PRESIDENT KOCHARIAN TO VISIT U.S.

In September, Armenia’s newly-elected President Robert Kocharian will pay his first visit to the US to celebrate the United Armenian Fund’s 100th humanitarian airlift to Armenia and Karabagh. The UAF has announced a gala celebration event, which will take place in Los Angeles on September 26th in the Century Plaza Hotel.

On his way to California, President Kocharian will visit New York for two days. There he will deliver his first address to the United Nations General Assembly and meet with the UN Secretary General Mr. Kofi Annan, heads of state, and dignitaries. On this historic occasion, the Armenian Mission to the UN has organized a major community event in New York City at the Marriott Marquis Hotel on September 24th. This celebration of Armenia’s Independence will give the Armenian public an opportunity to meet the President personally. Following a five minute video presentation on Mr. Kocharian’s life, the President will address the public. Simultaneous translation into English will be provided. This public appearance will take place in the Broadway Ballroom on the 6th floor of the Marriott Marquis Hotel - 1535 Broadway (between 45th and 47th).

In preparation for these events, Armenia’s Permanent Representative, UN Ambassador Movses Abelian, recently met with all the Armenian political, civic, religious and cultural organizations’ representatives to ask for their help in making this celebration a success. The Ambassador stressed that the New York gathering is free to the public and invited all the organizations to be part of this celebration.

The Armenian Bar Association was represented by Anna Djiridjian of New York.

The Report of the Chair

by S. TAMAR HAJIAN, Esq.
Chair of the Board of Governors

This summer has been filled with so many milestones. Sadly, we mourn the loss of two of our members, Dr. Henrik Khachatryan, tragically cut down in the line of duty and in his prime, and benefactor John Vervant, following a long and productive life. Both men, in very different ways, gave this organization something unique, and we shall miss them very much.

More happily, we now boast a record number of members who are engaged in the projects of the Association. The Association is about to convene in Paris, marking the first time that our European members host this annual event. What better way of celebrating the globalization of Armenian legal interests?

(Continued on page 8)
HENRIK KHACHATRIAN, PROSECUTOR GENERAL OF ARMENIA ASSASSINATED

With great sadness we report the untimely and tragic death of Dr. Henrik Khachatryan, Prosecutor General of the Republic of Armenia, who was assassinated in his office on August 6, 1998. He was a member of the Armenian Bar Association and author of several books published by the Association.

Henrik Khachatryan was born in Giumri/Leninkan on May 22, 1939, and graduated with first-class honors from the department of law of Yerevan State University. From 1962-1977 he taught constitutional and international law at Yerevan State University.


From 1991-1993, he headed a department at the Institute of Law and Philosophy of the National Academy of Sciences of Armenia, during which period he visited the United States as the distinguished guest of the Armenian Bar Association giving lectures about the constitutional process and democracy building in Armenia.

On February 6, 1996, Henrik Khachatryan was appointed a member of the Constitutional Court of Armenia by the National Assembly, and in May 1997, he was appointed Prosecutor General of Armenia by the President. Elected a member of the Academy of Economy, Finance and Law of the Russian Federation in 1995, Khachatryan had recently defended his thesis and received the doctor of law degree in June of 1998.

Henrik Khachatryan led a distinguished professional life. He was an intelligent, consistent, demanding and competent scholar, an experienced teacher, a state official of principle, devoted to the struggle for establishing law and order in the country. His contribution to the development of constitutional law and constitutional jurisprudence was major. The author of twenty monographs and more than a hundred academic articles, he supervised numerous theses, all of which form the foundation of a school of constitutional law of independent Armenia.

As Prosecutor General he waged an active, courageous struggle against corruption and crime to establish law in Armenia and to drastically improve the system of the Prosecutor’s Office and its viability. As an active participant in state building, Henrik Khachatryan distinguished himself not only by his deep and fundamental knowledge, but also by straightforwardness, impartiality and a keen concern for the future of his country and people.

He was an exemplary state official, scholar, teacher, friend and colleague. He leaves his wife, Armenian Bar Association member Prof. Aida Iskoyan, a son, two daughters and several grandchildren. We shall always remember his jovial nature, as well as his serious and genuine commitment to his nation in building a civil Armenian society under the rule of law.

The Board of Governors of the Armenian Bar Association extends heartfelt sympathy to Prof. Aida Iskoyan and her family.

ABA EXTENDS CONDOLENCES TO PRESIDENT KOCHARIAN

Dear President Kocharian:

The Armenian Bar Association joins you and the entire Armenian nation in mourning the untimely loss of Dr. Henrik Khachatryan, who was our honored member. He served the Armenian people in many capacities and was a model of positive change and forward thinking during turbulent and challenging times.

Henrik Khachatryan’s courageous actions and professional approach to the establishment of a civil society under law gave us all great hope and comfort. In the aftermath of his assassination, we trust that you will ensure the continued, orderly pursuit of justice and vigilant battle against corruption which he so boldly came to symbolize.

We extend our sincere condolences to you and your administration at this difficult time. Our organization has always stood ready to help in the important task of building a proud, civil and transparent state governed under the rule of law. We redouble those efforts today in memory of our friend and colleague Henrik Khachatryan. May he rest in peace and may Armenia honor his dedicated service with a firm will and concrete deeds.

Sincerely,
Tamar Hajian, Chair
Armenian Bar Association
MEMBERS IN THE NEWS AND ON THE MOVE

Garo Mardirossian was lead counsel for the plaintiffs in a seminal civil rights case, Dole, Talamnico v. County of Los Angeles. The plaintiffs’ verdict in the case is believed to be the largest civil rights verdict in United States history. Recently, the Supreme Court of the State of California denied the County’s request to review the appeal of the case. This is expected to be the end of nine years of legal wrangling. The case involved thirty-six victims of police brutality, which was partially videotaped by a neighbor, of what was described as the "Gestapo-like" attack of citizens at a bridal shower in Cerritos, California, in 1989. The plaintiffs sued the County of Los Angeles Sheriff’s Department under federal law for constitutional civil rights violations. Over 100 deputy sheriffs, who at the time of the incident were armed with riot gear rolled up to the plaintiffs’ residence in 54 patrol cars, with sheriff helicopter "skylight" illuminating the area with a police floodlight. They were adjudged by a unanimous Los Angeles jury in August 1995, after a seven month trial, to have brutalized and falsely arrested their victims. Several plaintiffs were unduly prosecuted, enduring a six week trial in Norwalk in 1991, with criminal charges threatening over 20 years of incarceration. That trial resulted in not guilty verdicts for all of the defendants. All 25 of the deputies brought to trial were adjudged to have conspired to falsify the evidence that was used to prosecute their victims. The judgment entered in the 1995 civil rights trial, originally $18.3 million, is now estimated to be a record $24.5 million - due to accumulated interest while the County attorneys and their outside counsel tried unsuccessfully to attack the jury verdict before the California Court of Appeal and the Supreme Court. Mr. Mardirossian, a veteran and successful civil rights and tort law trial lawyer from Los Angeles who battled through both the criminal and civil trials, believes this is a triumph of truth, and a proud moment in American history. Mardirossian is extremely active in the LA Armenian-American community. He and his wife Kathy are active in seeking consumer justice, and are both lawyers. Their six-attorney law firm in Los Angeles specializes in serious personal injury, including brain and spinal cord injury cases. Mardirossian has been responsible for many multi-million dollar verdicts as a result of dangerous products, unsafe premises, negligence and constitutional violations. This case has been more than a legal victory for Mardirossian however. A friend and family lawyer to the Dole family for years before the 1989 incident, the personal satisfaction derived from this victory is the greatest reward.

Robert H. Philibosian was recently reappointed by Governor Pete Wilson to the California World Trade Commission. Mr. Philibosian has served on the commission since 1990. The commission is responsible for coordinating the state’s efforts to expand international trade and enhance international competitiveness for California businesses. The commission also represents the state in foreign countries and serves as California’s clearinghouse for trade information by working with local businesses, chambers of commerce, and trade and professional agencies to disseminate information on export, marketing, finance and transportation issues. A partner in the Los Angeles, CA office of Sheppard, Mullin, Richter & Hampton LLP, Mr. Philibosian represents clients before local, state and federal administrative agencies and local legislative bodies. He advises and represents clients on a wide variety of government permits, regulatory matters and projects, including land use, coastal developments, public/private partnerships and municipal contracts, and consumer environmental enforcement actions. Mr. Philibosian is a former Los Angeles County District Attorney and a former California Chief Assistant Attorney General. Mr. Philibosian is a member of the advisory board for the University of Southern California Center of Business, Education and Research. He is also a member of the Los Angeles County Economy and Efficiency Commission. He was chairman of the California Council on Criminal Justice from 1983 to 1991. Mr. Philibosian earned a bachelor’s degree in political science from Stanford University and a law degree from Southwestern University.

CONDOLENCES

The Armenian Bar Association extends sympathies to the family and friends of Gaspar Markarian, Esq.

Gaspar Markarian died on December 28, 1997, at the age of 98 in Fresno, California. He was the oldest practicing attorney in California.

Please send your job announcements, press releases, and information about your appointments, publications and/or noteworthy cases for publication to:

Editor, Lisa Baroomian, Esq.
c/o Armenian Bar Association
P.O. Box 29111, Los Angeles, CA 90029
(310) 939-9263
August 7, 1998

Dr. Richard L. McCormick, President
University of Washington
301 Gerberding Hall
Seattle, Washington 98195

Dr. John B. Simpson, Dean
College of Arts and Sciences
University of Washington
P.O. Box 353765
Seattle, Washington 98195-3765

Dr. Jere Bacharach, Director
Henry M. Jackson School of International Studies
University of Washington
P.O. Box 353650
Seattle, Washington 98195-3650

Dr. Ellis Goldberg, Director
Middle East Center
Jackson School of International Studies
Political Science Dept.
University of Washington
P.O. Box 35350
Seattle, Washington 98195

RE: Proposed Endowment by the Government of Turkey

Dear Gentlemen:

We write this letter on behalf of the several hundred members of the Armenian Bar Association, an organization of judges, lawyers and law students. We understand that the University of Washington is considering accepting public funds from the government of the Republic of Turkey for the purpose of endowing a Turkish Studies Program at your university. We have been monitoring the experience of other universities with similar grants and wish to share our concerns with you.

Turkey’s recent interest in manipulating scholarship in American academia has been universally criticized by world renowned genocide and holocaust scholars such as Israel W. Charney, Director, Institute on Holocaust and Genocide, Jerusalem; Yehuda Bauer, Professor of Holocaust Studies, Hebrew University, Jerusalem; Helen Fein, Executive Director, Institute for the Study of Genocide, John J. College of Criminal Justice; Robert J. Lifton, University of New York; and Deborah E. Lipstadt, Emory University. These Turkish government endowments have also been the subject of several critical articles in The Chronicle of Higher Education, as well as many newspapers throughout the country.
The Turkish government during the last several decades has repeatedly committed egregious human rights violations against its own citizens, as well as others. Turkey has also been singled out as one of the world’s most repressive regimes arresting, torturing and summarily executing journalists, authors, and peaceful political dissidents.

The International Writers Association PEN states:
“’In 1996, PEN documented more detentions and indictments of writers and journalists in Turkey than any other country in the world.”

In December, 1997, The Lawyers Committee for Human Rights states:
“Turkish authorities have continued a campaign of intimidation and harassment against independent human rights monitors and defense lawyers working in politically sensitive cases.”

We trust you are aware of recent similar Turkish government endowment proposals to U.C.L.A. and U.C. Berkeley, both of which were rejected in light of the controversy surrounding Turkey’s human rights violations. You should also be aware of the scandal sparked at Princeton University when it appointed a Turkish government funded historical revisionist, Heath Lowry, to head its recently endowed Turkish Studies Program.

Universities in the United States know the difficulties inherently associated with accepting financial support from a foreign government. These difficulties increase significantly when the foreign government in question is roundly criticized as one of the world’s most repressive regimes, routinely violating the rights of its own citizens and clearly impeding freedom of expression.

We assume that the government of Turkey follows the usual principles of public law that no public funds (taxes, for example) can be expended by a government except for public purposes (those that are appropriate for a government). Any recipient of the public funds of Turkey must, therefore, ask what the purpose of the expenditure is.

In short, we are very concerned that the primary purpose of this “donation” is to advance the Turkish government’s continued denial of the Armenian Genocide, as well as whitewashing its clearly ugly record on human rights. For that purpose, the Turkish government seeks to obtain the “cover” of American universities.

The danger to the University of Washington’s academic freedom and prestige is obvious. We ask that you consider this point very carefully before taking any public steps in accepting funds from the government of Turkey.

For the purpose of your serious consideration, we have enclosed copies of a statement issued by concerned scholars and writers and copies of articles exposing the motives, machinations and inauspicious track record of one Republic of Turkey.

Sincerely,

Tamar Hajian, Chair
Armenian Bar Association

Encls.
August 19, 1998

Mr. Tamar Hajian, Chair
Armenian Bar Association
Board of Governors
P.O. Box 29111
Los Angeles, CA 90029

Dear Mr. Hajian:

Thank you for your letter of August 7, 1998, and the informative attachments that relate to the relationship of the government of Turkey in supporting Turkish Studies at colleges and universities.

The University of Washington has one of the strongest programs in Turkish Studies in the United States. We have an excellent library in Turkish and Ottoman material, which ranks among the top dozen collections in the country. We have offered Turkish and Ottoman since 1967 and the Central Asiatic Turkic languages, such as Uzbek and Kazakh, almost as long.

The University of Washington is currently engaged in conversations with the government of Turkey to receive support for our Turkish Studies program. The University has proposed that the government of Turkey provide an endowment of $750,000 over a three-year period. Income from this fund would be used to support existing and new courses in Turkish language and culture. Please be assured that the agreement proffered by the University retains for the University full, complete and independent academic and administrative authority over the use of the funds. We are aware of the difficulties encountered by other institutions who are receiving funds from various governments, when those governments control the use of the funds. In our case, only the University of Washington controls the use of the funds for academic purposes. The University’s sole intent is to generate additional support to continue our strong program in Turkish Studies.

Again, thank you for letting me know of your concerns and for your interest in this important issue. We will continue to ensure that any monies the University receives, regardless of the source, will not impact its ability to teach and do research freely, consistent with its role and mission.

Sincerely your,

Richard L. McCormick
President

cc: Dr. Jere Bacharach
Professor Ellis Goldberg
Acting Dean David C. Hodge
Dr. Steven G. Olswang
JOHN YERVANT REMEMBERED

John Yervant, genocide survivor, self-made entrepreneur, philanthropist, and honorary member of the Armenian Bar Association, passed away on July 21, at his home in Hendersonville, North Carolina, at the age of 91. Born in Garin, Armenia, he lived through the dark days of 1915 and found his way to the independent Armenia of 1918-21, and then to France and finally to New York.

Whether as a professional ballroom dancer or restaurateur or in active Armenian community life, Mr. Yervant approached everything with daring and gusto. Although his formal schooling ended prematurely, this self-educated man of vision endowed the Armenian Bar Association, as well as many other organizations, with a fund to meet the immediate needs of collaboration with an emerging democracy in Armenia. He asked that the fund be named in honor of his sister and brother in law, Nectar and Khosrov Babayan, whom he had always admired for their roles in forging the 1918 Armenian Republic legal system.

In his memoirs, Mr. Yervant recalled his mother's admonition that one is born naked and should work hard, prosper make the world a better place, and give away one's wealth before departing. He did just that.

Mr. Yervant and his wife Nelly attended the 1992 annual meeting of the Armenian Bar Association and were very gratified to meet the first visiting delegation of judges and jurists from Armenia sponsored by the fund he created. He was always proud to be an Armenbar member, and looked forward to newsletters and updates of activities. We shall miss his encouragement and his kind, generous presence among us.
REPORT OF THE CHAIR, continued from page 1

During 1998, we witnessed a growing partnership with the Armenian Republic. We have fostered relationships with the All Armenia Fund, the United Armenian Fund, Armenian Mission to the United Nations and several embassies of the Armenian Republic.

Our members in Armenia serve on the Armenian Human Rights Commission and the Constitutional Reform Commission. They teach and advise, through public and private efforts, in Yerevan and Stepanakert. This fall, the Armenian Bar Association launches a new initiative: the Public Interest Research and Analysis Group (PIRAG). Through these efforts, ArmenBar members are contributing to building a civil society under the rule of law.

On the North American front, you will read elsewhere in our newsletters and media releases about our work in combating the burgeoning of propaganda and influence peddling by the Turkish government in academe. We recognize the leadership of our committee chairs Denise Darmanian and Steve Dadaian in these matters.

At the Annual Convention of the American Bar Association in Toronto, we held a mini-Armenbar meeting, organized by Vasken Khabayan and Bob Adourian. Our own Ann Lousin of Chicago, Catherine Kessedjian of Paris, and Edward Jahljian of Brussels, all made presentations before the ABA. Our annual picnic in Los Angeles takes place in October, thanks to the generous sponsorship of Hon. Dickran Tervizian.

Mark your calendar for the spectacular 10th anniversary Annual Meeting of the Armenian Bar Association in Las Vegas in February!!!

Finally, I would like to take this opportunity to thank all of the people who volunteer and work hard on Association programs. Without your dedication and creativity, we would just be another volunteer organization existing on a shoestring.
EMPLOYMENT OPPORTUNITY:
ARBITRATORS, MEDIATORS

The Office of Dispute Resolution for NASD Regulation, Inc. is seeking persons interested in serving as arbitrators to hear disputes and render decisions in cases involving customer complaints and employment issues concerning NASD members. The Office of Dispute Resolution is also seeking experienced mediators to facilitate settlement of such cases prior to arbitration.

NASDAQ Regulation, Inc., an independent subsidiary of the National Association of Securities Dealers, Inc. (NASDAQ), is responsible for the regulation of the Nasdaq Stock Market™ and over-the-counter securities market. As part of its regulatory function, the Office of Dispute Resolution administers hearings to resolve disputes between the investing public and brokerage firms.

To receive further information on serving as a NASD arbitrator or mediator, please contact Phillip Lenihan at 415-882-1240 or via e-mail at lenihanp@nasd.com.

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UNITED ARMENIA FUND

The Armenian Bar Association has been invited again to participate on the advisory board of the United Armenia Fund. Last year, we assisted the Armenia Fund in its effort in raising money for the Goris-Stepanakert highway, connecting Armenia with Karabagh.

During the telethon on Thanksgiving Day, 1997, the Fund was successful in receiving pledges totaling $2.7 million to help build the highway and water distribution projects for the town of Shushi, Karabagh. To date, the highway is 85% complete and consists of 55 kilometers of paved road.

To receive further information on the Armenia Fund, please contact their office directly at 50 N. La Cienega Blvd., Suite 203, Beverly Hills, CA 90211. (310) 657-1164.
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The Armenian Bar Association NEWSLETTER is published quarterly by the Armenian Bar Association. Members and friends of the Association receive a subscription to the NEWSLETTER as part of their membership. Articles, letters and other submissions should be sent to Editor, Lisa Barsoomian Esq., Armenian Bar Association NEWSLETTER P.O. Box 29111 Los Angeles, CA 90029 Telephone: (310) 939-9263. Opinions expressed in the Newsletter are those of the authors and do not necessarily represent the views of the Armenian Bar Association.

AIMS AND STRUCTURE

The Armenian Bar Association is a non-profit, non-partisan organization formed in 1989 to enable attorneys of Armenian heritage and other interested individuals to better serve the law, the legal profession, and the Armenian community.

The Association provides pro bono services and legal education in Armenian communities across the country and sponsors programs to promote democracy and the rule of law in the Republic of Armenia.

Coming together socially and professionally, members from around the world have the opportunity to learn from one another as they join their different backgrounds and experiences in Association activities.

The Association is a democratic organization. It is supported and directed by its members, who approve its bylaws, elect its Board of Governors, nominate prominent jurists as honorary members, and set the Association's annual goals and policies.

The Armenian Bar Association is committed to serving the profession of law, addressing the legal concerns of the Armenian community and fostering respect for human and civil rights.

ACTIVITIES AND BENEFITS

Some of the Association's operations include:

- Worldwide Network of Attorneys
- Continuing Legal Education, Seminars & Workshops
- Pro Bono Program
- Rule of Law Projects in the Republic of Armenia
- Armenian Rights Watch
- Annual National Meeting
- Quarterly Newsletter
- Membership Directory
- Amicus Curiae Submissions on Issues of Community Interest
- Topical and Regional Practice Groups
- Cooperation with other bar associations and lawyers' societies

COMMITTED TO SERVE