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SR-107 (2017-2018)

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ENROLLED APRIL 24, 2018

PASSED IN SENATE APRIL 23, 2018

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE RESOLUTION

NO. 107

Introduced by Senators Portantino, Atkins, De León, Newman, and Wilk

April 18, 2018

Relative to Commemoration of the Anniversary of the Armenian Genocide of 1915–1923

LEGISLATIVE COUNSEL'S DIGEST

SR 107, Portantino.

WHEREAS, Armenians have resided in Asia Minor and the Caucasus for approximately four millennia, and have a long and rich history in the region, including the establishment of many kingdoms, and despite Armenians' historic presence, stewardship, and autonomy in the region, Turkish rulers of the Ottoman Empire and the Republic of Turkey subjected Armenians to severe and unjust persecution and brutality, including wholesale massacres beginning in the 1890s; and

WHEREAS, The Armenian nation was subjected to a systematic and premeditated genocide officially beginning on April 24, 1915, at the hands of the Young Turk Government of the Ottoman Empire from 1915–1919 and continued at the hands of the Kemalist Movement of Turkey from 1920–1923 whereby over 1.5 million Armenian men, women, and children were slaughtered or marched to their deaths in an effort to annihilate the Armenian nation in the first genocide of modern times, while thousands of surviving Armenian women and children were forcibly converted and Islamized, and hundreds of thousands more were subjected to ethnic cleansing during the period of the modern Republic of Turkey from 1924–1937; and

WHEREAS, During the genocides of the Christians living in the Ottoman Empire and surrounding regions, which occurred during the first one-half of the 20th century, 1.5 million men, women, and children of Armenian descent, and hundreds of thousands of Assyrians, Greeks, and other Christians, lost their lives at the hands of the Ottoman Turkish Empire and the Republic of Turkey, constituting one of the most atrocious violations of human rights in the history of the world; and

WHEREAS, These crimes against humanity also had the consequence of permanently removing all traces of the Armenians and other targeted people from their historic homelands of more than four millennia, and enriching the perpetrators with the lands and other property of the victims of these crimes, including the usurpation of several thousand churches; and

WHEREAS, In response to the genocide and at the behest of President Woodrow Wilson and the United States State Department, the Near East Relief organization was founded, and became the first congressionally sanctioned American philanthropic effort created exclusively to provide humanitarian assistance and rescue to the Armenian nation and other Christian minorities from annihilation, who went on to survive and thrive outside of their ancestral homeland all over the world and specifically in this state; and

WHEREAS, Near East Relief succeeded, with the active participation of the citizens from this state, in delivering \$117 million in assistance, and saving more than one million refugees, including 132,000 orphans, between 1915 and 1930, by delivering food, clothing, and materials for shelter, setting up refugee camps, clinics, hospitals, and orphanages; and

WHEREAS, The Armenian nation survived the genocide despite the attempt by the Ottoman Empire to exterminate it; and

WHEREAS, Adolf Hitler, in persuading his army commanders that the merciless persecution and killing of Jews, Poles, and other people would bring no retribution, declared, "Who, after all, speaks today of the annihilation of the Armenians?"; and

WHEREAS, On November 4, 1918, immediately after the collapse of the Young Turk regime and before the founding of the Republic of Turkey by Mustafa Kemal Ataturk in 1923, the Ottoman Parliament considered a motion on the crimes committed by the Committee of Union and Progress (CUP) stating: "A population of one million people guilty of nothing except belonging to the Armenian nation were massacred and exterminated, including even women and children." The Minister of Interior at the time, Fethi Bey, responded by telling the Parliament: "It is the intention of the government to cure every single injustice done up until now, as far as the means allow, to make possible the return to their homes of those sent into exile, and to compensate for their material loss as far as possible"; and

WHEREAS, On August 1, 1926, in an interview published in the Los Angeles Examiner, Mustafa Kemal Ataturk admitted: "These left-overs from the former Young Turk Party, who should have been made to account for the lives of millions of our Christian subjects who were ruthlessly driven en masse, from their homes and massacred, have been restive under the Republican rule. They have hitherto lived on plunder, robbery and bribery and become inimical to any idea or suggestion to enlist in useful labor and earn their living by the honest sweat of their brow"; and

WHEREAS, The Parliamentary Investigative Committee proceeded to collect relevant documents describing the actions of those responsible for the Armenian mass killings and turned them over to the Turkish Military Tribunal. CUP's leading figures were found guilty of massacring Armenians and hanged or given lengthy prison sentences. The Turkish Military Tribunal requested that Germany extradite to Turkey the masterminds of the massacres who had fled the country. After German refusal, they were tried in absentia and sentenced to death; and

WHEREAS, Unlike other people and governments that have admitted and denounced the abuses and crimes of predecessor regimes, and despite the Turkish government's earlier admissions and the overwhelming proof of genocidal intent, the Republic of Turkey inexplicably and adamantly has denied the occurrence of the crimes against humanity committed by the Ottoman and Young Turk rulers for many years, and continues to do so a full century since the first crimes constituting genocide occurred; and

WHEREAS, Those denials compound the grief of the few remaining survivors and deprive the surviving Armenian nation of its individual and collective ancestral lands, property, cultural heritage, financial assets, and population growth; and

WHEREAS, The Republic of Turkey has escalated its international campaign of Armenian Genocide denial, maintained its blockade of Armenia, and increased its pressure on the small but growing movement in Turkey acknowledging the Armenian Genocide and seeking justice for this systematic campaign of destruction of millions of Armenians, Greeks, Assyrians, and other Christians upon their biblical-era homelands; and

WHEREAS, Those citizens of Turkey, both Armenian and non-Armenian, who continue to speak the truth about the Armenian Genocide, such as human rights activist and journalist Hrant Dink, continue to be silenced by violent means; and

WHEREAS, There is continued concern about the welfare of Christians in the Republic of Turkey, their right to worship and practice freely, and the legal status and condition of thousands of ancient Armenian churches, monasteries, cemeteries, and other historical and cultural structures, sites, and antiquities in the Republic of Turkey; and

WHEREAS, The United States is on record as having officially recognized the Armenian Genocide in the United States government's May 28, 1951, written statement to the International Court of Justice regarding the Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide, through President Ronald Reagan's April 22, 1981, Proclamation No. 4838, and by congressional legislation including House Joint Resolution 148 adopted on April 9, 1975, and House Joint Resolution 247 adopted on September 12, 1984; and

WHEREAS, Prior to the Convention on the Prevention and Punishment of the Crime of Genocide, the United States had a record of seeking just and constructive means to address the consequences of the Ottoman Empire's intentional destruction of the

Armenian people, including through United States Senate Concurrent Resolution 12 adopted on February 9, 1916, United States Senate Resolution 359 adopted on May 11, 1920, and President Woodrow Wilson's November 22, 1920, decision titled, "The Frontier between Armenia and Turkey," which was issued as a binding arbitral award, yet has not been enforced to this date despite its legally binding status; and

WHEREAS, President Barack Obama entered office "calling for Turkey's acknowledgment of the Armenian Genocide" and on April 24, 2013, and similarly on April 24, 2014, he further stated, "A full, frank, and just acknowledgment of the facts is in all of our interests. Peoples and nations grow stronger, and build a more just and tolerant future, by acknowledging and reckoning with painful elements of the past"; and

WHEREAS, California is home to the largest Armenian American population in the United States, and Armenians living in California have enriched our state through their leadership and contribution in business, agriculture, academia, government, and the arts, many of whom have family members who experienced firsthand the horror and evil of the Armenian Genocide and its ongoing denial; and

WHEREAS, Every person should be made aware and educated about the Armenian Genocide and other crimes against humanity; and

WHEREAS, The State of California has been at the forefront of encouraging and promoting a curriculum relating to human rights and genocide in order to empower future generations to prevent the recurrence of genocide; and

WHEREAS, April 24, 1915, is globally observed and recognized as the commencement of the Armenian Genocide; and

WHEREAS, Armenians in the State of California and throughout the world have not been provided with justice for the crimes perpetrated against the Armenian nation despite the fact that over a century has passed since the crimes were first committed; and

WHEREAS, The Armenian people in the State of California and throughout the world remain resolved and their spirit continues to thrive more than a century after their near annihilation; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate hereby designates the year of 2018 as "State of California Year of Commemoration of the Anniversary of the Armenian Genocide of 1915–1923" and in doing so, intends, through the enactment of legislation, that the Armenian Genocide is properly commemorated and taught to its citizens and visitors through statewide educational and cultural events; and be it further

Resolved, That the Senate hereby designates the month of April 2018 as "State of California Month of Commemoration of the 103rd Anniversary of the Armenian Genocide of 1915–1923"; and be it further

Resolved, That the Senate commends its conscientious educators who teach about human rights and genocide, and intends for them, through the enactment of legislation, to continue to enhance their efforts to educate students at all levels about the experience of the Armenians and other crimes against humanity; and be it further

Resolved, That the Senate hereby commends the extraordinary service which was delivered by Near East Relief to the survivors of the Armenian Genocide and the Assyrian Genocide, including thousands of direct beneficiaries of American philanthropy who are the parents, grandparents, and great-grandparents of many Californian Armenians and Assyrians, and pledges its intent, through the enactment of legislation, to working with community groups, nonprofit organizations, citizens, state personnel, and the community at large to host statewide educational and cultural events; and be it further

Resolved, That the Senate deplores the persistent, ongoing efforts by any person, in this country or abroad, to deny the historical fact of the Armenian Genocide; and be it further

Resolved, That the Senate respectfully calls upon the President and the Congress of the United States to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide; and be it further

Resolved, That the Senate calls on the President of the United States to work toward equitable, constructive, stable, and durable Armenian-Turkish relations; and be it further

Resolved, That the Senate calls on the President and the Congress of the United States, in all official contacts with Turkish and other world leaders and officials, to emphasize that Turkey should:

(1) End all forms of religious discrimination and persecution.

(2) Allow the rightful historical church and lay owners of Christian and other church properties, without hindrance or restriction, to organize and administer prayer services, religious education, clerical training, appointments, and succession, religious community

gatherings, social services, including ministry to the needs of the poor and infirm, and other religious activities.

(3) Return to their rightful owners all historical Christian and other churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites, and other religious properties, including movable properties, such as artwork, manuscripts, vestments, vessels, and other artifacts.

(4) Allow the rightful Christian and other church and lay owners of church properties, without hindrance or restriction, to preserve, reconstruct, and repair, as they see fit, all churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites, and other religious properties within Turkey; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, to the Governor of California, to every Member of the California State Legislature, and to the Superintendent of Public Instruction.