

INTERNATIONAL REDRESS STRATEGIES

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KNC-NA 23rd Annual Conference, April 29, 2011, Calgary, Canada

It's a great pleasure to discuss international strategies and introduce myself to the North America Kurdish National Congress having just returned from 10 days of North Kurdistan related meetings in Istanbul, Dersim, Diyarbakir and elsewhere, including with victims, lawyers, human rights association officials and others. The trip ended with strategy meetings in Germany. The North Kurdistan meetings were preceded by my presentations at the Berlin State Parliament Dersim Conference last November which took place a couple of weeks after I attended the First North American Conference on Kurdish Language held at the University of California Los Angeles which explored linguistic issues, a subject that I recognize, has significant geo-political and historical impact and consequences.

At these trips to Turkey and Germany I proposed international strategies that can be useful for all of Kurdistan, whether North, South, East or West and for those living in Europe and North America—strategies which I want to raise today and discuss publicly to some extent and privately in more detail with you at this conference. Some ideas may focus on the North Kurds, but could benefit others and in any event hopefully will be supported in solidarity by all others, notwithstanding ever changing, even dynamic different political situations in Iraq, Iran, Syria and Turkey and unique perspectives in North America and European countries.

These strategies are born of my experience working on the redress of genocide, ethnic cleansing, and other human rights violation on behalf of many different victim groups, including those of WW2 and the interconnected Asian Pacific War, the Ottoman war against Armenians, and others, and I will discuss some lessons of that experience that might be helpful today. While I am a lawyer whose specific tool is law court cases brought by victims against perpetrators, in fact, required in all of my redress work were coordinated, multifaceted multidisciplinary international strategies on simultaneous multiple fronts including legislatures and media—many of which included the goal of raising world historical and political consciousness about little known national, ethnic, religious minority victims and the atrocities committed against them by perpetrators who have suppressed information about their acts, and I will discuss today some of these strategies possibly useful for you.

I have done this work internationally, putting together teams, including experts and lawyers and have worked with many on projects, including NY lawyer Ken McCallion, a friend and colleague who is currently working on the Halabja chemical massacre case now pending in the United States Circuit Court of Appeals for the 4th Circuit in Baltimore- Aziz v. Republic of Iraq, Alcolac Chemical Co.

The matters I have worked on include those like the Holocaust where few doubt the crime's existence, as well as matters where the crime is fiercely denied by the perpetrator who try to erase history in massive campaigns to distort truth such as the Japanese and

their massive wartime sex slave system so called “comfort women,” which, of course , includes Turkey and the Armenian and Kurdish genocidal massacres and ethnicides, as well as Iran, Syria, and Iraq with long histories of persecution of the Kurds. Turkey alone has prosecuted a relentless 91 year war against the Kurds mass murder/genocide, ethnic cleansing, cultural genocide and suppression of an ancient peoples where part of the war is to try to divide and conquer, creating doubt as to what religions and linguistic groups are Kurdish —in fact a calculated campaign trying to end an entire people’s identity while at the same time PM Erdogan recently told Europe’s ethnic Turks to resist assimilation, to preserve their separate Turkish identity, language, culture-- but in his own country millions who are not of Turkic ethnicity are subject to culture and identity suppression and cultural genocide, notwithstanding that Turkey in reality is a country of the richest mosaics of ethnicities, languages, cultures, traditions, histories going back thousands of years birth of civilizations in Mesopotamia, and the Tigris Euphrates rivers region—all predating Turkic conquests of Anatolia more recently in the 11th century after defeating the Byzantine empire at the Battle of Manzikert .

Most of the 10 strategy ideas I will discuss today come from my experience working on Holocaust, Japan wartime redress, and Armenian cases and to understand them, I want to give you some background on them. As the 20th century ended, Japan’s former wartime allies Germany and Austria, along with the largest Swiss banks were forced to settle the remaining claims of Holocaust victims for some \$7 billion US Dls, with acknowledgments of and apologies for their war crimes and genocides. Reached in the last days of 1999, these settlements were the product of increasing world pressure created by multiple strategies and techniques including court cases, international academic, political, and victim pressures, resulting in, among other things, the enactment of laws authorizing litigation-- all leading to historic victim redress multinational treaties. Among other things, I was a member of the 10 nation German and Austrian redress negotiation teams and I was one of the signers of the treaties in Berlin and Vienna 10 several years ago. My focus in the court cases and negotiations was on the non Jewish victims including the Roma a group for which I have long served as law counsel.

With the German and Austrian redress settlements reached by the end of the century in 1999, Europe moved forward into the 21st century, but Asia remained a prisoner of the war as Japan continued to deny its history and refused victim redress. past. Korea's division like Germany’s--an artifact of Soviet and American WW2 agreement ending for Germany 20 years ago in its 1990 reunification— for Korea remained into the 21st century , and Germany ally Japan still refused even to consider, much less acknowledge, apologize , or settle, the claims of the victims of its wartime atrocities, instead dragging its last century of horror deeper and deeper into this new century, fueling a growing world redress movement. I began working with victims and governments in China, both Koreas, the Japanese and others in 1999 and continue to do so and will shortly talk about some useful strategies we used.

I’ll just quickly mention one other group I have worked with, the Armenians. Their genocide redress movement and claims related destructions in Smyrna and elsewhere continues to grow and has produced some settlement successes in U.S. courts, including those that resulted from legislatures that enacted laws passed principally to help

Holocaust victims but written broadly enough to help Armenian and among those laws enacted for Armenians is at least one that can be very helpful for Kurds as I will explain shortly. Of course, victims of the Ottoman and Japan Empires and Turkey all share the same challenge seeking admission of history facts and redress.

The Japan victim redress movement faced enormous problems in raising world political and historical consciousness because Japan's 20th century history of aggression is little known in the world just as few know much of Kurds or Kurdistan. In fact, Japan's Asian Pacific War, which ultimately spread over most of that vast region, began with Japan's 1931 invasion of China, merged with World War II, and ended with the surrender in 1945. but it was some 100 years ago, In 1910 when Japan annexed the entire Korean Peninsula in its vice grip and began committing. millions of to slave labor and sexual slavery (under the euphemism "Comfort Women") and subjected populations to deportations, biological and chemical warfare like in Halabja, "medical experiments," massacres, and mass rapes. The brutal colonial repression included ethnic cleansing and cultural genocide to end the Korean identity-- forcing Korean to speak Japanese and accept Japanese nationalistic religion and culture. Turkey and other Kurdistan controlling countries followed similar policies to end Kurdish identity.

Like atrocities perpetrated on the Kurds, little was know of Japan's massive sexual slavery system until 1990 about the same time when Professor Ismail Beşikci published facts of the Dersim genocide making explicit comparison to the 1915 Armenian massacres. In Japan at about that time Professor Yoshimi began publishing details of the CW system based on newly uncovered documents. Unlike Professor Beşikci, Professor Yoshimi's publications were not censored and banned and he was not imprisoned for exposing historical truths but Professor Yoshimi was attacked in the press and academic colleagues tried to discredit him. His findings led to three elderly Korean women's filing suit in Tokyo District Court in 1991. But to this day the Japanese government absolutely refuses to admit what it to the women, to slave laborers, victims of chemical attacks and medical experiments and more and Japan's history books airbrush out the history as does Turkey and the other countries of Kurdistan.

The Comfort Women and other Japan-victim cases we filed in the United States, China, Korea, and Japan were integral components of an international redress movement, including demonstrations, major academic public conferences in several countries, U.N. and internet petitions, and important resolutions in support from many parliaments in the world. The court cases and lobbying build on the precedents and successes reached in the Holocaust redress campaign, including the enactment of legislation in several of the United States that facilitated victim rights. Laws enacted to support Holocaust victims were also used for victims of Japan, and some of those same laws benefited Armenian genocide victims. In turn some legislation was enacted to specifically help Armenian victims of Turkey can be used by Turkey's Kurdish victims.

I have various strategy suggestions for the panel discussion.
Thank you again for inviting me today.