey relations.

Several proposals and recommendations have been made both to the Foreign Ministry of Armenia and to the Armenian Lobby in Diaspora concerning the possibilities of making use of contradictions between the mentioned powers of the world politics and Turkey with the view of establishing an appropriate tendency in Moscow, Washington and Brussel to overcome the consequences of the Armenian Genocide.

The book is intended for those who are interested in the history of the Armenian Genocide and, in particular, on the issues of claims, as well as for students and wide circle of readers.

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INTRODUCTION

On January 29, 2015, the Armenian President officially promulgated “the Pan-Armenian Declaration on the 100th Commemoration of the Armenian Genocide” at the Tsitsernakaberd Memorial Complex. The State Commission on Coordination of Events dedicated to the Armenian Genocide’s 100th commemoration as well as Regional Committees operating in the Diaspora, on behalf of all Armenians, announced the start of Armenians’ united struggle either to achieve worldwide recognition of the Armenian Genocide or the elimination of the consequences which suppose preparing a file of legal claims, as a launch of rehabilitation process of individual, communal, nationwide rights and legitimate interests.¹

Another important step was the claim by Catholicos Aram I of the Great House of Cilicia made in Turkish Constitutional Court where he asserted the rights of the Catholicosate over the properties and estate which might become a precedent for appealing to the international tribunals via nationwide requirements.²

Concerning the Armenian Genocide issue, Armenia may resort to the International Tribunals as an object of International Law, based either on the UN Charter or directly the provisions of Genocide Convention, and resolve existent dispute with Turkey and the specific issues, for instance the interpretation and application of the Convention provisions or via UN structures, such as General Assembly or the

¹ <http://www.president.am/hy/press-release/item/2015/01/29/President-Serzh-Sargsyan-visit-Tsitsernakaberd-Genocide/>

² <http://www.armtimes.com/hy/read/63285>

Security Council, the U.S. President Woodrow Wilson's Arbitral Award legality and concerning with the authenticity appeal for the consulting conclusion.³

Geopolitical developments, regional processes, force reshufflings in the international relations, have a serious impact on the international law and particularly on its norms in the international relations. Accordingly, the international legal process on the elimination of consequences of the Armenian Genocide should be seriously prepared and secured with political preceding and current activities.

We always had a dominant stereotypical idea about Turkey as a member of NATO, strategic ally of the USA, the world's sixteenth nation with largest economy, and the European Union official candidate, as well as with its regional importance, having perfect beneficial relations with the USA, European Union and Russia that are the centers of the global political forces. The above mentioned Powers supposed not to put pressure on Turkey and wouldn't constraint to recognize and condemn the Armenian Genocide as well as to take measures to overcome the crime consequences. However, the rapidly changing world's recent developments showed obviously that in the bilateral relations between Turkey and the USA, the European Union and Russia there are significant different positions in the important geopolitical matters as well as conflict of interests that turned into profound contradictions.

³ Marukyan A., *The Problems of Overcoming the Consequences of the Armenian Genocide and Legal Substantiations*, Yerevan, 2014, p. 286.

As it is known, the current new line of Turkey's foreign policy hailed the Neo-Ottomanism which supposed to approve the impact of Turkey on the Ottoman Empire's former territory and neighboring areas - the Balkans, North Africa, Middle East, South Caucasus, Central Asia and others.⁴

The main essence of the above mentioned review is that in the global politics any state's role and value are determined by its geographical position and history. According to A. Davutoglu, Turkey is in an advantageous situation because of its favorable geographical position, and being as the successor to the Ottoman Empire.⁵ Turkey is not even full regional country. The matter is that it can claim status of a regional country if in three dimensions - geographical (Transcaucasia, Middle East, etc.), religious (Muslim world) and resources (oil, gas and other export routes definer as a supervisor). It is quite clear that Turkey is not and couldn't be involved in the first two cases. RA and Nagorno-Karabakh don't permit Turkey to function in the South Caucasus, as it is not involved in the problem solving framework (that's why wishes to be involved in it). The situation is the same when we consider Abkhazia and South Ossetia (that are two determined countries under the Russian Federation influence sector), as well as the general executer, the Russian Federation.

⁴ Davutoğlu A., Turkey's Foreign Policy Vision: An assessment of 2007, Insight Turkey, Vol. 10, No.1, p. 79.

⁵ Arshakyan G., Eghiazaryan A., Turkey's Policy in the South Caucasus and Turkey-Azerbaijan Relations in 2002-2008, "The 21st Century", No. 6 (46), 2012, p. 35.

Turkey can implement qualitatively different geo-economic function as a regional “The Main Transit” route that can serve irreplaceable “service” to West and East and, also, economical system’s relations corroboration and assistance between them.⁶

It’s worth to mention that the adverse matters which occurred in Turkey’s economy and finance during those two–three favorable years didn’t give an opportunity to the Turkey experts to realize the country’s economic profits stability and irreversibility, and whether the country’s fortunate assessment wasn’t exaggerated from the beginning of the 21st century.⁷

Turkey’s geopolitical such allurements as well as its obvious ambitions of becoming a significant party in the international relations are unacceptable for the above mentioned all the force centers.

There are enough literature about Russian and Turkish contemporary relations as well as bilateral issues and problems between them. Russian diplomats and analysts such as A.G. Hajiyev,⁸ O. Kodzhaman,⁹ A. Krylov,¹⁰ A. Koritskiy,¹¹ N.G. Kireyev,¹² F. A. Trinich,¹³

⁶ Turkey: Energetic and International Economy Relations, Analytical Reviews, 2nd printing, Yerevan, 2008, p. 55.

⁷ Kireyev N. G., Turkey - Economic Partner and Political Rival of Russia in Eurasia, “Russia in the Middle East: the Goals, Challenges, Opportunities” (conference papers), Moscow, 2001, p. 83.

⁸ Hajiyev A.G, For the Visit of Turkish Prime Minister Erdogan to Russia: Russian-Turkish Relations at the Present Stage: <http://www.iimes.ru/?p=9918>

⁹ Kodzhaman O., South Caucasus in the Policy of Turkey and Russia in the Post-Soviet Period, Moscow, 2004.

¹⁰ Krylov A., Russian Policy in the South Caucasus in 2009, Caucasus - 2009, Annual magazine of the Caucasus Institute, Yerevan, 2011.

S. Tarasov,¹⁴ S. Markedonov,¹⁵ I. Torbakov¹⁶ and others researched those issues. Turkish diplomats and analysts also rendered in their reference works. Turkish Foreign Minister A. Davutoglu studied Russian-Turkish relations properly.¹⁷ Turkish authors M. Aydin¹⁸, B. Arinc¹⁹, A. Oku²⁰, F. Ozbay²¹, O. Taspinar²² and others also rendered about the bilateral

¹¹ Koritskiy A., Russia - Turkey: 85 Years of Diplomatic Relations, Asia and Africa Today, 2009, № 9.

¹² Kireyev N.G, Midterm and Long-term Interests of Turkey in the Relations with Russia, The Middle East and the Present, Moscow, 1997, Issue 4.

¹³ Trinich F. A., Russia-Turkey: The State of Trade and Economic Cooperation, The Middle East and the Present, Moscow, 2003, Issue 19.

¹⁴ Tarasov S., Endshpil of "South Stream": Russia Boosts "Turkish Stream", <http://www.regnum.ru/news/polit/1890176.html#ixzz3TDJY4FmV>. See also, Turkey between Russia and the European Union: Who Will Win the "Game"? <http://www.regnum.ru/news/polit/1888192.html#ixzz3TDJvfZCg>

¹⁵ Markedonov S., Five-day war: Preliminary Results and Consequences, Moscow, Inviolable Reserve, 2008, № 5 (61). See also, Pan-Turkism as a Dream, Myth and Reality: <http://www.politcom.ru/7654.html>. See also, Turkey Goes to Russia: <http://www.politcom.ru/3561.html>

¹⁶ Torbakov I., The Georgia Crisis and Russia-Turkey Relations, The Jamestown Foundation, 2008.

¹⁷ Davutoğlu A., Turkey's Foreign Policy and Russia, Russia in the Global Politics, N 1, Moscow, 2010.

¹⁸ Aydin M., Turkish Policy toward the Caucasus in 2007, Caucasus - 2007. "Annual Magazine of the Caucasus Institute", Yerevan, 2008.

¹⁹ Arinc B., Turkey is Ready to Carry out Major Projects Together with Russia: http://Russia-today.ru/2006/no_14/14_links.htm.

²⁰ Oku A., Russian-Turkish Economic Relations in the Post-Soviet Era (AIA Turkish section): <http://www.axisglobe.com/article.asp?article = 43, 19. 04. 2005>.

²¹ Özbay F., The Relations between Turkey and Russia in the 2000s, Perceptions: Journal of International Affairs, Vol. XVI, No 3, SAM, Autumn 2011.

relations and issues. On Russian-Turkey contemporary relations it is remarkable western researcher M. Laurelle's²³ work.

Armenian authors G. Arshakyan, A. Yeghiazaryan,²⁴ M. Aghajanyan,²⁵ H. Chakryan²⁶ and others also referenced to Russian-Turkish relations and their impact on Armenian national security and regional interests.

Turkish researchers A. Akyuz,²⁷ T. Babali²⁸ and others focused their attention on the Turkish-American relations in their studies. Turkish individual researchers referred the Turkish-American relations in the context of Syrian crises and the fight against the Islamic State. Among them are K. Gursel,²⁹ S. Demirtaş,³⁰ C. Eginisü³¹ and others.

²² Hill F., Taspınar O., Turkey and Russia: Axis of the Excluded? «Survival», vol. 48, no. 1, Spring 2006.

²³ Laurelle M., Russo-Turkish Approachment through the Idea of Eurasia: Alexander Dugin's Networks in Turkey, The Jamestown Foundation, April 2008.

²⁴ Arshakyan G., Eghiazaryan A., Turkey's Policy in the South Caucasus and Turkey-Azerbaijan Relations in 2002-2008, The 21st Century, No. 6 (46), 2012.

²⁵ Aghajanyan M., Trade-Economic Relations between Russia and Turkey, Turkey: Energy and International Economic Relations Analytical Materials, 2nd printing, Yerevan, 2008. See also, Russia-Turkey: Dialectic Partnership: <http://newsland.com/news/detail/id/1286370/>

²⁶ Chakryan H., The Crucial Factor for Regional Contradictions between Russia and Turkey, Armenian Center for Strategic and National Studies, A View from Yerevan, Russia, 2nd year, 1996.

²⁷ Akyuz A., U.S. - Turkey Economic Relations at the Outset of the 21st Century, Insight Turkey, Vol. 2, No. 4, October-December, 2000.

²⁸ Babali T., New Turkish Foreign Policy in the Balkans, 20 December 2010: <http://sam.gov.tr/this-is-my-first-blog>

²⁹ Gursel K., Turkey Paying Price for Jihadist Highway on Border: <http://www.al-monitor.com/pulse/originals/2014/06/gursel-al-qaeda-isis-yurkey-mosul-iraq-syria-consulate.html>

W. Hale,³² I. Lesser³³ and other American researchers showed great interest towards Turkish-American relations, whereas A. McGregor³⁴ referred Turkish-American relations within the context of the Kurdish Question.

Turkish-American relations and related issues were and will be in the Soviet and Russian's limelight. V. I. Danilov, E. I. Yurkov³⁵ and others are rebounded on that. Contemporary relations between two countries remain on a focus of Russian researchers' attention. Due to that V. V. Kunakov's³⁶ and E. I. Urazova's³⁷ reference works on Turkish-American economical relations are of interest to be studied. S. B. Druzhilovsky³⁸ expressed his ideas about the issues between the

³⁰ Demirtaş S., More Than 1,000 Turks fighting for the Islamic Caliphate: <http://www.hurriyetdailynews.com/>

³¹ Hubbard B., Yeginsu C., After Opening Way to Rebels Turkey is Paying Heavy Price: <http://www.nytimes.com/2014/06/25>

³² Hale W. M., Turkish Foreign Policy 1774-2000, Routledge, 2002.

³³ Lesser I. O., Turkey, the United States and the Delusion of Geopolitics, "Survival", Vol. 48, No. 3, Autumn 2006.

³⁴ McGregor A., Massoud Barzani Conducting Dangerous Games in Northern Iraq, Terrorism Focus, Vol. IV, Issue 23, July 17, 2007. See also, PKK Arms Scandal Fuels Turkish Suspicions Terrorism Focus, Vol. IV, Issue 27, August 14, 2007.

³⁵ Yurkov E. I., The Islamic Factor in US Foreign Policy, US: Economy, Politics, Ideology, Moscow, 1983, № 8.

³⁶ Kunakov V. V., Turkey and the EU: Problems of Economic Integration, Moscow, Institute of the Middle East, 1999.

³⁷ Urazova E. I., Economic Cooperation between Turkey and the Turkic States of the CIS, Moscow, 2003.

³⁸ Druzhilovsky S. B., The Republic of Turkey at 80 – 90s, Moscow, 1998. See also, Druzhilovsky S.B., Hutorskaya V. V., Policy of Iran and Turkey in Central Asia and the South Caucasus, Southern Flank of the CIS. Central Asia - Caspian

Turkish-American political relations. Armenian researcher B. Poghosyan³⁹ described the Armenian genocide issue in the Turkish-American relations in his research.

The Institute of Oriental Studies of the Russian Academy of Sciences has conducted a research about the Turkish-EU relations and the issue on Turkish membership at EU.⁴⁰ Certainly, the complicated relations between Brussels and Ankara have also drawn the Western researchers' full attention. E. Lenski⁴¹ was one of them. Dutch researchers A. Lejour, R. Mooij and C. Capel together made research to the EU-Turkish economic relations.⁴² American researcher M. Howe⁴³ tried to analyze the matter through the EU-Turkish relations' cultural, religious layers. M. Ugur's research concerned the study of different issues of EU-Turkish relations.⁴⁴

Structurally, the current work is divided to three chapters, in which the first headlines are the descriptions of the Russian-Turkish,

Sea - Caucasus: Opportunities and Challenges for Russia (ed. by Narinsky M. M., Malgin A.V.), Moscow, 2003.

³⁹ Poghosyan B., *Turkish-American Relations and the Issue of US Recognition of Armenian Genocide in 1991-2007*, Yerevan, 2011.

⁴⁰ *Turkey between Europe and Asia. The Results of Europeanization at the end of the 20th century*, Moscow, Institute of Oriental Studies, Russian Academy of Sciences, 2001.

⁴¹ Lenski E., *Turkey and the EU: On the Road to Nowhere?* Berlin, 2003.

⁴² Lejour A. M., Mooij R. A. de, Capel C. H., *Assessing the Economic Implications of Turkish Accession to the EU*, The Hague: Vietnam Netherlands Bureau for Economic Policy Analysis, 2004.

⁴³ Howe M., *Turkey: A Nation Divided over Islam's Revival*, M. Howe, Boulder, 2000.

⁴⁴ Ugur M., *The European Union and Turkey: An Anchor/Credibility Dilemma*, M. Ugur. - Aldershot: Ashgate Publishing, 1999.

the USA-Turkish relations' present condition, and we have picked up global political contradictions and interest conflicts between Turkey and those force centers. In the second chapter, we represent the Armenian Genocide issue and its impact on the positions of Russia, the USA and the EU. At the end, there are proposals concerning the contradictions between the foreign affairs structure of Turkey and the Republic of Armenia with the global political force centers, as well as the ways of making use of it for establishing the appropriate disposition in overcoming the Armenian Genocide's consequences by the Armenian Diaspora lobby.

CHAPTER I

THE ARMENIAN GENOCIDE PROBLEM WITHIN THE CONTEXT OF RUSSIA-TURKEY RELATIONS

After the collapse of the USSR the apparent closeness of Russian–Turkish relations in the economic and energetic spheres was taking a multi-partnership nature.

Russia is the first trading partner for Turkey, and Turkey is the fifth trading partner for Russia. By the year of 2012, the total volume of trade between Russia and Turkey was 50 billion dollars, from which Russian export volumes reached to 25 billion, and the Turkish one reached to 12-13 billion dollars.⁴⁵ The Russian export volume, unlike that of the Turkish, is derived from the energy resources, of which the gas is in the first place with an estimated annual consumption of 30 billion meters³. The next are oil supplies and products as well as coal and the export of non-ferrous metals. Turkey, in its turn, exports to Russia textile products, first of all, clothing, items made of fur and leather, shoes, fruit, vegetables as well as buses and minibuses.⁴⁶

The Russian tourists that have visited Turkey in recent years have already brought around 4 billion dollars income to Turkey's budget.⁴⁷ The volumes of direct investments between two countries

⁴⁵ Erdogan's Visit to Russia:

http://www.inosmi.ru/politikaakademisi_org/20131127/215179043.html

⁴⁶ Aghajanyan M., Trade-Economic Relations between Russia and Turkey, Turkey: Energy and International Economic Relations Analytical Materials, 2nd printing, Yerevan, 2008, pp. 50-62.

⁴⁷ Erdogan's Visit to Russia:

were increasing, forming around 10 billion dollars by the year of 2010. By the year of 2000, the Turkish construction companies had made more than 24 billion dollars work orders in Russia, and the Russian companies were involved in construction of gas pipelines, Thermal electro stations, HPP's in Turkey. The two countries had announced that they will increase the trade volume to 100 billion dollars within the next 5 years, though their aim was not accomplished, taking into account the dissatisfaction of Turkey's trading volumes similar proportion,⁴⁸ as well as the increasing circumstances of Turkey's economical dependency on Russian energy resources.

The disagreements arose in energetic industry between the two countries, and Turkey started to take measures to find alternative directions. Bypassing Armenia, Turkey started to take part actively in energetic and transportation communication programs, which had accented anti-Russian orientation. The word refers the Baku-Tbilisi-Ceyhan oil pipeline and Baku-Tbilisi-Erzurum natural gas pipeline, by which the Azerbaijani energy resources were transported to Europe through Georgia and Turkey, thus becoming an alternative to Russian energy carriers. Russia losses about 200 million dollars per year because of Baku-Tbilisi-Ceyhan oil pipeline operation.⁴⁹ Turkey also agreed to take part in energy program, named "Nabucco" which had been made to oppose the strategic interests of Russia.

http://www.inosmi.ru/politikaakademisi_org/20131127/215179043.html

⁴⁸ Trinich F. A., *Russia-Turkey: The State of Trade and Economic Cooperation, The Middle East and the Present*, Moscow, 2003, Issue 19, p. 271.

⁴⁹ <http://www.oilcapital.ru/industry/145015.html>

In April 2003, the Turkish BOTAŞ Petroleum Pipeline Corporation announced about its intention to suspend the Russian gas, demanding to lower the gas prices up to 70 dollars. As a result, the volume of gas supply was reduced twice. Turkish side even threatened that it would file a lawsuit against Gazprom in the International Arbitration. After long negotiations Gazprom agreed to revise the gas price formula so that it wouldn't differ from the price by which the European countries were supplied, and the Turkish side refused its intention to file a lawsuit.⁵⁰ Consequently, the price of the Russian gas for thousand cubic meters was reduced from 115 dollars to 75. This concession of Russians cannot be considered as Ankara's victory, since this price was fixed by Russians for the further 20 years, which, in practice, meant that though Russia wouldn't have much profit but it stopped the probability to attract the Turkish market with Iranian and Azerbaijani gas.⁵¹

Taking advantage of the situation when West threatened sanctions against Russia, Turkey again raised the issue of lowering gas prices, so that it agreed a new Russian pipeline was built on its territory. The Russian president agreed to lower the price for Turkey by 6%, though Ankara demanded to lower the price by 15% which was not acceptable by the Russian side.⁵² In fact, Ankara was aiming to purchase the Russian gas at a minimum price to resale it to Europe at the

⁵⁰ Aghajanyan M., Trade-Economic Relations between Russia and Turkey, p. 78.

⁵¹ Independent Newspaper, 31.07.2003.

⁵² Turkey Traded for Russian gas: <http://expert.ru/2015/01/26/>

maximum high price. The building and the launch program of the new pipeline is now frozen because of a disagreement over gas prices.⁵³

It is also contrary to Russia's regional interests that Turkey has an active participation in the building of Baku-Tbilisi-Akhalkalaki-Kars railway project, which again bypasses Armenia and provides communication of this region with Europe.

There are even serious controversies in Russian-Turkish relations that have an intention to deepen. First of all, there is a mutual distrust between the sides, conditioned by the historical past. After the collapse of the USSR, Ankara started to show activity to establish its influence and position among the Turkish-speaking peoples of the former Soviet Union.⁵⁴ Besides, Ankara's neo-pan-Turkic ambitions were not limited by the republics of Central Asia, Caucasus and Crimea (which were considered as areas of vital interests for Russia) but also spread on the territory of the Russian Federation, particularly in the North Caucasus, in Tatarstan, etc.⁵⁵

Turkey has always tried to use the Crimean Tatars factor to strengthen its position in the peninsula, aiming to weaken Russia's military and political presence there.⁵⁶ These ambitions were more

⁵³ Stanovaya T., Not Accommodated Turkey:

<http://www.politcom.ru/18676.html>

⁵⁴ Kireyev N. G., History of the 20th Century Turkey, Moscow, Institute of Oriental Studies, Russian Academy of Sciences, 2007, p. 352.

⁵⁵ Semedov S., Key Aspects of Modern Turkey's Policy in the Caucasus, Herald of University of Moscow, Sociology and Political Sciences, 2008, N 2, pp. 29-52; Markedonov S., Pan-Turkism as a Dream, Myth and Reality, <http://www.politcom.ru/7654.html>

⁵⁶ Russia and Turkey: Partnership or Confrontation? <http://www.russ.ru>

displayed during the Ukrainian crisis when Ankara was constantly raising the issue of the rights of Crimean Tatars during the process of joining the Crimea to Russia. But here also, after the referendum on Crimea's population, Russia officially declared its readiness to guarantee the protection of rights of all national and religious minorities of Crimea.

Ankara behaved the same way during the two Chechen wars. Though Turkey was not obviously supporting separatists in Chechnya but was helping them secretly. There were many Turks in the armed detachments of separatists, and the Turkish government was letting numerous foundations recruiting money for the liberation of Chechnya to act on its territory. Their activity was stopped only after the Second Chechen War.⁵⁷

Ankara was aiming to use the "Adjarian scenario" in Abkhazia, which was a zone under Russian influence, and was trying to expand its economic influence in that area so that its economy was so dependent on Turkey's, that the Russian influence became formal in Abkhazia.⁵⁸

After some time Russia started to recover its influence and prevent Turkey's ambitious plans for the post-Soviet area. By the August war of 2008 Russia finally consolidated its influence in South Ossetia and Abkhazia.

By the way, during the five-day Russian-Georgian war in 2008, Ankara remained neutral, not letting the American warships to enter

⁵⁷ Sotnichenko A., Caucasian Triangle: Turkey, Iran and Russia: <http://www.csef.ru/index.php/ru/politica-i-geopolitical/project>

⁵⁸ Turkey and Russia: Whose is the Caucasus? <http://krasvremya.ru>

the Black Sea through the straits, which could escalate the situation in the region.⁵⁹ Turkey hoped that Russia would appreciate this act in an appropriate manner and after the end of the war will pay attention to its "Caucasus Stability and Cooperation Program", which was expected to create peaceful United Caucasus, the guarantor powers of which would be Turkey and Russia.⁶⁰ In fact, this program was covertly aimed at raising the Turkish influence in the region. The Turkish project's implementation should in practice give Ankara an opportunity to also take part in Karabakh conflict settlement process, which is unacceptable not only for Armenia, but also for Russia. Thus, it's not accidental that the Turkish "Caucasus Stability and Cooperation Program" did not get Russia's attention.

Turkey, as a member of NATO, actively takes part in the U.S. projects against Russia. Particularly, in September 2011, Ankara and Washington signed an agreement on the deployment of missile defense systems on Turkish territory. In contrast to this, Moscow deployed Iskander-M missile systems of high precision in Armenia which were meant to neutralize the American Patriot anti-missile systems, deployed in Turkey⁶¹.

⁵⁹ Markedonov S., Five-day war: Preliminary Results and Consequences, Moscow, Inviolable Reserve, 2008, № 5 (61).

<http://magazines.russ.ru/nz/2008/5/ma11.html>

⁶⁰ Sotnichenko A., Caucasian Triangle: Turkey, Iran and Russia:

<http://www.csef.ru/index.php/ru/politica-i-geopolitical/project>

⁶¹ Russia Neutralizes US Missile Defense System in Turkey:

<http://www.km.ru/v-rossii/2013/06/06/otnosheniya-rossii-s-respublikami-byvshego-sssr/712627>

Russia and Turkey also have fundamental differences in the settlement of the Syrian crisis. The president Bashar al-Assad is the legitimate president of Syria for Moscow, and Ankara believes president is a dictator that will destruct the Syrian people, so he must be removed from the power.⁶² In connection with the Syrian crisis, one should note that the Russian-Turkish relations aggravated more when on October 10, 2012, the Turkish military aircrafts, suspecting the Syrian civil aircraft flying from Moscow to Damascus in transporting weapons to Syria, forced it to land in Ankara. After searching the plane the baggage was seized by the Turkish authorities. The Ministry of Foreign Affairs of Russian Federation demanded explanations on the incident; anyway, there was no certain answer, which also caused to canceling the visit of the Russian president to Turkey.⁶³

On November 9, 2014, the presidents of Russia and Turkey had a very tough telephone conversation during which V. Putin warned R. Erdogan strictly that in case of interfering in Syria's internal affairs, Russia is ready to prevent Turkey's unleashing of the catastrophic war in the region.⁶⁴

Erdogan finds unacceptable for Turkey the airstrikes, made by Russian air force towards the positions of the Islamic State.⁶⁵ Erdogan doesn't regard Russian side's justification as convincing; it does not

⁶² Aghajanyan M., Russia – Turkey: Dialectic Partnership: <http://newsland.com/news/detail/id/1286370/>

⁶³ Difficult Choice of Ankara, <http://expert.ru/2012/10/12/>

⁶⁴ Tough Telephone Conversation between Erdogan and Putin Ended by Mutual Threats: <http://perevodika.ru/articles/25742.html>

⁶⁵ Turkey is Offended: <http://expert.ru/2015/10/9/>

believe that its military plane appeared in Turkey's air space for a short time because of poor visibility. Though Russia had already apologized for that incident, Ankara threatens to reconsider the agreement on purchase of Russian natural gas.⁶⁶ Russia does not treat seriously these threats, realizing that Turkey will need many years and efforts to find an alternative to the Russian gas.

Russia believes it can restrain Ankara any time, using its economy's dependence on the Russian natural gas, since Turkey gets the two-thirds of necessary gas from Russia, and it cannot diversify its energy system yet and find alternatives to the Russian gas.

It becomes obvious that Turkey's actions to strengthen the relations with Russia have an imitative nature: Ankara, disappointed with the USA and EU, tries to make the latest understand the real risks of getting closer to Russia, so that they evaluate Turkey more and support it in its wishes.⁶⁷

Regarding the Armenian Genocide, one can note that there is the Russian position, a point of view which The State Duma has first accepted on the recognition and condemnation of the Armenian Genocide on April 14, 1995. Meanwhile, by April 20 and 22, 1994, different fractions of the parliament during the Russia's State Duma sessions had already made proposals to recognize the Armenian Genocide. After two days of discussions, on April 22, the Russian State

⁶⁶ Turkish President has threatened to abandon the Russian Gas:
<http://expert.ru/2015/10/8/>

⁶⁷ Turkey: Why Do We Need the United States and the European Union, if there are Russia, China and Syria?
<http://profi-forex.org/news/entry1008060259.html>

Duma approved the first statement in which it was said: “Russia’s State Duma, on the eve of the 79th commemoration of this tragedy, condemns the Armenian Genocide and expresses its deep condolences to the Armenian people and the genocide survivors who live in Russia, as well as around the world. The memory and conscience will remain with us forever”.⁶⁸ After a year of some incidents this weak and indecisive statement was to be followed by a more clearly expressed statement that would reflect the historical reality.

It’s natural that any country, including Russia, which is a fraternal country to Armenia, is guided by its national interests while making such political decisions and only then tries to meet the aspirations of the Armenian community that live in its country, when it adopts the resolution or statement on the recognition and condemnation of the Armenian Genocide.

It should be noted that the Russia’s position on the Armenian Genocide was also due to certain political developments. On September 20, 1994, the "Contract of the Century" on the commissioning of Azerbaijani oil was signed between Azerbaijan and the international consortium in Baku. Contrary to expectations and according to agreement, Turkey’s share was only 1.75%: in this case the issue of Baku-Tbilisi-Ceyhan oil pipeline was pushed into the background. The Turkish diplomacy put a huge effort to increase its market share and in April, 1995, achieved the international consortium's decision by which 5% of Iran’s share was provided to Turkey. Under this circumstances

⁶⁸ Barseghyan L., *The Chronology of Public Condemnation and Recognition of the Armenian Genocide (1915-2000)*, Yerevan, 2001, p. 36.

Russia was left alone within the consortium and began to challenge the “Contract of the Century”, due to ambiguity in the status of the Caspian Sea. Besides, Moscow tried to make such an act that would have been a proper response to both Turkish states. That was chosen to be the adoption of a clearer and more compelling statement on the case of the Armenian Genocide.⁶⁹

On April 14, 1995, Russia’s State Duma adopted a new statement, condemning the Armenia Genocide. It particularly reads: “The State Duma of Federal Assembly of the Russian Federation based on irrefutable historic facts, which attest to the extermination of Armenians on the territory of Western Armenia from 1915 to 1922 and, in accordance with the UN Convention on the Prevention and Punishment of the Crime of Genocide from December 9, 1948 and with the UN Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity from November 26, 1968, aspiring to restore the humanitarian traditions of the Russian State and, emphasizing that through the initiative of Russia, the Great European Powers already in 1915 characterized the actions of the Turkish Empire against the Armenian people as a crime against humanity, as well as noting that the physical extermination of the fraternal Armenian people in its historic homeland aimed at destroying Russia, The State Duma of the Federal Assembly of the Russian Federation condemns the perpetrators of the extermination of Armenians from 1915 to 1922, expresses its deep sympathy to the Armenian people and recognizes

⁶⁹ Chakryan H., *The Crucial Factor for Regional Contradictions between Russia and Turkey*, p. 58.

April 24th as a day of remembrance for the victims of the Genocide”.⁷⁰ It is very important that in the State Duma’s statement a reference is made to such international legal documents as the UN Conventions of 1948 and 1968, as well as the Joint Declaration of Triple Entente of May 24, 1915, by which the mass extermination of the Armenians by the Turkish government was condemned and a personal responsibility was refined for the members of the Young Turks’ government and provincial officials who took part in that crimes.⁷¹ Finally, the most important formulation in the statement of State Duma is that the genocide was carried out against the Russia’s fraternal Armenian people in its historical homeland - in Western Armenia. It is interesting that Russian State Duma refers the Armenian genocide as a crime, which was also aimed at destroying Russia. This formulation contains a review of Turkish and Pan-Turkish ideology to make Great Turan from the Ottoman Empire, since it is known that the genocide of the Armenians was the first step to the realization of this idea, which was to be followed by the allegation of areas inhabited by Turkish speaking peoples, that is the great part of the Russian Empire to the Ottoman Empire, and the creation of Turkish State. Though according to State Duma’s statement April 24th was announced a day of remembrance for the victims of the Armenian Genocide but for the sake of truth we

⁷⁰ The Statement of the State Duma of the Russian Federation on “Condemnation of the Armenian Genocide from 1915 to 1922” from April 14, 1995, Collection of Resolutions of Russian Federation, Moscow, 1995, N 17, p. 1497.

⁷¹ The Armenian Genocide in the Ottoman Empire, Collection of documents and materials, edited by Nersisyan M. G., Yerevan, 1983, p. 280.

should mention that the day is remembered by the Armenian communities only in some cities of Russia, and the state authorities are more neutral in this matter.

According to Turkish politicians and political analysts, Russia, developing a strategy against Turkey, besides using the energy leverage over Turkey, also applies the issue of the Armenian Genocide. Moreover, the Turkish politicians think Moscow is under the pressure of a huge Armenian community, which was expressed by adopting the resolution of Armenian Genocide by Russian State Duma in 1995.⁷²

In 2005 and 2015, though the State Duma made another two statements on the 90th and 100th commemorations of the Armenian Genocide but they significantly yield with their content and clarity than the one made in 1995.

On April 22, 2005, the Russian State Duma adopted the second statement on the 90th commemoration of the Armenian Genocide, in which it is particularly said: “On the 90th commemoration of the Armenian Genocide, which is one of the most tragic and cruel events of the 20th century, the State Duma of Russian Federation’s expresses its deep sympathy to the Armenian people. The State Duma strongly condemns this act of genocide and believes that the 90th commemoration of this event must be properly marked by the entire international community”.⁷³ Actually, by this statement the State Duma was only satisfied by condemning the Armenian Genocide and expressing

⁷² View from Ankara: <http://expert.ru/2010/04/29/>

⁷³ The Statement of the State Duma of the Russian Federation on “90th Commemoration of the Armenian Genocide” from April 22, 2005: <http://www.nashasreda.ru>

sympathy to the fraternal Armenian people, which was also expressed in the previous statement.

During the Syrian crisis Russian-Turkish relations became tenser by the Kassab events. Russia strongly condemned on March 21st, 2014, the rushes into Syria's Armenian populated area of Kassab from Turkish Yayladagi checkpoint, committed by several thousand militants of Jabhat al-Nusra and Ahrar ash-Sham extremist groups that are connected with Al-Qaeda. In the Russian Ministry of Foreign Affairs' press release, condemning the attack on Kessab and the crimes committed against the civilian population, it was clearly mentioned that heavy artillery and tanks were used against Kassab on the Armenian enclave from the territory of Turkey. In its second statement the Russian Ministry of Foreign Affairs demanded that the UN Security Council should discuss the situation in Kassab and evaluate those events principally.⁷⁴ The Russian media was trying to connect these events with the Armenian Genocide; some media even broadcasted killing scenes of the Armenians in Kassab which had nothing to do with reality.

Russian State Duma's committee of CIS affairs, Eurasian integration and on relations with compatriots put into the agenda of State Duma its statement on the 100th commemoration of the Armenian Genocide, which repeats statement provisions of 2005, expressing sympathy to the fraternal Armenia. Besides, the Russia's legislative body in its statement makes accent on resolving the complicated matters of history in a peaceful way, including diplomatic matters, pointing out

⁷⁴ Davutoglu A., Turkey has opened its doors for the Armenians of Kassab: <http://www.azatutyun.am/content/article/25318585.html>

that such disputes could be solved by the efforts of the Eurasian Economic Union, the Collective Security Treaty Organization and the Shanghai Cooperation Organization.⁷⁵ Nevertheless, it is unclear how Armenians will negotiate with Turkey, which denies the fact of genocide, and how the experience of these organizations could help the cause. No doubt, the meaning of the statement is losing its value by such unclear and vague formulations.

The positive thing about this announcement is that the State Duma, based on the principles of justice, supports the desire of all people to keep the memory of history, which is a necessary condition to regulate the past and present conflicts and reconcile the parties.⁷⁶

The State Duma's statements, made for the 100th commemoration of the Armenian Genocide, can be explained by the fact that the Russian president Vladimir Putin arrived in Yerevan on April 24, and was taking part in the events of commemoration and respect of victims in Tsitsernakaberd memorial complex, as well as delivered a speech there. Probably, taking into account this fact, Russian parliamentarians didn't pay much attention to the content of their statement, since everybody's attention was drawn to V. Putin's speech.

President V. Putin reaffirmed Russia's position in his speech in Tsitsernakaberd memorial complex on the official recognition of the Armenian Genocide. Putin reminded about the joint statement, made by Russia, France and Great Britain on May 24, 1915, by which the three

⁷⁵ Russian State Duma adopted a Statement in Connection with the Centennial of the Armenian Genocide: <http://dailynewslight.ru/?u=24042015730>

⁷⁶ Ibid.

countries to what had happened to Armenians named a crime against humanity and civilization. Russian president particularly mentioned that the statement was made by Russian Foreign Minister Sergey Sozonov's initiative. At the end of the speech V. Putin mentioned that the Russian people mourned with Armenian people and, that at that moment more than 2000 remembering events were taking place in hundreds of Russian cities where representatives of the Armenian community, as well as representatives of different nationalities participated in these events.⁷⁷

On November 24, the shot down of military jet caused Russia, like some European countries to develop a bill criminalizing the denial of Armenian Genocide. The bill was submitted to the State Duma by the "Fair Russia" party whose leader, S. Mironov announced that it will be soon in the Lower House agenda. The new bill proposes that each one who deny the fact of the Armenian Genocide in Western Armenia and Ottoman Empire from 1915 to 1922, will be fined with penalty of 300 000 rubles or will be forced labor/prison sentence of up to three years, and if the same act committed by a person using mass media, the amount of the penalty will reach up to 500 000 rubles or forced labor/prison term of up to five years.⁷⁸ In case of passing the bill Russia will be the 5th country after Switzerland, Slovakia, Greece and Cyprus, which will criminalize the denial of the Armenian Genocide. In our

⁷⁷ The Presidents of Armenia, Serbia, Cyprus, France and Russia had a Speech in Tsitsernakaberd: <http://www.azatutyun.am/content/article/26976030.html>

⁷⁸ The State Duma will Make the Bill Criminalizing Denial of the Armenian Genocide in Turkey during the Ottoman Empire: <http://www.trust.ua/news/118910>

opinion, the structures of the Armenian community and individuals should help the State Duma to speed up the process. The execution of this process will be important for Russia because cases of doubting the fact of the Armenian Genocide will be excluded in this country which has a large number of Turkish speaking and Muslim population. Meanwhile, this act can have a serious basis for Russia in helping its fraternal people both to overcome the consequences of the Armenian Genocide and to give practical assistance to its strategic ally.

CHAPTER II

THE ARMENIAN GENOCIDE PROBLEM WITHIN THE CONTEXT OF USA-TURKEY RELATIONS

In recent years one can observe a conflict of interests and positional contradictions in relations between the NATO's two partners and erstwhile strategic allies, the USA and Turkey, on the significant geopolitical issues, which have been turned into serious discrepancy and tend to aggravate.

Due to Washington's attitude changes towards Turkey for the last 20-30 years, Ankara has been recently induced to make tight turn in its foreign policy. Turkey's role in the regional policy of the USA after the collapse of the USSR declined substantially, and Washington often didn't take into consideration the Ankara's interests.⁷⁹ This tendency was demonstrated vividly during the initiation of the USA for the preparation and realization of the Iraqi War.

The Turkish Parliament, acting as the strategic ally of the USA and NATO member, refused to allow almost 60 000 American soldiers deployment in its area several weeks before the Multi-National forces' invasion to Iraq, even though Washington had promised financial assistance of about 15 billion USD. Turkey's rejection forced American-British troops to attack Baghdad from the South.⁸⁰

⁷⁹ Turkey Detached from the United States: <http://www.meast.ru/article/>

⁸⁰ The Israel Vector of Foreign Policy of Turkey: <http://mir-politika.ru/364-turciya-israel.html/>

This step of Ankara turned into additional basis to review the Turkish-American relations. Washington didn't allow the Turkish ground troops to enter into the Kurdish-populated Northern Iraq after making an invasion to that country, as the Kurds were considered the only ally of the USA. Moreover, the USA, highly appreciating the Kurdish loyalty as well as the help in discovering Hussein when the regime was overthrown in the Northern Iraq, established the Kurdish Autonomy, which led to the irritable dissatisfaction not only with the Turkish Government but also with the Turkish population.⁸¹ There was a substantiate apprehension in Turkey that such development will be also an encouragement for the Kurds in Turkey who will activate their actions for the formation of the Kurdish State in Turkey. Despite the Washington's warnings, Turkey scaled military bases in Northern Iraq, having the intention to attack the PKK's militants, and realized a large scaled military operation in the neighboring country. The purpose was to undermine the autonomy of the Northern Iraq.⁸²

The Turkish military invasion to the Northern Iraq was coincided with the official visit of the U.S. Secretary of State, C. Rice, to Iraq, whom refused to meet the Kurdistan leader in Iraq and the closest ally of Washington, M. Barzani. Besides, he impeached Washington for Turkish attacks.⁸³

Despite the position of the USA towards Iran, Turkey together with Brazil voted against the UN Security Council's decision on Iran

⁸¹ They Created Kurdistan: <http://expert.ru/2012/07/30/>

⁸² Novikova E., Kurdistan in the Fire: <http://expert.ru/2007/10/18/>

⁸³ Surprise for Condoleezza Rice: <http://expert.ru/2007/12/19/>

ordinal sanctions and, also, put forward a proposal to build enriched plant of Iranian uranium in its territory.⁸⁴

Turkey was one of the first, congratulating M. Ahmadinejad, Iranian president, on being re-elected in 2009; meanwhile, the West considered those elections as a bloody revolution.⁸⁵

Also, Ankara announced the acquisition of the China's anti-ballistic missile systems and, together with Beijing, conducted the air force military training, which has directly contradicted the NATO's strategy and the commitments of the ally's member states.⁸⁶ On November 18, 2013, special meeting was held on those issues between the Turkey's Ministry of Foreign Affairs and the U.S. State Secretary, concerning Washington, which was followed by Ankara's announcement on new competition where the American companies could participate, also for obtaining anti-ballistic missile systems.⁸⁷

Notwithstanding the long term military cooperation with Israel,⁸⁸ Turkey escalated tensions with its former strategic partner

⁸⁴Ahmadinejad Recommends West to Accept a Nuclear Iran:

<http://expert.ru/2011/01/21/>

⁸⁵ Turkey: Why Do We Need the United States and the European Union, if there are Russia, China and Syria?

<http://profi-forex.org/news/entry1008060259.html>

⁸⁶ Yevseyev V., The Chinese Anti-ballistic Missile Defense for Turkey - the Signal Addressed to the United States: <http://www.politcom.ru/18603.html>

⁸⁷ The USA Forced Turkey to Give up China's Anti Aircraft Defenses:

<http://glasru.ru/>

⁸⁸ Minasyan S. M., Strategic Cooperation of Israel and Turkey within the context of the Regional Security Problems, "The 21st Century: Information-Analytical Magazine", №2 (4), Yerevan, 2004, p. 94-115.

consistently.⁸⁹ Furthermore, Ankara established relations with Hamas terrorist group, which obviously implemented the activities against Israel and the West.⁹⁰ Ankara's such activities became a serious problem for Washington, which had to make efforts for reconciling its two allies, Turkey and Israel.⁹¹

Turkish-Israel escalated tensions became the basis for the government of Israel and imposing figures of Jewish origin in the governing elite of the USA both to start circulating reasonable arguments against Turkey within American leading circles and to cast doubt on the thesis that Ankara remains the faithful ally of Washington.⁹²

Also, the USA is dissatisfied with the Turkey's adopted policy on Syrian crisis; Washington considers Ankara's efforts in fighting against the Islamic State insufficiently.⁹³ The USA presents gradually to Ankara more plane allegations for terrorist organizations, arming the Jabhat al-Nusra group particularly.⁹⁴

⁸⁹ Koritskiy A. A., Turkish-Israel Relations: View from Ankara, "Asia and Africa Today", № 5, 2012.

http://www.asiaafrica.ru/files/201205/Корицкий_Анкара.pdf

⁹⁰ The Israel Vector of Foreign Policy of Turkey: <http://mir-politika.ru/364-turciya-israel.html>

⁹¹ Aghajanyan M., Turkey and Israel are Fighting whereas the USA affected: <http://www.politcom.ru/15450.html>

⁹² Muradyan I., USA-Turkey: The Partners or Opponents?

<http://novostink.ru/mir/54421.html#ixzz2ozvvsDb1>

⁹³ The Reasons for Turkey's Tolerate Relations towards IS fighters:

<http://www.foreignpolicy.ru/analyses/>

⁹⁴ Turkey is increasingly drifting apart from West, <http://expert.ru/2015/01/24/>

Often, the Western officials accused Ankara that the armed rebels pass freely through Ankara to Syria in awareness, acquiescence and, in most cases, with the Turkish services proper assistance.⁹⁵ This was one of the main issues at the Obama-Erdogan meeting in Wales in September, 2014.⁹⁶

Erdogan is seriously dissatisfied with the indecisive attitude of the U.S. president towards the Syria's issue. Accordingly, the Turkish authorities accepted negatively the Washington's decision on renouncing the military ground operations for the purpose of dethronement of Bashar al-Assad.⁹⁷

Despite the U.S. sanctions against Russia, Ankara started to develop cooperation programs with Moscow to get Russian natural gas pipeline through Turkish territory, refusing to join the sanctions and seeking to increase the trade circulation with Russia.⁹⁸ It is clear these steps are not only prospective, but also obvious messages, directed to the U.S., which can't avoid becoming nervous.

The problem of the Armenian Genocide impacted the American-Turkish contemporary relations to a certain degree almost on all occasions, having both direct and indirect displays.

⁹⁵ Hubbard B., Yeginsu C., After Opening Way to Rebels Turkey is Paying Heavy Price: <http://www.nytimes.com/2014/06/25>

⁹⁶ Geghamyan V., Turkey's Role in Establishment of the Islamic State Organization, The Analytical Reference Book of YSU Center for Civilization and Cultural Studies, N 7, Yerevan, 2015, p. 178.

⁹⁷ The Prime Minister of Turkey doesn't Want to Speak to Obama anymore: <http://www.nakanune.ru/news/2014/7/24/22362062#sthash.lAQn3fwx.dpuf>

⁹⁸ The "Turkish Gambit" of Moscow: Checkmate to the "South Stream": <http://www.nakanune.ru/articles/19791#sthash.akxq4k4x.dpuf>

The first Armenian Genocide Resolution 148 had been adopted in 1975, by which the U.S. House of Representatives defined a national commemoration day of the suffered people from the inhuman treatment, qualifying the 1915 events as the Armenian Genocide. Afterwards, the adopted Resolution 247 on September 12, 1984 was actually the reiteration of 1975's resolution's provisions.⁹⁹

After adoption of these resolutions, the recognition and condemnation of the Armenian Genocide became one of the tools for Washington to constraint Turkey on any topic, and also was used against Ankara when it displayed any “trouble”. The Armenian Diaspora's efforts in the USA for recognition of Armenian Genocide were coincided occasionally with the American official policy of restricting Turkey, but unfortunately Washington didn't act decisively after getting everything under its control.

The American policy developer and implementer towards Turkey was Pentagon. So, the adoption of resolutions on Armenian Genocide recognition had been initially neutralized in accordance with the priority of military-strategic cooperation maintenance with Ankara. Later on, the traditional American policy development and implementation against Ankara was handed to the State Department, which, together with the White House, substituted the Pentagon as well as in case of failure the Armenian Genocide recognition resolution.¹⁰⁰ Beside of the U.S. governmental offices, this issue was the center of

⁹⁹ Markedonov C., *Between the Historical Justice and the Real Politics*: <http://www.politcom.ru/7644.html>

¹⁰⁰ Torbakov I., *Amendment in Turkey and the Policy of Caucasus in 2004*, p. 186.

interest for the Jewish lobby. It's not occasional that the Turkish leaders were taking into account the Jewish lobby impact on the U.S. Congress when deepening their cooperation with Israel. They had an expectation of weakening the Armenian and Greek lobbies' positions in the U.S. legislative body in such a way, in order to overthrow the resolutions on recognition the Armenian Genocide.¹⁰¹

In the first half of 1990s, the efforts of the Armenian lobby in the USA were directed to the adoption of sanctions against Azerbaijan and the restriction of the U.S. ammunition sale to Turkey, as well as to the Armenian-Turkish border's reopening undertakings, which had been closed since the April of 1993. Characteristically, there was adopted the 907 amendment within the frames of the “Freedom Support Act” owing to the endeavors of the Armenian lobbyist organizations in the USA, the AAA and ANCA, thus prohibiting the public financial support of the United States to Azerbaijan as long as the latter was keeping on the hostile actions against Armenia and the blockade of that country.¹⁰²

On March 23, 1995, the Draft Resolution 47 was put into circulation in the U.S. House of Representatives by David E. Bonior. The document reads that taking into consideration the fact that one and a half million Armenian ancestors have fallen victims to the organized genocide by the government of the Ottoman Empire, the antecedent of

¹⁰¹ Geopolitical Aspirations of Turkey: <http://libsib.ru/geopolitika/geopolitika-v-sovremennom-mire/arabskiy-mir>

¹⁰² Gregg H. S., *Divided They Conquer: The Success of Armenian Ethnic Lobbies in the US*, The Rosemary Rogers Working Papers Series, 2001, pp. 24-33.

the Republic of Turkey, from 1915 to 1923, the U.S. House of Representatives decides:

1. The Congress will join the American- Armenian community to commemorate the victims of the Armenian Genocide;

2. The United States should encourage the Republic of Turkey to assume all necessary steps to recognize the cruelties, implemented against the Armenian population of the Ottoman Empire in the period of 1915-1923, and commemorate those who fell victims to that atrocity¹⁰³ However, this resolution had not been brought up for the U.S. House of Representatives' discussion. In the same year there was founded the Armenian Affairs Committee of the U.S. House of Representatives due to the efforts of the Armenian lobbying organizations of the USA. The first co-chairmen of the Committee were the Democratic Party representative F. Pallone and the Republican Party representative E. Porter.

On May 15, 1996, a series of hearings on the Armenian Genocide's historical facts recognition were held in Congress by the initiative of the Committee on International Relations of the U.S. House of Representatives.¹⁰⁴ On March 21, 1997, G. Radanovich put into circulation the Resolution 55 of the U.S. House of Representatives, which was repeating the provisions of Resolution 47, introduced in 1995. The resolution directed to the Committee on International

¹⁰³ The Armenian Genocide. Documents and Declarations 1915-1995., compiled with an introduction by H. Sassounyan, Los Angeles, 1995, p. 12.

¹⁰⁴ Barseghyan L., The United States of America, the Condemnation of the Armenian Genocide and Turkey's Reaction, Yerevan, 2001, p. 13.

Relations of the U.S. House of Representatives, however it was not included in the agenda of the U.S. House of Representatives.

By the Resolution 3540 from June 11 of the same year, the issues for providing economic assistance to Turkey related to the recognition process of the realized “cruelty” toward the Armenians from 1915 to 1923. Besides it was required from Ankara to undertake all the measures for the direction to eternity “the Armenian Genocide’s victims” commemoration.¹⁰⁵

The U.S. President B. Clinton has also presented a statement dedicated to the Armenian Genocide. The US Presidential Statements on the Armenian Genocides had become traditional since 1994, whereas in all the statements the US Presidents avoided to use the word Genocide being satisfied with the “great tragedy”, the “dark page of the history”, etc.

On November 18, 1999, the Resolution 398 to the U.S. House of Representatives was presented by G. Radanovich, D. Bonior, F. Pallone and G. Bogan where was stated: “from 1915 to 1923 two million Armenians had been deported, and one and half million were killed in the result of the Ottoman Empire’s perpetrated policy”. The resolution called upon the President to provide for appropriate training and materials to all Foreign Service officers, officials of the Department of State, and any other executive branch employee involved in responding to issues related to human rights, ethnic cleansing, and genocide by familiarizing them with the U.S. record relating to the Armenian

¹⁰⁵ Markedonov S., Between the Historical Justice and the real Politics: <http://www.politcom.ru/7644.html>

Genocide and the consequences of the failure to enforce the judgments of the Turkish courts against the responsible officials. The resolution was approved by the Committee on International Relations and Human Rights Subcommittee on September 14, 2000, and by the Committee on September 21, but in the result of the President B. Clinton's active interference the resolution was not admitted in the agenda of the House of Representatives.¹⁰⁶

On September 27, 2000, G. Radanovich put into the circulation the proposal of the Resolution 596 of the U.S. House of Representatives which was almost the repetition of the provisions of Resolution 398. However, the point of providing the Armenian Genocide's studying had been removed from resolution. In the draft resolution there were represented definitely facts on the Armenian Genocide which called upon the U.S. President the "systematic intent extermination of 1,5 million Armenians" to call as "Genocide"¹⁰⁷ during the annual statement of Armenian Genocide commemoration day. The resolution was put to the discussion at the Committee of Foreign Affairs of the U.S. House of Representatives. The adoption probability of the resolution increased more by the U.S. Presidential Campaign. Between G. W. Bush and the acting Vice-President Al Gore the vote results were of a little difference, and this fact forced either the Democratic or Republican Parties to take any measure for obtaining additional votes. For instance, in that case, the votes of more than several hundred thousand Armenians could be

¹⁰⁶ Poghosyan B., *op. cit.*, p. 21.

¹⁰⁷ The Armenian Genocide: Turkish Responsibility and the Obligations of the International Community, Compiled and edited by Barseghov Yu., Vol. 2, part 1, Moscow, 2003, Doc. 1459.

decisive in the Presidential elections' results which were held in November of 2000.

After the elections, on April 24, 2001, G. W. Bush did not honor his pledge to the American Armenians and in his annual statement avoided to use the phrase "Armenian Genocide"; instead he used "the great tragedy of history" definition, despite more than 100 members of U.S. Congress had been applied to G. W. Bush with the letter calling to honor his campaign pledge and recognize the Armenia Genocide.

Also, in Turkey they were realizing that this time the probability of adoption of the resolution was big enough by the U.S. House of Representatives. On October 3, 2000, the Grand National Assembly of Turkey had sent a special delegation to Washington, having an initiation to participate at the scheduled discussion at the Committee on Foreign Affairs of the U.S. House of Representatives. Finally, despite of the efforts of Turkish side, on October 3, 2000, the Committee on Foreign Affairs of the U.S. House of Representatives had adopted the resolution in the result of the vote: 24 pros, 11 against and 2 abstain.¹⁰⁸

On October 3rd, after the voting the five parties of the Turkish Parliament had announces a special announcement where was stated the certain respond measures for Turkey; particularly the Turkish Parliamentarians threatened to prohibit the Americans to make use of Incirlik Air Base. The Turkish government had already implemented the certain measures towards either the USA or Armenia. The procedure of providing entry visa to Turkey for the Armenian citizens had been restricted. H. Kivrikoglu, Chief of the General Staff of Turkey canceled

¹⁰⁸ Poghosyan B., op. cit., p.23.

intended visit to the United States, as well as Turkey reestablished position of the Extraordinary and Plenipotentiary Ambassador in Iraq, while D. Ersumera, the Turkish Minister of Energy had even announced about the resumption of the Iraqi oil transportation through the Turkey in case of the Armenian Genocide resolution adoption.

On the same day of the adoption the resolution, by the Committee on Foreign Affairs President of Turkey A. Sezer during the telephone conversation with the U.S. President B. Clinton showed his disappointment regarding the adopted resolution.¹⁰⁹

For the prevention of the Armenian Genocide resolution adoption Turkey, as the main card, had also used the cancelation of the transaction of obtaining the ammunition from the USA; particularly in regard prior agreement of obtaining 145 U.S. military helicopters with the total cost of the several billion dollars. The Turkish authorities hinted that they are ready to cancel the deal and to obtain military helicopters from the Russia-Israeli joint consortium instead of the American ones.

Such threats of Turkey had certain effects on the U.S. Federal Government in the discussion of the Armenian Genocide resolution in the U.S. House of Representatives which was intended on October 19, 2000. A day before the discussion the U.S. President B. Clinton with the special statement called upon to the speaker of the House D. Hastert to take away from the agenda the discussion of the resolution, mentioning, that the adoption of the resolution would have negative implications on

¹⁰⁹ Barseghyan L., *The United States of America, the Condemnation of the Armenian Genocide and Turkey's Reaction*, pp. 41-44.

the U.S. vital interests in the Middle East, as well as on the America's efforts on regulating relations between Armenia and Turkey. On October 19, 2000, D. Hastert had taken away the discussion of the Armenian Genocide's resolution several minutes before the plenary session of the U.S. House of Representatives.

Though the Armenian Genocide's resolution was not adopted by the U.S. House of Representatives, the bilateral tension and relations vulnerable nature on the subject are the evidence of the serious problems gradually appeared despite the parties announced about the relations' strategic signification and importance.¹¹⁰

D. Phillips continued his activities towards the launch of the Armenian-Turkish dialogue with the U.S. State Department promotion, after canceling from agenda the adoption of the Armenian Genocide's resolution in the U.S. House of Representatives. The U.S. State Department came to the conceptual conclusion that the best version of dialogue's launch is the formation of the committee from the private individuals who had work experience in the state system and the diplomatic relations.¹¹¹

The U.S.-Turkey relations' detraction of 2003 led to touch upon not only the official recognition of the Armenian Genocide by the U.S. administration but essential changes in the Americans' consciousness. There was a "betray" by the strategic ally: the Americans perception of the "painful" issue retaliation from the terrorists and from

¹¹⁰ Poghosyan B., *op. cit.*, p. 7.

¹¹¹ Phillips L. D., *Unsiloing the Past: Track two Diplomacy and Turkish-Armenian Reconciliation*, Berghahn Books, 2005, pp. 31-34.

the USA hostile political administrative regimes, not concerning the business part yet. Few people doubted the resolution would be adopted, if there weren't the pressure of the White House, State Department and Pentagon on the Senate leadership. Prime Minister of Turkey R. Erdogan had a telephone conversation with the U.S. Vice-President D. Cheney, who promised to take measures to prevent the law draft of commemorating the Armenian Genocide in U.S. Congress. P. Wolfowitz, the Deputy Secretary of Defense who recently has a strict announcement on the address of the Turkish government had also joined for the lobbying for the benefit of the resolution removal from the agenda.

Minister of Foreign Affairs of Turkey A. Gul arrived in Washington with the official visit on July 22 up to 26, 2003. During that period the bilateral relations had been too tensioned concerning with the events which were going on in Iraq. The American officials announced one more that the recognition of the Armenia Genocide hadn't been removed from the agenda.¹¹²

On April 10, 2003, G. Radanovich, A. Schiff, F. Pallone and J. Nollenberg represented Resolution 193 where as genocide sample have been mentioned the Armenian Genocide, also. The resolution has been approved unanimously by the Committee of Legal Affairs of the U.S. House of Representatives on May 21. On June 10, the Resolution 164 with the same content has been also presented for the Senate's discussion.

¹¹² Poghosyan B., op. cit., p. 52.

The resolution that was presented to the Senate, on July 10, had been scheduled to put on the vote together with the U.S. State Department budget proposal; however it was removed from the voting at the last moment.¹¹³

Within the AAA and the ANCA active assistance Resolution 316 on the Armenian Genocide recognition has been represented to the U.S. House of Representatives by the congressmen G. Radanovich, J. Nollenberg, F. Pallone and A. Schiff, which was approved by the vote of absolute advantage at the Committee on Foreign Affairs of the U.S. House of Representatives on September 15, 2005. It called upon the U.S. President to provide the Armenian Genocide fact's reflection on the realization of the state's foreign policy procedure.¹¹⁴ However this resolution was not presented for the discussion to U.S. House of Representatives.

In July of 2006, the U.S. House of Representatives voted in a favor of granting the guarantees, that export and import foundations would not be used for the Kars-Akhalkalaki-Tbilisi-Baku railway construction which was constructing bypassing Armenia. American Congressmen were against the isolation of Armenia via such regional transportation project. In the Resolution 5068 was mentioned that the taxpayers' money must not be used for the occupation of Armenia which has

¹¹³ Ibid, p. 54.

¹¹⁴ Ibid, p. 57.

already been suffering from the bilateral blockade of Turkey and Azerbaijan.¹¹⁵

In January of 2007, A. Schiff, G. Radanovich and the chairmen of the Armenian Committee of Congress F. Pallone and J. Nollenberg introduced the Resolution 106 to the U.S. House of Representatives. In the resolution there were serious approvals of the Armenian Genocide's fact, and complete introduction of its chronological period from 1915 to 1923, also were mentioned the number of the victims: 2 million deported, including one and half million exterminated. There was emphasized a very important circumstance from the political and legal point of view: the fact that Armenians were exterminated in their historical homeland where they had been living more than two thousand five hundred years.¹¹⁶

In the U.S. House of Representatives the possibility of the resolution adoption increased also with the reason of that in the U.S. House of Representatives' Congressional elections the majority votes the Democratic Party got. Nancy Pelosi, the House Speaker also submitted for the benefit of the adoption the Armenian Genocide resolution in autumn 2006. The resolution suppose to be discussed at the Committee of Foreign Affairs of the U.S. House of Representatives in March of 2007, however the administration of G.W. Bush managed to postpone that discussion. On March 7, 2007, the U.S. Secretary of State C. Rice

¹¹⁵ Markedonov S., The Armenian Question as a Mirror of the American Politics: <http://www.politcom.ru/5219.html>

¹¹⁶ Poghosyan B., op. cit., p. 58.

and the U.S. Secretary of Defense R. Gates signed an open letter against the resolution discussion to N. Pelosi.

On October 8, the delegation from the Majlis or Grand National Assembly of Turkey had been sent to Washington. During this trip, the head of the delegation E. Bagis who was the vice-chairman of “Justice and Development” Party stated that they will do everything against the resolution adoption. He also hinted the possibility of the technical supply quit from the Turkey’s territory, particularly from Incirlik military base to the American troops located in Iraq. On October 7, the Speaker of the Turkish Parliament Koksal Toptan in his letter directed to the U.S. House Speaker N. Pelosi stated, that the resolution adoption would have negatively impact on bilateral relations, from what the recovery may take the decades.

A day before the scheduled vote on October 10, the Turkish delegation had meetings with the members of the Foreign Affairs Committee of the U.S. House of Representatives calling not to adopt the resolution on Armenian Genocide recognition, warning that it will invariably harm the strategic partnership of Turkey and the US.¹¹⁷ The resolutions on Armenian Genocide in the U.S. Congress the Turkish politicians concerned as the blackmail against Ankara by the USA.¹¹⁸

On October 11, 2007, the Committee on Foreign Affairs of the U.S. House of Representatives adopted the Resolution 106 which condemned the genocide of 1915 in the Ottoman Empire. All the members of the U.S. administration were against the adoption of the

¹¹⁷ Ibid, p. 59.

¹¹⁸ Turkey Goes from Under the Feet of the USA: <http://www.meast.ru/article/>

Resolution 106. The State Secretary C. Rice and the Defense Secretary R. Gates called the U.S. Congress with the statements which stated that the adoption of the Armenian Genocide resolution would disserve the US National Security interests. Besides, the U.S. State Department had sent a statement against the adoption of the resolution to the U.S. Congress with the signatures of the U.S. former State Secretaries H. Kissinger, C. Powell, M. Albright and J. Backer. Despite of those the resolution had been adopted in the Committee with the vote ratio results of pro 27 and against 21. The main intrigue was that under the resolution text had signed not only the members of the Committee on Foreign Affairs but also 226 congressmen; as much as needed for adopting the resolution at the U.S. House of Representatives. Furthermore, also the resolution defender was the Speaker of the House of N. Pelosi.¹¹⁹

However, on October 10, despite of all the measures that had been taken by Turkish side and administration of the President G. W. Bush, the Committee on Foreign Affairs of the U.S. House of Representatives had adopted the resolution with the vote ratio results of 27 - pro and 21 - against. As opposed to 2000, this time the USA Jewish lobby didn't hinder for the adoption of the resolution. Furthermore, the chair of the Foreign Affairs Committee T. Lantos with the Jewish origin, who was the only congressman who survived the Holocaust and for a long time was against of adopting the Armenian Genocide resolution, this time promoted for the adoption of the resolution actively. It was obvious that the Jewish lobby considered the adoption of the resolution as a

¹¹⁹ Markedonov S., The Armenian Question as a Mirror of the American Politics: <http://www.politcom.ru/5219.html>

precaution directed to Erdogan because of his policy of criticism towards Israel. As a sign of protest, Turkey called its ambassador back from Washington.¹²⁰

The danger of the Turkish armed forces implemented large-scale military operations in the Northern Iraq had a serious impact on the process of adopting the Resolution 106. Several Congressmen who had previously stated about promotion of the resolution, declared about the changes in their position. On October 17, the House Speaker N. Pelosi told that in the House plenary session the voting of the Resolution 106 would probably be postponed. Several representatives of the Democratic Party also referred to Pelosi with the request to postpone the voting of the resolution, having in mind that under such conditions the adoption of the resolution possibility was too little.

On October 25, 2007, the authors of the Resolution 106 A. Schiff and co-chair of the Armenian Committee in the U.S. Congress F. Pallone appealed with the request to N. Pelosi to postpone the voting of the resolution. As well as B. Sherman and A. Eshoo who were the active promoters of the resolution asked with the request not to define the deadline for the voting of the resolution.¹²¹

So, the Turkish authorities one more time managed to overthrow adoption of the resolution on recognition of the Armenian Genocide by the U.S. House of Representatives, using as a trump card the possibility of military invasion to the Northern Iraq. The adoption of the resolution on Armenian Genocide from October 10, 2007 by the U.S. House

¹²⁰ Poghosyan B., op. cit., p. 60.

¹²¹ Ibid, p. 63.

Committee on Foreign Affairs certainly annoyed Turkish politicians and had also influenced on the Erdogan's decision to invade to Northern Iraq. The U.S. State Secretary C. Rice had private telephone conversations with the Turkish President A. Gul, the Prime Minister Erdogan and Minister of Foreign Affairs A. Babajan stating that the stability of Iraq was of common interest and any wrong procedure would damage both sides. U.S. Deputy Secretary of State and U.S. Deputy Minister of Defense went on business trip to Ankara promptly where they heard criticism towards the adoption of the resolution on the Armenian Genocide.¹²²

That initiative had been overthrown by the administration of the President G.W. Bush in 2007. Regarding this G. Bush Junior announced that all of them were sorry for the tragedy of the suffered Armenian people of 1915, but that resolution was not the proper one for the mass killings of the history, and the adoption of the resolution would be of a great loss for the relations of the allies of USA and NATO and for the global war against the terrorism. So, regarding the issue of adoption of the condemned resolution on the Armenian Genocide, Washington actually conceded Ankara for persuading not to deploy its troops to the Northern Iraq. It is possible that in the U.S. Congress the Armenian Genocide resolution discussion date had been chosen for that purpose. Bottom line, the resolution was not included in the agenda of the U.S. House of Representatives.

¹²² Turkey had Developed a Detailed Plan for the Invasion to Iraq: <http://www.regnum.ru/26.09.2007>

In 2007, during the session in the U.S. House of Representatives Democrat J. Costa who voted for the adoption of the resolution appealed not to dense the threats from Turkey, mentioning that Russia-Turkey trade volume increased with 351% since 1995 after Russia recognized the Armenian Genocide.¹²³

At the beginning of 2008, B. Obama announced that in case of becoming the President of the U.S. he would say the truth about the Armenian Genocide and with such manner will respond effectively to all genocides. Armenia and the Armenian community of USA hoped that Obama will fulfill the promises which had given before the Presidential elections. However, he followed the policy of the U.S. Presidents Clinton's and Bush Junior who had also promised and refused to honor the promises. Two weeks before April 24, 2009, Obama had made an official visit to Turkey and even though he said that his points of views concerning the events of 1915 were not changed, the president stated that the open border between the Turkish and Armenian people will return those nations to the peaceful and prosperous life and, that the USA fully assists for regulating the relationship between Turkey and Armenia.¹²⁴ On April 24, U.S. President B. Obama called the Armenian Genocide as Mets Yeghern (Great Calamity).¹²⁵

¹²³ Markedonov S., Between the Historical Justice and the Real Politics: <http://www.politcom.ru/7644.html>

¹²⁴ The White House, Office of the Press Secretary, April 6, 2009, Remarks By President Obama to the Turkish Parliament: <http://www.whitehouse.gov/the-press-office/>

¹²⁵ The White House, Office of the Press Secretary, April 24, 2009, Statement of President Barack Obama on Armenian Remembrance Day: http://www.whitehouse.gov/the_press_office/

The issue of the recognition of the Armenian Genocide had been concealed during B. Clinton's term with the different gentle arguments, while the administration of G.W. Bush, loyal to its political style, preferred fully unveil the political and moral aspects of the issue, showing that the heinous crime was happened but the official recognition of it can be unprofitable for the US interests.

Despite of the official overthrow validating process of the protocols in Zurich by the Turkish government on October 10, 2009, the American government continued to make efforts towards “keeping alive” the protocols within persuading the both sides not to take away their signatures from them and wait until more favorable moment for validating them in the near future. In this context should be contemplated the adoption of the Resolution 252 at the plenary session of the U.S. House of Representatives by the U.S. House Committee on Foreign Affairs on March 4, 2010 which served as a lever for getting concessions from Turkey. At the same time the process of the adoption of the Armenian Genocide resolution in USA was with support of American and Israeli authorities. The Israeli authorities have a significant impact on that process due to the US Jewish lobbying. It's not accidental, that on March 4, the Resolution 252 had been adopted with just one more vote advantage with definite role of H. Berman, who was the chair of the U.S. House Foreign Affairs Committee and had Jewish origin. This issue was of significant importance for Israel, because of the Turkish current authorities' gradually increased anti-Israeli statements and number of scandals and deteriorative relations disputed between

two countries during January-May of 2010. However, the Armenian Genocide factor which had been used as a pressure by the American and Israeli authorities against Turkey very often was not emanated from the interest and intentions of the Republic of Armenia or Armenian Diaspora.¹²⁶

The Armenian lobbyists should use the Turkish-Israeli tension and deepening contradictions of relations for the purpose of influencing on the U.S. Congressmen and White House for the formation of a favorable stance towards the Armenian Genocide. It's also worth to take into account the previous attempts of the failures of resolutions, in order to avoid repeating the same mistakes.

On March 4, 2010, in the Committee on Foreign Affairs of U.S. Congress the debate was held on the resolution on the Armenian Genocide in the Ottoman Empire from 1915 to 1923. In the resolution it was stated that the Armenian Genocide was conceived and carried out by the Ottoman Empire from 1915 to 1923, resulting in the deportation of nearly 2 million Armenians, of whom 1.5 million men, women and children were killed, 500,000 survivors were expelled from their homes, and which succeeded in the elimination of the over 2,500-year presence of Armenians in their historic homeland. The resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes, having considered the

¹²⁶ Poghosyan B., op. cit., p. 67.

same, report favorably thereon without amendment and recommend that the resolution be agreed to.¹²⁷

The U.S. State Secretary H. Clinton said to H. Berman, the chair of the U.S. House Committee on Foreign Affairs, that the resolution will be risky for the Armenian-Turkish protocols. The President of Turkey A. Gul in the telephone conversation with B. Obama mentioned that Washington shouldn't allow any evil actions to get damaged the relations between US and Turkey. The votes in U.S. Congress were monitored by the three Armenian and eight Turkish Parliamentarians. The Resolution was adopted by one for vote divergence, members of the committee voted pro 23 and against 22. The Democrat Congresswoman Sh. Jackson Lee didn't vote at all. Due to the procedure, the approved paper by the commission should be submitted for the discussion of whole U.S. Congress, however there were some difficulties. The voting results of the committee showed some collisions that had been between lobbying groups and diplomats. The administration of the President Obama and the Turkish authorities appealed to U.S. Congress do not approve the resolution. Turkey's first respond was calling back its ambassador from Washington.¹²⁸

Regarding all these Davutoglu told that Turkey would never make decision under the pressure and the protocols signed with Armenia were also considered within mentioned context.¹²⁹

¹²⁷ It is not a Time for the Justice: <http://expert.ru/2010/03/9/>

¹²⁸ The USA and Turkey: Temporary Difficulties or Dangerous Instability? <http://www.ia-centr.ru/expert/7388/>

¹²⁹ It is not a Time for the Justice: <http://expert.ru/2010/03/9/>

The failure of the adoption of the condemning and recognizing resolutions on the Armenian Genocide in the U.S. Congress led the Armenian lobby to change their struggle strategy and to start to act actively in the US State Senates, in the result of which the 46 states of US which is more than 90% of the country had already recognized and condemned the Armenian Genocide. With the similar strategy the Armenian lobby tried to force the federal governments for being adapted to the current situation and finally with the federal level to adopt the appropriate decision. However, the experience proved, that the federal governments were not lead with that logic. This means that the vector of activities of the Armenian lobby should be switched from the Legislative branch to the Executive one, particularly to the structures which for decades had failed the resolutions on the Armenian Genocide: the White House, the State Secretary and the Pentagon. The obvious deterioration of the American-Turkish relations lately could be used to influence on the above mentioned structures. Besides, the Turkish-Israeli strained relations could be used to develop the cooperation with the Jewish lobby of US, in case of even not supporting the Armenian initiatives but at least maintain the neutrality.

CHAPTER II

THE ARMENIAN GENOCIDE PROBLEM WITHIN THE CONTEXT OF EU-TURKEY RELATIONS

Turkey's advantageous geographic position makes it tempting for some EU politicians to include this country into the structure. But, on the other hand, according to some politicians the border of Turkey with explosive region will bring security problems to EU, meanwhile Turkey, in case of keeping the status quo will remain a buffer between Europe and the Middle East.

Notwithstanding the fact Turkey entered the European Customs Union in 1995, and is a EU Member States candidate country from 1999,¹³⁰ anyway, the discrepancies between the EU and Turkey tend to deepen.

France and Germany, as the influential EU countries, definitely have a negative attitude on Turkey's EU membership issue. As is known, there were series of conditions put against Turkey which can be divided into two main groups: the issues that exist inside and outside of Turkey. Only after overcoming these preconditions EU will agree to continue the negotiations with Turkey on its joining the EU. Among the internal problems there are noted the inadequate and insufficient development of the Turkish economy, although some progress was recorded, but it remains highly not stable. European politicians are worried by Turkey's budget's higher deficit, the high level of inflation which affects

¹³⁰ Turkey-EU Relations: <http://www.mfa.gov.tr/relations-between-turkey-and-the-european-union.en.mfa>

negatively on the Turkish currency's purchasing power, as well as unlimited state intervention to the economy.¹³¹ Besides, the inadequate level of protection of civil rights and freedom is noted, although some improvements have been carried out in this area and new laws have been adopted, but they have mainly remained on paper. Ethnic and religious minorities continue to be violated: these are the Christian communities and the rights of the Kurds.¹³² Finally, it is noted that in Turkey, where Islam has a dominant position, does not meet the common European system of values, and without the compliance Turkey's accession can become very destructive for the European Union.

The countries of EU without Turkey's membership are already concerned about the infiltration of millions of Turkish immigrants in their area. The Turkish immigrants in Germany cause not only the economic but political problems. It is obvious, that on case of Turkish membership new flows of Turkish immigrants will start their directions towards the European countries, which simply cannot face the new demographic crisis caused by them, and which would be disastrous for centuries shaped European identity.¹³³ The same concern is also expressed in seizing the European markets with Turkish goods that are

¹³¹ Moiseev P. P, Starchenkov G. I., *The Strategies of the Economic Development of Turkey, The Peoples of Asia and Africa Today*, Moscow, 2003, № 7, p. 21.

¹³² Hajiyev A.G, *The Kurdish Question in the Light of the Annual Report of the European Commission on the Development of Turkey*, Institute of Middle East: <http://www.iimes.ru/rus/stat/2009/11-11-09a.htm>

¹³³ Starchenkov G. I, *Turkey: the Long Road to the EU, "The Modern Europe"*, Moscow, 2002, № 4, p. 78.

relatively cheap and are of low quality which will lead to bankruptcy of European manufacturers.

Among the external issues first is mentioned the issue of Cyprus which is not recognized as an EU member country by Ankara. Moreover, Turkey implements a policy of blockade against the Republic of Cyprus, recognizing as a state only the northern part of the island which is populated with Turks: here Ankara continues to keep its armed forces.¹³⁴ Cyprus, in its turn, can use and probably will use its right of veto, if it gets to Turkey's membership.

In spite of the EU's sanctions against Russia, Ankara demonstratively began to improve relations with Moscow. In the beginning of 2013 Erdogan announced that Turkey was not going to eternally wait at the doors of Europe, and even mentioned that Turkey is ready to join the Shanghai Cooperation Organization and even the Customs Union.¹³⁵

Ankara is trying to justify ideologically its joining the Customs Union, insisting, that the widely spread idea of Eurasianism in Russia is also close to Turkey. Though both: Moscow and Ankara imagine the idea of Eurasianism as the absolute supremacy of their positions in the region.

It is obvious that neither the European Union nor Russia and China didn't treat seriously Erdogan's statements. To bring seriousness to their intentions Ankara has first to leave the EU Custom's Union,

¹³⁴ Safrastyan R., Turkey and the Cyprus Problem: Episodes of the "Great Game", "The 21st Century", №2, 2005, p.13.

¹³⁵ Rasov S., Turkey Proposed to Create an Analogue of the European Union: <http://www.politcom.ru/9562.html>

which will hardly happen in the nearest future, since the 40% of Turkish exports among that institution account for European countries, besides, more than 70% of direct investments taking place in the Turkish economy are also due to that countries.¹³⁶

The powerful countries of EU are seriously concerned that Turkey, having a population that Germany has, can become one of the powerful countries of EU having an opportunity to influence the policy of that structure.

The analysis of the foreign policy Ankara, as well as the presented contradictions between EU and Turkey and their expansion trends suggests that Turkey fully realizing the absence prospects to join the EU is obviously confronting with Brussels.

One of the important preconditions for Turkey to join EU is the regulation of relations with neighboring countries. Thus, one of the sore issues of EU-Turkey relations is the issue of recognizing the Armenian Genocide by Turkey which is persistently denied till now. During negotiations with Ankara, Brussels sometimes raises the issue of recognizing the Armenian Genocide, basing on its famous resolution of June 18, 1987 on a political solution to the Armenian question,¹³⁷ though it is not directly included in the list of criteria and preconditions. On November 15, 2000, the European Parliament, listening to report “Turkey’s progress on the way to EU membership” adopted a

¹³⁶ Aghajanyan M., *Russia – Turkey: Dialectic Partnership*: <http://newsland.com/news/detail/id/1286370/>

¹³⁷ European Parliament Resolution on a political solution to the Armenian question, Doc. A2-33/87: http://www.europarl.europa.eu/intcoop/euro/pcc/aag/pcc_meeting/resolutions/1987_07_20.pdf

declaration, by 21th point of which was restated the issue of stating a dialogue with Armenia, and which will be directed to the establishment of normal diplomatic and trade relations, and the elimination of the existing blockade.¹³⁸ In 2002, with the Resolution on the South Caucasus, EU once again offered Turkey to recognize the Armenian Genocide. By the resolution adopted in 2004, Brussels again urged Turkey to recognize the Armenian Genocide.¹³⁹ The last time EU addressed the issue of the Armenian Genocide in 2005 in Resolution on starting negotiations with Turkey, the 5th point of which put preconditions for Turkey for membership to recognize the Armenian Genocide.

It was due to these preconditions that Brussels later took an active role in the process of establishing Armenian-Turkish diplomatic relations; as a result Armenia and Turkey signed protocols on establishing diplomatic relations and development of relations in Zurich on October 10, 2009. Ankara, attending the process of regulating relations with Armenia, was trying to convince the EU, that it is performing Brussels demands and is ready to show goodwill in the issue of Armenia's blockade, implying instead that EU would relieve its pressure on Turkey concerning the case of the Armenian Genocide. But the process failed, and Brussels was definitely accusing Turkey referring to it as unreliable partner.

¹³⁸ Armenian Genocide: Turkey's Responsibility and Obligation of the International Community, Volume 2, Part 1, p. 816.

¹³⁹ Svarants A., The Armenian Genocide in the Ottoman Turkey: Causes, Stages and Consequences of National and International Affairs, Moscow, 2006, p. 38.

It is too painful for Ankara that European countries adopt resolutions recognizing and condemning the Armenian Genocide, first it tries to prevent the adoptions of these resolutions through blackmail, and after a failure recalls its ambassadors from those countries and arouses pressure in bilateral relations. Expressing official point of view of Ankara, former Foreign Minister M. Soysal said that relations between Turkey and the EU are not equal and fair, because Turkey is constantly exposed to treats by Brussels due to constant delays of Turkish membership to EU and recognition of the Armenian Genocide.¹⁴⁰

We will not be mistaken if we note that France was the main expression of the EU's position on the Armenian Genocide issue which unlike other countries of the structure has recognized the crime committed against Armenians not only by a resolution or a statement but by law. The existence and activity of huge Armenian community which is well integrated and has influence in all the spheres of the French government, also affects Turkish-French relations. In the result of this activity the issue of the 1915 Armenian Genocide was raised where, firstly on January 29, 2001, the French Senate adopted a law that stated: "France publicly recognizes Armenian Genocide of 1915. The law should be implemented as state law".¹⁴¹

This act affected the Turkish-French relations in a way that Turkey immediately called back its ambassador from Paris for

¹⁴⁰ Bikova O., Symposium in Ankara: Turkey Expresses its Views to Eurasia: <http://www.geopolitica.ru/Articles/917>

¹⁴¹ The Armenian Genocide: Turkey's Responsibility and Obligation of the International Community, Volume 2, Part 1, p. 818.

consultation, and then cancelled the 149 million dollar worth contract with Alcatel on the production of the first spy-satellite. Ankara interrupted negotiations on some quite profitable contracts, including NPP's building, the purchase of combat helicopters and tanks, etc., notwithstanding the fact that France is also a leading partner to Turkey together with Germany and USA. The chairman of the Turkish Consumers Union B. Deniz called to boycott French products. The union called to boycott the "Total" French petroleum company, then, as a next victim was announced the "L'Oreal" cosmetic company.¹⁴²

Turkey is nervous that some European countries adopt a legislation to criminalize the denial of the Armenian Genocide, as well as the steps taken in this direction in France. In October 2006, for the first time the Lower house of the National Assembly of France adopted a legislation stipulating criminal responsibility for the denial of the Armenian Genocide. Although the bill was not confirmed by the Senate, Ankara started a big campaign against Paris which was very similar to acts performed by Turkey in 2001.

During his visit to Armenia in November of 2011, French president N. Sarkozy urged Turkey to recognize the Armenian Genocide, meanwhile emphasizing that EU is not for Turkey. On December 22, 2011, the French National Assembly adopted Jewish Holocaust and the Armenian Genocide denial criminalization bill,¹⁴³ in response, Ankara recalled its ambassador from Paris. On January 23,

¹⁴² Turkey: Energetic and International Economic Connections, pp. 191-192.

¹⁴³ Preposition de Loi Anti-negationnisme ter pdf - 16.12.2012, 23H43.pdf
www.philippekrikoriant-avocat.fr

2012, the French Senate adopted the law, ignoring the risks of deterioration of relations with Turkey; thus the penalties “Gayssot act”¹⁴⁴ provided for the denial of the Holocaust would be also on the denial of the Armenian Genocide, putting equality not only in the recognition, but also in respecting the feeling of affected peoples and the memory of victims. 127 people in Senate voted for the law, while 86 voted against.¹⁴⁵

Following France’s adoption of the law criminalizing the denial of the Armenian Genocide, Erdogan stated that the document is based on racism, discrimination and xenophobia. Meanwhile he mentioned that his country will apply sanctions against France, first he will cancel the agreements reached in the negotiations on military, economic and political issues, besides, French companies, that operate in Turkey in transportation and nuclear weapons programs will lose state contracts which mean, that France will lose billions of dollars in transactions. French military and civil aircraft was forbidden to land in Turkey, French ships were deprived of accessing to Turkish ports.¹⁴⁶ These decisions were being discussed at the meeting of the Turkish government which was being held in parallel with the adoption of a law

¹⁴⁴ “Gayssot act” was adopted by the French Parliament on July 13,1990, according to which the Nazi crimes and especially to those who deny the Jewish Holocaust are sentenced to 1 year of jail or fined by 45.000 Euros. Assignation en Refere Par-devant Monsieur le President du Tribunal de Grande Instance de Marseille aux fins de Constatation d'une voie de fait Administrative et d'Injonction: www.philippekrikorian-avocat.fr

¹⁴⁵ Ankara Punishes Paris: <http://expert.ru/2012/01/24>

¹⁴⁶ Mamedov M., To the Issue of Genocide: <http://www.politcom.ru/13237.html>

criminalizing the denial of the Armenian Genocide in Senate.¹⁴⁷ As for the Turkish people, due to the adoption of the French law many citizens have started to express their protest for their country's accession to EU membership.¹⁴⁸

The French Constitutional Council has demanded not less than 60 votes of parliamentarians to apply with the request to cancel the law, while 86 parliamentarians voted against. Ankara was going to establish contacts with parliamentarians who voted against to cancel the law.¹⁴⁹ The issue was forwarded to the Constitutional Council for review with signatures of 76 deputies and 72 senators on January 31. The deputies who had applied to Constitutional Council found that the law violated the principles of speech, conscience and freedom of belief.

On February 4, before the Constitutional Council's decision that body had already put in its official website a booklet with title "The absence of normative force or regulatory basis of law", which referred to the recognition law of the Armenian Genocide of 1915 adopted on January 29, 2001, and which was treated as no normative act or an act with uncertain normatively. Though, such actions of the Constitutional Council are considered as a violation of French law since that body does not have right to express its opinion beforehand on the issue that was handed to it for examination.¹⁵⁰ Under these circumstances the French

¹⁴⁷ Ankara Punishes Paris: <http://expert.ru/2012/01/24/>

¹⁴⁸ Pakhomov N., Turkey is Deterred from Europe:
<http://www.politcom.ru/3572.html>

¹⁴⁹ Ankara Punishes Paris: <http://expert.ru/2012/01/24/>

¹⁵⁰ Constats d'huissier en date des 30 Janvier et 2 Février 2012 établissant la preuve d'une publication en trente-trois pages figurant sur le site internet

president N. Sarkozy could simply sign and publicize the law of January 23, 2012, because the Constitutional Council had already exceeded its authorities, and the law of January 23 could no longer stay under its jurisdiction. But, despite his promises made in Yerevan in advance, President Sarkozy did nothing and waited for the predictable decision of the Constitutional Council.

On February 28, 2012, French Constitutional Council declared the law passed by the Senate on January 23, 2012 as unconstitutional which was the logical continuation of the law adopted on January 29, 2001 on the recognition of the Armenian Genocide and stipulated criminal responsibility for the denial of it, which have been made regarding the Jewish Holocaust. According to the Constitutional Council, “Gaysot act” of 1990 should also be referred as unconstitutional; however the French law brought discrimination in the evaluation process of these two similar legal issues.

With its decision French Constitutional Council created obstacles for France's commitments it assumed to the EU since France together with other EU member states had signed an agreement on November 28, 2008 on “Struggling against racism and some manifestations of xenophobia by means of criminal law”, by which the EU member states

officiel du Conseil Constitutionnel, mettant à l'index la loi du 29 Janvier 2001, réputée être non normative, laquelle publication constitue une infraction manifeste au devoir d'impartialité et à l'obligation de réserve des membres du Conseil Constitutionnel expressément prévue par les dispositions de leur statut Janvier 2012: www.philippekrirkorian-avocat.fr

should have provisions in their criminal law on the public dishonor and denial of genocide, crimes against humanity and war crimes.¹⁵¹

After the decision of the Constitutional Council, French president N. Sarkozy ordered the government to develop a new project which we believe was a more demonstrative act, by which he was trying to atone at the Armenian community for his sin of inaction at a decisive moment. V. Boyer and her five colleagues introduced a new bill in the French Parliament on February 6, 2013, on the compliance with the provisions of the agreement of November 28, 2008, of the law of the EU Council's "Struggling against racism and certain forms of xenophobia and negative phenomenon by means of criminal law".¹⁵²

The French president F. Hollande paid an official two-day visit to Turkey in January of 2014, during which he expressed his views on the Turkey's EU membership and the Armenian Genocide.¹⁵³ French president called Ankara to recognize the Armenian Genocide and stop denying the historical fact which, according to Hollande, is a barrier for Turkey's membership to EU. Hollande also met with Rakel Dink, the widow of the Armenian journalist Hrant Dink who was killed in January of 2007. The president of France expressed hope that Turkey

¹⁵¹ "Journal officiel de l'Union européenne, L 328 du 6.12.2008, p. 55.

¹⁵² Proposition de Loi PK-VB déposée le 06.02.2013.pdf:
www.philippekrikorian-avocat.fr

¹⁵³ Hollande Began His Visit to Turkey with Words of the Armenian Genocide:
<http://www.nakanune.ru/news/2014/1/28/22339101#sthash.1wzP43I1.dpuf>

will remove trade barriers which were imposed when the law was passed criminalizing the denial of the Armenian Genocide.¹⁵⁴

The Greek parliament adopted a law criminalizing the denial of the genocide on the struggling against xenophobia with majority votes of 54 pro, 42 against and 3 abstentions on September 9, 2014, according to which on the territory of Greece ones who deny not only the Jewish but also Armenian and Pontic Greeks Genocides would be subjected to criminal liability. According to bill the ones who will deny or will express negatively about the genocide will be sentenced to jail from 3 months to 3 years. If the offender is a parliamentarian or a public official, an imprisonment from 3-5 years will be set. Individuals can be fined for such violation from 10 to 100 000 Euros. Participating in events that assume denial intend a fine from 5-20.000 Euros.

From the previous processes of EU on the issue of the Armenian Genocide, as well as from Ankara's deepening contradictions it was quite predictable that there would be new developments in EU for the 100th commemoration.

On March 3, 2015 the Political Commission of European People's Party¹⁵⁵ adopted a resolution called "The Armenian Genocide, Turkish responsibility and European values". The recognition of the Armenian Genocide just in the title is interconnected with European values. It is

¹⁵⁴ Mamedov M., The Turkish Gambit of the French President: <http://www.politcom.ru/17266.html>

¹⁵⁵ EPP is one of the most influential political institutions in the European Union. 219 of the 751 members of the European Parliament are party's representatives, 14s of 28s members of the European Commission and the European Council are also from EPP.

noteworthy that the resolution condemns not only the genocide committed by the Young Turks but also by next regimes during 1894-1924, thus showing heredity of the genocidal policy. The denial of genocide in the resolution is considered as a try to avoid responsibility and an attempt to justify or oblivion the crime, also, as a continuing crime and a tendency to encourage new genocides. The resolution is unique since for the first time we can talk about material compensation, return of land, cultural heritage preservation, restoration of ancient cities, churches, schools, cemeteries and other historical and cultural values of Western Armenia.¹⁵⁶

On March 12, the European Parliament adopted report on "Human rights, democracy in the world and EU's policy 2013" in which a separate point states on the 100th commemoration of the Armenian Genocide and calls on EU member countries to recognize that fact, and the EU institutions to promote the recognition process.¹⁵⁷ The Euronest PA* Parliamentary Assembly adopted a resolution on the Armenian Genocide on March 18, calling on Turkey to recognize that fact and accept its past. It was noted in the resolution that not condemning the Armenian Genocide on time led to failing to prevent further repetition of the crime. The resolution states that prevention of the genocides must

¹⁵⁶ EPP has adopted a resolution dedicated to the 100th anniversary of the Armenian Genocide: <http://news.am/arm/news/255195.html>

¹⁵⁷ Euronest PA adopted a resolution on the 100th anniversary of the Armenian Genocide: <http://www.regnum.ru/news/polit/1906311.html#ixzz3V0tOa6K0>
*Euronest PA is the parliamentary body of the EU's "Eastern Partnership" initiative in which the parliamentarians of European Council and "Eastern Partnership's" five member countries: Armenia, Azerbaijan, Georgia, Moldova and Ukraine participate.

become a priority for the international community and Euronest Parliamentary Assembly supports international community's efforts to prevent genocides and to restore the rights of those committed to genocide and restoration of historical justice. The document also regrets over the facts of mass killings, the genocide of 1.5 million Armenians in the Ottoman Empire during the First World War, as well as regrets the denial of other genocides. The Parliamentary Assembly calls on Turkey to face with its historical past which will form the basis for the reconciliation of the peoples in the future. During the session held in Yerevan 33 parliamentarians voted for the resolution, 4 voted against.¹⁵⁸

On April 2, the parliament of Cyprus adopted a law criminalizing denial of the Armenian Genocide with 54 votes, according to which the denial of military crimes, crimes against humanity and denial of genocide if it is recognized by the International Court of Justice is punished by up to 5 years' of imprisonment and/or a fine of 10 000 Euros.¹⁵⁹ Thus, Cyprus became the forth country after Switzerland, Slovakia and Greece where the denial of the Armenian Genocide is considered as a criminal offense.

With their significance these acts could not be compared with a mass held by Pope Francis in St. Peter's Basilica on April 12, during which he called the crime committed to the Armenian people as the first genocide of the 20th century. During the mass Pope honored St. Gregory of Narek proclaiming him the Doctor of Universal Church

¹⁵⁸ <http://armeniangenocide100.org/euronest-parliamentary-assembly-approves-resolution-on-armenian-genocide-centennial/>

¹⁵⁹ Cyprus has Criminalized the Denial of the Armenian Genocide: <http://armtimes.com/hy/read/62052>

which so far had received only 35 people.¹⁶⁰ It was very important that after Pope's mass two leaders of the Armenian Apostolic Church had a speech: Catholicos of All Armenians Karekin II and Catholicos of Great House of Cilicia Aram I, as well as Nerses Bedros XIX, the patriarch of the Armenian Catholic Church.

The Turkish president Erdogan calls a delirium that Pope Francis refers the Armenian Genocide as the first genocide of the XX century and urged Pope not to repeat the same mistake again.¹⁶¹ Ankara also recalled its ambassador from Vatican a day after the mass on April 13. The insults made to Pope caused severe frustration and criticism of not only Catholics all over the world, but also whole Europe, bringing to adoption of resolutions on the recognition and condemnation of the Armenian Genocide by some European countries and structures.

On April 15, the European Parliament adopted a resolution in the discussions on the theme "The 100th anniversary of the Armenian Genocide" which condemned the Armenian Genocide, calling on the Turkish authorities to recognize the Armenian Genocide, normalize relations with Armenia without preconditions through the establishment of diplomatic relations and opening borders.¹⁶²

On April 14, the Czech Republic joined the European countries that have recognized and condemned the Armenian Genocide. The resolution adopted by the Parliament of the Czech Republic on the

¹⁶⁰ Pope: "What happened to Armenians was the first Genocide the 20th century": <http://www.azatutyun.am/content/article/26951506.html>

¹⁶¹ Erdogan Called Pope's Words on Genocide as Delirium:
<http://www.panarmenian.net/arm/news/190692/>

¹⁶² <http://m.mamul.am/am/theme/144>

100th commemoration of the Armenian Genocide in the Ottoman Empire, citing the UN General Assembly's Convention of December 9, 1948 on "The Prevention and Punishment of the Crime of Genocide", as well as the resolutions legislative and executive authorities of the states and the decisions of the international organizations that have already recognized the Armenian Genocide, condemns the denial of genocides weight reduction, urges the international community to prevent the crimes against humanity in any part of the world and solve disputes in a peaceful manner.¹⁶³

The Austrian Parliament was the next one which on April 21 with a passed resolution recognized and condemned the Armenian Genocide, calling on Turkey to recognize the exterminations of the Armenians in the Ottoman Empire as genocide.¹⁶⁴

On April 23, the president of Germany Joachim Gauck repeated Pope's formulation on the Armenian Genocide in Berlin Cathedral Church, calling it the first genocide of the 20th century. German president noted in his speech that Turkey is traditionally denying the charges of killing around one and a half million Armenians during the First World War, and is extremely sensitive to West's criticism on the issue of the Armenian Genocide.¹⁶⁵

After the speech of the president of Germany it was expected that the country's parliament Bundestag would adopt a new resolution on

¹⁶³ <http://www.azatutyun.am/archive/news/20150414/2031/2031.html?id=26955763>

¹⁶⁴ <http://www.panarmenian.net/arm/news/190959/>

¹⁶⁵ http://arka.am/am/news/politics/germania468_1915_/#sthash.zpp0YdcM.dpuf

the recognition of the Armenian Genocide, since four projects of resolution were being circulated; in the titles of two the subject "Armenian Genocide" was included. However, the adoption of the resolution did not happen, probably Germany decided to limit by the president's speech.

On May 5, Parliament of Luxembourg adopted a resolution in which paying tribute to the victims of the Armenian Genocide stated that a century ago what happened to the Armenians in the Ottoman Empire was genocide, and urged the Turkish government to confront its own history.¹⁶⁶

From the written above it should be logical that on the 100th commemoration of the Armenian Genocide on April 24, 2015, presidents of Russia, EU countries France and Cyprus, as well as Serbia which is a candidate for membership of the structure, at the presence of an official delegation of USA, in their speeches in Tsitsernakaberd once again condemned the crime and again sent messages to Ankara.

The president of Cyprus Nicos Anastasiades in his speech delivered a several times the Armenian words "Mets Yeghern", stating that Cyprus is the European country that was one of the first to recognize the Armenian Genocide. Drawing parallels between Armenia and Cyprus, the president noted that both are victims of impunity.¹⁶⁷

¹⁶⁶ <http://armedia.am/arm/news/17670/lyuqsemburgi-khorhrdarany-tchanachel-e-hayoc-cexaspanutyuny.html>

¹⁶⁷ The Presidents of Armenia, Serbia, Cyprus, France and Russia Delivered a Speech in Tsitsernakaberd:
<http://www.azatutyun.am/content/article/26976030.html>

The president of Serbia Tomislav Nikolic in his speech said, that he as a president of a country whose nation has suffered massive losses in the recent wars just for being Serbian, feeling obligated to be present that day in Tsitsernakaberd memorial complex. Condemning the term speculation of *genocide*, the application of double standards regulations, submission of genocide victims as criminals, the president Serbia noted, that no one has right to forget the victims of the Armenian Genocide.¹⁶⁸

The president of France Francois Hollande in his speech paying tribute to the memory of the victims of the Armenian Genocide, noted, that the organizers of the crime failed to achieve their goal, as the Armenian nation continues to live. The French president spoke about the methods of perpetration of crime policy and phases of genocide, pointing to the arrests of intellectuals and their extermination, forced and mass deportations, destruction of miraculously survived Armenians in the extermination camps.¹⁶⁹

This was Europe's answer to Turkish president who denies the Armenian Genocide and offences and threatens about this issue the spiritual leader of the Catholic world.

Summing up the developments in EU within the framework of the 100th commemoration of the Armenian Genocide, we cannot bypass the final verdict in the case of *Perincek v. Switzerland* held in European Court of Human Rights on October 15.

As in known, Dogu Perincek, as the chairman of the Turkish Labor Party who presents himself as a Doctor of Law, during the months

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

of May, July and September of 2005 participated in three public events in cities of Lausanne, Opfikon and Koniz, Switzerland, in the course of which he publicly denied that mass deportations and massacres suffered by the Armenians living in the Ottoman Empire from 1915 onwards had amounted to genocide. More specifically, he qualified the Armenian Genocide as an “international lie”.¹⁷⁰ On July 2005, the Switzerland-Armenia Association lodged a complaint against Perinçek on account of the content of his statements made at the above-mentioned events. Following this complaint, on 9 March 2007 the Lausanne District Police Court found him guilty of the offence of racial discrimination under Article 261 bis § 4 of the Swiss Criminal Code. The Lausanne District Police Court held that Perinçek’s speech on denial of the Armenian Genocide had racist motives, was nationalistic by its nature and cannot be considered to be within the historical discussion or debate. The Lausanne District Police Court has also mentioned that according to Swiss public opinion the Armenian Genocide is a universally proven event and proven historical fact. With this reasoning the court sentenced Perinçek to imprisonment in *Switzerland* and fine of *12 000 Swiss francs*.¹⁷¹

Perinçek appealed against this judgment, asking to reexamine the case and conduct a study on the issue, but Court of Canton of Vaud rejected his appeal on June 19 of the same year. In the decision of the Court it was noted, that “like the Jewish Holocaust the Armenian

¹⁷⁰ Armenian Genocide in International Legal Documents, Compiled by V. Kocharyan, Yerevan, 2014, pp. 94-95.

¹⁷¹<http://armeniangenocide100.org/perincek-wins-case-against-switzerland-loses-to-armenia/>

Genocide was a historical fact recognized as such by the Swiss legislation”. Perincek then took the decision of the Cantonal Court of Vaud to the Swiss Federal Court, which on December 12, 2007 rejected the demand on the grounds that the Swiss penal code did not make any distinction among the genocides when it provided for the repression of their denial.¹⁷²

On June 10, 2008, Perincek submitted a complaint against Switzerland to the European Court of Human Rights (ECHR), arguing that the Swiss courts violated his rights according to the European Convention on Human Rights, mainly by Article 10 (freedom of expression), Article 7 (no punishment without law), as well as a number of other articles. In particular, he challenged the Article 261, bis § 4 of the Swiss Criminal Code is too vague.

The ECHR, in a judgment *Perincek v. Switzerland*, upheld Perincek’s claim on December 17, 2013, according to which Switzerland had violated Article 10 of the European Convention on Human Rights, that is Perincek’s freedom of speech, since such a restriction was not "a pressing social need", was to protect the rights of others, namely the honor of the relatives of victims of the atrocities perpetrated by the Ottoman Empire against the Armenian people from 1915 onwards. The Court considered the criminal conviction of Perinçek, for denial that the atrocities perpetrated against the Armenian people in 1915 and following years constituted genocide, was unjustified.¹⁷³ The European

¹⁷² Amal Clooney Will Represent the interests of Armenia in ECHR: <http://legalinfo.am/2014/12/2252/>

¹⁷³ Case of *Perincek v. Switzerland*: <http://hudoc.echr.coe.int/app/pdf/?library>

Court found that Perincek's expressions do not refer to Article 17 of the Convention (prohibition of abuse of rights), meanwhile mentioning that the expression of such ideas that could "confuse or offend" are protected by Article 10 of the Convention. In accordance with the ECHR judgment "Sensitive and controversial nature of the free discussion of the right of freedom of expression is a fundamental criteria, and through that tolerance, pluralism and ensuring democratic society is different from the totalitarian and authoritarian regimes".¹⁷⁴

The ECHR though noted that it is not intended to address the legal formulation of the Armenian Genocide therefore it will not refer to crimes committed to the Armenians in the Ottoman Empire in 1915, however, in its judgment referred to the Armenian Genocide as a historical fact and gave fundamentally unacceptable scores for Armenia. In fact, the ECHR exceeded its rights, trying to differentiate between the Armenian Genocide and the Jewish Holocaust, noting that the latest is proven by a number of unquestionable historical facts, such as existence of gas chambers. In this case, Perincek's case is obviously out of the Swiss Criminal Code and from determination of the scope of the Convention compliance and referred to the Armenian people, also. Perhaps this is the reason why Armenia decided to get intervening in the judicial process as a third party, to have the opportunity to present the Armenian position on the case, as well as on different formulations of the court to the European Court of Justice.

¹⁷⁴ <http://armeniangenocide100.org/perincek-wins-case-against-switzerland-loses-to-armenia/>

On March 17, 2014, the Swiss authorities filed an appeal against with the ECHR lawsuit. The Armenian president Serzh Sargsyan welcomed the Swiss government's decision to appeal against the case *Perincek v. Switzerland*, hoping that the court will reach a decision that will not be offensive to the people who survived the genocide, and not despise the memory of the millions of people who were simply innocent victims.¹⁷⁵ On June 2, 2014, the ECHR accepted the appeal to move on the case to the Grand Chamber. In August of the same year the Republic of Armenia appealed to the European Court of Justice to be involved in the case as a third party, and on September 26 the ECHR approved its participation.¹⁷⁶ Turkey also participated in the case as a third party.

The Republic of Armenia, involving as a third party in the case, was expecting such a verdict from the European Court which would be free of formulations to doubt the Armenian Genocide in historical, legal or any other context, and that the court's decision would not become a tool in the hands of the Armenian Genocide deniers who will try to use it for their immoral purposes.

On January 28, 2015, at the Grand Chamber of the ECHR *Perincek v. Switzerland* court hearings held. In the Armenian delegation, taking part as a third party, were involved the members of the legal team led by Gevorg Kostanyan, the Government Agent before the ECHR, RA Prosecutor General, Arman Tatoyan, RA Deputy Minister of Justice, Deputy Agent before the ECHR, Emil Babayan,

¹⁷⁵ Ibid.

¹⁷⁶ The Case “*Perincek v. Switzerland*” and the Possible Consequences for Armenia: <http://www.mediamax.am/am/news/foreignpolicy/9674/>

Prosecutor General, Geoffrey Robertson, the founder of London Doughty Street Chambers, the author of the book “An Inconvenient Genocide: Who Now Remembers the Armenians”, well-known international lawyer, Amal Clooney and Toby Collis, well-known international lawyers.¹⁷⁷

The European Court of Human Rights finished the final hearing of the case of Turkish nationalist politician D. Perincek “Perincek v. Switzerland” and court made a final verdict. The Grand Chamber of ECHR decided that Switzerland has violated the rights of Perincek on freedom of speech, but at the same time, court’s decision says that it is not the court’s problem to resolve the deportations and massacres committed against the Armenian people in Ottoman Empire in 1915, and it cannot be qualified as a genocide from the perspective of the definition of the term in international law. Then, the Grand Chamber of the court set, that the European Court has no jurisdiction to make legal statements on this issue, regardless of what angle they are made.

Besides, it was noted in the verdict, that the Armenians have right of respect towards their dignity and their ancestors, including the parts which refer to losses that was made to the identity of the Armenian community. Thus, the court stated that Armenians beliefs and their dignity were to be protected among the provisions of the Convention.

Finally, it was set in the verdict, that the criminal liability of Perincek is not at all contrary to the court's case law, but that the Swiss law was applied to him in a wrong way. This means that criminalizing

¹⁷⁷ <http://armenpress.am/arm/news/822218/mied-y-oroshum-kayacrec-doxu-perinceqi-gortsov-lracvum.html>

the Armenian Genocide denial and sentencing for criminal liability for that was generally considered legitimate; however, this should only be done within the framework of the European Convention. In the result, all demands of Armenia, as a third party of the case, were satisfied by the European Court of Justice.¹⁷⁸

Thus, the Grand Chamber of the ECHR left the verdict of the Lower Chamber practically unchanged, concerning the violation of Perincek's freedom of speech, but completely removed the unacceptable formulations regarding the Armenian Genocide for Armenia and the Armenian people.

The balanced decision of ECHR was affected not only by the participation of Armenia with its arguments but also by the developments taking place in Europe regarding the 100th commemoration of the Armenian Genocide.

We have to note that the court's decision has a dual nature, and each of the parties: Turkey and Armenia can refer to it as their success. In this decision there is a trend not to offend Turkey since the relations between Turkey and EU are already tensed.

It was more important for Turkey that the formulations made in the Lower Chamber on the doubt of the Armenian Genocide were also kept in the verdict of Grand Chamber which however failed, and Ankara had to stay only with formulation concerning the rights of the freedom of speech of Perincek. The Turkish Prime Minister A. Davutoglu welcomed the decision of the European Court of Justice, noting that after the decision the events of 1915 are to be discussed in

¹⁷⁸ Ibid.

Europe in an academic level.¹⁷⁹ It means, Turkey taking as a basis only the first part of the verdict, again repeated the sick and annoying view of creating a commission of historians.

For Armenia and the Armenian people, in spite of the wishes of the Turkish side, it is important in this verdict that with the decision of ECHR the Armenian Genocide issue will continue to remain in legal and political agenda of Europe. The decision of ECHR does not restrict the process of criminalizing the Armenian Genocide denial in EU countries which means new countries can adopt such laws on a condition that they are based on the European Convention on Human Rights and other legal norms adopted within the European Union. From this view it is important that the EU member states' legislation criminalizing the genocide denial based on framework agreement of November 28, 2008, on "Struggling against certain types and manifestations of racism and xenophobia by means of criminal law" by which the EU countries commit themselves to align their legislation with the provisions of this document.¹⁸⁰ The verdict of ECHR cannot interfere or have a negative effect on the issue of the Armenian Genocide during the possible trial in the UN International Court when Armenia, based on the provisions of the Genocide Convention will be ready to apply to that instance to solve the dispute between Turkey and Armenia, on the cases of the interpretation and application of the provisions of the

¹⁷⁹ Davutoglu: "Turkey will Support the Work of Historical Commissions on the Events of 1915": <http://armtimes.com/hy/read/72194>
<http://armtimes.com/hy/read/72194>

¹⁸⁰ Marukyan A., *The Problems of Overcoming the Consequences of the Armenian Genocide and Legal Substantiations*, p. 288.

Convention, or with the help of UN structures such as are the General Assembly or the Security Council, will apply to that instance with a request to give an advisory opinion regarding the legality and validity of US president Woodrow Wilson's arbitral award.

As we can see, during the recent years and, particularly, during the period of the 100th commemoration of the Armenian Genocide, compared with Russia and USA in EU an enormous political capital to condemn that crime has accumulated. From now on, it depends on us, whether the successes will strengthen and will the provided opportunities be used, or will we be satisfied by made achievements.

CONCLUSIONS AND RECOMMENDATIONS

Turkey is the country that through perpetration of the policy of the Armenian Genocide temporarily possessed the great part of the homeland of those people who are victims of crime in Western Armenia. Nowadays there are still countries in the world that solve their national problems through such policy and ensure the territorial integrity of their country through violence. There are also compelling, powerful countries that not only condemn and prevent criminal actions of regimes executing genocides but also support them, pursuing their interests and spreading their influence in some areas, own the natural resources of victim peoples, are engaged in the sale of weapons and earn large amounts of money on the blood of victim peoples. Alongside these, however, there are other countries who do not want them to feel the effects of the crime of genocide: flows of refugees and the spread of epidemic diseases associated with it, the emergence of social problems, etc., which are willing to not only condemn this crime but also to take measures to prevent it. The sad truth is that the positions of the countries concerning the crime of genocide are driven not by humanitarian motives or by principles and norms of international law but by their national interests. Based on this the Armenian nation as a victim of the crime of genocide and the Republic of Armenia as a representative of its interests and legal rights in the recognition, condemnation and overcoming its consequences should be guided by such an approach that would show global power centers Russia, USA and the EU their benefit from the process, after which they will help the

Armenian people and Armenia in that struggle. Their benefit in this case can be Turkey's being weaker and why not divided, with what will finally alleviate Ankara's ambitions to become a regional and even global performer which is clearly contrary to the interests of the power centers.

As we can see, currently Ankara has rather complicated and tense relations with all the power centers of global politics, and there are favorable conditions for Russia, USA and EU to use the deepening contradictions against Turkey. In the case of harmonious and coordinated activities of Armenian diplomatic representatives and Diaspora's lobbying organizations it will be possible to create such an assumption on the issue of the Armenian Genocide in the power centers, that even if they don't directly pressure on Turkey in this issue then support the efforts of Armenia when the latter will be ready to initiate a legal process against Turkey in the international judicial body on the condemnation of the crime of genocide and the consequences of this issue.

For the actions made in an political way there should be a special place to formation of a common front of restoration of violated rights of people affected by the crime of genocide which would significantly improve work efficiency and probability of success. It should be noted that the foundations of this process have already been laid by the cooperation between Armenians, Assyrians and Greeks who were subjected to genocide by the Ottoman Empire and its successor Turkish Republic. In this regard an important step is that the National Assembly of RA, on the 100th commemoration of the Armenian

Genocide, on March 24, adopted a statement condemning Greek and Assyrian Genocide committed in the Ottoman Empire in 1915-1923, as well as the change in law "On holidays and memorial days of RA" on April 15 by which December 9th, the day when in 1948 the United Nation adopted Convention on "Prevention and Punishment of the Crime of Genocide", was declared a day of remembrance and condemnation of genocides. This initiative of Armenia reached its logical conclusion when on September 11, at the 103th plenary session of 69th session of UN General Assembly a resolution presented by Armenia was adopted by consensus by which December 9th was adopted as a day of dignity and memory of the victims of the crime of genocide and the crime prevention day.¹⁸¹ But it is still early to consider the results as enough.

Taking into account the EPP's prestige and influence especially in the political system of European countries, as well as the recognition of the Armenian genocide and resolution of condemnation adopted on March 5, which contents with very important and fundamental definitions testify the fact that Armenian institutions participated in it, we think that this format of work is to continued to reach the recognition of the Armenian Genocide in those countries that have not recognized it yet. For instance, Hungary, that has not recognized the Armenian Genocide, has in its parliament 199 members, 133 of which are from EPP political parties, lower house of parliament of Spain has 350 members, 185 of which are from EPP, Portugal's parliament has 230

¹⁸¹ <http://politics.am/?p=148&l=am/>

deputies, 132 are from EPP.¹⁸² Let us not forget that the three Armenian political parties: “The Republican Party”, “Rule of Law” and “Heritage” are members of EPP from February 9, 2012,¹⁸³ which means, that the EPP will be to operate within party channels to influence partner political parties and to have success in the countries where they represent.

It is necessary to continue works in the countries that have already recognized and condemned the Armenian Genocide in the sense that their resolutions and statements were rationalized. We need to get to that the resolutions and statements adopted by those parliaments become laws and thus become binding for those countries. Besides, it is necessary to continue working towards the adoption of laws criminalizing the Armenian Genocide denial. EPP’s platform can also be used in this regard.

Some European countries such as Switzerland, Slovakia, Greece and Cyprus have legislation to criminalize denial of the Armenian Genocide, the new legislative initiative in France; other European countries with Armenian communities should work to spread in their countries. In this regard a favorable factor is that EU member countries, signing the framework agreement “Struggling against certain types and manifestations of racism and xenophobia by means of defining criminal penalties” on November 28, 2008, committed themselves to their legislation compliance with its provisions.

¹⁸² <http://news.am/rus/news/92667.html>

¹⁸³ Ibid.

Armenian lobbying organizations apart from parliaments should target their activities to the executive branches, expertise structures preparing political decisions and “brain centers”. We need to get the countries which have recognized and condemned the Armenian genocide support Armenia with their policy when the time comes to submit to the International Court with genocide lawsuit.

Armenia in its turn can call on the signatories to the Treaty of Lausanne with request that they demand and put pressure on Turkey that the latter fulfilled its obligations under Articles 37-44 of the treaty in regards to protect the rights of non-Muslim population. Countries that have signed the Treaty of Lausanne with Turkey can be led by Part 4 of Article 44 and regarding as a dispute with that country the violation of rights of Turkey's non-Muslim subjects, appeal to the UN International Court which after the dissolution of the Permanent Court of International Justice is considered to be the heir tribunal. To begin such process it is enough even the demand of one of the signatory countries of the Treaty of Lausanne, since Turkey by signing and ratifying this treaty has agreed that in a result of the examining the litigations the decision of the international tribunal will be final for it.

It is necessary to create and disseminate public information leaflets, brochures in different languages in those countries that have not recognized and condemned the Armenian Genocide yet. It is preferable to do it through Armenia's diplomatic representations to give an official character to the case. The same is to be done through electronic media and the internet. There should be created favorable public opinion for recognition and condemnation of the Armenian Genocide in those

countries. The target of these actions must become people disoriented by the propaganda Turkish deniers and people who are unaware of the issue; the historical truth is to be represented to them in a popular and convincing manner. The works should be done in scientific circles of those countries, mainly where various international conferences on the Armenian Genocide can be held with participation of scientists of those countries, and the statement adopted at the conferences should be directed not only to the presidents of those countries but also to the Turkish presidents.

Above mentioned influential centers are already using the Armenian Genocide issue to their interests and goals, therefore, it is necessary that we, with our prudent and cautious steps, try to use the fact of the coincidence of interests, and refer the increasing pressure on Turkey towards the restoration of the violated rights of the Armenian people who were victim of genocide.

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CONTENTS

INTRODUCTION.....	3
CHAPTER I: THE ARMENIAN GENOCIDE PROBLEM WITHIN THE CONTEXT OF RUSSIA-TURKEY RELATIONS	12
CHAPTER II: THE ARMENIAN GENOCIDE PROBLEM WITHIN THE CONTEXT OF USA-TURKEY RELATIONS	28
CHAPTER II: THE ARMENIAN GENOCIDE PROBLEM WITHIN THE CONTEXT OF EU-TURKEY RELATIONS	53
CONCLUSIONS AND RECOMMENDATIONS.....	79
SOURCES AND BIBLIOGRAPHY.....	85

ARMEN MARUKYAN

THE PROBLEM OF ARMENIAN GENOCIDE WITHIN THE CONTEXT
OF RELATIONS BETWEEN THE INFLUENTIAL ACTORS OF WORLD
POLITICS AND TURKEY

АРМЕН МАРУКЯН

ПРОБЛЕМА ГЕНОЦИДА АРМЯН В КОНТЕКСТЕ ОТНОШЕНИЙ
ВЛИЯТЕЛЬНЫХ АКТОРОВ МИРОВОЙ ПОЛИТИКИ С ТУРЦИЕЙ

ԱՐՄԵՆ ՄԱՐՈՒԿՅԱՆ

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