

Prosecutor Yanked From Turkish Christian Murder Trials

A High Council prosecutor probing links between the Malatya murders of three Christians in eastern Turkey and the earlier assassination of a Christian newspaper editor was abruptly transferred from his position last week and re-assigned prosecution duties in an Istanbul court.

Prosecutor Hikmet Usta was preparing objections to the verdict of the Turkish Supreme Court that “no illegal group” had been behind the January 2007 murder of Turkish Armenian journalist Hrant Dink. “There was an illegal group, and there is evidence,” Usta protested to the Turkish media.

As a member of the High Council of Judges and Prosecutors, Usta was investigating in his appeals process the connections between Dink’s murder and the Malatya massacre, in which two Turkish Christians and a German citizen were tortured and stabbed to death in the Zirve Christian publishing house office on April 18, 2007.

“This cannot be called a ‘routine’ procedure, to remove a prosecutor wanting to intensify his appeals investigation,” Zirve plaintiff lawyer Erdal Dogan told Taraf newspaper Dec. 2

Dogan noted that in the very same way, previous prosecutors trying to uncover the real perpetrators behind the Dink and Zirve murders, as well as the killing of Italian Catholic priest Andrea Santoro in 2006, had also been transferred suddenly from their duties to another court.

In September, the Turkish Justice Ministry removed two

prosecutors and two judges who had been trying the Malatya case just two days before a week of hearings on the case was to begin. The sudden changes left only the presiding judge familiar with the massive files of evidence on the murders.

Top perpetrator suspect testifies

Last month, another week-long series of hearings in Malatya focused on the latest indictment, which accuses 19 perpetrators of inciting the five young suspects caught at the scene of the Malatya killings. On the first day of the November 12-16 hearings, prime suspect Ret. Gen. Hursit Toron was called to the witness stand.

A retired four-star general, Toron was brought from the Silivri prison near Istanbul on Nov. 12 to testify in Malatya. Toron also is accused in a separate case of involvement in an alleged conspiracy by military officials to unseat Turkey's ruling Justice and Peace Party government, for acts of terrorism against Turkey's non-Muslim minorities.

Toron emphatically denied "the tiniest information, interest or involvement" either before or after the Malatya murders, declaring that he had never had any contact with any of the five suspects. He also discredited witness testimony by Ilker Cinar, another suspected perpetrator.

A former member of the gendarmerie—a law-enforcement arm of the military—Cinar claimed that he was working with a clandestine operation set up within the Turkish military to target Turkey's Muslim converts to Christianity. He said he was commissioned to infiltrate Turkey's Protestant communities by pretending to become a Christian and then later publicly **"reconvert to Islam,"** to expose Christians as a threat to national security.

Toron countered that Cinar's testimony was slander based on

“fabricated documents,” designed to blacken the reputation of the Turkish military. He stated that Cinar’s career in the military had been marked by drunkenness and “undisciplined behaviour,” including a five months’ prison sentence.

Although Toron had initially denied visiting Malatya, the indictment documents indicate that he visited the city twice before the murders, once just the day before the killings.

In addition to Toron and Cinar, former Malatya gendarmerie regiment commander Col. Mehmet Ulger and Maj. Haydar Yesil testified to the court and were cross-examined during the November hearings.

The defendants reiterated that the prosecutors preparing the indictment against them had in fact accepted disinformation without any real evidence being produced. While confirming that the Malatya gendarmerie had collected information regarding the Zirve staff and other activities of local Protestant Christians, the military officers insisted this was not illegal, and had been undertaken with legal oversight by the Turkish state.

The Malatya trial is slated to resume with the 52nd hearing on Jan. 14, 2013, for another week of consecutive hearings to record testimony from the accused perpetrators still scheduled to testify.