



FEDERATION DES ASSOCIATIONS TURQUES DE SUISSE ROMANDE

WHY IS IT NECESSARY TO ACCEPT THE EUROPEAN COURT OF HUMAN RIGHTS' RULING AND RESPECT FREEDOM OF EXPRESSION IN THE DISPUTE BETWEEN ARMENIA AND TURKEY?

In its December 17th, 2013, ruling, the European Court of Human Rights (ECHR) in Strasbourg confirmed that it was not an offense to contest the term "genocide" to describe the confrontations that occurred in 1915 in the Ottoman Empire between the Armenians and the Turks.

The ECHR therefore accepted Dr. Dogu Perinçek's appeal, who following a complaint by Armenian nationalist organisations, had initially been found guilty in 2007 by the district court of Lausanne, and then by the Federal Court, of having labelled the use of the term "genocide" to describe the events which occurred nearly a century ago during the First World War, as an "international lie".

As far as we're concerned, the December 17th, 2013, verdict affected us in two ways: On the one hand, as Swiss citizens, we were wounded by the fact that our country was condemned by an international court dedicated to the respect to human rights, while on the other hand, as citizens of Turkish origin, we welcomed the European Court of Justice's decision to reserve the use of the term "genocide" to actions clearly recognized worldwide as such, by the ruling of a proper international court.

The most satisfying aspect of the December 17th ruling is the fact that it paves the way for an open discussion and in-depth investigation into these highly controversial events, as the Court itself acknowledged.

The Strasbourg judges also emphasised that Dr. Dogu Perinçek's 2007 statements acknowledged the suffering endured by the Armenians, and in no way conveyed a hateful or racist message, demean human dignity, or constitute a threat to public order.

For some weeks now, supporters of the Armenian cause, mainly from abroad, have intensified their lobbying of the Federal Council, particularly with Mrs Simonetta Sommaruga and Mr Didier Burkhalter, trying to persuade the Swiss government to appeal the ECHR's ruling before the March 18th appeal deadline. Through their arguments, they wish to lead the ECHR's ruling, which they deem "villainous", astray, because it goes against the goals of the Armenian lobby. However, it should once again be noted that the judgment relates to Dr. Perinçek's freedom of speech.

Moreover, the ECHR's ruling shows that the word "genocide" should not be abused. It is a legal term, which is clearly defined in the UN Convention of 1948 on the Prevention and Punishment of Genocide. As for and in respect to the events of 1915, the ECHR has ruled that there is no existing consensus—not even in the academic realm—on whether the term "genocide" is applicable. While most historians who specialize in the history of the Ottoman Empire are opposed to the use of the term "genocide", other researchers are still fiercely debating this issue, thus meaning that it is not certain that a final and objective conclusion will be reached anytime in the near future.

For this reason, we advocate with all our heart that a historical commission consisting of experts in this era be established, as stipulated in the Zurich protocols signed in 2009 between Turkey and Armenia under the auspices of the Swiss government, thanks to Mrs Micheline Calmy-Rey's remarkable efforts. The opening of all archives and the work of these experts need to shed light on everything. The Turks are not afraid of the truth, as long as it is the whole truth.



The militants of the Armenian diaspora are, however, vehemently opposed to any project related to historical research, but rather seek to establish “historical truth” through politics, by using strong politician-oriented lobbying, especially during election periods. Some twenty such manipulated parliaments later passed resolutions or legislations recognizing the “Armenian genocide”. We, however, happen to agree with the distinguished historians and legal experts, who believe that it is not up to politicians to write history. They simply don’t possess the required skills.

Furthermore, publishing a list of names through advertisements to support a theory doesn’t help or impress anyone. Either side can play this game, but it only leads to a counterproductive attempt to top the other. We are specifically referring to an ad that was recently released in Switzerland, by an organisation that pompously calls itself “The International Institute for Genocide and Human Rights Studies” and that is actually an offshoot of the Zoryan Institute, a Canada based Armenian organisation.

What is needed is a scientific debate and open discussion by an international panel of Ottoman Empire and First World War specialists that would include Armenians, Turks, British, French, Americans, Russians...

It is equally senseless to exploit declarations made by an organisation that claims to promote human rights in Turkey, when it is in fact committed to its chairman, who is well known for his connection to the PKK terrorist organisation and outrageously dirties Turkey, in order to push Switzerland to appeal this ruling. Excessive or extremist views should not be taken into account here.

Sadly, during this time of intense pressure on Mrs Sommaruga and the Federal Department of Justice and Police, the Ecumenical Council of Churches was also used to introduce “a Christian perspective” when calling out to the Swiss government to appeal the ECHR’s decision. Must we remind everyone that Switzerland is a country ruled by secular law, to which we are deeply attached? The ECHR’s ruling is strictly within the rule of law. The use of religious arguments is therefore simply scandalous. In our opinion, it would be dangerous and irresponsible to pit religious communities against one another.

The Strasbourg ruling also clearly shows that the strategy of drawing parallels between the events of 1915 and the Shoah makes no sense, not to mention that it could be hurtful to victims of the atrocities of Nazism. The Holocaust is an unquestionable genocide, recognized as such by a specific court. In no way is that the case for what the Armenians experienced in 1915. Furthermore, it should be stated that in the Armenian version of these events, there’s no mention of the extermination of the nearly 530,000 Turks, Kurds and Circassians, as well as the approximately 13’000-15’000 Ottoman and Caucasian Jews by the Armenian militia. Does this qualify as the Armenian genocide of the Turks?

The Turkish People is open and generous. It has shown this throughout history, for instance, by welcoming the Jews who had fled Spain and Portugal at the end of the 15th century or the Nazis in the 20th Century, and the Poles seeking shelter in the 19th century. Even today, it offers shelter to nearly a million men, women and children escaping the hell that has become Syria. Turkey is not rich, but it shares what it has. In the past, it has suffered great tragedies and endured these silently, without exploiting its suffering, such as the loss of 5.5 million of its citizens killed and deported in the wake of the disastrous and endless fall of the Ottoman Empire, and of World War I.



The massacres endured by the Turks were often hidden, concealed and distorted, as related, for example, by Maurice Gehri, the brave Swiss ICRC delegate who, in 1921, shed light on the true nature of the massive massacres and extermination campaigns carried out by the Armenian militia.

At the cost of countless suffering and sacrifice, a modern, secular republic focused on the future was finally born under the leadership of Mustafa Kemal Atatürk, and joined the ranks of other democratic nations. In 1923, its international recognition was proclaimed by the Treaty of Lausanne, of which Switzerland is the custodian.

The Turkish People understands and shares in the hardships of others, and sympathizes with what the Armenians suffered a hundred years ago. It rejects, however, the term genocide. It should be noted, that the debate about the "Armenian genocide" is perfectly allowed in Turkey without running the risk of going to jail, for it is an integral part of the freedom of expression granted to anyone. It is precisely this basic right that has been upheld by the December 17th, 2013, ECHR ruling, concerning Dr. Perinçek.

Anyone who has had the opportunity to travel to Turkey has undoubtedly experienced the hospitality, deeply rooted in the traditions of this country. The great ethnic diversity found in its population reflects the mosaic of peoples and the ethnicities that have always characterised it. Contrary to what some propaganda proponents would have you believe to promote their own agenda, Turkey does not exhibit anti-Armenian racism. Each year, thousands of Armenians fleeing the disastrous economic and political situation of the Erevan regime, come to look for work and live in Turkey. Some even apply for Turkish citizenship to live permanently in their new country.

We believe that it is time to put an end to the perpetuation of the hate-bearing memory. Along with a scientific and objective analysis of the past, we need to pass on to the next generation something positive, rather than resentment and a desire for revenge.

The precious characteristics of Switzerland--its harmonious coexistence and social peace--must not be jeopardized by bringing home the settling of accounts pertaining to events that occurred over a hundred years ago, and in which Switzerland was not even remotely involved. This should be the case despite the unforgettable and horrific attacks perpetrated against Turks by the Armenian terrorist group ASALA in Switzerland in the 1980s, which killed and wounded many.

It is our opinion that the ECHR's verdict provides the Federal Justice and Police Department with an unprecedented opportunity to permanently remove the sting of the Turkish-Armenian conflict of 1915, which has affected Switzerland's relations with Turkey for too long.

Our community, together with most of the Swiss people, is not only tired of the repeated judicial harassment due to this stigma, but also of the suffocation of our right to freedom of expression, not to mention the attempt to construct a controversial monument to the "Armenian genocide" in the Ariana Museum park, situated in the heart of Geneva under the windows of the UN, leading to tension and strife, and contributing to unnecessary anger and unhappiness.

For all these reasons, and to avoid any threat to Switzerland's relationship with a friendly country and major strategic partner, and in light of the heavy responsibility and consequences inherent to this matter, we strongly feel that an appeal of the ECHR's ruling by Mrs Sommaruga and the Federal Department of Justice and Police would be a fundamental mistake.



That being said, this decision to appeal has been duly noted, even though we can but regret it. Despite our profound disappointment and our sense of great injustice, we continue to trust in the democratic institutions and are convinced that the necessity to protect the fundamental freedoms, which are dear to the European Court of Human Rights, will be reaffirmed by the judges of the Grand Chamber.