

Court Seeks Help to Link Murders in Turkey to 'Deep State'

✖ Judges and prosecutors in the trial regarding the murder of three Christians in Malatya, Turkey, on Friday renewed their request for help from the Istanbul High Criminal Court as reports mounted linking the slayings to top gendarmerie officials.

The Malatya court judges overseeing hearings on the murders of Turkish Christians Necati Aydin and Ugur Yuksele and German Christian Tilmann Geske requested that the Istanbul criminal court establish whether the case was linked to the controversial cabal of military, political and other influential figures, *Ergenekon*, which has allegedly been trying to overthrow the government by upsetting Turkey's peace.

(Photo: Christians Necati Aydin, Tilmann Geske and Ugur Yuksele were murdered in Turkey in 2007.)

For the last two and a half years prosecuting lawyers have established the case that Emre Gunaydin, Salih Gurler, Cuma Ozdemir, Hamit Ceker and Abuzer Yildirim, who were caught at the murder scene on April 18, 2007, were not acting independently but were incited by Turkey's "deep state," an expression of which is *Ergenekon*.

Seven months ago the Malatya court requested from prosecutors on the *Ergenekon* case at the Istanbul high court to examine whether the two cases were connected. They have not received a reply yet.

The court and various mainstream media have received informant letters with specific names linking the murders to top gendarmerie officials. Last month a Turkish newspaper received

a list of payments the gendarmerie made to informants to physically follow and collect information on Christians in Malatya.

Phone trees also show calls made from the murderers to two alleged "middle-men," Huseyin Yelki and Bulent Varol Aral, gendarmerie officials and other nationalist figures in Malatya.

"We are expecting the Istanbul prosecutor to make a careful investigation and give us a response and attest to the connections the court has found," said prosecuting attorney Erdal Dogan on Friday during a press briefing. "The actions of these men who are on trial were not independent, and from the beginning we believed they were organized by *Ergenekon*. Our theories have become more concrete, and we are expecting the Istanbul prosecutor to investigate these closely, establish the connections and give us a response."

Lawyers said that informant letters, testimonies and other evidence have only confirmed their original suspicions. The most striking of these is that the local gendarmerie forces were following activities of Christians in Malatya in the months leading up to the murders and afterwards yet did not stop the young men from stabbing and slashing the three Christians to death.

"If you have been watching a small, tiny group so closely," said lawyer Orhan Kemal Cengiz, "how could it be possible that you disregard this murder? This is a legitimate question which requires ordinary intelligence."

Last month the head of Istanbul police intelligence, Ramazan Akyurek, was demoted amid allegations that he had neglected to investigate three Christian murder cases between 2006 and 2007. When Turkish news reporters asked Dogan whether prosecutors would make a request to investigate whether Akyurek played a greater part in the murders, he said that it

was not out of the question.

The five young suspects were apprehended after Zirve Publishing Co. workers went to the publishing house to find out why the three Christian men were not answering their phones. Finding the door of the office locked and getting no answer, they called police. In a report prepared by Akyurek's department, his staff claimed that the murderers were apprehended thanks to phone tapping – which attorney Dogan said is a lie.

“According to a report, they said that they had been listening to the murderers' phones and following them, and that that's how they found and arrested them,” said Dogan. “You know this is a lie. The five men were arrested haphazardly. We know that. We also know that the gendarmerie was in fact listening to their conversations, but there's something interesting here: On the one hand they are listening to the criminals' phones, but on the other they couldn't thwart the crime.”

Prosecuting lawyers said that this makes both Akyurek's department and the gendarmerie guilty of being accomplices to the crime, and that they should be tried along with the five young men.

“They should stand trial for not thwarting a crime and failing to perform their duties,” said Dogan. “They [gendarmerie and the police intelligence security] should be tried under Article 8 of the penal code as accomplices because they are connected. This is not a question of removing someone from his position. They should stand trial with the men who are now on trial.”

Frustration

The lawyers expressed frustration at being able to see the bigger picture yet not having enough evidence to proceed, as well as with having to wait on the Istanbul prosecutor for more evidence.

"It is crystal clear," said attorney Cengiz. "There is a much bigger agenda and much more complex connections. We convinced everyone, but we cannot do this beyond reasonable doubt; we can't prove it. We are blocked, actually."

Cengiz explained that as lawyers for the victims' families, they are not in a position to collect evidence.

"We are heavily dependent on what the prosecutor is doing, and unfortunately they are not able to do much," he said.

Cengiz said that although the case was complicated and the Malatya judges resisted their arguments at the outset of the hearings, now they agree with the prosecuting lawyers that there is a broader network behind the murders.

"Now they are very clear – they know what happened and what kind of connections there are, etcetera, but they are fighting against a dragon," said Cengiz. "So they desperately sent this request to the prosecutor in Istanbul, hoping that it will be the Istanbul prosecutor who will create these links rather than them. It should be vice versa because they have all these details, but they are not ready for this confrontation."

Cengiz explained that while the Malatya court has a better understanding of the case than the Istanbul prosecutors, the advantage of the Istanbul High Criminal Court is that it has the backing of the Justice Ministry and is better positioned to take on the powers that may be behind this and other murders.

"They can't take the responsibility because this is just a tiny court in the remote part of Turkey, so how can they confront the reality?" he said.

The next hearing is set for Dec. 25, and prosecutors expect that by then the 13th Istanbul High Criminal Court will have sent an answer about connections of the murders to *Ergenekon*. They are also expecting the prosecuting judge to demand all

five of the young men be charged with “three times life imprisonment,” plus additional years for organizing the crime.

“In our estimation, until now in a bizarre way the accused are acting like they have been given assurances that they will be forgiven and will get off the hook,” Dogan commented on the comfortable demeanor of the five men in court and their denial that others were behind the murders. “In the last months we see a continuation of the attempts to wreak havoc and chaos and overthrow the government. So we think whoever is giving confidence to these guys is affecting them. It is obvious to us that there is a group actively doing this. That means they are still trying to create chaos.”

Last week *Ergenekon* prosecutors found a hit-list consisting of 10 prominent representatives of minority groups as well as subscribers to Armenian weekly newspaper *Agos*, whose editor-in-chief was murdered three months before the Christians in Malatya. Cengiz explained that *Ergenekon* members are obsessed with purging Turkey of non-Muslim elements and non-Turkish minorities, which they see as a threat to the state.

“They were trying to create chaos in Turkey, and of course they were trying to send a clear message to members of non-Muslim groups that they are not wanted in Turkey,” said Cengiz of the way the three Christians in Malatya were murdered. “They did it in a horrendous, barbaric way. This was also part of the message. Everything was planned but not by them, by other people. They are just puppets.”

Further Evidence of Cabal

This week Turkish news magazine *Yeni Aktuel* published a five-page article with pictures chronicling the “anti-terrorist” activities of a counter-guerilla team leader identified only by his initials, K.T.

In the article, K.T. described how for years he and his team pursued and killed members of the outlawed Kurdish Worker’s

Party (PKK). Anti-guerilla activities in Turkey are paramilitary efforts managed by the "deep state."

In K.T.'s account, he claimed that during his time in Malatya he met with members of an ultra-nationalist group who talked about murdering Hrant Dink, editor of *Argos*. Also during that time, members of the group spoke about how those who distributed Bibles in Malatya had to be "punished."

One of the members of this group was a high school teacher called "O." The teacher said that he arranged to be out of town before the Malatya murders, because police were following him and he wanted to make sure that they could not connect him to the Malatya murders.