ARMENIAN-AMERICANS SUE FOR CENTURY-OLD LOSSES

Posted on July 30, 2010 by Keghart

Associated Press

Category: Opinions

By Linda Deutsch, Associated Press, 29 July 2010

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Armenian-American lawyers filed a federal lawsuit Thursday against the Turkish government and two banks seeking compensation for the heirs of Armenians whose property was allegedly seized nearly a century ago as they were driven from the Turkish Ottoman Empire.
Lawyers were seeking class-action status for the suit, a process that attorney Brian Kabateck said could take as long as three years.

"We are rolling up our sleeves and are going forward," he said.

The suit was filed on behalf of plaintiffs Garbis Davouyan of Los Angeles and Hrayr Turabian of Queens, N.Y. It alleges breach of statutory trust, unjust enrichment, human rights violations and violations of international law.

It seeks compensation for land, buildings and businesses allegedly seized from Armenians along with bank deposits and property, including priceless religious and other artifacts, some of which are now housed in museums in the Republic of Turkey.

Attorney Mark Geragos said it was the first such lawsuit directly naming the government of the Republic of Turkey as a defendant.

"All of the lawyers involved have relatives who perished or fled the Armenian genocide, which gives it a special poignancy for us," he said.

The lawsuit claims more than a million Armenians were killed in forced marches, concentration camps and massacres "perpetrated, assisted and condoned" by Turkish officials and armed forces.

The U.S. government does not recognize the mass killings of Armenians during World War I as genocide.

Also named in the lawsuit were the Central Bank of Turkey and T.C., Ziraat Bankasi, the largest and oldest Turkish bank with origins dating back to the 1860s.

The lawsuit claims the government of Turkey agreed to administer the property, collect rents and sale proceeds from the seized assets and deposit the receipts in trust accounts until the property could be restored to owners.

Instead, the government has "withheld the property and any income derived from such property," the lawsuit said.

A message left with the Turkish Consul General's office in Los Angeles was not immediately returned. After-hours e-mails seeking comment from both banks were not immediately returned.

Lawyers for the plaintiffs believe records of the properties and profits still exist, and they are seeking an accounting that could reach billions of dollars.

Geragos said the biggest issue in Armenian communities is seeking recognition for the ethnic bloodshed that allegedly claimed the lives of as many as 1.5 million Armenians between 1915 and 1919.

In 2000, the California Legislature recognized the deaths as genocide when it allowed heirs to seek payment on life insurance policies of dead relatives.

The 9th U.S. Circuit Court of Appeals later invalidated the law. Geragos has appealed that ruling.

Still, the heirs were paid nearly $40 million by New York Life Insurance Co. and French insurer AXA.