

Türkiye: Lengthy prison sentences imposed on ÖHD lawyers and TUAD members for lawful professional and human rights work

The undersigned international legal and human rights organisations strongly condemn the conviction and sentencing of lawyers who are members of the Association of Lawyers for Freedom (*Özgürlük İçin Hukukçular Derneği*, ÖHD) and of executives and staff of the Prisoners' Families Solidarity Association (*Tutuklu Aileleri ile Dayanışma Derneği*, TUAD) on 28 January 2026. The sentences, imposed after nearly ten years of proceedings, constitute a grave miscarriage of justice and form part of a broader pattern of criminalising the legal profession and human rights defence in Türkiye.

Criminalisation of lawful professional and human rights activities

The case originates from a criminal investigation launched in 2016 against ÖHD lawyers and TUAD members, based on allegations that they had facilitated communication between prisoners and the outside world between 2011 and 2014. All defendants in the case were charged with “membership of an armed organisation” and, in some cases, with “making propaganda for an armed organisation”, solely on account of their legitimate professional and advocacy activities.

Following the arrests in 2016, twelve ÖHD lawyers were taken into custody. Although all were initially released, three were re-detained following the prosecutor's objection. Hüseyin Boğatekin was released after 15 days, while Ayşe Acinikli and Ramazan Demir were held in pre-trial detention for six months.

The conduct relied upon by the prosecution as criminal evidence appears, on the basis of the case file and trial record, to consist entirely of lawful activities. These included prison visits, court monitoring, legal defence of clients, public statements, and communications with colleagues and clients carried out by ÖHD lawyers, as well as TUAD's work documenting prison conditions, issuing public statements on rights violations, and monitoring the health of prisoners during the 2012 hunger strikes. None of these activities involved incitement to violence, coercion, or any form of unlawful conduct.

A trial marked by unlawful evidence and systemic due process violations

Throughout the nearly ten-year trial, the court consistently rejected defence requests to exclude evidence obtained unlawfully, including material collected by prosecutors and authorised by judges who were later dismissed and/or prosecuted and convicted of membership of “Fethullahist Terrorist Organisation” (FETÖ, the term used by the Turkish authorities to designate the Gülen Organisation, which the government accuses of creating a parallel state and orchestrating the coup attempt of July 2016).

The investigation was built almost entirely on unlawful surveillance measures. Wiretapping and technical surveillance orders were extended repeatedly; carried out for over a year in flagrant disregard of procedural safeguards; and technical devices were installed inside TUAD premises. Defence arguments that lawyers were being prosecuted for acts carried out in the course of their professional duties — and that, under domestic law, such prosecutions require prior authorisation — were dismissed without adequate reasoning.

Sentences imposed

Despite these shortcomings, the trial court convicted 37 TUAD members and 10 ÖHD lawyers on 28 January 2026, imposing sentences ranging from months to years of imprisonment. The convictions were based primarily on charges of “membership of an armed organisation” under Article 314(2) of the Turkish Penal Code (TPC) and, in some cases, “making propaganda for

an armed organisation” under Article 7(2) of the Anti-Terrorism Law - provisions that are routinely misused in Türkiye to criminalise lawful professional activity, expression, and association. The sentences imposed on the lawyers are as follows:

- **Adem Çalışçı** – 1 year 3 months (Article 7(2) of the Anti-Terrorism Law)
- **Ayşe Acinikli** – 6 years 3 months (Article 314(2) of the TPC)
- **Ayşe Gösterişlioğlu** – 6 years 3 months (Article 314(2) of the TPC) and 7 months 15 days (Law No 6136)
- **Hüseyin Boğatekin** – 7 years 6 months (Article 314(2) of the TPC)
- **Ramazan Demir** – 7 years 6 months (Article 314(2) of the TPC) and 3 years 9 months (Article 7(2) of the Anti-Terrorism Law)
- **Raziye Öztürk** – 6 years 3 months (Article 314(2) of the TPC)
- **Ruhşen Mahmutoğlu** – 6 years 3 months (Article 314(2) of the TPC)
- **Şefik Çelik** – 1 year 3 months (Article 7(2) of the Anti-Terrorism Law)
- **Sinan Zincir** – 7 years 6 months (Article 314(2) of the TPC)
- **Tamer Doğan** – 4 years 6 months (Article 7(2) of the Anti-Terrorism Law) and 1 year 2 months (Article 299(1) of the TPC on insult to president)

The remaining convictions in the case concern TUAD members and similarly relate solely to lawful human rights and solidarity activities.

A direct assault on the right to defence

The prosecution and conviction of lawyers for carrying out their professional activities constitute a direct assault on the right to defence and the rule of law. Arbitrary convictions of lawyers undermine not only the rights of the individuals concerned, but also the rights of society as a whole by eroding access to legal representation and silencing those who challenge abuses of power.

The targeting members of ÖHD working in the field of human rights, particularly involved in cases concerning pro-Kurdish and minority rights related prosecutions and have long assumed the responsibility of defending their clients in an environment marked by the politicisation of the judiciary and sustained attacks on the legal profession is particularly alarming. These convictions must be understood in the context of a broader strategy to intimidate lawyers, dismantle independent legal advocacy, and suppress human rights monitoring in Türkiye.

Incompatibility with international standards on the legal profession and human rights

The prosecution and conviction of ÖHD lawyers in these proceedings raise serious concerns of incompatibility with Türkiye’s obligations under international human rights law and standards governing the legal profession. International instruments, including the United Nations Basic Principles on the Role of Lawyers, require that lawyers must not be identified with their clients or their clients’ causes and must not face prosecution or sanctions for actions taken in accordance with their professional duties (Principles 16 and 18). They further affirm the right of lawyers and their professional associations to engage in public discussion on matters concerning the administration of justice and human rights without fear of retaliation (Principle 23). These guarantees are reflected in the Council of Europe Convention for the Protection of the Profession of Lawyer and the Committee of Ministers’ Recommendation (2000)²¹ and, which underscore the independence of lawyers and their freedom from intimidation, interference, or improper sanctions. The proceedings also raise issues under Articles 6, 10 and

11 of the European Convention on Human Rights and Articles 14, 19 and 22 of the International Covenant on Civil and Political Rights, in light of the apparent criminalisation of lawful professional activity, expression, and association, as well as the reported reliance on unlawfully obtained evidence.

Call for action

The undersigned organisations:

- Condemn the convictions and sentences imposed on ÖHD lawyers and TUAD members for their lawful professional and human rights activities;
- Call on the Turkish authorities to quash these convictions and ensure that all proceedings targeting lawyers and civil society actors for the legitimate exercise of their professional duties and rights to freedom of expression and association are terminated;
- Call on the Turkish authorities to sign and ratify the Council of Europe Convention for the Protection of the Profession of Lawyer, and to take immediate steps to align domestic law and practice with its safeguards, including by ensuring that lawyers are not subjected to criminal investigation, prosecution, or sanction for acts carried out in the legitimate exercise of their professional duties.
- Urge the international community, including United Nations, Council of Europe and European Union mechanisms, to closely monitor this case and the wider pattern of persecution of lawyers and human rights defenders in Türkiye, and to engage with the Turkish authorities to demand compliance with their international human rights obligations.

Signatories (in alphabetical order):

Amnesty International

Barreau de Paris – Paris Bar Association

Behatokia – Basque Country Human Rights Observatory

Center for Research and Analysis for Democracy – CRED, Italy

Council of Bars and Law Societies of Europe (Conseil des Barreaux Européens, CCBE)

Défense Sans Frontière-Avocats Solidaires (DSF-AS)

Democratic Jurists Italy

Demokratische Jurist*innen Schweiz (Switzerland)

European Association of Lawyers for Democracy and World Human Rights (ELDH)

European Democratic Lawyers (AED)

Foundation Day of the Endangered Lawyer

Haldane Society of Socialist Lawyers, United Kingdom

Human Rights Association (İnsan Hakları Derneği)

International Association of Democratic Lawyers (IADL)

International Association of Russian Advocates

International Bar Association's Human Rights Institute (IBAHRI)

International Federation for Human Rights (FIDH), in the framework of the Observatory for the Protection of Human Rights Defenders

International Observatory for Lawyers at Risk (OIAD)

Lawyers for Lawyers

Lawyers for the Rule of Law

Lawyers' Rights Watch Canada

Legal Centre Lesvos, Greece

Legal Team Italia

MAF-DAD (Association for Democracy and International Law e.V)

National Union of Peoples' Lawyers (NUPL)

New York City Bar Association

Progressive Lawyers' Association (Çağdaş Hukukçular Derneği, ÇHD)

Republikanischer Anwältinnen- und Anwälteverein (RAV e.V., Germany)

Socialist Lawyers' Association of Ireland

The Defense Commission of the Barcelona Bar Association

The Law Society of England and Wales

Turkey Human Rights Litigation Support Project (TLSP)

Vereinigung Demokratischer Jurist:innen e.V. (VDJ)

World Organisation Against Torture (OMCT), in the framework of the Observatory for the Protection of Human Rights Defenders