

# S. RES. 316

IN THE SENATE OF THE UNITED STATES

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

# 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.

1      *Resolved,*

2 SHORT TITLE

3 SEC. 1. This resolution may be cited as the “Affirma-  
4 tion of the United States Record on the Armenian Geno-  
5 cide Resolution”.

## FINDINGS

1

2 SEC. 2. The Senate finds the following:

3 (1) The Armenian Genocide was conceived and car-  
4 ried out by the Ottoman Empire from 1915 to 1923, re-  
5 sulting in the deportation of nearly 2,000,000 Armenians,  
6 of whom 1,500,000 men, women, and children were killed,  
7 500,000 survivors were expelled from their homes, and the  
8 elimination of the over 2,500-year presence of Armenians  
9 in their historic homeland.

10 (2) On May 24, 1915, the Allied Powers of England,  
11 France, and Russia, jointly issued a statement explicitly  
12 charging for the first time ever another government of  
13 committing “a crime against humanity”.

14 (3) This joint statement stated that “the Allied Gov-  
15 ernments announce publicly to the Sublime Porte that  
16 they will hold personally responsible for these crimes all  
17 members of the Ottoman Government, as well as those of  
18 their agents who are implicated in such massacres”.

19 (4) The post-World War I Turkish Government in-  
20 dicted the top leaders involved in the “organization and  
21 execution” of the Armenian Genocide and in the “mas-  
22 sacre and destruction of the Armenians”.

23 (5) In a series of courts-martial, officials of the  
24 Young Turk Regime were tried and convicted, as charged,

1 for organizing and executing massacres against the Arme-  
2 nian people.

3 (6) The chief organizers of the Armenian Genocide,  
4 Minister of War Enver, Minister of the Interior Talaat,  
5 and Minister of the Navy Jemal were all condemned to  
6 death for their crimes, but, the verdicts of the courts were  
7 not enforced.

8 (7) The Armenian Genocide and these domestic judi-  
9 cial failures are documented with overwhelming evidence  
10 in the national archives of Austria, France, Germany,  
11 Great Britain, Russia, the United States, the Vatican and  
12 many other countries, and this vast body of evidence at-  
13 tests to the same facts, the same events, and the same  
14 consequences.

15 (8) The United States National Archives and Record  
16 Administration holds extensive and thorough documenta-  
17 tion on the Armenian Genocide, especially in its holdings  
18 under Record Group 59 of the United States Department  
19 of State, files 867.00 and 867.40, which are open and  
20 widely available to the public and interested institutions.

21 (9) The Honorable Henry Morgenthau, United States  
22 Ambassador to the Ottoman Empire from 1913 to 1916,  
23 organized and led protests by officials of many countries,  
24 among them the allies of the Ottoman Empire, against  
25 the Armenian Genocide.

1       (10) Ambassador Morgenthau explicitly described to  
2 the Department of State the policy of the Government of  
3 the Ottoman Empire as “a campaign of race extermi-  
4 nation,” and was instructed on July 16, 1915, by Sec-  
5 retary of State Robert Lansing that the “Department ap-  
6 proves your procedure . . . to stop Armenian persecu-  
7 tion”.

8       (11) Senate Concurrent Resolution 12, 64th Con-  
9 gress, agreed to February 9, 1916, resolved that “the  
10 President of the United States be respectfully asked to  
11 designate a day on which the citizens of this country may  
12 give expression to their sympathy by contributing funds  
13 now being raised for the relief of the Armenians,” who  
14 at the time were enduring “starvation, disease, and untold  
15 suffering”.

16       (12) President Woodrow Wilson concurred and also  
17 encouraged the formation of the organization known as  
18 Near East Relief, chartered by the Act of August 6, 1919,  
19 66th Congress (41 Stat. 273, chapter 32), which contrib-  
20 uted some \$116,000,000 from 1915 to 1930 to aid Arme-  
21 nian Genocide survivors, including 132,000 orphans who  
22 became foster children of the American people.

23       (13) Senate Resolution 359, 66th Congress, agreed  
24 to May 11, 1920, stated in part that “the testimony ad-  
25 duced at the hearings conducted by the sub-committee of

1 the Senate Committee on Foreign Relations have clearly  
 2 established the truth of the reported massacres and other  
 3 atrocities from which the Armenian people have suffered”.

4 (14) The resolution followed the April 13, 1920, re-  
 5 port to the Senate of the American Military Mission to  
 6 Armenia led by General James Harbord, that stated  
 7 “[m]utilation, violation, torture, and death have left their  
 8 haunting memories in a hundred beautiful Armenian val-  
 9 leys, and the traveler in that region is seldom free from  
 10 the evidence of this most colossal crime of all the ages”.

11 (15) As displayed in the United States Holocaust Me-  
 12 morial Museum, Adolf Hitler, on ordering his military  
 13 commanders to attack Poland without provocation in  
 14 1939, dismissed objections by saying “[w]ho, after all,  
 15 speaks today of the annihilation of the Armenians?” and  
 16 thus set the stage for the Holocaust.

17 (16) Raphael Lemkin, who coined the term “geno-  
 18 cide” in 1944, and who was the earliest proponent of the  
 19 United Nations Convention on the Prevention and Punish-  
 20 ment of Genocide, invoked the Armenian case as a defini-  
 21 tive example of genocide in the 20th century.

22 (17) The first resolution on genocide adopted by the  
 23 United Nations at Mr. Lemkin’s urging, the December 11,  
 24 1946, United Nations General Assembly Resolution 96(1),  
 25 and the United Nations Convention on the Prevention and

1 Punishment of Genocide recognized the Armenian Geno-  
 2 cide as the type of crime the United Nations intended to  
 3 prevent and punish by codifying existing standards.

4 (18) In 1948, the United Nations War Crimes Com-  
 5 mission invoked the Armenian Genocide, “precisely . . .  
 6 one of the types of acts which the modern term ‘crimes  
 7 against humanity’ is intended to cover,” as a precedent  
 8 for the Nuremberg tribunals.

9 (19) The Commission stated that “[t]he provisions  
 10 of Article 230 of the Peace Treaty of Sevres were obvi-  
 11 ously intended to cover, in conformity with the Allied note  
 12 of 1915 . . . , offenses which had been committed on  
 13 Turkish territory against persons of Turkish citizenship,  
 14 though of Armenian or Greek race. This article constitutes  
 15 therefore a precedent for Article 6c and 5c of the Nurem-  
 16 berg and Tokyo Charters, and offers an example of one  
 17 of the categories of ‘crimes against humanity’ as under-  
 18 stood by these enactments”.

19 (20) House Joint Resolution 148, 94th Congress,  
 20 adopted on April 8, 1975, resolved, “That April 24, 1975,  
 21 is hereby designated as ‘National Day of Remembrance  
 22 of Man’s Inhumanity to Man’, and the President of the  
 23 United States is authorized and requested to issue a proc-  
 24 lamation calling upon the people of the United States to  
 25 observe such day as a day of remembrance for all the vic-

1 tims of genocide, especially those of Armenian ancestry  
 2 . . .”.

3 (21) President Ronald Reagan, in proclamation num-  
 4 ber 4838, dated April 22, 1981 (95 Stat. 1813), stated  
 5 that, in part “[l]ike the genocide of the Armenians before  
 6 it, and the genocide of the Cambodians, which followed  
 7 it—and like too many other persecutions of too many  
 8 other people—the lessons of the Holocaust must never be  
 9 forgotten”.

10 (22) House Joint Resolution 247, 98th Congress,  
 11 adopted on September 10, 1984, resolved, “That April 24,  
 12 1985, is hereby designated as ‘National Day of Remem-  
 13 brance of Man’s Inhumanity to Man’, and the President  
 14 of the United States is authorized and requested to issue  
 15 a proclamation calling upon the people of the United  
 16 States to observe such day as a day of remembrance for  
 17 all the victims of genocide, especially the one and one-half  
 18 million people of Armenian ancestry . . .”.

19 (23) In August 1985, after extensive study and delib-  
 20 eration, the United Nations Sub-Commission on Preven-  
 21 tion of Discrimination and Protection of Minorities voted  
 22 14 to 1 to accept a report entitled “Study of the Question  
 23 of the Prevention and Punishment of the Crime of Geno-  
 24 cide,” which stated that “[t]he Nazi aberration has unfor-  
 25 tunately not been the only case of genocide in the 20th

1 century. Among other examples which can be cited as  
 2 qualifying are . . . the Ottoman massacre of Armenians  
 3 in 1915–1916”.

4 (24) This report also explained that “[a]t least  
 5 1,000,000, and possibly well over half of the Armenian  
 6 population, are reliably estimated to have been killed or  
 7 death marched by independent authorities and eye-wit-  
 8 nesses. This is corroborated by reports in United States,  
 9 German and British archives and of contemporary dip-  
 10 lomats in the Ottoman Empire, including those of its ally  
 11 Germany”.

12 (25) The United States Holocaust Memorial Council,  
 13 an independent Federal agency, unanimously resolved on  
 14 April 30, 1981, that the United States Holocaust Memo-  
 15 rial Museum would include the Armenian Genocide in the  
 16 Museum and has since done so.

17 (26) Reviewing an aberrant 1982 expression (later  
 18 retracted) by the Department of State asserting that the  
 19 facts of the Armenian Genocide may be ambiguous, the  
 20 United States Court of Appeals for the District of Colum-  
 21 bia in 1993, after a review of documents pertaining to the  
 22 policy record of the United States, noted that the assertion  
 23 on ambiguity in the United States record about the Arme-  
 24 nian Genocide “contradicted longstanding United States  
 25 policy and was eventually retracted”.



1       (27) On June 5, 1996, the House of Representatives  
2 adopted an amendment to House Bill 3540, 104th Con-  
3 gress (the Foreign Operations, Export Financing, and Re-  
4 lated Programs Appropriations Act, 1997), to reduce aid  
5 to Turkey by \$3,000,000 (an estimate of its payment of  
6 lobbying fees in the United States) until the Government  
7 of Turkey acknowledged the Armenian Genocide and took  
8 steps to honor the memory of its victims.

9       (28) President William Jefferson Clinton, on April  
10 24, 1998, stated: “This year, as in the past, we join with  
11 Armenian-Americans throughout the nation in commemo-  
12 rating one of the saddest chapters in the history of this  
13 century, the deportations and massacres of a million and  
14 a half Armenians in the Ottoman Empire in the years  
15 1915–1923.”.

16       (29) President George W. Bush, on April 24, 2004,  
17 stated: “On this day, we pause in remembrance of one  
18 of the most horrible tragedies of the 20th century, the an-  
19 nihilation of as many as 1,500,000 Armenians through  
20 forced exile and murder at the end of the Ottoman Em-  
21 pire.”.

22       (30) Despite the international recognition and affir-  
23 mation of the Armenian Genocide, the failure of the do-  
24 mestic and international authorities to punish those re-  
25 sponsible for the Armenian Genocide is a reason why simi-

1 lar genocides have recurred and may recur in the future,  
 2 and that just resolution of this issue will help prevent fu-  
 3 ture genocides.

#### 4 DECLARATION OF POLICY

##### 5 SEC. 3. The Senate—

6 (1) calls upon the President to ensure that the for-  
 7 eign policy of the United States reflects appropriate un-  
 8 derstanding and sensitivity concerning issues related to  
 9 human rights, ethnic cleansing, and genocide documented  
 10 in the United States record relating to the Armenian  
 11 Genocide and the consequences of the failure to realize a  
 12 just resolution; and

13 (2) calls upon the President in the President's annual  
 14 message commemorating the Armenian Genocide issued  
 15 on or about April 24, to accurately characterize the sys-  
 16 tematic and deliberate annihilation of 1,500,000 Arme-  
 17 nians as genocide and to recall the proud history of United  
 18 States intervention in opposition to the Armenian Geno-  
 19 cide.

