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COMPARATIVE STUDY ON CONSEQUENCES AND DEGREE OF CONVICTION OF THE ARMENIAN GENOCIDE IN THE OTTOMAN EMPIRE AND THE YEZIDI GENOCIDE IN IRAQ

Abstract

Studying the consequences of various examples of genocide is important not only in terms of identifying the degree of their severity for the victim groups, but also in terms of clarifying the attitude of the international community towards these crimes at the time they were committed. It is important to understand what the position of the great powers was towards these crimes, whether it was expressed through simple condemnation, or certain measures were taken to stop the mass extermination of representatives of ethnic, racial, religious and national groups. From this point of view, in the context of comparing the consequences of the Armenian Genocide in the Ottoman Empire and the Yezidi Genocide in the region Sinjar of Iraq, the object of the given study is the reaction and degree of intervention of the international community, and influential actors in world politics, with the aim of stopping the further extermination of representatives of the victim groups of these crimes.

To achieve the stated goals and objectives, the study combines historical-comparative and analytical methods, uses a wide range of primary and secondary sources, as well as interdisciplinary research by specialists.

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Introduction

The authorities of the Ottoman Empire considered the clash of two opposing military-political blocs, the Entente and the Quadruple Alliance, in the First World War to be a convenient opportunity for the “final solution” of the Armenian Question through the mass extermination of the Armenian population and the deprivation of its homeland – Western Armenia. Being well aware of the criminal plans of the Young Turk government, the allies of the Ottoman Empire – Kaiser’s Germany and Austria-Hungary, with their silence and criminal inaction, encouraged the Turkish authorities to continue the policy of mass extermination of the Armenian people, effectively becoming accomplices in this crime.

International intervention to stop crimes committed against victim groups

At the time of the Armenian Genocide, on May 24, 1915, the Entente powers – Russia, Great Britain and France – adopted a joint declaration in which the mass murder of Armenians was qualified as a “crime against humanity”. Personal responsibility for these crimes was placed “on all members of the Turkish government, as well as on those of its local representatives who are found to be involved in such massacres.”¹ Immediately after the dissemination of the text of the declaration of the Entente powers, the Minister of Internal Affairs of the Ottoman Empire, Talaat, initiated the hasty adoption by the Turkish government of a temporary law “On Deportation”, which attempted to “legitimize” the ongoing policy of mass deportation, and in essence, the extermination of the Armenian population.² By adopting this act, responsibility for the mass deportation and extermination of the Armenian population was legislatively shifted to the executive power of the country.³

However, the demarche of the Entente powers could not stop the process of mass extermination of the Armenian people in the Ottoman Empire. The only real factor restraining the criminal policy of the Young Turk government was the

¹ See **Abrahamyan, Sevan-Khachatryan** 1995, 21.

² See **Safrastyan** 2009, 175–180.

³ See **Marukyan** 2017, 72–73.

Russian Caucasian Army, which occupied some territories of Western Armenia. The advance of the Russian army and Armenian volunteer units in early May forced the Turkish command to stop the month-long siege of Van and retreat. The heroic self-defense of the Armenians of Van, which lasted from April 7 to May 6, 1915, ended with the rescue of tens of thousands of Armenians of Van and surrounding settlements.⁴ At the same time, it should be noted that the insufficiently prepared, rapid maneuvers of the Russian Caucasian army often led to retreats, leaving the Armenian population to the mercy of fate, which did not have time to leave with the troops, while the enraged enemy dealt most cruelly with those who did not have time to leave.⁵

Thanks to the help of the French Mediterranean Navy ships, the heroic self-defense of the Armenians on Mount Musa Dag, which lasted more than a month, also ended with the rescue of part of the Armenian population of the villages of Suetia from mass extermination.⁶ In mid-September 1915, the French warships cruising off the coast of Cilicia transported about 4,200 Armenians, including women, children and the elderly, to the British-controlled Egyptian town of Port Said.⁷

The international community only drew attention to the plight of tens of thousands of Yazidis who had found refuge on Mount Sinjar from extermination by the "Islamic State" terrorist group* (ISIS) after the US President issued a special statement on August 7 regarding the situation surrounding the Yazidis in Iraq. B. Obama said, that at the request of the Iraqi government, the United States took measures to rescue civilians who had found refuge in the mountains. He noted that if necessary, the US Air Force is authorized to carry out precision airstrikes that will allow Iraqi forces to lift the siege of Mount Sinjar and protect

⁴ See **Tunyan** 2015, 143–159.

⁵ **Marukyan** 2003, 311.

⁶ See **Kevorkyan** 2015, 83–91.

⁷ **Shemmassian** 2020, 375.

* An extremist Sunni terrorist group was formed in 2004 based on some organizations of the Al-Qaeda international terrorist network, and funded by Qatar and Saudi Arabia. The "Islamic State" terrorist group also had internal sources of financing, which were provided through the sale of oil, other natural resources, objects of historical and cultural value, and weapons in the territories under its control, as well as income from ransoms paid for hostages. See Dispatch from the Field, Islamic State, 2014. <https://www.conflictarm.com/dispatches/islamic-state-ammunition-in-iraq-and-syria/Ammunition.pdf> (accessed: 12.02.2025).

the civilian population there.⁸ In order to provide humanitarian aid to the besieged Yazidis, American military aircraft delivered 130.000 liters of drinking water and 114.000 food packages to Mount Sinjar. Humanitarian aid was also provided by British military aircraft, which were later joined by the air forces of France, Germany and Australia.⁹ US Air Force also carried out airstrikes on ISIS positions in Mosul, allowing Iraqi and Kurdish forces to retake lost territory.

On August 13, US and UK special forces entered the area of Mount Sinjar surrounded by terrorists, where about 30.000 Yazidis were hiding.¹⁰ Based on the information received, it was claimed that the Yazidis in this part of Mount Sinjar were provided with water and food and were not threatened by attacks from ISIS militants.¹¹ Although on August 14, 2014, the US President announced the release of the Yazidis from the blockade on Mount Sinjar, the latter noted that after the end of the military operation, the international community showed criminal inaction in rescuing thousands of their compatriots held hostage by ISIS.¹²

However, these actions by the US and its allies were clearly not enough to free tens of thousands of Yazidis from the terrorists' encirclement on Mount Sinjar. Units of the Syrian branch of the Kurdistan Workers' Party (PKK) came to the aid of the Yazidi refugees doomed to death by starvation on Mount Sinjar, supplied the Yazidi self-defense forces with sufficient weapons and ammunition, and then, during a joint operation, managed to open a safe corridor for them to Syria.¹³ More than 120.000 people who had found refuge on Mount Sinjar moved to Syria through this corridor, 80.000 of whom settled in the Nowruz refugee camp created by the Syrian branch of PKK and in the surrounding settlements, and about 30,000 crossed the Turkish border, settling in the border areas of Batman, Diyarbakir, Midyat and Mardin. Despite the possibility of a safe retreat from Mount Sinjar, about 20–30 thousand Yazidis refused to leave their homelands, continuing to remain in the mountains.¹⁴

⁸ See Statement by the President. (accessed: 12.02.2025)

⁹ **Kochoi** 2014, 68.

¹⁰ **Chulov, Borger, Norton-Taylor, Roberts** 2014. (accessed: 12.02.2025)

¹¹ **DeYoung, Whitlock** 2014, (accessed: 12.02.2025)

¹² **Kochoi, Hasan** 2016, 104.

¹³ **Grigoryan** 2016, 167–168.

¹⁴ Report on the Protection of Civilians in the Armed Conflict in Iraq 2014, 4.

Consequences of the Armenian Genocide and the terrorist crimes committed against the Yezidis of Sinjar

The consequences of the Armenian Genocide in the Ottoman Empire and the terrorist crimes committed against the Yezidis of Iraq's Sinjar region show both similarities and significant differences.

The losses inflicted on the Armenian people as a result of the genocide and their consequences can be conditionally divided into the following groups: a) loss of the historical homeland, b) demographic losses, c) loss of cultural and civilizational heritage, d) material damage, e) moral and psychological shock.

The grave direct damage of the Armenian Genocide should be considered "patriocide" – **the deprivation of the Armenian people of most of their homeland – Western Armenia** – through mass extermination. As a result of the loss of their homeland, the Armenian refugees who miraculously survived the genocidal policies of the Turkish authorities in different countries created communities of the modern Armenian Diaspora. As a consequence of this, on the one hand, it should be noted that the Western Armenians who survived the genocide, having lost their native homes, were forced to start everything from scratch in a foreign land and at the same time try not to lose their national identity.¹⁵

It is generally accepted that the **demographic losses** of the Armenian Genocide amounted to 1.5 million people, however, it is necessary to take into account that an integral part of the genocidal policy of the Turkish authorities was the forced Islamization of the Armenian population, as a result of which these people ceased to identify themselves with the Armenian people, which from the point of view of the group-victim of the genocide should also be considered as human losses. In addition to clarifying the number of Armenians who were actually killed, died or forcibly Islamized, in this context it is necessary to clarify the consequences of these demographic losses for the victim group and imagine what the size of the Armenian people would have been a century after the genocide if the victims of this crime had survived.¹⁶

The next most important damage of the Armenian Genocide was the deliberate **destruction of the cultural heritage** of the Armenian people. In an

¹⁵ See Marukyan 2014, 271.

¹⁶ Ibid, 273.

effort to destroy evidence of the thousand-year presence of Armenians in their homeland – Western Armenia and other Armenian-populated territories of the Ottoman Empire, successive Turkish authorities consistently destroyed Armenian churches, monasteries, educational institutions, historical monuments, khachkars, architectural structures and even cemeteries. During the Armenian Genocide and in the following years, more than 1.500 churches, 450 monasteries, 2.000 schools, etc. were destroyed.¹⁷ The destruction of many thousands of Armenian manuscripts, which reflected the scientific thought and genius of the Armenian people, should also be considered an example of cultural genocide. These atrocities served two purposes: they destroyed evidence of what had happened and created conditions for the rapid assimilation of Armenians.¹⁸

An equally important component of the criminal policy of the Turkish government should be considered the **mass expropriation of Armenian property** and its transfer to Muslims, primarily Turks, which was carried out in parallel with the extermination and deportation of the Armenian population. When speaking about the material damage caused to the Armenian people, the first thing that comes to mind is the joint memorandum of the delegations of the Republic of Armenia and Western Armenians presented at the Paris Peace Conference. This document estimated the material losses of Armenians in 1915–1919 at 19.130.982.000 French francs, of which 14.598.460.000 francs were inflicted on Western Armenians and 4.582.472.000 on the Republic of Armenia.¹⁹ It should be noted, however, that due to the tight deadlines for the preparation and submission of the memorandum, this document was unable to reflect complete and final data on the material losses inflicted on the Armenian people during the First World War.

On June 10, 1915, by the decision of the Young Turk government, “Commissions for Abandoned Property*” were created, which were entrusted with the function of carrying out the process of expropriation of all Armenian property.²⁰ Personal documents of the Minister of the Interior, Talaat Pasha,

¹⁷ See Armenian-Turkish relations 2011, 144.

¹⁸ See **Bevan** 2006, 25–60.

¹⁹ See **Barseghyan** 1999, 13.

* The creation and activities of these commissions were later recognized as illegal by the Ottoman Empire itself under Article 144 of the Sevres Peace Treaty of August 10, 1920. See Supplement: Official Documents 1921, 235.

²⁰ See **Akcam** 2012, 186–187.

confirm that a total of 20.545 buildings, 76.942 acres of vineyards, 703.941 acres of olive groves and 4.573 acres of mulberry orchards were seized from the Armenians.²¹

As a result of the genocide, the Armenian people suffered serious **moral and psychological shocks**, which were experienced not only by the Armenians who survived this monstrous crime, but also by subsequent generations. The forcibly Islamized Armenian women and children, who were forced to accept Islam and speak only Turkish,²² and had to adopt Turkish names and surnames against their will, also suffered moral and psychological shocks.²³

As for the **consequences of the crimes committed by terrorists against the Yazidis of Sinjar**, the following main losses and their consequences can be identified: a) mass migration and the grave repercussions of the departure of the majority of the Yazidi population from their native lands, b) demographic losses, c) destruction and desecration of religious and cultural sites, d) seizure and destruction of property, e) moral and psychological shocks and their effects.

As a result of the attack and crimes committed by ISIS in Sinjar, more than 200.000 **Yezidis have become refugees, leaving their homes and finding refuge in other countries.**²⁴ However, unlike the Armenian people, the **Yezidis did not lose their homeland**; some of the Yazidi population subsequently returned to their native lands. The approximately 20–30 thousand Yazidis who remained on Mount Sinjar and refused to cross into Syria via the safe corridor, as well as some of the Yazidi population who found refuge in the territory of Iraqi Kurdistan, after liberating their settlements from terrorists, gradually began to return to their native lands. Thus, despite the terrible, devastating consequences of the ISIS attack, about 15% of the Yazidi population of Sinjar returned to their former places of residence, facing serious problems: abandoned and destroyed buildings that were filled with unexploded ordnance and the bodies of those killed after the massacre.²⁵ The Yazidis who returned to the northern parts of Sinjar noted that after the liberation of these territories from terrorists, for a long time

²¹ See Ümit 2013, 97–106.

²² See Sarafian 2001, 209–221.

²³ See Miller, Touryan-Miller 1993, 146.

²⁴ See Kochoi, Hassan 2016, 99.

²⁵ Jalabi 2017.

no construction or restoration work was carried out in the settlements that were attacked and the activities of public services were not restored.²⁶

The most important issue for the Yezidis who returned to the settlements of Sinjar was the issue of ensuring security, in particular, ensuring the right to freely carry weapons for members of the community, as a kind of guarantee of having a means of protection against possible attacks in the future. Given the deliberate retreat of the "Peshmerga" immediately before the ISIS attack on Sinjar, the Yezidis who survived the horrors of the crimes no longer trusted the Kurdish formations and considered the Yezidi self-defense units and the units of the Syrian branch of the PKK that cooperated with them as a guarantee of their safety.

After the expulsion of terrorists from some settlements in Sinjar, a Yezidi interim parliament consisting of 27 figures was formed, declaring that after the complete liberation of the region, a legitimate government would be formed through democratic elections.²⁷ In response to this statement, on the orders of the leader of Iraqi Kurdistan, M. Barzani, on December 19, "Peshmerga" units again entered Sinjar, trying to create the impression that they had liberated the region, although most of it continued to remain under the control of ISIS. After returning to Sinjar, Kurdish units began to force the commanders and fighters of the Yezidi self-defense forces, which were already recognized as legitimate armed groups by the Iraqi authorities, to join their ranks.²⁸ It was clear that this was an attempt to deflect responsibility from the Kurdish units for their complicity in the massacre of the Yezidis when, hours before the ISIS invasion, the Peshmerga withdrew from Sinjar, leaving the defenseless Yezidi population at the mercy of the terrorists. Realizing that the demand to join the ranks of the Kurdish units was intended to create the appearance that the "Peshmerga" forces had not left Sinjar, but continued to fight against the terrorists in the form of Yezidi units, the commanders of the Yezidi units categorically refused to fulfill this demand.²⁹ Given these processes, Yazidi leaders considered it inappropriate to participate in the governing bodies of Iraqi Kurdistan, since they were confident that in the event of inevitable conflicts of interest with the Kurdish elite, they would be

²⁶ van Zoonen, Wiryia 2017, 18.

²⁷ See Murazi 2015, 84.

²⁸ Ibid, 11.

²⁹ Ibid, 85.

deprived of the opportunity to freely represent and defend the interests of their community.³⁰

According to some sources, the number of Yazidis killed as a result of the ISIS crimes was 3–5 thousand people. However, the exact number of victims of these crimes is unknown, since some Yazidi territories were still under the control of terrorists at that time.³¹ According to later data, the number of victims exceeded 20 thousand people, but this number was not considered final, since new mass graves of Yazidis were discovered in the liberated settlements of Sinjar, and the authorities of the Kurdish autonomy hindered the work of Yazidi activists to determine the number of victims of these events.³²

In addition to direct demographic losses, about 3,600 people went missing, and more than 5,000 Yezidi women and girls were taken hostage by terrorists.³³ On April 8, 2015, after ISIS retreated from the city of Tikrit, 216 Yezidi children and elderly people were freed after being held captive by the terrorists for about eight months. They had health problems and there were signs of torture on their bodies.³⁴ In March 2016, during a special operation against ISIS in Mosul, Iraqi security forces managed to free a group of Yezidi women.³⁵ During the same period, PKK units managed to free 51 Yezidis from terrorist captivity.³⁶ Yezidi leaders have tried to use their personal connections and resources to find thousands of missing compatriots.³⁷ The Yezidis who escaped from terrorist captivity also directly participated in the process of freeing Yezidi women sold into sexual slavery, trying to track them down and return them to their families by ransom. However, the search and release of the hostages was complicated by the fact that ISIS was spreading information via the Internet about the sale of human organs on the black market for 60–70 thousand dollars.³⁸

³⁰ **van Zoonen, Wiryā** 2017, 17.

³¹ See **Kochoi, Hassan** 2016, 99.

³² **Murazi** 2015, 12.

³³ *Ibid.*

³⁴ **Sameer** 2015. (accessed: 12.02.2025).

³⁵ "Iraqi forces free Yazidi women held by IS" 2016, <https://www.newarab.com/news/iraqi-forces-free-yazidi-women-held> (accessed: 12.02.2025).

³⁶ "HPG and YBŞ-YJŞ free 51 Êzidîs from ISIS", 2016, <https://anfenglish.com/kurdistan/hpg-and-ybs-yjs-free-51-ezidis-from-isis-14282> (accessed: 12.02.2025).

³⁷ **Evans** 2021, (accessed: 12.02.2025).

³⁸ **Hagedorn** 2020, (accessed: 12.02.2025).

Yezidi historical and cultural monuments and religious buildings in Sinjar have also become targets of terrorists. As a result of the ISIS attack on Sinjar, more than 10 temples and shrines in Yezidi villages were destroyed, including the Sheikh Mandi temple and the Sheikh Nasreddin mausoleum. Yezidi self-defense forces managed to repel terrorist attacks on the Sharfaddin temple and save the shrine.³⁹

The practice of seizing property in parallel with the extermination of the members of the victim group was also used against the Yezidis of Sinjar, when ISIS terrorists took away not only identity documents from hostages, but also plundered their money and valuables.⁴⁰ In addition, after returning to the settlements of Sinjar liberated from terrorists, the Yezidis found goods stolen from their homes in the houses of some of their Arab neighbors and, in retaliation, set their houses on fire.⁴¹

Both the Armenian people and the Yezidis have been subjected to **moral and psychological shocks** and faced grave consequences as a result of the crimes of ISIS. Despite calls from Yezidi religious leaders that women and girls freed from terrorist captivity should be accepted into the Yezidi community and treated with respect, some men considered them dishonored and refused to accept them into their families or take them as wives.⁴² Taking into account the moral and psychological problems, the Yezidi Charitable Foundation implemented a humanitarian project to support the victims of the crimes of Sinjar, in particular children and women. A Center for Supporting Orphans and Victims of Crime was established in Sinjar, providing social and psychological assistance to 50 orphans and 30 low-income families. Through international humanitarian organizations, the Support Center tried to expand assistance to 228 orphans and 100 helpless women.⁴³

Thus, in some aspects, there are certain similarities between the consequences of the Armenian Genocide and the crimes committed against the Yezidis. In both cases, hundreds of thousands of refugees – representatives of victim groups – were forced to leave their homes, finding refuge in neighboring

³⁹ **Murazi** 2015, 42.

⁴⁰ Report on the Protection of Civilians in the Armed Conflict in Iraq 2014, 14.

⁴¹ Ibid.

⁴² Ibid, 17.

⁴³ **Dinnayi** 2013, 15.

and distant countries. The monstrous crimes committed against the victim groups resulted in human losses, the destruction of settlements and the expropriation of their property, moral and psychological trauma and their serious results.

International Legal Assessment of the Armenian Genocide and Crimes Committed by Terrorists against the Yezidis of Sinjar

In the process of comparing the characteristics of the two crimes, some differences in the issue of their conviction are revealed. The Armenian Genocide was an unprecedented crime not only in terms of the scale of its consequences, but also because the main organizers of this crime were found guilty and sentenced to death during the subsequent trial of members of the former Young Turk government and leaders of the ruling "Union and Progress" Party in their own country.

After the defeat of the Ottoman Empire in the World War and the signing of the Armistice of Mudros in 1918, the victorious countries demanded that the new Turkish authorities punish those guilty of committing crimes against prisoners of war and Armenians. The trial initiated by the new authorities against the representatives of the previous government and the leaders of the ruling party: Talat, Enver, Djemal, Behaeddin Shakir, Dr. Nazim, Bedri and Azmi, who were no longer in the country by that time, was aimed at not punishing the perpetrators and organizers of mass crimes, and at preventing the possibility of a trial of these criminals in an international tribunal.⁴⁴

The trial of the main organizers of the Armenian Genocide took place from April 28 to July 5, 1919 in a specially created Turkish military tribunal. Witness testimony, transcripts, indictments and verdicts of Turkish military tribunals confirm the crime of genocide. The indictment clearly states that the deportation was planned, the decision was made by the Central Committee of the Young Turk Party, and its tragic consequences were felt in almost every corner of the Ottoman Empire.⁴⁵ It was recorded that the goal of the implementation of the general program of the Young Turks was the "final solution of the unresolved problem", which primarily meant the Armenian Question.⁴⁶ By the verdicts of the Turkish military tribunals, members of the former government and leaders of the

⁴⁴ **Marukyan** 2014, 148.

⁴⁵ **Dadrian** 1997, 43.

⁴⁶ **Barsegov** 2002, 39.

Young Turk Party Talaat, Enver, Djemal, Dr. Nazim, Behaeddin Shakir were sentenced to death in absentia.⁴⁷

Since the Turkish authorities did not take steps to find and punish the criminals, this mission was taken over by Armenian avengers in Operation "Nemesis", who found the criminals in different countries and carried out the death sentences of Turkish military tribunals that had entered into legal force.⁴⁸

At the Berlin trial of the murder of former Ottoman Interior Minister Talat Pasha, a German court has found Armenian avenger Soghomon Tehlirian innocent, releasing him from the courtroom.⁴⁹ The decision of the German court was based on the verdict of the Turkish military tribunal regarding one of the main organizers of the Armenian Genocide, Talat Pasha, who was hiding from justice in Berlin using false documents. This decision of the Berlin court can be seen as a kind of internationalization of the verdicts of Turkish military tribunals in relation to the main organizers of the Armenian Genocide.

As for the international legal assessment of the crimes committed by ISIS against the Yezidis of the Iraqi region of Sinjar, it should be noted that the UN Assistant Secretary-General for Human Rights I. Shimonovich qualified them as an attempt to commit genocide against the Yezidis.⁵⁰ In this regard, it should be noted that, according to Article 3 of the Convention of December 9, 1948 "On the Prevention and Punishment of the Crime of Genocide" punishment is provided not only for the commission of genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, but also an attempt to commit genocide, that is, an attempt to commit this crime.⁵¹

In September 2014, at the 69th session of the UN General Assembly, the President of Armenia called on the international community to ensure the protection of the Yezidis in Iraq from the genocide being committed by a terrorist group.⁵² Armenia co-sponsored a UN Human Rights Council resolution

⁴⁷ Papazyan 1988, 126.

⁴⁸ See Hovnanian 2013.

⁴⁹ Stepanyan 2007, 241.

⁵⁰ UN accuses ISIS of crimes, https://www.bbc.com/russian/rolling_news/2014/10/141020_rn_un_is_war_crimes (accessed: 12.02.2025).

⁵¹ See Human Rights. Collection of International Treaties, V. 1, P. 2, 2002, 780.

⁵² Speech of the President of the Republic of Armenia at the 69th session of the UN General Assembly, <https://www.president.am/hy/press-release/item/2014/09/24/> (accessed: 12.02.2025).

condemning the genocide committed against the Yazidis, and on January 16, 2018, the Armenian parliament recognized the genocide committed by terrorist groups against the Yazidis in Iraq in 2014. The Armenian government also allocated \$100,000 to provide material assistance to forcibly displaced Yazidis in Iraq.⁵³

On November 14, 2014, 442 deputies of the State Duma of the Russian Federation voted to adopt a resolution "On gross and massive violations of the rights of religious and national minorities in connection with the aggravation of the situation in Syria and Iraq," which, however, condemned the inhumane treatment of terrorists in Iraq, aimed at the complete physical destruction of not the Yazidis, but the Kurds⁵⁴. The text of the adopted document notes that the terrorists' actions contain all the characteristics corresponding to the provisions of Article II of the 1948 UN Convention "On the Prevention and Punishment of the Crime of Genocide", but are not directly qualified as genocide, although the "complete physical destruction" of ethnic and religious minorities constitutes genocide.⁵⁵

The appeal by the Iraqi Prime Minister and Foreign Minister to the UN to investigate ISIS crimes and bring those responsible to justice can be seen as an important step towards restoring justice.⁵⁶ At the same time, the Yazidis believe that both the Iraqi government and the authorities of Iraqi Kurdistan must take more decisive and consistent steps to bring to justice the criminals who committed crimes against the Yazidi population, as well as accomplices in these crimes in the ICC, which will help restore the undermined trust of the Yazidis in the Iraqi authorities and the leadership of the Kurdish autonomy.

⁵³ Armenia's aid to the Yazidis of Iraq, <https://www.mfa.am/hy/press-releases/2014/09/02/donation-yezidi/4448> (accessed: 12.02.2025).

⁵⁴ See "On the Statement of the State Duma of the Federal Assembly of the Russian Federation "On gross and massive violations of the rights of religious and national minorities in connection with the aggravation of the situation in Syria and Iraq" // SPS "Consultant Plus", http://duma.gov.ru/media/files/QKbCZ2cobkAZMB81btOtEvj_OLvpPhAsA.pdf; The State Duma has declared gross and massive violations of the rights of religious and national minorities in Syria and Iraq, // URL: http://www.duma.gov.ru/news/273/851209/?sphrase_id=2295927 (accessed: 12.02.2025).

⁵⁵ **Kochoi, Hassan** 2017, 121.

⁵⁶ Report on the Protection of Civilians in the Armed Conflict in Iraq 2014, 21.

Comparative Study on Consequences and Degree of Conviction ...

The impunity of the perpetrators of crimes: mass murders, kidnappings, rapes and looting of the victims' property, committed by terrorists and representatives of the Arab population who joined them, led to acts of revenge and lynching by fighters of the Yezidi units against the Muslim population of Sinjar. Similar acts emerged in late December 2014, when Yezidi self-defense forces and Kurdish militias took control of areas north and east of Mount Sinjar, including the villages of Jiri and Sibaya.⁵⁷ In April 2015, the human rights organization "Amnesty International" visited the Arab-populated villages of Jiri and Sibaya and recorded that, in retaliation for the August events, Yezidi units killed and abducted residents of these villages, burning their homes and property. In connection with these events, the commander of the Yezidi detachments explained that in these villages they were looking for those responsible for the kidnapping of Yezidi women and girls, but the terrorists' supporters opened fire on them, killed several of their fighters, after which they were compelled to use force. Of those arrested, 17 turned out to be former terrorists who were taken away with them, and 40 people were returned to the Arab leaders, but they were not involved in the arson, which happened after they left.⁵⁸

Based on the results of a comparative analysis of the effectiveness of international intervention to prevent crimes, and an assessment of the consequences as well as the degree of conviction of the two crimes, the following differences can be identified:

1. It can be concluded, based on a comparative analysis of the international intervention during the commission of the two crimes, that, unlike the Armenian Genocide, for objective and subjective reasons, the intervention of the international community at the time of the commission of crimes by ISIS against the Yezidis of Sinjar was more targeted and effective. Considering that during the period of the genocide of the Armenian population in Western Armenia and other regions of the Ottoman Empire, international intervention took place in the context of the First World War, when the Entente powers were busy with military operations on various fronts. It is natural that this intervention was fragmentary and limited in nature. The reaction of neutral countries to the criminal policy of the Turkish authorities towards the Armenian population of the Ottoman Empire

⁵⁷ Amnesty International Briefing 10 June 2015, <https://www.amnesty.org/en/documents/mde14/1801/2015/en/> (accessed: 12.02.2025)

⁵⁸ Ibid.

was largely declarative and, at best, manifested itself in the provision of humanitarian aid. In contrast, at the time of the ISIS crimes against the Yezidi population of Sinjar, an international coalition led by the United States had already been formed, within the framework of which the actions of the participating states against this terrorist group were coordinated; accordingly, the process of providing both military and humanitarian aid to the ethno-religious group of the Yezidis that suffered from the actions of the terrorists, was more targeted. A comparison of the numbers of survivors from the victim groups also shows that, as a percentage, more Yezidi than Armenians were saved from death as a result of the international intervention.

2. After the genocide, Armenians were denied the right to return to their homeland, i.e. Western Armenia, as Turkish authorities banned former Ottoman Armenians from entering the country. As ISIS retreated, some of the Yezidi population returned to their hometowns in Sinjar. In addition, the genocide committed by the Turkish authorities against the Armenian population of the Ottoman Empire had incomparably greater demographic losses and had more severe consequences for the Armenian people than the crimes of ISIS for the Yezidi people.

3. As for the degree of conviction of the two crimes, the fact of the Armenian Genocide has been recognized and recorded by the materials of the Turkish tribunals, while the crimes committed against the Yezidis of Sinjar have not yet received a final international legal assessment. The legal qualification of the crimes committed against the Yezidis is complicated by the fact that, unlike the Armenian Genocide, which was committed by the legitimate authorities of the Ottoman Empire, the mass pogroms of the Yezidis were carried out not by the Iraqi authorities, but by a terrorist group. The Iraqi authorities may be accused of failing to prevent these crimes, and the leadership of the autonomous region of Iraqi Kurdistan may be accused of complicity in them.

4. Unlike the acts of retaliation by the Yezidi groups against Muslim Arabs associated with the crimes of terrorists, during the implementation of Operation "Nemesis", the Armenian avengers did not liquidate ordinary Turks or Muslims who participated in the commission of the Armenian Genocide, but the main organizers of this crime, against whom the Turkish military tribunals issued death sentences in absentia that came into force.

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ԱՐՄԵՆ ՄԱՐՈՒՔՅԱՆ

Պատմական գիտությունների դոկտոր

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ՕՍՄԱՆՅԱՆ ԿԱՅՍՐՈՒԹՅՈՒՆՈՒՄ ՀԱՅԵՐԻ ԵՎ ԻՐԱՔՈՒՄ ԵԶԴԻՆԵՐԻ ՑԵՂԱՍՊԱՆՈՒԹՅՈՒՆՆԵՐԻ ՀԵՏԵՎԱՆՔՆԵՐԻ ԵՎ ԴԱՏԱՊԱՐՏՄԱՆ ԱՍՏԻՃԱՆՆԵՐԻ ՀԱՄԵՄԱՏԱԿԱՆ ՎԵՐԼՈՒԾՈՒԹՅՈՒՆ

Ամփոփում

Ամփոփելով երկու հանցագործությունների դադարեցման նպատակով միջազգային միջամտության արդյունավետության, այդ հանցագործությունների հետևանքների և դատապարտման աստիճանի գնահատման համեմատական վերլուծությունը, կարող ենք արձանագրել, որ բազմաթիվ ընդհանրությունների հետ մեկտեղ առանձնանում են հետևյալ էական տարբերությունները.

1. Օբյեկտիվ և սուբյեկտիվ պատճառներով պայմանավորված իրաքի Սինջար շրջանում եզդիների նկատմամբ «Իսլամական պետություն» ահաբեկչական խմբավորման կողմից կատարվող հանցագործությունները դադա-

րեցնելու նպատակով միջազգային հանրության միջամտությունն ավելի նպատակային և արդյունավետ էր, քան թուրքական իշխանությունների կողմից Օսմանյան կայսրությունում իրագործված Հայոց ցեղասպանության իրականացման ընթացքում:

2. Ցեղասպանությունից հետո հայերը զրկվեցին իրենց հայրենիք՝ Արեւմտյան Հայաստան վերադառնալու իրավունքից, իսկ եզդի բնակչության մի մասը ահաբեկիչների հեռանալուց հետո հնարավորություն ունեցավ վերադառնալ հայրենի բնակավայրեր: Բացի այդ, ցեղասպանությունից հետո հայ ժողովուրդն անհամեմատ ավելի մեծ ժողովրդագրական կորուստներ կրեց և ավելի ծանր հետևանքների առաջ կանգնեց, քան ահաբեկչական խմբավորման հանցագործություններից տուժած եզդի ժողովուրդը:

3. Հայոց ցեղասպանության փաստը ճանաչվել և արձանագրվել է թուրքական ռազմական դատարանների կողմից, մինչդեռ Սինջարի եզդիների նկատմամբ կատարված հանցագործությունները դեռևս վերջնական իրավական գնահատական չեն ստացել: Եզդիների դեմ կատարված հանցագործությունների իրավական որակումը բարդանում է նրանով, որ դրանք իրականացվել են ոչ թե պետական իշխանությունների, այլ ահաբեկչական խմբավորման կողմից:

4. Ի տարբերություն ահաբեկիչների հանցագործություններին մասնակցած մահմեդական արաբների դեմ եզդիական խմբերի վրեժխնդրության դեպքերի, «Նեմեսիս» գործողության շրջանակներում ոչ թե հայերի ցեղասպանությանը մասնակցած սովորական թուրքեր կամ մահմեդականներ էին պատժվում, այլ այդ հանցագործության գլխավոր կազմակերպիչները, որոնց թուրքական ռազմական ատյանները հեռակա կարգով դատապարտել էին մահվան:

Բանալի բառեր՝ Հայոց ցեղասպանություն, Օսմանյան կայսրություն, եզդիների ցեղասպանություն, Իրաքի Սինջար շրջան, միջազգային միջամտություն, հանցագործությունների հետևանքներ, դատապարտվածության աստիճան: