

Official Report

United Nations War Crimes Commission Report.¹

May 28, 1948

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United Nations Economic and Social Council Commission on Human Rights

Report Prepared by the United Nations War Crimes Commission

In Accordance with the Request Received from the United Nations

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Information Concerning Human Rights Arising from Trials of War Criminals

II. Developments during the First World War

1. The Massacres of the Armenians in Turkey

In connection with the massacres of the Armenian population which occurred at the beginning of the First World War in Turkey, the Governments of France, Great Britain and Russia made a declaration, on 28 May 1915, denouncing them as "**crimes against humanity and civilization**" for which all the members of the Turkish Government would be held responsible, together with its agents implicated in the massacres. The relevant part of this declaration reads as follows:

"En présence de ces nouveaux crimes de la Turquie contre l'humanité et la civilisation, les Gouvernements alliés font savoir publiquement à la Sublime Porte qu'ils tiendront personnellement responsables des dits crimes tous les membres du Gouvernement ottoman ainsi que ceux de ces agents qui se trouveraient impliqués dans de pareils massacres."

As will be shown later in more detail, the warning given to the Turkish Government on this occasion by the Governments of the Triple Entente dealt precisely with one of the types of acts which the modern term "crimes against humanity" is intended to cover, namely, inhumane acts committed by a government against its own subjects.

...The first peace treaty with Turkey, namely, the Treaty of Sèvres, signed on 10 August 1920, contained in addition to the provisions dealing with violations of the laws and customs of war [Articles 226-228 corresponding to Articles 228-230 of the Treaty of Versailles] a further provision, Article 230, by which the Turkish Government undertook to hand over to the Allied Powers the persons responsible for the massacres committed during the war on Turkish territory.

THE RELEVANT PARTS OF THIS ARTICLE READ AS FOLLOWS :

"The Turkish Government undertakes to hand over to the Allied Powers the persons whose surrender may be required by the latter as being responsible for the massacres committed during the continuance of the state of war on territory which formed part of the Turkish Empire on the 1st August, 1914."

"The Allied Powers reserve to themselves the right to designate the Tribunal which shall try the persons so accused, and the Turkish Government undertakes to recognize such Tribunal."

"In the event of the League of Nations having created in sufficient time a Tribunal competent to deal with the said massacres, the Allied Powers reserve to themselves the right to bring the accused persons mentioned above before such Tribunal, and the Turkish Government undertakes equally to recognize such Tribunal."

Declaration by the Governments of France, Great Britain and Russia

Telegram Sent.

Department of State,
Washington May 29, 1915

American embassy,
Constantinople.

French Foreign Office requests following notice be given Turkish Government.
Quote. May 24th. For about a month the Kurd and Turkish population of Armenia has been massacring Armenians with the connivance and often assistance of Ottoman authorities. Such massacres took place in middle April (?) at Erzerum, Dertchun, Eguine, Akn, Bitlis, Mouch, Sassoun, Zeitoun, and through Cilicia. Inhabitants of about one hundred villages near Van were all murdered.

In that city Armenian quarter is besieged by Kurds. At the same time in Constantinople government ill treats inoffensive Armenian population. In view of these new **crimes of Turkey against humanity and civilization** the Allied governments announce publicly to the Sublime Porte that they will hold personally responsible [for] these crimes all members of the Ottoman government and those of their agents who are implicated in such massacres. Unquote.

(signed) [William Jennings] Bryan

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¹ The provisions of Article 230 of the Peace Treaty of Sèvres were intended to cover, in conformity with the Allied note of 1915 referred to in the preceding section, 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 Articles 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.

The Treaty of Sèvres was, however, not ratified and did not come into force. It was replaced by the Treaty of Lausanne, signed on 24 July 1923, which did not contain provisions respecting the punishment of war crimes, but was accompanied by a "Declaration of Amnesty" for all offenses committed between 1 August 1914, and 20 November 1922.