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48 Deportations - Turkish Telegrams IV

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THE IMPERIAL
EDICT
No 5

Deportation

La mort de Stamboul by Victor Bérard
Paris 1913, p 296-297

Dr. Nazim Bey, Member of the ^{Gen. Hedg - of the} M. A. P. P. A, and
ideologist of the ~~Party~~ Young Turks explained to the
editors and reporters at Smyrna, on Aug. 15
1912-89 what was the position of the Party
on behalf of the Sultan; ^{attitude}

" We put the Sultan in a ~~State position~~
the impossibility of doing harm (in) .

It is suitable for us to maintain
him on the throne, because we don't
want either to shake the country, nor
to intensify the crisis, and because we
want to eliminate at all rate (1) the
possibility of European intervention .

The Calife possesses yet an immense
moral authority . It is suitable
to ~~us~~ us that our decisions be
to he put his ^{Imperial} signature ^{on} to our
decisions ."

Announcement

displayed in the streets by Turkish ^{Authorities.} Government

1. All Armenians of the Sanjak of Kayseri shall be deported into the provinces of Aleppo.
2. Catholics are the only exception to this ^{rule} ~~measure~~.
3. All their /Armenian/ stores shall be locked and sealed by Police.
4. It is ^{forbidden} ~~forbidden~~ to sell or buy the furniture contained in their /Armenian/ homes. Those who buy or sell them shall be prosecuted before Court Martial.
5. Armenians to be deported shall deposit their ^{own} ~~excess~~ money into banks in their names or in the name of a relative who is ^{not present} ~~far away~~. ^{? superfluous} ?
6. Within ten days ^{deadline} every ~~one~~ /Armenian/ ^{has} is obligated to deliver to the Government the total sum of his money, a ^{? inventory} ~~statement~~ of the specific quantity and quality of said goods ^{count} ~~contained~~ in his store, home and furniture which he shall leave or abandon, and a statement of the position and ^{measure} ~~superficies~~ of his property.
7. The convoys which shall be ready to move in ten days shall be transported via Nigde and we shall help them to transport their necessary goods.
8. Coachmen and muleteers have to hire carriages and mules in accordance with the price fixed by the Government; therefore, /Armenians/ are not to hire them beforehand at high prices.
9. Gendarmerie officials have to post ^{fixed} ~~fluid~~ guards to watch over what /Armenians/ are buying or selling.
10. Armenians to be deported ^{who} ~~shall~~ eventually ^{may} have debts to ethnic people who will ^{remain} ~~stay~~ here; in such cases, those /Armenians/, who have debts to pay, have to prepare a list without sealed stamps and deliver it to the Government; the creditor has to establish his claim.

11.ripped.

homes and possessions

12. They /Armenians/ are given one month's time to leave their land. During this time those who are not ready /to be deported/ shall give ~~the~~ their notice/to the authorities/ and the furniture in their houses and the articles contained in their stores shall be registered by a Commission.

13. The Government shall deport those who are not prepared within this time; it shall ~~remove~~ ^{they} remove them and shall walk if they have no means of transportation; the Government shall find a way of transporting children

August 2, 1915.

The Law of deportation

The so called ^{in its original form} "Law of Deportation" comprised eight clauses in its original ^{form} composition. It was a circular with the mention "Secret of State" (Esrar). It was written with violet ink reproduced in many copies and despatched to the Military Commanders, as well as to all Turkish Departments on May 22, 1915.

The Turkish Official Gazette "Takvim-i Vakayi", No 2189 ~~on~~ published on May 19, 1915 only four ^{articles} clauses. These published ^{Articles} of the original circular (1, 2, 3 and 4) correspond to the Articles 1, 2 and 8 of the original. In addition the original was comprised 4, 5, 6 and 7 ⁱ Articles that were not published.

These four ^{which were not published} articles concerned the confiscation of Armenian property. The third article of the original dictated to the military commanders to confiscate the houses of Armenian deportees and convey them for the habitation of Turkish officers.

The Articles 4, 5, 6 and 7 ordered to confiscate the houses of the Armenian deportees and convey them for the habitation of Moslem refugees who would replace the Armenians in their ~~h~~ habitations.

The War Minister sent on August 11, 1915 secret orders to the Military ^{mm} Commanders "to make available, free duty, the abandoned ^p property and possessions of Armenian deportees for the habitation of the families of those Turkish soldiers who were killed or died of sickness".

~~See~~ Genocidal Turk, pages 69-70 and 179-180

H. K. Karavian, British official, interpreter & translator, saw a copy of the manuscript in the Archives of the Turkish Marine Department.

The Speech of Sami Bey
Imperial Prosecutor at the Court Martial

Jagadamard, No. 73 (1894), Thursday, February
6, 1919.

ideology
Definition
Philosophy

At the session of the Court Martial on February ^{ary} 5, 1919,
the Attorney-General Sami Bey made a speech:

"Prior to ^{the} ^{tion of} expose the trial case, I would like to ^{make} ~~say~~ some
^{remarks}
words.

The present trial is the most important ^{one} in the political
history of the State ^{which took place} ever happened until today and for its
tragicat significance it is a detestable and execrable trial
for a civilized spirit and human feelings.

The Justice must be applied completely to all authors of
the events against ^N humanity and civilization, in order to wipe
out the stains of blood that certain people are trying to rub
on the ^{face} ^{the entire} front of all (Turkish K) nation; and the authors of these
^(Massacres) execrable events, who ~~had~~ sacrificed for their personal inte-
rests the prosperity and security of our country, ^{be} exposed to
the eyes of public in all their nudity, and ~~so~~ to show the
application of justice for the ^{save} safeguard of the rights of
people and so ^{to} consolidate the basic foundation of the State.

incompatible
If an appropriate investigation was held on the ^{grounds} ~~reasons~~ of
~~unlovable~~ ^{incompatible} events ^{Arising} ~~uprising~~ from time to time among the non-Mos-
lem elements, who, ^{for} since centuries under the benevolent pro-
tection of the Ottoman Empire, ~~had~~ enjoyed assistance, pros-
perity and justice, one may see that ~~outsider~~ ^{outsiders} suggestions and
~~pressures~~ ^{pressures} exertions had played a more important role than the errors
committed by the internal administration, and there is histori-
cal evidence to prove this. The most important duty of a govern-
ment is to prevent ~~these~~ dangers that are the natural ~~result~~
Consequences

outsider

of the difference existing among the citizens as far as their financial and cultural life and the struggle of one against the other, ^{as an unit} ~~outgoing~~ ^{by} from the antagonism of wishes, and (the government K) must endeavour to reconcile them and ^fsafeguard the rights of every individual, and control the accomplishment of their duties.

Any negligence in this matter disturbs the harmony of legitimate rights and the activity of the government.

as for The non-Moslem elements gradually developed their intellectual and financial situation, and although they enjoyed religious privileges, they never ceased to complain that they ^{did} ~~had~~ not ^{have} ~~equal~~ rights.

u X As a consequence of intrigues and deception of foreign countries pursuing and seeking ~~for~~ political interests in the Ottoman Empire ^{rose} ~~rised~~ this kind of tide fitting ~~to~~ their special intentions, gradually extended through events and movements, created and organized by certain treacherous Armenians, their own activities and increased their influence.

This situation and movement reached a degree diminishing the confidence and security that existed through centuries among the Ottoman elements united by their relationship and aspirations.

These troublesome movements ~~did~~ not only disturbed the peace of the country, but also provoked events and misunderstandings.

Such movements of complaints disturbing the peace and

order during the former absolute autocracy should have ~~been~~^{ended} ceased with the proclamation of the Constitution (1908 K) that brought fraternity, equality and justice. In fact, these movements disturbing peace and order ceased for a while, but separatist aspirations ~~recommenced~~^{began} again, and through their politico-social organizations, and under the influence of the education they received since they were teenagers, it became evident that they served an ideal to ~~get~~^{be} liberated from ~~the~~ Ottoman domination.

In order to realize such a goal, when the Ottoman State was preoccupied with foreign difficulties, important events took place shaking the bases of the State and creating ~~so~~ internal difficulties for the government.

Although, I would not expose one by one ~~the~~^{the} details of these events, but while investigating the reasons and classification of crimes, ~~the~~ circumstances render it necessary to ~~have~~^{make} recourse to official evidence as well as to publications made in foreign press ~~which~~^{which} must be read and examined.

Following informations ~~excerpted~~^{excerpted} from investigations, (Armenian K) Committees, while our country had internal and foreign difficulties, initiated excessively dangerous organizations and preparations, that they had already ^u ~~began~~ to externalize by partial activities. It is evident that especially in Erzerum, Bitlis, Van and Sivas, ~~initiated~~^{they} activities which had the character of disturbing ~~order~~^{the} of the military government and through their initiatives they intercepted the ~~lines~~^{lines} of retreat for the Ottoman Army.

Events were not only to bring prejudice from outside, but also attacks in the interior on individuals and property, were disturbing the public order.

At the beginning of general mobilization certain Armenians opposed by weapons the military service, and groups of Armenians crossed the frontiers and joined enemy forces, and in order to endanger our military movements they destroyed stations, bridges and other means of security.

It would be Needless to expose other facts. For these important events, on May 1915^a decision had been made to deport Armenians from the zone of danger to interior provinces.

In its juridical acceptation deportation means to remove a person from ^{the} home where he was born, lived ^{for a} longtime, and who had considered his birthplace ^{as} a source of happiness.

This is the greatest moral punishment that may be applied only to persons suspect, dangerous and to be ^{disposed of} ~~perished~~ in an administrative way and penal measure, as a consequence of the prejudices caused to the prosperity of a country.

While carrying out such a decision, special care must be taken for ^{the} weak ~~people~~, women and children, if not, such an arrangement will cease to be a preventive measure and become a tyrannyⁿ and torture, because only ^{the} guilty must be punished by way of justice and trial.

The decision of deportation was made only for the provinces of Erzerum, Bitlis, Van, Adana, Aleppo and Konia. Kayseri was out of this limitation, but as on May 24, 1915

an uprising was ~~broken~~ out in that area, the military commanders were granted authorization to deport the non-Moslem population of the district of Kayseri with some understanding.

When deportation was generalized, out of its special limitation, it was natural that the ignorant mob had ~~an~~ other attitude ^{with} ~~in~~ regards ^{to} ~~as~~ deportees, while the government force, and those who were invested ^{in the} a highest level ^{of} authority to apply force took an important step, which was not in the interest and safeguard of the country, but in a criminal purpose and ^{just the} ~~intending~~ ^{of} to get rich. Moreover, they self-motivated ^{made a} implemented scoundrel men as to make the business of deportation ^{which} reach ^a so shameful and tragical level that it is impossible to describe ^{in human language} the details ~~(of deportation K)~~. ^{any}

Where is the Govt?
In certain places, at night they forced Armenians out of their homes and obliged them to rent (ferag) their ^{fixed} ~~im-~~movable property ^{at} to a ridiculous price. After deportation, they searched the houses and took ~~away~~ all objects of value.

In certain places they separated men from their wives and children, and then they deported them. They took even the money the deportees were keeping to buy food.

The Central Government authorized ~~not to exile~~ certain individuals. ^{not to be exiled} They abused this authorization.

The ordinances and suggestions of certain short-minded individuals deprived of humanity and civilization, officials ruled by their personal interests, and members who had sold

their conscience and honor for abject gains have been the cause of tragical and inevitable events.

An order must be legal and acceptable. Certain officials showed civic courage by their resignation, others practically refused to carry out ^{the} such orders they received.

These tragical events constitute crimes in all respects. Those who gave orders, those who carried out orders they received and those who had been the cause, shall be tried by this Court and their identity will be established with documents and submitted to the balance of justice.

Why ^{are} the former Cabinet ~~had~~ made inquiries and sent Commissions, ^{and} these Commissions ~~had~~ brought to Courts-Martial many officials and individuals from the people, as from the vilayet of Sivas 19; Harput, 28 officials; 11 gendarme officers, 69 policemen and 111 individuals, from the vilayet of Diarbekir 69, Bitlis 25, Nicomedia 16, Nallu-Han 29, all these were punished but the punishments were ^{the} ~~resulting~~ ^{of} from ordinary abuses.

The Government ~~had sent to provinces~~ ^{to the provinces} special investigators, who were invested unfortunately with limited powers. But considering that all the ~~xx~~ reports they had prepared, treat only the abuses committed by officials, I conclude that they had jurisdiction to investigate only the abuses or in regard with political aspects they did not feel it necessary to investigate the crimes committed, they did not even mentioned crimes.

Further on, in accordance with the provisions of an

19
28
11
69
111
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29

377

~~special~~ law the trial of those who had committed crimes during ^{the} deportations in places where there was a court-martial, will take ^{place} before this court-martial, and where there was no court-martial, the trial shall be held by ~~on~~ ordinary courts.

But ~~these~~ as crimes are of an extraordinary character, it has been ^{deemed} ~~dealed~~ fit to try before this extraordinary court the accused persons here present and their accomplices still to be arrested, who had committed crimes in Boghazlian. Therefore, it is necessary to carry out legal proceedings as ~~xx~~ speedily as possible"

OF ARMENIAN WORKERS
DEPORTATION/OF THE TURKISH BATTALION

8th/
Imperial Army

Military Staff

No 2/872 Secret and Urgent

Article 1

The Armenian soldiers in the worker battalions of the capital will be transferred to Bozanti by groups of 50 and 100 to make them work out of bound of the IV th Army zone.

Article 2

They will be deported from Bozanti to Alzeppo by the Chief Command of Adana and from Aleppo to Damascus by the Command of the VI th Army.

Article 3

Squadron guards of Constantinople while returning from their mission, may accompany the /Armenien/ soldiers during their deportation and so the deportation will be carried out.

Article 4

These persons will be relieved to the superintendence of the Army of Damascus.

The above /telegram/ is a copy of the ciphered telegram, dated August 15, 1915, which has been communicated to

The Commander of the Sixth Army in the region of Damascus,

The Command of the zone of Damascus, and Superintendence of the Command of Military Staff in Aleppo,

We recommend to

relieve to the Superintendence of the Army all persons above mentioned who will arrive there and inform about to the Director of the Establishment of Deportees.

August 16, 1915

The Commander of the Zone of Damascus
Miriliva Hasan Hasan.

! :::::::::::::::

After full information

Return these to the Presiden-

cy of the Commission of Deportation :

General Commander :

Nuri

:::::::::::::::::::::

To prevent all future error, it is requested to send a copy,

The President of the Commission of Deportation

Signature: illégible

16/17 same date.

Copy

Secret

No 2/829

2399

The Acting High Command has communicated that no one Armenian, male or female, of every age, can be deported without the permission of the Military Staff.

The other

2897

Article 1

If the Chief of Armenian families to be deported is a soldier or an officer, the families should stay where they are.

Article 2

If these families are more than five in a city or in a village where they are, will be distributed to their chose in Moslem villages, kazas and nahiehs, where they are, starting by the families of bolderis, in a proportion of five per cent, they will be distributed so that the Armenians be 5 per 100 Moslems.

Article 3

In this proportion in a Moslem village of twenty families, only one ~~Armenian~~ can remain.

Article 4

In /Moslem/ bourgs and villages of hundred families, more than five Armenian families cannot remain.

Article 5

Such circular instructions have been dispatched to all provinces/ authorities by the Ministry of the Interior.

Article 6

Immediately prepare the list of rebellious families to be delivered to local officials/.

Article 7

These instructions of General Command have been communicated as they are.

The return of the deported families of soldiers or officials, if there are, should be permitted.

To the Military Staff

Copies of both telegrams dispatched by the Acting Army Command have been registered above.

We recommend to carry out what they contain.

August 8, 1915

The Acting Commander of the 8th Army

Miriliva /Signature/ illegible.

See: "Hyegagan Khatchelootune", the Armenian Crucifixion,
Manuscript, pages 93, 94, 95 and 96. This manuscript is
the possession of Mr. Krikor Basmajian, ~~in~~ Cairo, Egypt.

See: Capitano ^{Francesco} Sidari..... "LA QUESTIONE ARMENA NELLA

POLITICA DELLE GRANDE POTENZE".

Padova, Cedam, 1962

pages 262-277

La Reu. No 16, Wednesday Dec 25, 1918

Edict
IMPERIAL ~~DEGREE~~
OF SULTAN MEHMET VAHIDEDDIN
PROCLAIMING GENERAL AMNESTY

Article 1

~~Are granted Amnesty~~ *is granted to*;

Those who have been subject, ~~until~~ ^{to accusation of a political offence prior to} the day of Imperial accession (Ramazan 24, 1336 or July 3, 1918) ~~in of accusation of political offence.~~

Those who have been ^{the} subject of a political condemnation, ratified or not.

Those who have participated ⁱⁿ ~~to~~ an offence which ~~resulted in their arrest brought them to arrestation~~ or condemnation.

Do not benefit, however, by this general amnesty,
however shall not benefit:

Those whose responsibility ~~derive~~ ^{is derived from}, in a legal ~~sense~~ point of view, of the deportation of certain elements of the population.

Those who have been sentenced for an offence committed ^{with} ~~in~~ political intention, resulting ⁱⁿ ~~of~~ the excitement of some elements against ~~the~~ others, or who have participated ⁱⁿ ~~to~~ such acts.

Those who ^{the opposing} ~~passed to enemy~~ army or helped the enemy.

Article 2

edict shall take effect and be executed on and
~~This decree will enter writ of execution from the~~

after the day of its promulgation.

Article 3

The ministries of War, Marine, Justice and of the Interior are charged to carry out the present decree.

I order that this decree ^{which take effect} enter into execution, ^{that it be adopted as} and be introduced as a project of law at the meeting of the Parliament.

Rebiul Evvel 18, 1337,

December 23, 1918.

The Turkish Foreign Minister communicated this decree by telegraph ^{for publication in} ~~to be published at~~ Berne (Switzerland), and the Minister of the Interior communicated the same decree to the governors of all provinces and districts. !)

La Renaissance No 16, Wednesday.
Dec. 26, 1918.

Edict
IMPERIAL DECREE
OF SULTAN MEHMED VI VAHIDEDDIN
PROCLAIMING GENERAL AMNESTY
PROMULGATING

Article 1

Amnesty is granted to:

~~Are granted amnesty:~~

to accusation of a political offence
Those who have been subjected ^{prior to} ~~until~~ the day of
Imperial accession (Ramazan 24, 1336 or July 3, 1918)
~~to of accusation of political offence.~~

Those who have been ^{the} subject of ~~a~~ political condem-
nation, ratified or not.

Those who have participated ⁱⁿ to an offence which
~~resulted in their arrest~~
~~brought them to arrestation or condemnation.~~

~~Do not benefit, however, by This general amnesty:~~

however shall not benefit:

Those whose responsibility derive, in a legal ~~since~~
is derived from
~~point of view,~~ of the deportation of certain elements
of the population.

Those who have been sentenced for an offence com-
mitted ^{with} ~~in~~ political intention, resulting ⁱⁿ ~~of~~ the excite-
ment of some elements against ~~the~~ others, or who have
participated ⁱⁿ ~~to~~ such acts.

joined the oppressing
Those who ~~passed to enemy~~ army or helped the enemy.

Article 2

Edict shall take effect and be executed on and
This decree ~~will enter writ of execution from the~~ *after*

the day of its promulgation.

Article 3

The ministries of War, Marine, Justice and of the Interior are charged to carry out the present decree.

I order that this decree ^{edit in take effect} ~~enter into~~ ^{that it be adopted as} ~~execution,~~ and ~~be introduced as a project of law~~ at the meeting of the Parliament.

Rebiul Evvel 18, 1337,

December 23, 1918.

The Turkish Foreign Minister communicated this decree by telegraph ^{for publication in} ~~to be published~~ at Berne (Switzerland), and the Minister of the Interior communicated the same decree to the ^{Governors} ~~governors~~ of all provinces and districts ¹⁾ ~~(in Turkey)~~.

1) La Renaissance No 16, Wednesday, Dec. 25, 1918.

Renaissance No 16, Mercredi 25 Déc, 1918.

Promulgation de l'amnistie générale

Le projet dont il était longtemps question, mais dont l'élaboration avait rencontré maints obstacles, vient d'être enfin réalisé. Un Décret Impérial accor^{isant}de l'amnistie aux inculpés ou condamnés politique, en préci^{sant}ant les conditions auxquels ils pourront bénéficier de la nouvelle loi. Cet acte inaugure une politique d'apaisement, à laquelle les nations victimes des infamies jeunes turques seront bien sensibles. Mais les instructions qu'il contient semblent devoir se prêter à des abus que le gouvernement s'appliquera, espérons-nous, à empêcher par une interprétation saine de l'esprit de la nouvelle loi.

Voici le texte du Décret Impérial:

Art.-1. Sont amnistiés:

Ceux qui ont été l'objet, jusqu'à la date de l'avènement impérial (24 Ramazan 1336, 3 Juillet 1918, d'un mandat d'amener comme prévenus de délit politique;

Ceux qui ont été l'objet d'une condamnation politique, que celle-ci ait été firmée ou non;

Et ceux qui ont participé au délit^t ayant donné lieu à l'arrestation ou à la condamnation;

Ne bénéficiant pas toutefoisⁱ de cette amnistie générale:

Ceux dont la responsabilité découle au point de vue légal de la déportation de certains éléments de ^(la) population

Ceux qui ont été condamnés pour délit, commis dans une intention politique, résultant de l'incitation d'une partie des éléments contre une autre partie, ou qui ont participé à pareils actes;

Et ceux qui ont passé à l'armée ennemie ou ont aidé l'ém^eente

Art. 2.- Ce décret est exécutoire à partir du jour de sa promulgation.

Art. ~~III~~/3.- Les ministres de la guerre, de la marine, de la justice, et de l'intérieur sont chargés de l'exécution du présent décret.

J'ordonne la mise en vigueur du présent décret, pour être présenté sous forme de projet de loi à l'ouverture du Parlement.

Le 18 Rébiul Evvel 1337, 23 Décembre 1918.

Ce projet de loi a été télégraphiquement communiqué par le ministère des affaires étrangères à la Légation de Turquie à Berne, pour être publié à l'étranger. Le Département de l'intérieur l'a également transmis aux provinces.

Tezkere ve Tahrirat
Kol Ordu Ağası Asker Heyeti Riyasetine,
Fırka On Üçüncü Kumandanlığı Vekâletine,
Fırka On Dördüncü Kumandanlığı Vekâletine,
Fırka On Beşinci Kumandanlığı Vekâletine,
Merkez Kumandanlığına.

Birinci Madde

Ermenilerin hareket ve teşebbüsâtı ihtilâliyesine ait bu güne kadar vukua gelmiş ve bademede vukua gelecek vakayıyın günü gününe tekmil tafsîlâtıyla kaydına mahsus olkâk üzere bir vakayı defteri tutulacak ve bu defterin bir suretö ayın niha-yetinde buraya gönderilecektir.

İkinci Madde

İşbu deftere vakayının tarih ve mahali ve mümkün olduğu kadar erbabı kısım ve tecavüz veya ihtilâlanın ismi ve foto-grafları ve bize verdikleri telefât ve mecruh ve ziyan ve hezar miktarıyla zarar geçirilmiş bulunacaktır.

Üçüncü Madde

İş bu defteri sıhhatli bir surette tutularak bir süre-tinin her ay niha-yetinde muntazam gönderilmesine ehemmiyetle talep ederim.

Dördüncü Madde

Bu güne kadar olan vakayı hakkındaki defter suretinin temiz nihayetinde irsalı matlupdır.

15 Temmuz 331

Beşinci Kol Ordu Kumandan Vekili

Miralay Halil Recai

Kayseri Fırka Kumandanlığı Vekâletine,
Kayseri Mutasarrıflığına,
Kastamuni Fırkası Kumandanlığı Vekâletine,
Kastamuni Vilâyetine,
Jandarma Alay Kumandanlığına,
ş i f r e,
Fırka on üçüncü Kumandanlığı Vekâletine,
Menkez Kumandanlığına,
Ankara Vilâyetine,
Eski Şehir Jandarma Tabur Kumandanlığına,
Tezkere tahrirat.

Birinci Madde

Bogazlıyan ve civarı kurasında bazı Ermeni çetelerinin zuhur ve kur'ai İslamiye tecavüzla katli nufusu curayet eyledikleri muhaberatı cariyeden anlaşılmış ve merkumların şediden tenkil ve imhaları için kuvveyi lazıme tertip ve icap eden emirler ita kılınmıştır.

İkinci Madde

Mantika dahilinde bulunan kuvveyi askeriye ile jandarma asayışı memleketin muhafazasına ve zuhur edebilecek çetelerin derhal tenkil ve imhasına memurdur.

Üçüncü Madde

Her mevki ve mantıkada bulunan nizamiye ve jandarma ümera ve zabitanından rütbelisi ve yahud aynı rütberelerinin kademlisi o mevki ve mantikanın kumandaniyesi kuvveyi mevcudiyeyi ona göre toplu ve her ihtimale karşı müheyya tutacaktır adı hususat için jandarmayı öteye beriye dağıtmaktan gayet içtinap edilmiştir.

Dördüncü Madde

Bir vak'a zuhurında muhaberat ile vakıt geçirilmeyerek ıktizaya göre kuvveyi kâfiye sevk olunarak ve mahalinde mevcut bil cümle kabili istimal eslâhtan ve ahaliyi İslamiye yerindeki silâhlardan mükâmilan istifade edilmek üzere şimdiden tedabir ve ihzarat yapılacak ve gayet mûtayakız ve basirâtkâr bulunılacaktır hadisenin tevessüna katıyan meydan verilmeyecek icraatı şedide ile mahalinde itfa edilecektir.

Beşinci Madde

Esnai icraatta baş kumandanlık vekâleti celilesinin 19 Şubat 331 tarihli 4763 nomroda tamim edilen emrinin üçüncü maddesi ahkâmı haseten nazarı dikkata alınarak falan tecavüzde bulunmıyan ve hususiyle sübyan ve nisvan ve bigünah kimseler sahabet ve himmet edilerek bunlara katıyyen bir zarar getirilmeyecektir.

Altıncı Madde

Bir hadise zuhurında o mantıkanın kumandanı kemalî sure suratla hareket ve mafevkına itai malûmat etmekle beraber doğruca tarafına dahi malûmatı vazıhe verecek ve icraat hitamına aynı vecle malûmat ita edecektir.

Yedinci Madde

Mecburiyeti katıyyen görülmedikçe ihrak ve tahrip gibi icraattan tevakkı olunacaktır.

Sekizinci Madde

Munhasıren ciheti askeriyeğe ait olan bu meseleden her mahalin memureyni mülkiyesi o mahal ve mantika kumandanlığına malûmatı mevcudâya vakıt ve zamanıyla ve bil etraf vermek

3

ve ciheti askeriyece talep olunacak her göna teslihat ve mua-
venatı derhal ve cû tereddidir ifa eylemekte mükellefdir mu-
haberat ile mucipi mes'uliyeti azimdir.

Dokuzuncu Madde

Bu talimat haricinde hareket edecek olanlarla bid'at ve
kaydsızlıkları görülecekler her kim olursa olsun şedide mücazat
görecekdir.

11 Temmuz 331

Halil Recai

A P P E N D İ X

BEYANNAME

Birinci Madde

Antikia kazası dahilinde mütevattin Ermeni milletine mensup bil cumle eşhasın tarihi ilândan itibaren yedi gün zarfında Antakiayı ve karışelerini terk edeceyi cihetile, müddeti mezkûre zarfında alakadarının hususatı zatiyelerini ve vesayiti nakliyelerinin izhar etmeleri lâzım dır.

İkinci Madde

Hükümetce taayin olunan mahale azimet edecek o lan Ermenilerin esnai sevkinde, ve gerek esnai rahde huzur ve refahı helleri, ve her suretle tşaarrazden masuniyetleri jandarmalar tarafından temin olınacaktır.

Üçüncü Madde

Fakrı halleri tahakkuk edenlerin vesaiti nakliyesi ve emri işşeleri tarafıHükümetten tesviye edilecek dır.

Dördüncü Madde

Burada kalacak emlak ve emval yegân-yegân, ve cins ve nevleri zabtı defter edilecek, ve Hükümetce mahfuz mahallere konulacak, ve hüsnî idare ve muhafaza olunacak dır, ve bilahire firuhtından frie uhdendın? istisal edilecek dır esmanı eshâpı namına emaneten mal sandığına vaz'olunup kendilerine irsal olunacak dır.

Beşinci Madde

Sevk olunacakları mahallere müreffehen iskân edileceklerine nazaren alâkadarının her hususda hukukı şahsiyesi mahfuz olacak dır.

Altıncı Madde

Emri sevkiyatın hüsnî idare ve icrası ve her hususda hukukı şahsiyenin mahfuziyeti, emlak ve emvalı metrukenin

zabtı defter edilmesini teminen riyasetin altında bir komi-
sion teşkil etdin.

Yedinci Madde

Muamelei nakliye alelâde bir muamelei hicret oldu-
ğundan nakla tabi eşhasın büyük bir hisse-i itimatle Hükü-
metin icraatına rabtı kalp etmesi, ve sair Osmanlı tabaasının
da her suretle tahtı muhafazada bulundırılan bu hukuka hürmet
ve riayet ~~et~~ eylemesi lazımdır.

Sekizinci Madde

Ehaliden olsun, memurini inzibatiye ve saireden olsun,
bu hususda müsamehesi görülenlerin der hal tahtı tevkife
alınarak kendilerinin divanı harbî örfiye x sevk edileceğini
ihtar ve ilan eylerim.

Fi 16 Temmuz 1331

Antakia Kazası Kaimakamı

Maaruf. /

/ ~~See~~ Rev. D. Ambreasian, Zeytuni Darakrutuni yev Suedio Absdam-
pootuni". 2nd edition, Aleppo, 1935, pages: 46, 47

A P P E N D I X

Majâr Rifaat's regulations

Bitias, Hacı-Habibli, Yoğun-Oluk, Hıdırbey, Vakıf
Heyeti ihtiyariyelerine,

Birinci Madde

Aciz ve acize, erkek, kadın, ve masum çocukların
kanlarına girmemenizi ihtar ile bunların teslim edilmelerini
tavsiye eylerim.

İkinci Madde

Teslimi nefs edecek olanlar ellerinde beşyaz bayrak-
ları olduğu halde, askerin bulunduğu mahale gelecek dir.

Üçüncü Madde

Erkek ve gençlerden arzu edenler silahlarıyla maen
teslimi nefs edebilirler.

Dördüncü Madde

Teslimi nefs edenlere hiç bir cihetle karar ıka edil-
meyecek dir.

Beşinci Madde

Aksi takdirde dökülecek kanın mesulı sizsiniz.
Maddi ve manevi mesuliyet size ait dir.

131 ci Alay Komandanı

Binbaşı Rifaat

26 Ağustos 1331

See: Rev. D. Antreasian, Zeytoonî Darakrootunı yev Suedio

Absdampootunı, 2nd edition, Aleppo, 1935

page 106.

Şifre :

Kayseri Fırkalarına
Merkez Komandanlığına (Tezkere)
Ankara Jandarma Alayına (Tezkere)
Gayet mühim ve mahremdir.

Birinci Madde

Ermeni Katoliklerinin dahi diğer Ermeniler misillu naklı mekân ettirilmesi dahiliye nezaratından vilâyetlere tebliğ olunmuştur.

İkinci Madde

Elyevm müstahden olan efrad askeriye ile 310 ve 311 ve ila ahirini tevellütlu genc Ermeniler ve zevcleri ile gitmek istemiyen nisvan ve bunların subyanları hakkında olunacak muamele harbiye nezaretinden sorulmuştur. Emir tebliğ edilinceye kadar bunlara ilişilmiyecektir.

ÜÇÜNCÜ MADDE

Nakli ve sevk olunmakta olan Ermenilerin can ve mal ve ırzlarının katiyen hıfz ve gıyanet olunacağı tekiden beyan olunur.

Dördüncü Madde

Esnayı rahde bunların tecavüzata maruz kalmamalarına ve salimen ve defterlerin bitemam mahali sevke teslim edilmelerine ve hiç bir vechile rencide edilmemelerine son derece itima kılınacaktır. Bu bapta muhafızlara talimat şedide verilecek ve yanlarına dirayetli ve her vech ile şayanı itimat memurlar tayin olunacaktır.

Beşinci Madde

Merkumların hameket mahallarında üzerlerinde zuhur edecek nukudun komisyonlar muvacehesinde güzelce tadadı ve makbuz itası ve muntazan defterlere kaydı ile hıfzı matlupdır.

2

Cuzi sui istimalata mutecasır olacaklar için e eddi mucazat muhakkaktır.

Altıncı Madde

Bu talimat hilâfına hareket etmek mesuliyeti azimeî dayıdır.

31 Temmuz 331

Vali Vekili

Atıf.

"Nous ne croyons pas d'ailleurs que les Arméniens servent les tendances slaves, parce que, à quoi servirait si un tel mouvement venait de commencer; est-ce que les Arméniens existeraient alors?

"Est-il possible de déporter en Mésopotamie des centaines de milliers d'Arméniens?

"Même si les Arméniens le voulaient, l'exécution en serait impossible.

"Pourquoi donc publier de telles nouvelles dépourvues de logique?

"Il n'y a qu'un but: c'est de soulever toujours des difficultés contre le gouvernement ottoman".

voir Gabriel Lazian, Hayastan yev Hai Tade, Le Caire 1946, page

172-173

RIGHTS OF ARMENIANS

First Question:

Do the principles of international commune right, the Treaty of Peace and other acts signed at Lauzanne, on January 30 and July 24, 1923, as well as the Statement of the First Plenipotentiary Turk İsmet Pasha at the Conference of July 17, 1923, recognize to the Turkish Government the right to exclude the Turkish of Armenian race from the Turkish nationality because they are who did not participate in the struggle called national, or have not been authorized by the Turkish Government to take possession of their homes in Turkish territory? (Consultation, p. 16)

Answer:

The undersigned Councils have the honor to answer NEGATIVELY to the first question of the Central Committee of Armenian Refugees.

Second Question:

Do the Treaty of Peace and other acts signed on January 30 and July 24, 1923, as well as the Statement of the Turkish First Plenipotentiary İsmet Pasha at the Conference of Lauzanne on July 17, 1923, authorize the Turkish Government to confiscate the properties of Turkish citizens of Armenian race absent from the country, and the properties of the Armenian Communities in Turkey?

In the case of a negative answer to the preceding question:

Do the commune international rights, the Treaty of Peace, the acts and Statement aforesaid, bind the Turkish Government to restitute to the Armenians who were

absent from Turkey, as well as to the Armenian Communities of this country, ^{the} all properties confiscated before as well as after the signature of the Treaty of Lauzanne? (p.25)

Answer:

Having established ^{the fact} that the measure ^{provisions} which affects ^{Armenian} the Armenians in their properties ^{can} could not be a measure ^{considered as} authorizing ^{or} of confiscation ^{or} of penal order, because the agreement of the Powers and Turkey absolutely eliminates this hypothesis, ^{it is} it results, without breaking one's promise and humanitarian duty, ^{that} it ~~can not be permitted to~~ the Turkish Government ^{cannot be} permitted ^{not only} to proceed to the seizure of Armenian properties, which are not only that one may call ^{and} disguised confiscation, but also openly ^{and} direct confiscations. (p. 29)

The second part of the second Question: (p. 30)

The undersigned ^{conclude} estimate that the Turkish Authority ^{does} having not, ^{regarding the} ^{the property of} Turkish citizens of ^{the} Armenian race ^{and} it is under ^{obligation to} ~~the right to confiscate, has, on the other hand, no duty to reconstitute.~~ ^{make restitution.}

Third Question: (p. 31)

In case of difference of opinion about the question of nationality of the Turkish citizens of ^{the} Armenian race between the Turkish Government and one of the signatory Powers of the Treaty of Lauzanne or another member of the League of Nations, ^{does} ~~do~~ this difference ^{has} (following the terms of the indented line 3 of the Article 44 of aforesaid Treaty) ^{be considered as} ^{consist in} a conflict having international character ^{permanent to} following the terms of the Article of the Pact of the League of Nations, and ^{may each} ~~of this~~ conflict ^{may}, at the request of the other party, be referred to the Permanent Court of International Justice?

Answer: (p. 44-45)

Thus, the ^{people} individuals of Armenian race, ^{who are} Turkish citizens, ^{who have not} and ~~having not~~ obtained other nationality, are entitled to ~~proceed to the benefit~~ ^{protection unless} of Articles 37 and 44 of the Treaty of Lauzanne, in their capacity ^{as} of non-Moslem minorities of Turkey.

And in case of difference of opinion on every question of right or fact concerning the aforesaid Articles, between the Turkish Government and one of the signatory Powers of the Treaty of Lauzanne or every Power, a member of the League of Nations' Council, this divergence has, following the terms of the indented line 3 of the Article 44 of the aforesaid Treaty, to be considered as a conflict of an international character following the terms of the Article 14 of the Pacte of the Society of Nations and this conflict may, at the request of the party in difference of opinion with the Turkish Government, be referred to the Permanent Court of International Justice.