CAN SREBRENICA GENOCIDE BE COMPARED TO THE EVENTS OF 1915 WITHIN THE SCOPE OF FREEDOM OF EXPRESSION?

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As it is known, the Nobel Prize for Literature 2019 was awarded to Austrian writer Peter Handke. This situation caused reactions in Turkey and in some other countries due to the fact that Handke's rejection of the Srebrenica Genocide committed in Bosnia and Herzegovina and his admiration for Slobodan Milosevic who faced trial as a war criminal.

In the framework of mentioned issue, articles were published in the Turkish media outlets that are comparing the Srebrenica Genocide with the 1915-16 Relocation and Resettlement Law within the context of freedom of expression. These articles have tried to draw parallelism between Handke's rejection of the Srebrenica Genocide and rejection of the genocide claims regarding Armenians. However, this comparison constitutes a grave mistake, as there is no similarity between the two cases. In 2007, the International Court of Justice gave a verdict which stipulated the events in Srebrenica, Bosnia and Herzegovina, as genocide and war criminals faced trials. The acts that were perpetrated in the Former Yugoslavia have been registered as genocide in accordance with the 1948 Convention on the Prevention and Punishment of the Crime of Genocide leaving no room for any hesitation or objection. However, as it has been clearly stated in the ECtHR's Perinçek vs. Switzerland Case, the genocide allegations regarding the Armenians have not been legally substantiated. In this regard, as well as expressing that there was an Armenian genocide, the views that reject such a claim are legitimate within the freedom of expression. Therefore, it is completely inappropriate to place two cases on the same footing and to thus try establishing similarities between them.

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