



# United Nations SubCommission on Prevention of Discrimination and Protection of Minorities



## Excerpts from **The UN Report on Genocide 1985**

### **Paragraph 24 and the Armenian Genocide<sup>1</sup>**

THIRTY-EIGHTH SESSION

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**Statement by Mr. Laurin of the International  
Federation of Human Rights<sup>2</sup>**

Genocide is the worst crime under international law, and any attempt to hide it or deny its existence must be looked upon as a serious infringement of human rights, derogating from the rights of peoples to their history, their memory, their dignity and their right to moral restitution.

My organization, which has protested in both the Commission on Human Rights and the Sub-Commission at the deletion from the previous report of a paragraph<sup>3</sup> concerning the Genocide of which Armenians have been victims in the Ottoman Empire, welcomes the fact that Mr. Whitaker has covered the topic in his latest report.<sup>‡</sup>

Evidence of that massacre has been provided in numerous diplomatic documents of the various countries, including Germany, which had been Turkey's ally during the First World War.

The premeditated nature of the acts aimed at the systematic and organized extermination of all Armenians living in their own historical territory and in the rest of the Ottoman Empire has been amply documented.

In 1923 and 1926, my organization urged the League of Nations to ensure that Armenians who had survived the massacre were given sufficient territory to guarantee their national life.

**The acts committed against the Armenians meet the definition of genocide given in the Convention on the Prevention and Punishment of the Crime of Genocide.**

<sup>1</sup> This document was prepared by Heritage Publishing to commemorate the 50<sup>th</sup> anniversary of the signing of the Genocide Convention. While containing the text of official UN documents, it is not a publication of the UN. It reprises key UN documents and Paragraph 24 of the UN report prepared by Benjamin Whitaker in 1985. It also includes statements made by Paul Laurin of the International Federation of Human Rights during the proceedings. Paragraph 24 and its footnote of the *Revised and Updated Report on the Question of the Prevention and Punishment of the Crime of Genocide* prepared by Benjamin Whitaker noted the massacres of Armenians in 1915-1916 as genocide. The report was adopted by a 15-4 majority of the panel of experts in the Sub-Commission, thereby recognizing the massacres of Armenians in 1915-16 as genocide. [38 U.N. ESCOR Commission On Human Rights, Sub-Commission. on Prevention of Discrimination and Protection of Minorities, (Agenda Item 4), 8-9, U.N. Doc. E/CN.4/Sub.2/1985/6 (1985)].

<sup>2</sup> Mr. Laurin's speech was one of many excellent statements read into the record and is available from: FEDERATION INTERNATIONALE DES DROITS DES L'HOMME (FIDH). 27 Rue Jean-dolent, F-75014, Paris, France.

<sup>3</sup> The previous report, Paragraph 30, was prepared by Rwandan U.N. Rapporteur Nicodeme Ruhashyankiko in 1978.

The Armenians are still suffering from the tragedy that befell them at the beginning of the century, since they are still deprived the right to their history. The silence of the international community adds to their sufferings.

To recognize the right of a people to its history is also to recognize its right to existence, and that concept should form part of the overall concept of human rights and the rights of peoples.

The Genocide of the Armenians forms part of the universal conscience and the collective memory. Recognition of the existence of genocide is an essential prerequisite for its prevention. The United Nations came into being largely as a result of the genocide committed during the Second World War against the Jewish and gypsy populations in Europe.

One of the foremost tasks of the United Nations is to prevent the crime of genocide, with particular reference to the crimes committed prior to its establishment. Prevention is difficult unless past crimes of genocide are acknowledged by the international community.

The international community has a duty to oppose all efforts to manipulate history. Knowledge of the historical facts constituting the crime of genocide, which have dishonored and are still dishonoring the societies of the world, should be passed on to future generations so that the case of those who denied the existence of that crime will not be strengthened by forgetfulness.

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**PARAGRAPH 24 (and its Footnote) of the REPORT <sup>‡</sup> on the  
"PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE."**

**From the Report prepared by Mr. Benjamin Whitaker**

Toynbee stated that the distinguishing characteristics of the twentieth century in evolving the development of genocide "are that it is committed in cold blood by the deliberate fiat of holders of despotic political power, and that the perpetrators of genocide employ all the resources of present-day technology and organization to make their planned massacres systematic and complete"

The Nazi aberration has unfortunately not been the only case of genocide in the twentieth century. Among other examples which can be cited as qualifying are the German massacre of Hereros in 1904, **the Ottoman massacre of Armenians in 1915-1916**<sup>1</sup>, the Ukrainian pogrom of Jews in 1919, the Tutsi massacre of Hutus in Burundi in 1965 and 1972, the Paraguayan massacre of Ache Indians prior to 1974, the Khmer Rouge massacre of Kampuchea between 1975 and 1978, and the contemporary Iranian killings of Baha'is.

Apartheid is considered separately in paragraphs 43-46. A number of other cases may be suggested. It could seem pedantic to argue that some terrible mass killings are legalistically not genocide, but on the other hand it could be counter-productive to devalue genocide through over diluting its definition.

<sup>1</sup> At least 1 million, and possibly well over half of the Armenian population, are reliably estimated by independent authorities and eye-witnesses to have been killed or death marched. This is corroborated by reports in United States, German and British archives and of contemporary diplomats in the Ottoman Empire, including those of its ally Germany. The German Ambassador, Wangenheim, for example, on 7 July 1915 wrote "the government is indeed pursuing its goal of exterminating the Armenian race in the Ottoman Empire" (Wilhelmstrasse archives). Though

the successor Turkish Government helped to institute trials of a few of those responsible for the massacres at which they were found guilty, the present official Turkish contention is that genocide did not take place although there were many casualties and dispersals in the fighting, and that all the evidence to the contrary is forged. See, *inter alia*, Viscount Bryce and A. Toynbee, *The Treatment of Armenians in the Ottoman Empire 1915-16* (London, HMSO, 1916); G. Chaliand and Y. Ternon, *Génocide des Arméniens* (Brussels, Complexe, 1980); H. Morgenthau, *Ambassador Morgenthau's Story* (New York, Doubleday, 1918); J. Lepsius, *Deutschland und Armenien* (Potsdam, 1921; shortly to be published in French by Fayard, Paris); R.G. Hovannisian, *Armenian on the Road to Independence* (Berkeley, University of California, 1967); Permanent People's Tribunal, *A Crime of Silence* (London, Zed Press, 1985); K. Gurun, *Le Dossier Arménien* (Ankara, Turkish Historical Society, 1983); B.Simsir and others, *Armenians in the Ottoman Empire* (Istanbul, Bogazici University Press, 1984); T. Ataov, *A Brief Glance at the "Armenian Question"* (Ankara, University Press, 1984); V. Goekjian, *The Turks before the Court of History* (New Jersey, Rosekeer Press, 1984); Commission of the Churches on International Affairs, *Armenia, the Continuing Tragedy* (Geneva, World Council of Churches, 1984); Foreign Policy Institute, *The Armenian Issue* (Ankara, FPI., 1982).

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<sup>‡</sup> See Benjamin Whitaker, *Revised and updated report on the question of the prevention and punishment of the crime of genocide*, 38 U.N. ESCOR Comm. On Human Rights, Subcomm. on Prevention of Discrimination and Protection of Minorities, (Agenda Item 4), 8-9, U.N. Doc. E/CN.4/Sub.2/1985/6 (1985).

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