

A Crime of Silence

The Armenian Genocide

The Permanent Peoples' Tribunal

Preface by Pierre Vidal-Naquet



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The Permanent People's Tribunal was founded by the Italian Senator and jurist, the late Lelio Basso. Its President is Professor François Rigaux of the Faculty of Law, Catholic University of Louvain. Its Vice-Presidents are: Ruth First (South Africa, recently deceased); Makoto Oda (Japan); Armando Uribe (Chile); and George Wald (United States of America). Its Secretary-General is Gianni Tognoni (Italy): Via della Dogana Vecchia 5, 00186, Rome.

Members of the Permanent Peoples' Tribunal Comprising the Jury for the Session on the Genocide of the Armenians 13-16 April 1984, Paris

Madjid BENCHIKH (Algeria), Professor of International Law at the University of Algiers

Georges CASALIS (France), theologian, Honorary Professor of the Institut Protestant de Théologie, Paris

Harald EDELSTAM (Sweden), former Ambassador to Chile and to Algeria

Richard FALK (USA), Professor of International Law, Princeton University

Ken FRY (Australia), member of Parliament

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Sean MacBRIDE (Ireland), jurist, President of the International Peace Office, Nobel Peace Prize laureate and Lenin Peace Prize winner, American Medal for Justice winner.

Leo MATARASSO (France), lawyer at the Paris bar

Adolfo PEREZ ESQUIVEL (Argentina), Nobel Peace Prize laureate, general coordinator of 'Servicio Paz y Justicia en America Latina' (Service for Peace and Justice in Latin America)

James PETRAS (USA), Professor of Sociology, State University of New York

François RIGAUX (Belgium), Professor at the Faculty of Law of the Catholic University in Louvain

Ajit ROY (India), economist and journalist

George WALD (USA), Professor Emeritus of Biology, Harvard University, Nobel Prize for Physiology and Medicine, 1967

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THE PERMANENT PEOPLES' TRIBUNAL was called upon the request of the following organizations to devote a session to the case of the genocide of the Armenians:

- Groupement pour les Droits des Minorités (Paris, France)
- Cultural Survival (Cambridge, Massachusetts, U.S.A.)
- Gesellschaft für Bedrohte Völker (Göttingen, West Germany)

which ask that the following questions be answered:

1. Is it established that the Armenian people was the victim of deportations, massacres, etc. in the Ottoman Empire?
2. Do these facts constitute a 'genocide' in the sense of the International Convention on the Prevention and Punishment of the Crime of Genocide (1948) and, consequently, do they fall under the 1968 Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity?
3. What are the consequences of this both for the international community and for the concerned parties?

The President of the Tribunal declared this request to be admissible in accordance with Article 11 of the statutes, and the Turkish government was informed, in application of the provision of Articles 14 and 15. The Turkish government was invited to send representatives or written documents to make its position known.

Since the Turkish government did not reply to this invitation, the Tribunal decided to insert into the record the two documents cited below, which contain the arguments of the Turkish party in support of its denial of the genocide of the Armenians.

The Tribunal held public hearings 13-14 April 1984 at the Sorbonne in Paris and the jury deliberated the matter on 15 April 1984.

At the conclusion of this discussion, the Tribunal pronounced the following verdict:

Considering the Universal Declaration of Human Rights of 10 December 1948,

Considering the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948,

Considering the Nuremberg principles formulated by the International Law Commission and adopted by the United Nations General Assembly in 1951,

Considering the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity of 26 November 1968,

Considering the Universal Declaration on the Rights of Peoples (Algiers, 4 July 1976),

Considering the Statutes of the Permanent Peoples' Tribunal (Bologna, 24 June 1979):

Having heard reports from:

- Richard G. HOVANNISIAN, Professor at the University of California at Los Angeles (U.S.A.), on the Armenian question from 1878 to 1923;
- Gerard J. LIBARIDIAN, Historian and Director of the Zoryan Institute for Contemporary Armenian Research and Documentation (Cambridge, Massachusetts, U.S.A.), on the intent to commit genocide and the ideology of the 'Young Turk' movement;
- Christopher WALKER, historian and author, on British sources concerning the Armenian genocide;
- Tessa HOFMANN, Professor at the Freie Universität, West Berlin, on the German eyewitness accounts of the Armenian genocide;
- Yves TERNON, historian and author, on the Armenian genocide in the Ottoman Empire in 1915-1916;
- Dikran KOUYMIJIAN, Professor at California State University, Fresno, on the destruction of Armenian historical monuments;
- Joe VERHOEVEN, Professor at the Catholic University of Louvain, on the Armenian people and international law;

Having heard testimony from:

- Mr Papgen INDJIRABIAN (France)
- Mrs Haigouhi BOYAJIAN (United States)
- Mr Aram GUREGHIAN (France)
- Mr Paul NAHABEDIAN (United States)

survivors of the massacres;

Having heard:

- a report written by and read for Professor Leo KUPER of the University of California at Los Angeles on the concept of genocide as it applies to the massacre of the Armenians;
- a memorandum written by and read for Professor Théo VAN BOVEN, former Director of the U.N. Human Rights Division, on the deletion of the reference to the massacre of the Armenians when the issue was under study by the United Nations Human Rights Commission;

Having taken note of:

- the many documents presented by the rapporteurs in support of their reports, including the documents coming from British and, in particular, from German sources;
- the important and abundant body of documentation from American sources;
- the documentation on the Unionists' trial in 1919 and the trial of

Soghomon TEHLIRIAN held in Charlottenburg, Berlin, in 1921;

- the document entitled 'The Armenian Problem: Nine Questions, Nine Answers', (Foreign Policy Institute, Ankara), stating the viewpoint of the current Turkish government;
- the testimony given by Professor ATAOU of the University of Ankara to the Criminal Court in Paris in January 1984, which repeats the arguments of the Turkish government.

The full verdict of the Tribunal appears on page 211 *et. seq.*