

# The Other Side of the Ergenekon: Extrajudicial Killings and Forced Disappearances

Abridged Version

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*The Ergenekon Trial has been one of the most important political developments in recent Turkish history. The trial helped uncover the ways in which some groups in the military establishment and their political and economic collaborators in civilian circles were intervening illegally in democratic politics.*

*When the trial revealed that the suspects had ties to the Susurluk scandal and to organizations that had committed extrajudicial killings of Kurdish civilians in the 1990s —the Yüksekova Gang, the Gendarmerie Intelligence and Counter-Terrorism organization (Jandarma İstihbarat ve Terörle Mücadele, JİTEM), and the Special Forces Command (Özel Kuvvetler Komutanlığı)—there were heightened expectations among the public that grave violations of human rights committed during the 1990s, particularly against the country’s Kurdish citizens, would be brought to light. Yet the prosecutors and panel of judges in charge of conducting the investigation phase of the trial ignored these expectations as they prepared the criminal complaint, instead focusing solely on the charge of “attempting to overthrow the government.”*

*A report published by the TESEV Democratization Program in November 2013, entitled “The Other Side of the Ergenekon: Extrajudicial Killings and Forced Disappearances,” presented the public with an analysis of information found in the Ergenekon case files regarding the grave violations of human rights during the 1990s. The aim of this report had been to give human-rights advocates the opportunity to expand their knowledge of the case files in order to help them in their quest to bring the grave human-rights violations of the past to light, thus contributing to Turkey’s efforts to come to terms with its past.*

*The present work, an abridged version of this report, uses the most noteworthy information on murders by unknown assailants from the case files. We seek to present a general analysis of the Ergenekon Trial’s importance in Turkey’s confrontation with its past, to highlight its unprecedented nature in Turkish criminal-justice history, and finally to present our own recommendations. The readers should note that the abridged version does not include the findings of the research on the case files and the indictment.*

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## INTRODUCTION: CRIMINAL TRIALS AS A MEANS OF COMING TO TERMS WITH THE PAST

One of the greatest challenges facing Turkey's democratization is to reduce the influence of violence on civilian politics. Military-led coups, clashes related to the Kurdish problem, and the security-oriented measures generally taken by the state to combat opposition movements have always served to strengthen actors who influence civilian politics by violent means. This holds true regardless of such actors' origins, scope, or the era in Turkish history.

Beyond institutional and legal reforms (especially in the area of security), the complete control of politics by civilian authorities requires the full disclosure of past grave violations of human rights caused by the state as well as an end to human-rights violations that continue to this day. Confronting acts like these, with their origins in state institutions, is important not only to ensure that the political order can be shared in a more civilian-oriented way, but also to give societal groups traumatized by violence the opportunity to achieve justice, prevent potential societal clashes, and allow political opposition groups to participate in the political power struggle by remaining within the realm of democratic politics and not resorting to violence themselves.

Because the state itself is not a unitary actor, determining and documenting exactly which individuals and state institutions were responsible for crimes committed against regular citizens and the exact decision-making process that resulted in such crimes is quite important in the effort to hand permanent control of the political system to civilian actors with civilian motives. Analyzing the experiences of other countries that have confronted their own histories of human-rights violations, we see that there are many means available to do so: criminal trials, parliamentary investigations, truth and reconciliation commissions, and other judicial or semi-judicial measures.<sup>1</sup> Such measures may be implemented simultaneously (having them feed off each other) or in sequence. They must also be adjusted to fit each society and the unique political, cultural, and social conditions found there.

One of the options available to societies seeking to come to terms with past regimes' grave or mass violations of human rights is criminal justice.<sup>2</sup> From the Nuremberg Trials to the present, there has been a significant divergence of opinion among human-rights analysts as to whether criminal proceedings actually present a positive means of ensuring peace and societal reconciliation. One group insists that criminal justice (putting perpetrators on trial for their human-rights violations) is the only path to societal peace and justice. A second group, meanwhile, claims that fragile democracies undergoing a process of transition can actually be disrupted by such trials, arguing that their scope may need to be compromised for the sake of preserving the peace. Proponents of the criminal-justice option list three ways in which human-rights trials can lead to societal reconciliation: First, putting the leaders of past regimes on trial proves that no one is above the law and is thus a means of helping instate the principle of rule of law in young democracies. Second, public trials of perpetrators serve as a deterrence mechanism,

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1 Mithat Sancar, *Geçmişle Hesaplaşma* [Settling Accounts with the Past] (İstanbul: İletişim Yayınları, 2007).

2 This section is the abridged version of the "Practical Applications of Criminal Justice: The Cases of Argentina and Ethiopia" section of the report written by Nur Kırmızıdağ.

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something that is important both to overcome the culture of impunity that pervades authoritarian regimes and to prevent the reoccurrence of past crimes. Third, court proceedings are put on the record and help create a shared memory of a society facing up to what happened. The creation of a shared memory and the sense that justice has been served, meanwhile, inspire the kind of dialogue that does lead to societal reconciliation.

While past experience does confirm such a prevision to a point, it also shows that if certain minimum conditions have not been met, criminal trials alone may not deliver a democratic system that respects human rights, but, on the contrary, may represent a significant obstacle. These minimum conditions are as follows:

- i. An independent judiciary with a solid foundation;
- ii. The acceptance and promotion by the new regime of the supremacy of law;
- iii. Trials that are conducted in full compliance with human rights and legal norms;
- iv. Trials that are conducted in conjunction with other transitional judicial mechanisms like truth commissions, community involvement, and institutional reforms.

If such preconditions have not been met, new regimes may use such trials not as a mechanism to achieve reconciliation, but as a means of taking revenge.

## TURKISH COURT CASES ON STATE VIOLATIONS OF HUMAN RIGHTS

**The Susurluk Incident**<sup>3</sup> was the first time the Turkish public openly saw and discussed the existence of a criminal organization conducting illegal activities within state institutions.<sup>4</sup> The Susurluk Trial initiated an investigation into the incident and was the first time that grave violations of human rights caused by the state were put on trial in Turkey. But the trial's investigation was not conducted comprehensively enough to uncover the by now obvious network between politicians and the military or between police and the mafia. The reports on Susurluk prepared by the Prime Ministry Inspection Board (*Başbakanlık Teftiş Kurulu*)<sup>5</sup> and a fact-finding commission of the Turkish Grand National Assembly<sup>6</sup> revealed that criminal organizations established by some village guards,<sup>7</sup> confessors, and members of special-ops divisions during

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3 Susurluk incident is a scandal surfaced with a car crash on 3 November 1996, near Susurluk, in the province of Balıkesir. Among those killed or injured in the accident were the deputy chief of the Istanbul Police Department, a member of parliament, and a suspect of mass killings on Interpol's red list. The fact that these three people were in the same car revealed the link between the state and illegal organizations and the relationship between the state, politics, and the mafia.

4 Meryem Erdal, "Herkesin Yargısı Kendine" [To Each His Own Judiciary] (İstanbul: TESEV Yayınları, 2010).

5 Kutlu Savaş, "Susurluk Raporu" [Susurluk Report], 1997. *Vikikaynak*, [http://tr.wikisource.org/wiki/Susurluk\\_Raporu\\_\(Kutlu\\_Sava%C5%9F\)](http://tr.wikisource.org/wiki/Susurluk_Raporu_(Kutlu_Sava%C5%9F)), accessed 29 August 2013. Preparation of the prime ministry's report on Susurluk (see footnote 2) was ordered by Mesut Yılmaz, prime minister of the 55<sup>th</sup> Government, on 13 August 1997 and completed by the chair of the Prime Ministry Investigation Board, Kutlu Savaş.

6 Turkish Grand National Assembly, "Susurluk Araştırma Komisyonu Raporu" [Susurluk Fact-Finding Commission Report], 1998. *Vikikaynak*, [http://tr.wikisource.org/wiki/TBMM\\_Susurluk\\_Ara%C5%9Ft%C4%Bırma\\_Komisyonu\\_Raporu](http://tr.wikisource.org/wiki/TBMM_Susurluk_Ara%C5%9Ft%C4%Bırma_Komisyonu_Raporu), accessed 29 August 2013.

7 The village guard system was established by amending the Village Law in 1985. Certain Kurdish villagers pledging to protect their villages against the PKK were armed by, and awaited orders from, local gendarmerie commanders, resulting in a number of serious problems. Nevertheless, the policy continues to this day.

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law-enforcement officers' struggle against the PKK had committed political murders by unknown assailants and enforced disappearances. But these activities were merely tried under the rubric of organized crime. The desired result was not achieved because no effective investigation was conducted to uncover these organizations' ties to state institutions, to locate the immediate perpetrators of these criminal activities, or to question the political basis within the state that could allow for such activities to continue. Nevertheless, both the guilty verdict passed down in the Susurluk Trial and the fact that it was upheld by the 9<sup>th</sup> Penal Chamber of the High Court of Appeals (Yargıtay) did reveal the existence of some public officials who considered any and all crimes committed in the name of "counter-terrorism" as being legitimate.<sup>8</sup>

**The Şemdinli Trial**, which began in 2006, was the first in which a civilian court put the extra-legal activities of military personnel on trial as organized crime.<sup>9</sup> In November 2005 in the southeastern Anatolian town of Şemdinli, citizens caught three members of JİTEM—two non-commissioned officers and one PKK informant—in the act of blowing up a bookstore (Umut Kitabevi). Yet unlike the Susurluk Trial, the indictment prepared by Ferhat Sarıkaya, then the republican prosecutor for Van, accused the suspects not simply of an ordinary organized crime, but of the crime of "violating the unity of the state and the indivisibility of the country." The indictment represented a first not only in the kind of crime it charged the suspects with, but also in the fact that it held high-level military commanders responsible by making reference to the institutional hierarchy laying behind the crimes committed. For a judiciary like Turkey's, used to leaving state officials' grave violations of citizens' human rights go unpunished, this step might be interpreted as a sign that new actors had emerged whose mentality could resist the old ways with new practices.

At the time, however, the General Staff led a campaign of intimidation against local courts and civilian prosecutors that found widespread support, particularly in the higher courts and the media, making it impossible for the government to oppose it with a strong political stance. As a result of the General Staff's activities, Sarıkaya, the prosecutor appointed to the case by the High Council of Judges and Prosecutors (*Hakimler ve Savcılar Yüksek Kurulu*, HSYK), was stripped of his profession; the judges in the case were reappointed to different parts of the country; and the case was transferred to a military court.<sup>10</sup> **As the example of the Şemdinli Trial shows, the mere existence of a local court eager to act was an insufficient condition for politically charged trials of state agents accused of committing grave violations of human rights to fully and effectively confront the past. A political will to support these courts and strong societal mechanisms to encourage these courts to act are also necessary.**

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8 Erdal, *op. cit.*, 22.

9 Erdal, *op. cit.*, 23.

10 Mehmet Atılğan and Serap Işık, "Disrupting the Shield of Impunity: Security Officials and Rights Violations in Turkey," trans. Suzan Bölme (İstanbul: TESEV Yayınları, 2011).

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## THE ERGENEKON TRIAL

The Ergenekon Trial was, without a doubt, the judiciary's most significant case in its investigation of coup attempts and rights violations committed by public officials. The investigation began with a telephone tip-off and was initially known as the "Ümraniye Investigation." The first trial related to Ergenekon began on 25 July 2008 with 86 defendants. Over the course of five years, 22 case files were merged and 275 defendants were put on trial, 67 of them while in custody. The trial ended with a sentencing hearing on 5 August 2013. It is now expected that the verdict of the court of first instance will be appealed to the Supreme Court of Appeals.

The investigation that began in 2008 was expanded to include the bombing of the newspaper offices of *Cumhuriyet*, the armed attack on the Council of State (*Danıştay*),<sup>11</sup> and other incidents, as well as the defendants' connections to them. Based on the documents seized from the suspects during the investigation, a basic blueprint of the Ergenekon organization could be pieced together. During this first phase, the investigation took a new name from the title of one of these documents, the "Ergenekon Analysis, Reorganization, Administration, and Development Project – Istanbul, 29 October 1999."

While it appeared to be a simple case against an organization attempting to overthrow the government by armed force and seize control of the state by anti-democratic means, the case also included allegations that the organization used a variety of illegal means to commit other acts as well. The evidence in the case files connect the defendants to several illegal acts, including murder. Thus, the indictment includes not only crimes committed against the state, but also other crimes, like unauthorized possession of harmful materials, abetting homicide, violation of privacy through disclosure of private images and recordings, and others.

While the structure and scope of the Ergenekon organization have been a frequent topic of public debate, the indictments, and in particular the prosecutor's legal opinion of 18 March 2013, clearly agree on the existence of an organization called "Ergenekon" as well as this organization's link to several terrorist activities intended to secure control of the country. In his legal opinion, the prosecutor also made reference to a further 17 illegal acts either planned or actually committed by Ergenekon. These included plans to assassinate Diyarbakır Mayor Osman Baydemir and Armenian Orthodox Patriarch Mesrob II Mutafyan and to use online propaganda to disrupt government activity, as in the case of the "Internet Memorandum" (*İnternet Andıcı*).

**These accusations show Ergenekon's ties both to attempts to overthrow the state and to unsolved political murders. Thus, the Ergenekon Trial represents something more than a trial about a "coup". Both in the original Ergenekon case file, as well as in the files of the other investigations and prosecutions added later, there are frequent allegations and many pieces of evidence pointing to this extended network.**

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<sup>11</sup> The Council of State Attack was an armed assault on the 2nd Chamber of the Council of State, carried out on 17 May 2006 by an assailant, Alparslan Arslan. As a result of the attack, Mustafa Yücel Özbilgin, a member of the 2nd Chamber of the Council of State, died, and four people were injured, among them the chamber's chair, Mustafa Birden. Arslan was captured by police guarding the Council of State as he attempted to flee after the attack.

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One important allegation regarding the makeup of the Ergenekon organization is made by the “Investigation Report” found in the tenth binder of the first indictment, which was prepared by examining all documents seized from law enforcement’s Counter-Terrorism Division (*Terörle Mücadele Şubesi*):

*“The benefits of reorganizing the Mafia are not to be underestimated or ignored. Thus it is necessary, as soon as possible (...) to create a brand new MAFIA organization under the supervision of the Turkish General Staff.”*

Tuncay Güney’s statement regarding this organizational structure (quoted below) is important because it draws the connection between the Ergenekon organization and the cases of murders by unknown assailants. This also defined the parameters of prosecutors’ approach to the Ergenekon organization. As we saw in their legal opinions, prosecutors argued that the defendants committed crimes *beyond those alleged by the indictment* in order to achieve Ergenekon’s organizational goals. The reason for not including some of these crimes in the trial itself may have been to ensure that the trial was limited to the clear-cut area defined by the indictment.

Tuncay Güney’s statement, found on page 242 of the first indictment, reads as follows:

*“What sort of aims does the ERGENEKON terrorist organization have in trying to control MAFIA groups or create its own MAFIA groups? The reasons for this can be summarized in a few bullet points.*

*“The Ergenekon Terrorist Organization has these MAFIA groups carry out the armed attacks that they were planning or wanted to carry out themselves. In this way, they seek to keep the assailants in such armed attacks unknown but, should the assailant be captured, still maintain cover for the attack’s true planners: the members of the ERGENEKON TERRORIST ORGANIZATION. To cite an example of this, Mustafa Duyar, Özdemir Sabancı’s assassin, was himself killed by a criminal organization headed by Nuri Ergin while serving time in prison in Uşak. Based on the photos and dialogues found on the CD that came with a tip-off letter during the investigation of the Ergenekon Terrorist Organization, it becomes apparent that it was Veli KÜÇÜK who instigated the murder of Mustafa DUYAR. Yet while not a single mention of Veli KÜÇÜK has been made during the investigations or prosecutions to this day, only the leaders and hitmen of the MAFIA group that committed the crime itself have been appropriately punished. Thus, by using such methods, the Ergenekon Terrorist Organization both ensured the murder of someone who had threatened their aims and decisively prevented the leaders of the Ergenekon Terrorist Organization, who gave the orders, from being exposed.”*

On 9 May 2008, the National Intelligence Organization (*Millî İstihbarat Teşkilâtı*, MİT) provided a statement (quoted below) in response to an inquiry made by the prosecutors in charge of the Ergenekon investigation. MİT’s response confirmed the existence of an “illegal” structure called “Ergenekon” and alleged that this organization was using anti-democratic means in an attempt to keep the civilian administration under its influence. The response outlines the allegations that this organization targeted the state by creating an atmosphere of chaos and conflict by instigating a number of the attacks outlined in the indictment:

*“A booklet was prepared using the information contained in the allegations regarding the project entitled ‘Ergenekon and the Lobby’ found in an anonymous letter and the attached CD that were forwarded to our legal counsel on 3 Jul. 2002; this booklet was then forwarded to the Chief of General Staff on 10 Jul. 2003 and to the Prime Minister on 19 Nov. 2003. Another Memorandum, a summary of our*

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Organization's work on the topic, was presented to the Prime Minister on 19 Jan. 2006 and to the Chief of the General Staff Intelligence Office on 26 May 2006. The document corroborates some information on a structure called 'ERGENEKON' based on the content of the memorandum on ERGENEKON sent to the Prime Minister on 19 Nov. 2003 and on the results our investigation of the anonymous two-page letter and CDs that had been sent to our legal counsel by post from Istanbul (but whose source could not be determined) on 3 Jul. 2002. (...) While no definitive conclusions can be made, we did receive the impression that activities conducted under the name 'Ergenekon' included efforts to organize a group that, at this stage, targeted the State or Regime to pursue its own interests. While this information only carries the weight of an allegation, the fact that it came from various independent channels and that these channels, to a large extent, confirm each other, elevate this phenomenon beyond the level of rumor and point to a dedicated and organized set of activities. Therefore, the current information we have on this topic leads us to believe that it is under the control of a directive cadre of military origin, and that it relies on the aims of covertly keeping the civilian administration under its supervision and creating a new regime under a new hierarchy through the instrumentalization of some nongovernmental organizations, political parties, and media outlets."

## FINDINGS OF MURDERS BY UNKNOWN ASSAILANTS IN THE ERGENEKON CASE FILES: AN OVERVIEW

**The revelation of some Ergenekon Trial suspects' relationship to the Susurluk scandal and to organizations that committed extrajudicial killings of Kurdish civilians in the 1990s—the Yüksekova Gang, JİTEM, and the Special Forces Command—heightened expectations among the public that grave violations of human rights committed during the 1990s, particularly against the country's Kurdish citizens, would be brought to light. Yet the prosecutors and panel of judges in charge of conducting the investigation phase of the trial ignored these expectations as they prepared the criminal complaint, instead focusing only on the charge of "attempting to overthrow the government."**

Though the judges failed to include the allegations of murders by unknown assailants and enforced disappearances in the trial, our search of information related to murders by unknown assailants in the Ergenekon indictment and case files has enabled us to collect significant proof confirming widespread perceptions of the defendants' connections to such incidents. In what follows, we include some of the claims made by the findings in the report "The Other Side of the Ergenekon: Extrajudicial Killings and Forced Disappearances" that clearly show the connection between suspects and defendants in the Ergenekon Trial to murders by unknown assailants.

For example, one passage from page 98 of the first indictment points to the direct connection between the Ergenekon defendants and murders by unknown assailants:

*"(...) was noteworthy that several intelligence reports related to terrorist organizations like the PKK, the DHKP-C, and HİZBULLAH were found along with information and intelligence memos related to the victims of past murders by unknown assailants to be in the possession of the same Veli KÜÇÜK. Detailed information related to several murdered individuals was found in the notebooks of Veli KÜÇÜK (...)"*

JİTEM is frequently accused in public of being responsible for a great number of murders by unknown assailants in southeastern Anatolia during the 1990s. The claim is that JİTEM is a group formed on the Gendarmerie General Command's own initiative, without receiving the approval of

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the Ministry of Interior or consulting the Office of the Chief of General Staff, in order to conduct “counter-terrorism” activities.

Though state institutions have long denied the existence of JİTEM, the state was forced to officially acknowledge its existence during an investigation of JİTEM launched by the republican prosecutor’s office in Ankara.<sup>12</sup> Another passage, from a report by the Turkish Grand National Assembly’s Fact-Finding Commission on Murders by Unknown Assailants, described organizations like JİTEM as follows:

*“Such organizations cannot be overseen by bodies elected to lead the state, nor can they be questioned by judicial bodies. They control the bodies leading the state as they please and have the capacity to use the state for any and all of their own purposes.”<sup>13</sup>*

The sections below look deeper into such claims and emphasize the connections both between some of the defendants in the Ergenekon Case and JİTEM as well as between JİTEM’s activities and the Ergenekon organization. Similarly, claims about this relationship are strengthened by the fact that some of the defendants in the Ergenekon Trial are themselves standing in the JİTEM Trial (No. 2009/477E) being held in the 6<sup>th</sup> Specially Empowered Heavy Penal Court in Diyarbakır<sup>14</sup>

The following passage from page 1,094 of the original indictment, quoting suspect/defendant Ümit Oğuztan’s testimony to law-enforcement officials, point to Ergenekon’s connection to murders by unknown assailants and to JİTEM:

*“After people first became aware of something called JİTEM, the public and the fact-finding commission [i.e., the Susurluk Fact-Finding Commission —G.A.] forgot all about Ergenekon. That was the same time that Cem ERSEVER was killed. The public was thus distracted from the original issue. JİTEM began to be accused of being responsible for such incidents; the idea of ‘JİTEM’ was often used at that time to make people forget about ERGENEKON.”*

Likewise, the report obtained from a search of the houses of Muzaffer Tekin, Veli Küçük, and Zekeriya Öztürk, entitled “Ergenekon Analysis, Reorganization, Administration, and Development Project – 29 October 1999,” also showed that the organization consisted of distinct subdivisions, that these subdivisions featured a mixed civilian-military structure, and that the organization benefitted from JİTEM’s experience.

It is in the original Ergenekon indictment, too, that Veli Küçük is described as the founder of JİTEM (page 97):

*“Suspect Veli Küçük was born in Bilecik in 1944. After graduating from the Turkish Military Academy in 1965, he served for many years in a number of important and sensitive positions in the Turkish Armed*

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<sup>12</sup> *Radikal*, “Devlet JİTEM’i resmen kabul etti” [State officially acknowledges existence of JİTEM], [http://www.radikal.com.tr/turkiye/ve\\_devlet\\_jitemi\\_resmen\\_kabul\\_etti-1055684](http://www.radikal.com.tr/turkiye/ve_devlet_jitemi_resmen_kabul_etti-1055684), accessed 31 July 2013.

<sup>13</sup> *10/90 no’lu Ülkemizin Çeşitli Yörelerinde İşlenmiş Faili Meçhul Siyasal Cinayetler Konusunda Meclis Araştırma Komisyonu Raporu* [Parliament Fact-Finding Commission Report on Political Murders by Unknown Assailants Committed in Various Parts of Our Country, No. 10/90], Chapter 8, p. 3.

<sup>14</sup> Serap Işık, “JİTEM Davası” [The JİTEM Trial], *Faili Belli*, <http://failibelli.org/davalar/jitem/jitem-davasi/>, accessed 31 July 2013.



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*Forces. During this time, he founded the Gendarmerie Intelligence Corps, known to the public as JİTEM, and served as leader of this division for two years.”*

Hanefi Avcı, who was called as a witness during the Ergenekon Trial, also provided information on JİTEM during his testimony, claiming to know that Küçük, a defendant in the Ergenekon Trial, was the head of this organization. Avcı's testimony is summarized in the original indictment (page 240):

*“[Avcı] stated that he heard that there was an organization called JİTEM while he was serving as Intelligence Bureau chief in Diyarbakır between 1984–1992 and that someone by the name of Veli Küçük was in charge of this organization in Ankara, but that he was not seeing [Küçük] at the time and had not been in contact with him. [Avcı also stated that] he served as Intelligence Bureau chief in Istanbul in 1992 and that, by virtue of his duties there, the contacts made by a number of individuals were monitored; men known at the time for their connections to the mafira, including Sami Hoştan, Ali Fevzi Bir, Mehmet Özbay (whose identity was later revealed as Abdullah Çatlı), Sedat Peker, Mehmet Hadi Özcan, and Yaşar Öz, were in direct contact with Veli Küçük.”*

Documents obtained during searches of suspects' houses and workplaces contained information not only about defendants' ties to JİTEM, but also about the murders by unknown assailants, enforced disappearances, and illegal operations committed by the Susurluk Gang (as it was popularly known) for political or personal reasons.

For example, a document dated 16 February 1996 from Appendix 165 of the original indictment (containing documents found in the possession of Doğu Perinçek) stated that the murder of Tarık Ümit was carried out by Abdullah Çatlı and his group, further noting that

*“Because he and Behçet Cantürk had brought 300 billion Turkish liras to Tansu Çiller at the end of 1993, Tarık Ümit knew the source of the money that Çiller had used to win her election as chair of the True Path Party. The latest report from MİT states that he was interrogated and killed at a farm belonging to Sami Hoşnav, a known member of Ağar's Gang.”*

**The passages cited below show that the Ergenekon Trial was related not only to the JİTEM Trial, but also to the trial of the murder at the Zirve Publishing House in Malatya (popularly known as the “Zirve Trial”) as well as the murders of Hrant Dink and Father Andrea Santoro.**

The second indictment of the Zirve trial introduced the first link in a long chain of events pointing to the Special Warfare Department (*Özel Harp*) and Ergenekon on the one hand and to an explanation of a series of provocations and murders, particularly those of Christians on the other. According to the testimony (or confession) of a specialist sergeant who received his salary from a JİTEM-like unit and who served as an anonymous witness during the investigation of the Zirve Publishing House murder, Hurşit Tolon, a defendant in the Ergenekon Trial, formed a division within the hierarchy of the Turkish Armed Forces that concerned itself with non-Muslims and went by the name “Turkish Agency for National Strategies and Operations” (*Türkiye Ulusal Stratejiler ve Harekât Dairesi*, TUSHAD). The anonymous witness claimed that TUSHAD was an extension of the activities of the Ergenekon terrorist organization; that JİTEM, the White Forces, and the Black Forces were a part of the Ergenekon terrorist organization and that they acted in complete obedience to its orders; that the murders of Father Andrea Santoro and Hrant Dink and the murders at the Zirve Publishing House were operations carried out by the Ergenekon terrorist

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organization and coordinated by JİTEM, the White Forces, and the Black Forces, all organizations tied to TUSHAD; and finally that the ultimate aim of all of these activities was to prepare the way for the coup planned against the Justice and Development Party government by making it look like the murders were committed by followers of the Fethullah Gülen movement.<sup>15</sup>

## EVALUATION

**The research TESEV has done scouring the Ergenekon case files has shown that the broad network structure that was put on trial can be tied not only to efforts to overthrow the government, but also to Turkey’s unsolved political murders and extrajudicial killings.** Even though the grave human-rights violations and murders by unknown assailants of the 1990s are not among the crimes attributed to the suspects/defendants in the Ergenekon indictments, the information found in the case files does provide clues to uncover illegal organizations within state institutions that stand behind these activities, as well as their direct perpetrators. Another significant finding that led us to this conclusion is the close relationship between the information in the Ergenekon files with other investigations and prosecutions related to political murders and murders by unknown assailants in Turkey. As if to confirm this claim, one month after the completion of the trial, the press was reporting that nearly one thousand files on murders by unknown assailants were being distributed to state prosecutors.<sup>16</sup> In this way, the Ergenekon Trial represents something much more than a simple “coup trial.”

**Moreover, the research has found that the prosecution of the Ergenekon Case did not go far enough to enable the murders by unknown assailants and enforced disappearances committed during the 1990s, particularly against Kurdish citizens, to be solved.** A number of topics remained obscure, even after the trial: Does the network known as Ergenekon consist of a single organization or more than one organization? Has its structure stayed constant and coherent throughout its history, or does it consist of various structures that come together at various times around certain incidents? Had the trial been considered from this angle, many more official sources and much more information could have been provided to victims, their families, and human rights advocates striving to elucidate murders by unknown assailants. Moreover, a clearer and more accurate picture could have been painted to uncover the institutional structures allowing for such human rights violations to occur. In this way, the branch of Ergenekon popularly known as “East of the Euphrates” might have been revealed in full detail.

Taking a more positive angle, the Balyoz (Sledgehammer) Case and the Ergenekon Case, the first to put a coup attempt on trial, did establish a legal practice that will be able to prevent the illegal means by which some groups within the military establishment and the civilian networks that collaborate with them for political and economic gain intervene in democratic politics. Setting aside both the breaches of conduct during the trial’s investigation and prosecution phases and some of the

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<sup>15</sup> Serap Işık, “Zirve Yayınevi Davası” [The Zirve Publishing House Trial], *Faili Belli*, <http://failibelli.org/davalar/zirve-yayinevi-davasi/>, accessed 31 July 2013.

<sup>16</sup> *Zaman*, “Her savcıya bin faili meçhul dosyası” [A thousand files on murders by unknown assailants for every prosecutor], [http://www.zaman.com.tr/gundem/her-savciya-bin-faili-mechuldosyasi\\_2138832.html](http://www.zaman.com.tr/gundem/her-savciya-bin-faili-mechuldosyasi_2138832.html), accessed 23 September 2013.

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poorly made decisions of the trial’s prosecutors and judges—which made it possible for the public to question the trial’s legitimacy<sup>17</sup>—it is nevertheless possible to argue that the trial achieved its goals of preventing an attempted coup and creating a sanctioning power against the crime of plotting a coup.

The legal and institutional reforms enacted by the government to ensure that civilian institutions maintain predominance over the military in politics have also certainly played an important role in allowing the Turkish judiciary to serve as an actor capable of trying attempted coups and the human-rights violations committed by members of the army. The key change in this regard was the constitutional amendment passed as a result of the 2010 Constitutional Referendum, which made it possible for civilian courts, rather than military tribunals, to try crimes committed by soldiers against the security of the state, except in times of war.<sup>18</sup> It was thanks to the 2010 constitutional amendments that the Şemdinli Case was retransferred from a military to a civilian court and that Prosecutor Sarıkaya was reappointed to his position. The influence of the military establishment over civilian actors was also reduced by changing the makeup of the HSYK and the Constitutional Court, which had had important roles in maintaining the tutelage of the military over the judiciary, and by making the structure of the National Security Council (*Millî Güvenlik Kurulu*), one of the key actors perpetuating military tutelage, more compatible with civilian rule.<sup>19</sup>

### “State Secrets” in the Case Files

**Another important conclusion reached during the research is that legal regulations on “state secrets” pose a significant barrier to the investigation of grave violations of human rights committed by state security forces.** We believe that the case files examined during the Ergenekon Trial—but which we were unable to examine because they fell under the purview of “state secrets”—likely contain information regarding political murders by unknown assailants and enforced disappearances in Turkey.

Turkish law does not contain a clearly delimited definition of what constitutes a state secret. Various articles describe the notion of “state secret” broadly. Article 326 of the Turkish Penal Code only includes this definition under the heading “Violation of State Secrets and Espionage” as “documents related to state security or its domestic and foreign political interests.” The Law on Criminal Procedure (*Ceza Muhakemesi Kanunu*, CMK), meanwhile, states: “Information whose revelation has the potential to harm the state’s foreign relations or national defense or to pose a threat to the constitutional order or foreign relations is considered a state secret.”

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17 Violations of defendants’ rights committed in connection with the Ergenekon Trial provoked a rather large reaction among the Turkish public, as it was the first time that a privileged group in society was experiencing suffering at the hands of the court system, something that is in fact quite widespread in Turkey. As a result, we observed that society was expressing an increased demand for just trials and defendants’ rights in Turkey. Though the issue of defendants’ rights in the Ergenekon Trial lies outside the scope of the current report, it was taken up in another one of our publications: Osman Doğru, “‘Mills that Grind Defendants’: Criminal Justice System in Turkey From a Human Rights Perspective,” trans. Orhan Bilgin (İstanbul: TESEV Yayınları, 2012).

18 Atılğan and Işık, *op. cit.*, 14; and Ozan Erözden, Ümit Kardaş, Ergun Özbudun, and Serap Yazıcı, “A Judicial Conundrum: Opinions and Recommendations on Constitutional Reform in Turkey, ed. Serap Yazıcı (İstanbul: TESEV Yayınları, 2011).

19 Biriz Berksoy, “Military, Police and Intelligence in Turkey: Recent Transformations and Needs for Reform,” trans. Parrot Eğitim Bilişim ve Danışmanlık (İstanbul: TESEV Yayınları, 2013).

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Article 47 of the CMK, meanwhile, states that “information regarding a crime may not be withheld from the court because of its status as a state secret”; this is to prevent the creation a kind of “immunity” through the withholding of such evidence from criminal investigations. Administrative officials are thus not authorized to withhold documents from the court as a “state secret” or refuse to allow the court from accessing such documents.

Article 125 of the CMK, however, states that “documents containing information considered to constitute a state secret may only be examined by a court judge or panel of judges.” This means that prosecutors are unable to examine documents containing “state secrets” during the investigatory phase of the trial and that these documents only come into play during the trial’s prosecution phase.

Among the Ergenekon Trial documents whose content was considered a state secret and thus made accessible only to the panel of judges, the documents obtained during the search of Arif Doğan’s residence are of particular importance. The search of Arif Doğan’s house in the Beykoz district of Istanbul during the investigation resulted in the seizure of nine sacks of documents. These documents, known as the “JİTEM Archive,” remain confidential as “state secrets.” The fact that these documents have remained inaccessible, even as JİTEM’s direct connection to a number of political murders by unknown assailants in eastern and southeastern Anatolia is obvious, makes the investigation of such murders incomplete and deficient.

Meanwhile, Arif Doğan has been quoted (including in the press) as saying:

*“There are documents found in the bags of PKK members killed during clashes between 1984–1990. Instructions, orders. I reached [PKK leader Abdullah] Öcalan using the documents and blueprints seized from PKK shelters. Back when Sadettin Tantan was interior minister, there were rumors going around that we would capture Öcalan soon. This had to do with my agent, Öcalan’s bodyguard. If I reveal the name of my agent, they will destroy his children. They killed him, and nobody knows where his grave is.*

*Abdullah Çatlı served under my command for two years, together with Hüseyin Kocadağ [the police officer who died in the traffic accident at Susurluk]. For an institution to overcome a drug smuggling operation, it has to have someone from one of four categories: user, producer, seller, or transporter. Çatlı found his way into the drug trade with one of these types, then busted them. To the public, he looked like a drug smuggler then.”*

**The fact that only the authorized panel of judges charged with trying the case at hand may examine such documents poses one of the most significant barriers to uncovering state crimes.**

For example, in the case of the Ergenekon Trial (during which only crimes against the government were considered by the court), a significant barrier was created by the fact that other courts investigating murders by unknown assailants (courts investigating JİTEM, for instance) have been unable to access key pieces of evidence from the Ergenekon Trial because of their classification as state secrets. This has made it impossible for plaintiff attorneys in cases of murders by unknown assailants from submitting key pieces of evidence to the court. Furthermore, this grants *de facto* judicial immunity to crimes that could otherwise be solved by examining “secret” documents that could not be included in the investigatory phase of the trial.

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Another document whose access was restricted for being a “state secret” was twelve pages of the Prime Ministry Inspection Board’s report on Susurluk. The confidential sections of the report were not even sent to the court trying the Susurluk Case.<sup>20</sup> Yet the confidential sections of the report were included among the appendices to the Ergenekon indictment after they were found during searches of houses and workplaces during the Ergenekon operations. According to allegations made in the press, these sections of the report contained information about extrajudicial killings that had already been made known to the public.<sup>21</sup> The use of this information in ongoing trials is necessary in order to discover the true perpetrators of these killings as well as the organizational network behind them.

## New Trials Launched after Ergenekon

Though the Ergenekon Trial never considered the political murders of the recent past or the grave violations of human rights committed against Kurdish citizens in the 1990s, the Turkish public did get to witness the start of new proceedings against such crimes following the Ergenekon Trial. An important factor leading to this development appears to have been the impression on the part of both prosecutors and victims that there was now widespread support for the investigation of such crimes.<sup>22</sup> Furthermore, in the interview we conducted with former Ergenekon prosecutor Zekeriya Öz<sup>23</sup> during our research, he told us that evidence on murders by unknown assailants in eastern and southeastern Anatolia that was presented to them during the investigation was separated from the main trial and sent to the offices of specially authorized prosecutors in Malatya, Diyarbakır, Van, Erzurum, and Adana. These offices, he said, continued the investigations locally. Diyarbakır Chief Public Prosecutor Osman Coşkun,<sup>24</sup> whom we interviewed during our examination of the case files, confirmed that some of the documents that were part of the investigation were, indeed, separated from the Ergenekon Trial and sent to him by the Ergenekon prosecutors. His office then continued the related investigation themselves. We were unable, however, to access these separate files ourselves.

**The numerous investigations and prosecutions currently underway are one sign that Ergenekon is not an organization limited to taking action against the government. In fact, many of the names listed as being members of the Ergenekon organization in the indictment and its appendices also turned up in several other cases of murders by unknown assailants and enforced disappearances.**

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20 Erdal, *op. cit.*, 18.

21 *Milliyet*, “‘Susurluk’un gizli bölümleri iddianamede” [‘Susurluk’s confidential sections are in the indictment], <http://siyaset.milliyet.com.tr/-susurluk-un-gizli-bolumleri-iddianamede/siyaset/siyasetdetay/09.08.2008/976405/default.htm>, accessed 24 September 2013.

22 Because of the Ergenekon Trial, more people have now petitioned the judicial system, despite the fact that victims’ and witnesses’ fears regarding the investigation of such crimes have not been completely dispelled. See: Tahir Elçi, “The Problem of (not) Investigating Grave Human Rights Violations in Recent Past,” in *Confronting the Past: Impunity and High Profile Cases*, trans. Fethi Keleş (İstanbul: TESEV Yayınları, 2013), 12.

23 Interview with Prosecutor Zekeriya Öz, conducted by Gülçin Avcı, Koray Özdi, and Levent Pişkin, 6 December 2012.

24 Interview with Diyarbakır Republican Prosecutor Osman Coşkun, conducted by Gülçin Avcı, 22 June 2012.

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Ever since the first day of the Ergenekon Trial, other trials and investigations of murders by unknown assailants, political assassinations, and disappearances began to be launched in quick succession. In some cases, the defendants taking the stand were the very same as those in the Ergenekon Trial. In other cases, they appear to be connected to the Ergenekon defendants based on information found in the Ergenekon case files. The following is a list of such investigations and trials as of October 2013:

- **The Zirve Publishing House Massacre Trial:** In Malatya in November 2007, a trial began on the murders of Tilman Ekkehart Geske, Necati Aydın, and Uğur Yüksel, employees of the Zirve Publishing House in Malatya, killed because of their “missionary activities.” Only those directly responsible for the murders were put on trial, and it took a very long time before those who instigated the murders could be reached. Nevertheless, a second trial was begun later, on 3 September 2012, against the instigators of the massacre, including Ergenekon defendant Hurşit Tolon. These proceedings were then joined to the ongoing trial. The trial continues to this day in Malatya.
- **The Temizöz and Others Trial:** Proceedings began in July 2009 against seven people including Colonel Cemal Temizöz, who had served as gendarmerie division commander in the Cizre district of Şırnak between 1993–’95. They were accused of forming an interrogation/execution squad during this period, thought to have detained 22 people they believed had aided the PKK terrorist organization, either for the sake of “counter-terrorism” or purely personal reasons. The individuals they allegedly detained were interrogated by torture, disappeared, or killed, according to the indictment. The trial is currently underway. There are statements in the Ergenekon case file that corroborate the events described here.
- **JİTEM Trial:** Sixteen defendants have been on trial without arrest since 2010 for establishing a criminal organization “going by the name JİTEM to act solely outside the law in the name of a ‘supposed state,’ to force confessions by torture, and to commit premeditated murder.” Colonel Arif Doğan, a defendant in the Ergenekon Trial, has stated himself that he was the founder of JİTEM. Official documents belonging to JİTEM were also found in a search of his house.
- **The Trial of the Musa Anter Murder:** In July 2013, proceedings began in the case of the assassination of Kurdish journalist and writer Musa Anter in 1992. There is information on Anter’s murder in the Ergenekon case files.
- **The Mete Sayar Trial:** In June 2013, investigations were completed and prosecution begun in the case of Görümlü village (located in the Silopi district of Şırnak), where gendarmerie officers allegedly arrested six villagers in June 1993 without informing their relatives, executed them by firing squad, and later buried them in an unmarked grave. Five defendants, including the division commander at the time, are on trial. Comprehensive information on the disappearance of the six villagers from Görümlü is available in the Ergenekon case files.
- **The “Knife Squad” Investigation:** The prosecutor’s office in the Kızıltepe district of Mardin has prepared a police report on twelve murders by unknown assailants committed by a JİTEM squad under the direction of Attila Uğur, a defendant in the Ergenekon Trial. During the excavations carried out during the investigation, bones believed to belong to victims of further murders by unknown assailants, under Attila Uğur’s orders, were discovered. The chief public prosecutor’s office of Kızıltepe has begun an investigation into eight people, sending its police

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report to a representative of the chief public prosecutor's office in Diyarbakır charged with dealing with such issues under Article 10 of the Law to Combat Terrorism.

- **Trial on the Alleged Assassination of President Turgut Özal:** Retired brigadier general and Ergenekon defendant Levent Ersöz has been charged in court with the assassination of former Turkish President Turgut Özal. The indictment approved by the 13<sup>th</sup> Heavy Penal Court in Ankara in this trial states that there was a series of dozens of cases of murders by unknown assailants in 1993. Each of that year's suspicious murders and murders by unknown assailants is listed individually by the prosecution in the indictment. The prosecutor's office alleges that these murders were committed in order to sabotage the steps Özal had initiated to find a solution to the Kurdish problem.
- **The Yavuz Ertürk Trial :** In September 2013, investigations were completed and prosecution begun in the case of 11 villagers in the Kulp district of Diyarbakır murdered by unknown assailants in 1993. The indictment states that there are ongoing investigations regarding the trial's only defendant, Yavuz Ertürk, who is alleged to have participated in the enforced disappearance of several individuals arrested in the Lice, Kulp, and Hani districts of Diyarbakır and the Genç district of Bingöl.
- Finally, the indictments in both the Ergenekon Trial and the Zirve Publishing House Massacre Trial state that the Zirve Publishing House Massacre, the murder of Father Andrea Santoro, and the murder of Hrant Dink were carried out by the Ergenekon armed terrorist organization.

## RECOMMENDATIONS

The government, the judiciary, lawyers, and human rights advocates all have important duties when it comes to uncovering and solving the murders by unknown assailants and enforced disappearances committed by members of the Turkish state. In this section, we offer some basic steps we believe these actors ought to take.

### Recommendations for the Judiciary

#### Statute of Limitations

One of the main problems facing the investigation of murders by unknown assailants committed during the 1990s is the statute of limitations for these crimes, as the limit provided for by the old Turkish Penal Code is 20 years. (The limit for crimes whose trials have already passed to the prosecution stage is 30 years.) In deciding on the application of the statute of limitations, the judiciary makes decisions in accordance with the old law in effect at the time of the offense. However, the regulation in the new Turkish Penal Code (Law No. 5237), which came into effect in 2005, stipulates that no statute of limitations is to be applied in cases of "crimes against humanity." While the general opinion of the Turkish judiciary has been that this law should not be applied retroactively, so as not to violate defendants' rights, the very notion of "crimes against humanity" was established by the principles at Nuremberg in order to hold the Nazis accountable for their past crimes. In other words, crimes against humanity represent an exception to the rule that a new regulation will not be applied retroactively if it is not in a defendant's favor. This opinion is provided not only in the precedent set by the European Court of Human Rights, it was also used

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by the Turkish judiciary in the Sivas Trial and the 12 September Trial.<sup>25</sup> It is clear that the court's opinion in the Sivas Trial—that the statute of limitations would not apply in cases of crimes against humanity committed by state officials—must also apply to the as-yet unsolved murders by unknown assailants and enforced disappearances committed by organizations like JİTEM.

### Acceleration of Proceedings

In order for a trial to be just for both the defendant and the intervening party, the wait between hearings must be kept at a minimum, evidence must be collected quickly, and the court must see to it that reports prepared by relevant agencies and parties are completed quickly. Investigations and proceedings in cases that happened a long time ago, and whose evidence is therefore difficult to obtain, must thus be conducted with even more urgency.

### Witness Protection

In order to shed light on these crimes' true perpetrators and to make these trials as comprehensive as possible, it is very important that people who serve as witnesses in such trials be effectively protected. The inability of the current protection policy to completely prevent defendants (who have recourse to state power and who have already participated in criminal activity on this basis) from harming or threatening witnesses represents one of the basic factors preventing such trials from going forward. The system ought to encourage people with knowledge of these incidents to become witnesses, and the court ought to develop and implement effective witness-protection measures so that the details of these incidents may be brought to light. On the other hand, witness-protection policies must be formulated in such a way as not to result in limitations on defendants' rights, either. Therefore, the right of defendants and their lawyers to cross-examine witnesses and anonymous witnesses ought to be maintained.

### Victim-Oriented Investigations and Trials

- The safety of those who have lost loved ones to murders by unknown assailants or enforced disappearances must be guaranteed by the state. The families and friends of murder victims ought to be protected from threats, whether during a hearing or outside the courthouse.
- Investigation and prosecution processes must be more concerned with the victim, so that victims can share more of their knowledge of the crime and that their experiences be heard and recorded, thus ensuring that the crimes committed against them be made known.
- The widespread practice of changing the location of trials while the trial remains underway, done in order to protect defendants' safety, ought to become the exception rather than the

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<sup>25</sup> The Sivas Massacre occurred on 2 July 1993 during the Pir Sultan Abdal Festival organized by the Pir Sultan Abdal Cultural Association at the Madımak Hotel in Sivas. 33 writers, folk artists, and thinkers—most of them Alevi—along with two employees of the hotel died from burning or asphyxiation after the hotel was set on fire. In March 2012, the court decided that the trial of these incidents would expire because of the statute of limitations. The panel of judges justified their decision by stating, “There is no statute of limitations in crimes against humanity, but in this case it was decided that the limit should be applied because those who committed the crime were not public officials, but regular citizens.” The court in the trial against the plotters of the 12 September 1980 coup, however, considered the case a crime against humanity and decided that no statute of limitations would be applied, despite the fact that 32 years had passed since the incident.



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rule. The decision to transfer the trial ought to be made at a hearing, taking both sides' views into account. Should a transfer become an issue, public means ought to be fully responsible for organizing and financing the move of the hearings so that the victims' lawyers, friends and family, as well as human rights advocates following the trial will be able to attend the hearings.

## **Recommendations for the Legislature and the Executive**

### **Establishment of a Truth Commission**

Diverse political actors and nongovernmental organizations (NGOs), a majority of them from the Kurdish political movement, have repeatedly recommended that truth commissions be formed in order to establish the facts in cases of murders by unknown assailants and enforced disappearances. Despite these recommendations, there is still a need for various segments of society to offer their ideas on the scope, methods, authority, and makeup of such commissions, which would be of great importance in facing up to the grave violations of human rights that have occurred in Turkish history and achieving a peaceful solution to the Kurdish problem. It is impossible for any commission to achieve the desired results if that commission fails to base its activities on the needs of victims (with their diversity of political, religious, or ethnic identities), or if it is only seen as legitimate by a narrow segment of society. Therefore, the legislature ought to listen to the demands of victims' families and human rights organizations working on confronting such crimes and to develop a model in line with these demands that is at the same time compatible with the political and social conditions of Turkey. If found to be necessary, the government and the Turkish Grand National Assembly ought to grant enough resources and authority to such a commission for it to operate in an effective and efficient way.

### **State Secrets**

The refusal to make certain pieces of evidence public during trials of state violations of human rights on the basis of that evidence's classification as a "state secret" is one of the obstacles preventing new investigations from being launched and ongoing investigations from achieving sufficient depth. The potential for lawyers and human rights advocates to contribute to investigations is also hindered by the fact that the way "state secret" is defined by law leaves the limits of the concept open and makes it unclear when documents considered to be state secrets will lose that status. The concept of "state secret" must be prevented from being used as a means for crimes committed by state security forces to go unpunished, and this can only be achieved by clarifying the vague definitions offered in the government's long-promoted Draft Law on State Secrets.

### **International Agreements**

The government should fulfill its obligations by adding its signature to international and universal norms like the "International Convention for the Protection of All Persons from Enforced Disappearance" and the Council of Europe Committee of Minister's 2011 "Guidelines and Recommendations for Eradicating Impunity for Serious Human Rights Violations."

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## Recommendations for Civil Society and Legal Practitioners

- In order for trials to be effective and to serve as a means for a broader swath of society to seek out the truth, it is important that lawyers and human rights advocates do their part to support such trials. To do this, they must follow up on these trials and ensure that those representing victims in such cases be given legal support.
- Bar associations should contribute more actively to the efforts of lawyers and human rights advocates to organize effectively in their pursuit of cases of murders by unknown assailants. Support, where currently given, comes mostly from bar associations in Kurdish-majority provinces. All bar associations, however, particularly those in large municipal areas like those in Istanbul and Ankara with more members and resources should fulfill their obligations under the Law on Lawyers to defend and monitor human rights and support such cases more actively.
- NGOs, to the extent allowed by their organizational structures and access to resources, can help ensure that legal support is provided in cases of murders by unknown assailants and enforced disappearances, that the trial outcomes be publicized, and that these trials receive public support. Furthermore, in order to develop a more organized and effective method of pursuing a case for those segments of society affected by such trials, it is important for human rights organizations and NGOs who have attained expertise in this field to become intervening parties. In order for the efforts currently being taken by human rights organizations and activists to follow and support cases to become more effective, it will be necessary to increase coordination and cooperation among various organizations.

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