

Lawyers and Civil Society Under Attack in Türkiye

Louis Lemkow, Istanbul 7th February 2026

In early February, Louis Lemkow conducted trial observation in Istanbul on behalf of the European Association of Lawyers for Democracy and World Human Rights (ELDH), focusing on judicial proceedings brought against lawyers and representatives of civil society. His observations underscore an urgent need for a return to the rule of law, particularly in ensuring that members of the legal profession are able to carry out their recognised professional duties freely and without hindrance. At the same time, the proceedings highlight the necessity of respecting the legitimate activities of civil society — including the right to protest — and of safeguarding these activities from undue interference by the state.

Istanbul Court hearings 5-6 February 2026

Overview

The renewed attacks (February 2026) on lawyers and civil society by the instruments of the Turkish State is of great concern. Lawyers were again being persecuted for carrying out their professional duties in Türkiye. Both lawyers and activists of social movements and members legally constituted political parties were arrested by associating them spuriously with terrorism and/or belonging to illegal terrorist organisations. Those arrested or already in preventive detention appeared in the Istanbul courts 5-6 February 2026.

The criminalisation of lawyers by the police and judiciary has become normalised and systematic in relation to lawyers defending the rights of political and social activists. The latest onslaught took place in Istanbul on 5/6th February 2026 with the arrest of 102 activists of social movements (including feminist and environmental/ecological groups) and members (including a former MP) of legally recognised political parties such as the Socialist Party of Oppressed [*Ezilenlerin Sosyalist Partisi*] ESP. Among those arrested was lawyer Özlem Gümüştas. Several events in which she participated were presented as crimes (through statements from confidential witnesses) claiming that Gümüştas' professional activities in particular constituted crimes. The witnesses made unsubstantiated claims conflating Gümüştas' professional activities with the political views of her clients. At the same time witness statements obtained from **previously acquitted cases** were used again to punish her with the intent to send her to prison, thereby undermining the rule of law and legal/judicial security. These instruments are being employed to intimidate and to put pressure on lawyers from undertaking their professional activities and this way criminalising the legal profession as a whole. Gümüştas was finally released while 77 of 102 (activists and political party members) initially arrested are in preventive detention..

Along the same lines, the court hearing on February 5th 2026 against Gökem Ağdede, and Ayşegül Çağatay Gökçe, practicing lawyers (for the Peoples' Law office) used the same kind of spurious arguments to convict them by apparent association with terrorist groups.

“Confidential” witness information was used to indicate criminality. In this case the outcome was a draconian sentence of 6 years and 3 months per each handed out by the court (pending appeal)

The above is an example of the judicialization of politics given that activists belonging to social movements and members legally constituted political parties are being criminalised by attempting to associate them with terrorism and/or with illegal terrorist organisations. This is a strategy being widely used by authoritarian or far right-wing governments such as Russia and Israel with the clear intention of weakening civil society and freedom to protest.

Description of hearing February 5th

Defendants:

Aysegül Çagatay Gökçe, lawyer (not present at hearing)

Görkem Agdede, lawyer

Nadide Özdemir, lawyer

Özhan Aslan, brother of arrested lawyer Oya Aslan who was not part of this case)

Access through the court building was uneventful. The hearing started almost an hour late. The defendants spoke briefly with no questions raised by the court members. The defence lawyers presented their case, underlining the unsubstantiated claims by confidential witnesses about the defendants’ links with terrorism. Other issues relating to DNA and finger print inconsistencies presented in the public prosecutors’ documents were raised. There were absolutely no comments or questions from the court about the case presented by the defence. The session was adjourned (recess) for the tribunal to reach a verdict. After a brief wait the sentences were 6 years and 3 months for each of the accused. A document consisting of 8 pages provided a “Short Verdict Decision” and was given to the defendants (and their lawyers). The whole proceedings including recess and verdict lasted under an hour and a half.

The court provided the above mentioned 8-page document after a very short recess. The verdict and sentencing were obviously made before the hearing itself and it accepted the prosecutor’s version in its entirety without any amendments whatsoever (or any questions to the defendants and their lawyers). This was not a surprise to the defence lawyers given that this procedure is standard practice in these kinds of clearly political trials meaning that they have no credibility and are an affront to judicial procedure and objectivity in democracy.

An appeal process is now pending.

6 February:

Dozens of Human Rights Defenders and Political Activists are at the Courthouse

Only defence lawyers were able to attend the court sessions of the 102 accused. There were a substantial number of friends, family and others (including the author of this report) in the courthouse but outside the courtroom. Below is a short summary of the interrogations from one of the defence lawyers.

“Among those arrested there was a former member of parliament, members and executives of legal party (ESP), members of the Polen Ecology Association who are active in ecological work, feminist women working in women's associations, and many socialist politicians.

Our colleague, lawyer Özlem [Gümüştas], was released with a ban on leaving the country.

I would like to underline that, in normal legal practice, after the police statement, the prosecutor takes a statements of the clients and than decides whether or not to order detention based on that statements. However, in this case, the prosecutor did not take any statements from the clients and did not accept the lawyers' request for a meeting. He ordered detention directly. Almost all of the clients had exercised their right to remain silent in their police statements.”

Conclusion:

There is clearly an urgent need for a return to the rule of law and in so doing allowing the legal profession to be able to undertake its recognised formal duties unhindered and at the same time to respect the legitimate activities of civil society, which includes protest, without interference from the state.

Louis Lemkow, Barcelona, 8th February 2026