

109TH CONGRESS
1ST SESSION

S. RES. 320

Calling on 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.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2005

Mr. ENSIGN (for himself and Mr. DURBIN) submitted the following resolution;
which was referred to the Committee on Foreign Relations

RESOLUTION

Calling on 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.

Whereas the Armenian Genocide was conceived and carried out by the Ottoman Empire from 1915 to 1923, resulting in the deportation of nearly 2,000,000 Armenians, of whom 1,500,000 men, women, and children were killed, 500,000 survivors were expelled from their homes, and which succeeded in the elimination of more than 2,500-year presence of Armenians in their historic homeland;

Whereas, on May 24, 1915, the Allied Powers issued the joint statement of England, France, and Russia that explicitly

charged, for the first time ever, another government of committing “a crime against humanity”;

Whereas that joint statement stated “the Allied Governments announce publicly to the Sublime Porte that they will hold personally responsible for these crimes all members of the Ottoman Government, as well as those of their agents who are implicated in such massacres”;

Whereas the post-World War I Turkish Government indicted the top leaders involved in the “organization and execution” of the Armenian Genocide and in the “massacre and destruction of the Armenians”;

Whereas in a series of courts-martial, officials of the Young Turk Regime were tried and convicted on charges of organizing and executing massacres against the Armenian people;

Whereas the officials who were the chief organizers of the Armenian Genocide, Minister of War Enver, Minister of the Interior Talaat, and Minister of the Navy Jemal, were tried by military tribunals, found guilty, and condemned to death for their crimes, however, the punishments imposed by the tribunals were not enforced;

Whereas the Armenian Genocide and the failure to carry out the death sentence against Enver, Talaat, and Jemal are documented with overwhelming evidence in the national archives of Austria, France, Germany, Russia, the United Kingdom, the United States, the Vatican, and many other countries, and this vast body of evidence attests to the same facts, the same events, and the same consequences;

Whereas the National Archives and Records Administration of the United States holds extensive and thorough docu-

mentation on the Armenian Genocide, especially in its holdings for the Department of State under Record Group 59, files 867.00 and 867.40, which are open and widely available to the public and interested institutions;

Whereas the Honorable Henry Morgenthau, United States Ambassador to the Ottoman Empire from 1913 to 1916, organized and led protests by officials of many countries, among them the allies of the Ottoman Empire, against the Armenian Genocide;

Whereas Ambassador Morgenthau explicitly described to the Department of State the policy of the Government of the Ottoman Empire as “a campaign of race extermination”, and was instructed on July 16, 1915, by Secretary of State Robert Lansing that the “Department approves your procedure . . . to stop Armenian persecution”;

Whereas Senate Concurrent Resolution 12, 64th Congress, agreed to July 18, 1916, resolved that “the President of the United States be respectfully asked to designate a day on which the citizens of this country may give expression to their sympathy by contributing funds now being raised for the relief of the Armenians”, who, at that time, were enduring “starvation, disease, and untold suffering”;

Whereas President Woodrow Wilson agreed with such Concurrent Resolution and encouraged the formation of the organization known as Near East Relief, which was incorporated by the Act of August 6, 1919, 66th Congress (41 Stat. 273, chapter 32);

Whereas, from 1915 through 1930, Near East Relief contributed approximately \$116,000,000 to aid survivors of the

Armenian Genocide, including aid to approximately 132,000 Armenian orphans;

Whereas Senate Resolution 359, 66th Congress, agreed to May 11, 1920, stated in part, “the testimony adduced at the hearings conducted by the subcommittee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered”;

Whereas such Senate Resolution followed the report to the Senate of the American Military Mission to Armenia, which was led by General James Harbord, dated April 13, 1920, that stated “[m]utilation, violation, torture, and death have left their haunting memories in a hundred beautiful Armenian valleys, and the traveler in that region is seldom free from the evidence of this most colossal crime of all the ages”;

Whereas, as displayed in the United States Holocaust Memorial Museum, Adolf Hitler, on ordering his military commanders to attack Poland without provocation in 1939, dismissed objections by saying “[w]ho, after all, speaks today of the annihilation of the Armenians?” and thus set the stage for the Holocaust;

Whereas Raphael Lemkin, who coined the term “genocide” in 1944, and who was the earliest proponent of the Convention on the Prevention and Punishment of Genocide, invoked the Armenian case as a definitive example of genocide in the 20th century;

Whereas the first resolution on genocide adopted by the United Nations, United Nations General Assembly Resolution 96(1), dated December 11, 1946, (which was

adopted at the urging of Raphael Lemkin), and the Convention on the Prevention and Punishment of Genocide, done at Paris December 9, 1948, recognized the Armenian Genocide as the type of crime the United Nations intended to prevent and punish by codifying existing standards;

Whereas, in 1948, the United Nations War Crimes Commission invoked the Armenian Genocide as “precisely . . . one of the types of acts which the modern term ‘crimes against humanity’ is intended to cover” and as a precedent for the Nuremberg tribunals;

Whereas such Commission stated that “[t]he provisions of Article 230 of the Peace Treaty of Sevres were obviously intended to cover, in conformity with the Allied note of 1915 . . . offenses which had been committed on Turkish territory against persons of Turkish citizenship, though of Armenian or Greek race. This article constitutes therefore a precedent for Article 6c and 5c of the Nuremberg and Tokyo Charters, and offers an example of one of the categories of ‘crimes against humanity’ as understood by these enactments”;

Whereas House Joint Resolution 148, 94th Congress, adopted by the House of Representatives on April 8, 1975, resolved that “April 24, 1975, is hereby designated as ‘National Day of Remembrance of Man’s Inhumanity to Man’, and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day as a day of remembrance for all the victims of genocide, especially those of Armenian ancestry”;

Whereas Proclamation 4838 of April 22, 1981 (95 Stat. 1813) issued by President Ronald Reagan, stated, in

part, that “[l]ike the genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other persecutions of too many other people—the lessons of the Holocaust must never be forgotten”;

Whereas House Joint Resolution 247, 98th Congress, adopted by the House of Representatives on September 10, 1984, resolved that “April 24, 1985, is hereby designated as ‘National Day of Remembrance of Man’s Inhumanity to Man’, and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day as a day of remembrance for all the victims of genocide, especially the one and one-half million people of Armenian ancestry”;

Whereas, in August 1985, after extensive study and deliberation, the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities voted 14 to 1 to accept a report entitled “Study of the Question of the Prevention and Punishment of the Crime of Genocide”, which stated “[t]he Nazi aberration has unfortunately not been the only case of genocide in the 20th century. Among other examples which can be cited as qualifying are . . . the Ottoman massacre of Armenians in 1915–1916”;

Whereas such report also explained that “[a]t least 1,000,000, and possibly well over half of the Armenian population, are reliably estimated to have been killed or death marched by independent authorities and eye-witnesses and this is corroborated by reports in United States, German, and British archives and of contem-

porary diplomats in the Ottoman Empire, including those of its ally Germany”;

Whereas the United States Holocaust Memorial Council, an independent Federal agency that serves as the board of trustees of the United States Holocaust Memorial Museum pursuant to section 2302 of title 36, United States Code, unanimously resolved on April 30, 1981, that the Museum would exhibit information regarding the Armenian Genocide and the Museum has since done so;

Whereas, reviewing an aberrant 1982 expression by the Department of State (which was later retracted) that asserted that the facts of the Armenian Genocide may be ambiguous, the United States Court of Appeals for the District of Columbia in 1993, after a review of documents pertaining to the policy record of the United States, noted that the assertion on ambiguity in the United States record about the Armenian Genocide “contradicted longstanding United States policy and was eventually retracted”;

Whereas, on June 5, 1996, the House of Representatives adopted an amendment to H.R. 3540, 104th Congress (the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997), to reduce aid to Turkey by \$3,000,000 (an estimate of its payment of lobbying fees in the United States) until the Turkish Government acknowledged the Armenian Genocide and took steps to honor the memory of its victims;

Whereas President William Jefferson Clinton, on April 24, 1998, stated, “[t]his year, as in the past, we join with Armenian-Americans throughout the nation in commemorating one of the saddest chapters in the history of this century, the deportations and massacres of a million and

a half Armenians in the Ottoman Empire in the years 1915–1923”;

Whereas President George W. Bush, on April 24, 2004, stated, “[o]n this day, we pause in remembrance of one of the most horrible tragedies of the 20th century, the annihilation of as many as 1,500,000 Armenians through forced exile and murder at the end of the Ottoman Empire”; and

Whereas, despite the international recognition and affirmation of the Armenian Genocide, the failure of the domestic and international authorities to punish those responsible for the Armenian Genocide is a reason why similar genocides have recurred and may recur in the future, and that a just resolution will help prevent future genocides: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) calls on the President to ensure that the
3 foreign policy of the United States reflects appropriate
4 understanding and sensitivity concerning
5 issues related to human rights, ethnic cleansing, and
6 genocide documented in the United States record relating
7 to the Armenian Genocide and the consequences of the failure
8 to realize a just resolution;
9 and

10 (2) calls on the President, in the President’s
11 annual message commemorating the Armenian
12 Genocide issued on or about April 24 to accurately
13 characterize the systematic and deliberate annihila-

1 tion of 1,500,000 Armenians as genocide and to re-
2 call the proud history of United States intervention
3 in opposition to the Armenian Genocide.

