

# ECHR RULING WELCOMED BY ARMENIANS, TURKS

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 **Editor**, 1 November 2015

The Armenian government is happy with the European Court of Human Rights (ECHR) ruling re Turkish politician Dogu Perincek. Ankara and Baku are also happy about the court's decision. So is lawyer Geoffrey Robertson, QC, representing the Armenian side. Perincek, chairman of Turkey's Patriotic Party, was happy as well.

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Here's a brief explanation:

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How can it be that the antagonists, except Turkish NGOs and some Armenians, have welcomed the court's Oct. 15 decision?



Here's a brief explanation:

1. The court case wasn't about establishing the veracity of the Genocide of Armenians. The ECHR has no authority to rule on that historic event.
2. The court case was about Perincek's right to free speech (denying there was a Genocide of Armenians). It ruled that the conviction and the fining of Perincek by the Swiss court for his remark infringed on his right to free speech. His remarks, according to the judges ruling, can't be regarded as affecting the dignity of the members of Armenians. The denial of the Genocide would be considered a criminal offense only if it is an incitement to racial hatred, the judges said.
3. In its 2007 conviction of Perincek, the Swiss court decided the denial of the Genocide was "tantamount to accusing Armenians of falsifying history."
4. The Armenian government said that the ECHR ruling meant that the court recognized Armenian right to protection against hate speech. European states can still punish Armenian Genocide denial if it's calculated to incite violence and disturb racial harmony.
5. Turkey's former foreign minister said: "Turkey celebrates the judgement because it respect freedom of expression." But the fact is the majority of 591 cases the ECHR has heard up to 2014 have

been about the Turkish government's violations of free expression.

6. Robertson's take? He said that the "ruling clearly stated Armenians had a right to respect for their history."

