

Bonner Querschnitte

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Phone: +49 / 4106 / 804806; Fax: +49 / 4106 / 804807

E-Mail: bq@bucer.de; <http://www.bucer.org/bq.html>

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Triple Life Sentences for the Malatya Murderers

After conviction the criminals were not initially sent to prison, but a day later the implementation of justice may have begun, more than nine years after the death of the martyrs.

(Bonn, 30.09.2016) The Malatya murder trial met September 28, 2016, for the 115th day of hearings, and now, nine and a half years after the crime, which occurred on April 18, 2007, a preliminary verdict has been reached. The five primary suspects were each given triple simultaneous life-sentences in prison.

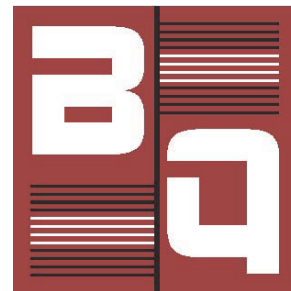
Arriving at Zirve Publishing House, where Bibles were printed, in Malatya on 18 April 2007, Emre Günaydın, Cuma Özdemir, Salih Gürler, Abuzer Yıldırım, and Hamit Çeker tortured and slit the throats of three Christians, Uğur Yüksel, Necati Aydın, and Tilman Geske.

In addition to the five murderers, two other people were convicted of crimes in the complicated set of events. An Army colonel was sentenced to 13 years and nine months, while an Army major has been sentenced to 14 years in prison, both on account of falsification of documents related to the martyrs. The other suspects have been freed.

However, the seven who had been sentenced to prison were not initially taken into custody. The five primary criminals had at a previous time been given electronic monitors to track their locations, but after their convictions they were allowed to keep their freedom, seemingly in contradiction to their conviction. This changed a day later, on September 29, when the general prosecutor's office ordered that the five be taken into custody, citing concerns that they could flee, along with their previous history of violating the terms of their house arrest. The two other convicted criminals, the two military officers, still have no restrictions on their freedom.



The three martyrs of Malatya, from left: Tilman Geske, Uğur Yüksel, Necati Aydın.



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Text & Technology:

Titus Vogt (ViSdP)

Vorderer Kamp 52a, D-25479 Ellerau

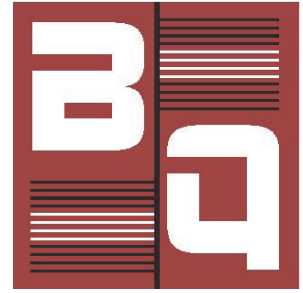
Phone: +49 / 4106 / 80 48 06

Fax: +49 / 4106 / 80 48 07

E-Mail: Titus.Vogt@bucer.de

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This ruling is not yet final, since appeals to higher courts are pending. For this reason, observers from the Association of Protestant Churches in Turkey had expressed serious concerns that continuing legal hearings could stretch out for several years during which the convicts could either disappear within Turkey or flee abroad. But these concerns now seem to have been addressed by the prosecutor's office by means of taking the five into custody; justice seems to have started, though at least one day late.

It should be seen as positive that the judge evaluated the severity of the crimes according to the relevant Turkish law (which some observers did not expect because the crimes were committed against Christians) and sentenced the criminals to life in prison for each of the murders. (Multiple simultaneous life sentences are not, in principle, unusual in the Turkish legal system, but that does not necessarily mean that a particular criminal will spend the rest of his life behind bars.)

On the other hand, according to the 46 page legal judgment, the killers were so far not convicted of membership in a terrorist organization. This is astonishing, since precisely this accusation has been very frequently voiced in Turkey.

Additionally, in the explanation of the verdict, the Malatya Criminal Court maintained that behind a criminal act of this nature, there had to be people in the background, who, unfortunately, in spite of a nine-year investigation, could not be identified. Quoting from the court's legal judgment:

“Even though our court is proceeding on the basis that the murders and the related crimes were committed by the accused Abuzer Yıldırım, Cuma Özdemir, Emre Günaydın, Hamit Çeker and Salih Gürler, and even though the way to punish the accused has been taken, nevertheless it is clear from the manner in which the events occurred, as well as from the extent of the investigation, that it would be contrary to the normal process of life for such an action to be planned and carried out by only these five who were arrested. It is clear that, in spite of nine years of legal investigation, the offenders, and/or the organizations instigated by the accused, could not be brought to light. Therefore, the decision has been taken by the Malatya prosecutor's office to bring criminal charges in order to bring to light the offenders and/or the organizations that instigated and planned this event” (AZ: 2014/173 Esas paragraph 4 h [under the rubric “criminal charges”]).

Immediately after the conviction, but before the imprisonment of the convicts, Pastor İhsan Özbek (Ankara), president of the Association of Protestant Churches (Turkey) commented in a press release, “Next, of course, the legal process will operate. First it will be brought to the regional administrative court and then to the court of cassation. This process may last for years; and those murderers, who brutally massacred our brethren, may live their lives freely and roam comfortably without being arrested. The constant postponement of the penalty that they deserve has injured the conscience and severely damaged the trust in justice. As the Protestant community, we want the process to run swiftly in order to ensure that this lawsuit is concluded as fairly and as quickly as possible, and we want the criminals to be punished as soon as possible.”

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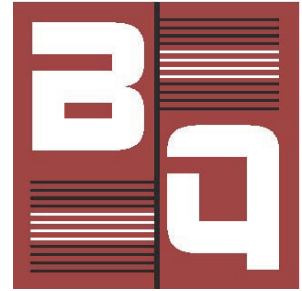
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Text & Technology:

Titus Vogt (ViSdP)
Vorderer Kamp 52a, D-25479 Ellerau
Phone: +49 / 4106 / 80 48 06
Fax: +49 / 4106 / 80 48 07
E-Mail: Titus.Vogt@bucer.de

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After the statement from Pastor Özbek, perhaps in light of criticisms of this sort, the prosecutor's office reversed its course, so that at least the primary murderers are in confinement. The Association of Protestant Churches has said it is encouraged by this step.

Emre Günaydın, one of the five murderers, said in his final word to the court, "I am thankful that I have not brought shame on my State." In the opinion of İhsan Özbek, who is clearly sensitive to the connections between religion and nationalism in Turkey, which Özbek expressed on September 29, this statement was "telling." It appears to be the case that some in Turkey believe that the murder of people who convert from Islam to Christianity, or perhaps the murder of Christian missionaries, is morally justified. But now the confinement of the five would indicate that at least some of the Turkish authorities do not want any such combination of religion and nationalism to be an acceptable justification for murder.

Susanne Geske, the widow of one of the victims, expressed severe disillusionment to BQ before the murderers were imprisoned. These hearings, she said, could "go on without end." It is simply not foreseeable if or when a conviction will be enforced or if the murderers will ever land in jail. Additionally, she said, the two convicted military officers had invented outlandish allegations of a huge magnitude against Christians and against the Geske family, and all these allegations are still on official records at the relevant state authorities, even though it had been proven during the court hearings that all these allegations were fictitious.

After the five were taken to prison, Mrs. Geske was relieved that perhaps some small degree of justice might finally be achieved. But she still could not understand how it is possible that the two military officers received sentences of less than 15 years and were still enjoying their freedom.

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- Complete [press release](#) of the Association of Protestant Churches (Turkey)

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Titus Vogt (ViSdP)
Vorderer Kamp 52a, D-25479 Ellerau
Phone: +49 / 4106 / 80 48 06
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