March 30, 2018

**Re: H.Res.220, Expressing the sense of the House of Representatives regarding past genocides, and for other purposes**

To: Hon. Representatives of the House Committee on Foreign Affairs (via Chiefs of Staff).

Copy: Hon. Representatives who originally sponsored H.Res.220 (via Chiefs of Staff).

Honorable Representatives:

As April 24 is approaching, I am sure many of you have been receiving pleas from the all-powerful Armenian lobby and your constituents of Armenian origin urging you to adopt “House Resolution 220” regarding “past genocides,” referred to the House Committee on Foreign Affairs. And I also assume you received in late December a joint letter on this matter from the Assembly of Turkish American Association (ATAA) and the Turkish Anti-Defamation Alliance (TADA).

I am sending this letter to you as an individual from Houston, Texas to provide more comprehensive information before you act on H.Res.220. It is a long letter, and I hope you will take time to read it, at least the Conclusion. And as you read and deliberate, I implore you to set aside the currently strained relations between the U.S. and Turkey.

H.Res.220 is a crude attempt, failed repeatedly in the past, to have **“Armenian genocide”** recognized by the US Congress. Unlike in the previous attempts, the recognition is cleverly worded to put it in the context of the ongoing violence in the Middle East, and it is claimed that by drawing upon lessons from the “genocidal campaign” by the Ottoman Empire against Armenians and other Christians, current war crimes, crimes against humanity and “genocide” in the Middle East would be prevented.

**Essence of the Matter**

The argumentation contained in H.Res.220 lacks any semblance of credibility, for two reasons. **Firstly, it is unrealistic and beyond the stretch of imagination to assume that what happened in the Ottoman Empire during World War I has any bearing on the events transpiring in the Middle East today.** The violence in the Middle East today is largely the result of interference by external powers in the internal affairs of the countries in this region, Iraq and Syria being prime examples. Imperfect though they were in terms of democracy and human rights, before such interference Iraq and Syria were relatively stable, secular to a considerable degree, and human rights violations were tolerable compared to today. Further, violence that takes place in the Middle East today transcends religious and ethnic boundaries, e.g., Muslims killing Muslims.

There is no rational basis for assuming that reference to a so-called “genocidal campaign” by the Ottoman government during World War I in H.Res.220 will prevent or alleviate the current violence in the Middle East. In fact, if anything, by causing further deterioration of the already-strained relations between Turkey and Armenia, such language may foreclose any chance of reconciliation between the two neighbors and lead to further tension in the region.

**Second, the premise in H.Res.220, that the Ottoman Empire undertook a “genocidal campaign” against Armenians, and by extension, other Christian minorities, is manifestly false.** There seems little doubt that the impetus behind H.Res.220 is to effectuate, albeit indirectly, recognition of “Armenian genocide” by the U.S. Congress, attempted unsuccessfully many times in the past. Genocide allegations attributed to the Ottoman Empire are baseless.

Ethnic and religious minorities in the Ottoman Empire enjoyed much autonomy in their religious, social and cultural activities, and none were forced to Islamize. For centuries, they all kept their religious and ethnic identities, and prospered in trade and craftsmanship. Many of them sent their children to Europe for their education. Armenians, in particular, were considered a “loyal nation,” and held high positions in the government. There were 22 ministers, 33 deputies and 7 ambassadors of Armenian origin during the Ottoman era, and 29 prominent members of the Armenian community were awarded the honorary title “Pasha” (general). As late as 1913, the foreign minister in the Ottoman cabinet was an Armenian (Gabriel Noradukyan).

Noteworthy also is the fact that the Ottoman Turks extended warm welcome to Jews that were persecuted during the Spanish inquisition in the 15th century, and Turkish diplomats saved thousands of Jews from the Nazi terror during World War II. Turkey also invited and welcomed hundreds of Jewish scholars and scientists who had fled Nazi Germany and Austria. In fact, Turkey probably did significantly more than the US and the UK in saving Jewish lives during the Holocaust. <https://jewishinfonews.wordpress.com/2009/09/01/turkey-and-the-holocaust-how-turkey-saved-jewish-lives/>

Given such background, it should be self-evident that Turks are not the kind of people that would perpetrate genocidal crime against minorities. The “Armenian genocide” accusation is fraught with fallacies, is not supported by historical facts, and is contravened by international law. Without belaboring details, the following additional points should be borne in mind:

**Act of Defense**

1. The period 1915-1918 during which “Armenian genocide” allegedly took place in Ottoman Anatolia was a period of war when the Ottoman army was fighting on all fronts – east, west and south. Goaded and misled by Western imperial powers, in particular the tsarist Russia to the north, Armenians took arms against their government, formed armed militias, and joined the invading enemy forces. It was indisputably an of treason. There was uprising in 23 locations in Anatolia. In 1915 the government decided to relocate the Armenian population in the eastern part of the Anatolia to Greater Syria, away from the war zone. Armenians living in the western part of Anatolia were exempted from Relocation, as were the elderly, the sick, orphaned children, government employees, and Catholic and Protestant Armenians.
2. The Relocation was for **defensive purposes** prompted by the insurrection by Armenian revolutionaries and their collaborators. There was no intent on the part of the Ottoman government to kill or harm the Armenians. On the contrary, instructions from the government clearly specified that the refugees must be protected during and after Relocation. This is borne out by the fact that in 1915-16 the Ottoman government held a series of courts-martial and convicted 1673 persons for disobeying government orders regarding the safety of the refugees. The penalties handed included 67 death sentences. **No government who had the intent to kill a refugee group would severely punish criminals that harmed this group.**
3. The lack of intent to harm Armenian refugees is corroborated by none other than **Hovhannes Katchaznouni** (1868-1938), the first Prime Minister of Independent Armenia. At the Dashnak (Armenian Revolutionary Federation, ARF) convention in Bucharest in April 1923, Katchaznouni issued a **Manifesto** in which he stated that, by revolting against their government, Armenians had lost sense of reality, that the Ottoman government decided to relocate the Armenian population for defensive purposes, and that that was the right decision. He blamed the Dashnak Party for the unfortunate events that followed.
4. Likewise, in a “Note Verbal,” Sir Eric Drummond, Secretary-General of the League of Nations, on March 1, 1920, stated that *“in Turkey… massacres [were] carried out by irregular bands [of Muslims] who were entirely* ***outside the control of the central Turkish Government.”***
5. By virtue of Article II of the 1948 UN Convention on Genocide, the lack of intent on the part of the Ottoman government to harm Armenian refugees in itself is **sufficient to refute genocide allegations.** The Convention stipulates that, for a crime to be identified as genocide, there must be special intent *(dolus specialis)* – a requirement echoed by the International Court of Justice in its 2015 Croatian vs. Serbia judgment.
6. Further, the fact that only a certain portion of Armenians in Anatolia was subjected to Relocation **belies the claim that Armenians were targeted because of their religion or ethnicity** – a requirement enshrined in the Genocide Convention (Article II).
7. The right of a government to take measures against an armed rebellion is a universally recognized right. That is especially so in time of war, e.g. the relocation of Japanese Americans during World War II – who, incidentally, had not rebelled against their government, and the U.S. was not under enemy occupation.

**Human Tragedy**

1. World War I was an event where Muslims and other ethnic groups suffered jointly – a **shared tragedy.** It was time of misery for all ethnic and religious groups. The war conditions brought misery and took their toll during Relocation.
2. **The claim that 1.5 million Armenians died during Relocation is a grotesque- to put it more bluntly - ridiculous exaggeration.** This claim is already contravened by the fact that, according to the Ottoman state census, the Armenian population in the Ottoman Empire before World War I was approximately 1.3 million. Based on research by Turkish Historical Society, the number of Armenians subjected to Relocation was 438,750, of which 382,150 (87%) safely arrived at the destination. Those that died during the Relocation itself **numbered 56,600,** 10,000 of which was killings due to lawlessness. The Armenian losses resulted mainly from fighting on war fronts (some 200,000 according to the League of Nations) and war-related deprivation such as disease, chaos, and famine. When the Russians were briefly defeated by Turks and forced to retreat, 300,000 Armenians fled to Russia and an unknown number to Iran, with major losses on route. In the First Republic of Armenia, 1918-1920, 195,000 Armenians died due to deprivation.
3. **Resolutions or narratives that mourn Armenian losses during World War I never mention Armenian atrocities.** Between 1910 and 1922 armed Armenian militias killed in cold blood **524,000 civilian Muslims** in Anatolia. In the Ottoman city of Van alone, located in present-day southeastern Turkey, 60% of the Muslim population (mostly Kurds) were massacred by Armenian revolutionaries ahead of the advancing Russian army in April and May of 1915 – an event that triggered the Relocation orders. The calamity brought upon Muslims, in particular Turkish, civilians, by Armenian militias is a story untold in Europe and America. Those that committed such atrocities were not brought to justice.
4. The viciousness of Armenian atrocities was also reported by General James Harbord, Chief of American Military Mission (1919) sent by President Woodrow Wilson on a fact-finding mission to the war-ridden zone. The general reported that the Turks and Kurds were massacred by Armenian irregulars, commenting that *“most of the victims in the sectarian bloodbath were Muslim.”*
5. Likewise, Captain E. Niles and A. Sutherland of Near East Relief, sent by the U.S. Government to investigate relief aid to Armenians, reported in 1919 that, *“Villages said to have been Armenian were still standing whereas Mussulman villages were completely destroyed,"* and that, “*Armenians are accused of having committed murder, rape, arson and horrible atrocities of every description upon the Muslim population.”*
6. The son of a preacher, and a devout Christian, President Wilson himself was a bigot who called Turks “Mohammedan Apaches” and wanted to establish a Christian “Armenian Mandate” in eastern Anatolia where Armenians constituted less than 20% of the population. Based on General Harbord’s report, the U.S. Senate on June 1, 1920 rejected President Wilson’s request for an Armenian Mandate.
7. The U.S. Congress Report 266, American Mission to Armenia, April 13, 1920 (approved unanimously), stated:*“We know, however, so much to be a fact that the Armenians in the new State* [First Republic of Armenia] *are carrying on operations in view of exterminating the Mussulman element in obedience to orders from the Armenian corps commander. We have had copies of their orders under our eyes. That the Armenians of Erivan are following a policy of extermination against the Mussulman and this wave of sanguinary savagery has spread right up to our frontier is also established by the fact of the presence within our borders of numerous Mussulman fleeing from death on the other side.”*
8. In fact, according to Russian historian A.A. Lalian, in the First Republic of Armenia (1918-1920), 195,000 Armenians, 200,000 Turks and 24,500 Kurds perished due to deprivation and massacres under a brutal regime.

**Scholarly Opinion**

1. While the Armenian side argues that “Armenian genocide” is established based on scholarly work, it conveniently ignores the opposing scholarly opinion. In 1985, **69 U.S. historians and researchers** passed a unanimous resolution, addressed to members of the U.S. House of Representatives and published in New York Times and The Washington Post, refuting Armenian allegations. These were academicians specializing in Turkish, Ottoman and Middle Eastern studies. Among them was the eminent British historian Prof. Dr. Bernard Lewis. The declaration stated that the 1915 events were an **inter-communal strife**, not an act of violence planned by the Ottoman government. Prof. Lewis, now age 103, has also noted on separate occasion that there is absolutely **no similarity** **between the Jewish Holocaust and what is claimed to be “Armenian genocide.”**
2. In 2011, 124 Turkish academicians signed a statement supporting the 1985 declaration.
3. In 2009 French writer Yves Bénard, who extensively visited eastern Turkey and researched the subject, has also concluded that the 1915 events were an inter-communal strife. **Bénard has also observed that more Turks were massacred by Armenians than vice versa.**

**UN Convention and International Law**

1. The Genocide Convention stipulates, in Article VI, that the term “genocide” is a legal construct, and that any determination as to this crime can only be made by a **competent tribunal.** In other words, a court verdict is required. Yet, there exists no court verdict on “Armenian genocide.” **Without such a court verdict, the allegation of “Armenian genocide” is baseless.**
2. In addition to dealing with the freedom of expression, the European Court of Human Rights (ECHR) has also ruled, in its 2013 lower chamber decision, later confirmed by the Grand Chamber in 2015 on appeal (re: Switzerland vs. Perinçek case), that “Armenian genocide,” apart from the fact that it is a controversial issue among scholars, absent a court verdict, remains **unproven.** The high court made a distinction between the 1915 events and the court-proven Holocaust.
3. In 2016 France’s Constitutional Council, while also making a distinction between the 1915 events and the Holocaust, underlined that **governments and parliaments have no authority** to judge genocide.
4. The Genocide Convention entered into force in 1951. Under the *nulla poena sine lege* principle of the Rome Statute of the International Criminal Court, retroactive application of criminal law is inadmissible.

**Malta Tribunal**

1. Although there exists no court verdict on “Armenian genocide,” there was a court attempt after World War I. In 1919 the British, an occupying force in Istanbul, relying on Armenian informants, arrested 144 high-ranking Ottoman officials and took them to the island of Malta for trial on charges of killing Armenians (“Malta Tribunal”). Although the British had full access to all relevant documents, including the archives in Istanbul and the U.S. State Department in Washington D.C., **they could not find any incriminating evidence against the detainees.** Reported the British Embassy in Washington on July 13, 1921 to Foreign Office in London: *“I regret to inform your Lordship that there was nothing therein [in U.S. State Department files] which could be used as evidence against the Turks who are being detained for trial in Malta.”* After two years and four months of investigation the British dropped all charges against the accused in Malta. **The detainees were set free and returned to Turkish soil.** In effect, the Malta trial had vindicated Turks. The Armenian narrative on World War I is remarkably silent on the Malta Tribunal.
2. Well aware of this historical embarrassment, the British government to date has refused to recognize “Armenian genocide” – a position enunciated by Baroness Ramsey in the House of Lords in 1999, and again by Lord Malloch Brown in 2008.

**Additional Points**

1. **“Ambassador Morgenthau’s Story,”** a source on which the “Armenian genocide” assertions rely to a large extent, is a book full of distortions and falsifications. Henry Morgenthau was the U.S. ambassador to the Ottoman Empire from November 1913 to February 1916. He used racist slurs against Turks, calling them “primitive,” possessing “poisonous blood.” In contrast, he profusely praised “Christian” Armenians. The book was written not by Morgenthau himself, but a Pulitzer Prize winner journalist Burton J. Hendricks. It is a racist, overtly anti-Turkish, anti-German product that contains major contradictions with the ambassador’s own Diary that paints Turks in a more balanced light. The enormity of the injustice perpetrated by the “Morgenthau's Story” was such that the Associated Press war correspondent George A. Schreiner, a contemporary of Morgenthau, upon reading the book felt obliged to write a highly critical letter to the ambassador in December 1918 in which he stated “*… Nor did you possess in Constantinople that omniscience and omnipotence you have arrogated unto your self in the book. In the interest of truth I will also affirm that you saw little of the cruelty you fasten upon the Turks. Besides that you have killed more Armenians than ever lived in the districts of the uprising. The fate of those people was sad enough without having to be exaggerated as you have done. I have probably seen more of the Armenian affair than all the Armenian attaches of the American embassy together…* *To be perfectly frank with you, I cannot applaud your efforts to make the Turks the worst being on earth, and the German worse, if that be possible.”* When the British weighed evidence against the Malta detainees, they disregarded the “Morgenthau’s Story” as being unreliable.
2. Equally disturbed about Morgenthau’s portrayal of Turks, was his successor Rear Admiral Marc L. Bristol, who served as U.S. High Commissioner to Turkey between 1919 and 1927. Unlike Morgenthau, Adm. Bristol travelled extensively in the region. In a letter dated March 28, 1921 addressed to James L. Barton D, Secretary of the American Board of Commissioners for Foreign Missions (ABCFM), Adm. Bristol wrote: *"[R]eports are being freely circulated in the United States that the Turks massacred thousands of Armenians in the Caucasus. Such reports are repeated so many times it makes my blood boil. The Near East Relief have the reports from Yarrow and our own American people which show absolutely that such Armenian reports are absolutely false.* ***The circulation of such false reports in the United States, without refutation, is an outrage*** *and is certainly doing the Armenians more harm than good. … Why not tell the truth about the Armenians in every way?"* Interestingly, those who use Ambassador Morgenthau to smear Turks never mention the findings of the ambassador’s successor, Admiral Bristol.
3. The British also disregarded as evidence for the Malta Tribunal the **“Andonian Files,”** another major source for Armenian assertions. These "files," first printed in early 1920, allegedly comprise telegraphic evidence in the possession of a then-unknown Armenian named Aram Andonian attesting to the central Ottoman Government’s instructions to massacre Armenian refugees. Andonian has purportedly received the telegraphic evidence in 1915 from a minor Ottoman official named Naim Bey in Aleppo, Syria, and added his own “notes.” The documents have been established by Prof. Dr. Türkkaya Ataöv to be outright fakeries. There was no Ottoman official named Naim Bey in Aleppo during the years in question, and the documents are full of factual mistakes, omissions and forged signatures, e.g., official codes, and the difference between the rumi (Julian) and the miladi (Gregorian) calendars. When pressed, Andonian subsequently could not produce the originals of the telegraphic “evidence,” and in 1937 admitted that his product was not a historical work, but a propaganda piece (as was Lord Bryce’s “Blue Book”).
4. **Dashnak Armenians corroborated with the Nazis during World War II.** Articles published in 1939 entitled *“Der Deutsch-Armenischen Gesellschaft”* in German magazine *“Mitteilungsblatt”* the relationship between the Hitler government and the Dashnaks (ARF) was laid out. In return for the collusion in exterminating the Jews, Hitler would help the Armenians establish their own independent state in eastern Turkey. The 22,000-men-strong Armenian 812th Battalion (“Armenian Legion”) was created by the Wehrmacht in 1941 and was commanded by General Dro Drastamat Kanayan, a war criminal on his own from the time he was a guerrilla leader in eastern Anatolia and later the army chief in the short-lived First Republic of Armenia in 1918-1920. What attracted Armenians to the Nazis was that the former were considered an “Aryan” race. Armenian recruits also joined the Panzer Corps and Gestapo in France and Germany.
5. The infamous **“Hitler quote”** (“Who, after all, speaks today of the annihilation of the Armenians”) attributed to Adolf Hitler, as claimed by the Armenian side, is a forgery and was rejected into evidence during the Nuremberg trials post World War II. Transcripts of the speech made by Hitler on August 22, 1939, 10 days before the invasion of Poland and accepted into evidence at Nuremberg, do not contain such a quote.
6. Between 1973 and 1987, the Armenian ASALA and JCAG terrorist groups committed **239 acts of terrorism** that resulted in the massacre of at least 70 and the wounding of 524 innocent people. **30 of the attacks occurred on American soil.** Of the dead, 31 were Turkish diplomats, as were the 20 that were wounded. The terrorists also took 105 hostages. To a lesser degree, Armenian terrorism continued into the 1990s. Distinguished professors such as Stanford Shaw of UCLA, Heath Lowry of Princeton University, and Justin McCarthy of Louisville University have received death threats, been physically attacked, or have had their homes bombed. The perpetrators of these crimes, if caught, have usually received light sentences; some received legal help, even plaudits, from Armenia and the Armenian Diaspora. **When considering “right or wrong” or human rights vis-à-vis the Armenian issue, can such despicable acts of terrorism be overlooked or brushed aside?**

**Conclusion**

**Given the account above, there is no justification for adoption of H.Res.220, firstly because it does not reflect historical facts, and secondly because the resolution will not prevent or alleviate the violence in the Middle East today. In fact, if passed, it will increase the political tension in the region.**

The resolution is also in breach of a U.N. Convention to which the U.S. is a signatory, and disregards recent rulings of the highest judicial bodies in Europe. These rulings underline the fact that “Armenian genocide” is unproven, and that **governments and parliaments do not have the authority to judge the crime of genocide, i.e., this is the bailiwick of competent courts.**

In its substance, H.Res.220 is morally and unjustly offensive for Turks. “Armenian genocide” is a false, racist assertion that is promoted by a well-funded, well-organized Armenian lobby exploiting religious (“Armenians first Christian nation”) and deeply-rooted ethnic prejudice in America. It is divisive, and overlooks the atrocities committed against civilian Muslims by Armenian terrorists during World War I, and even afterwards.

**Dear ladies and gentlemen: To live in peace in our society, we must put aside religious and ethnic animosities that date back a century. Further, as the lawmakers of the United States, you are also the custodians of law, and in that respect, you are well aware that the right to due process, and trial in a court of law, is protected under our Constitution. We must also be respectful of international conventions and international law. To date, the Armenian side has refrained from litigating its genocide allegations in a court of law, relying on an aggressive propaganda campaign instead. H.Res.220 is an outgrowth of such propaganda.**

I am aware that the current U.S.-Turkey relations are going through difficult times, and that you may be carried away by your emotions by adopting H.Res.220. Please keep in mind, however, that politics is transitory, whereas history is perpetual. Separate from history and international law, H.Res.220, if passed, will have important foreign policy implications. Turkey fought alongside the U.S. in Korea, and remains a partner in NATO, in a volatile region where the U.S. has significant security interests. There is little doubt that the H.Res.220 will further strain the already-tense U.S.-Turkey relations.

**H.Res.220 should be rejected by the House Committee on Foreign Affairs and should not be brought to the House floor for a vote.**

Respectfully yours,

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