

Turkish Color of the Month

Born in Elazığ on the South East of Turkey, Saim Dursun, depicts, with the warm liveliness of light and color on his spatula, the true Anatolian picture uncovering the strong willpower of Turkish people and their joy of life despite hardship.



By Saim Dursun

Extraordinary Times

By Mehmet Gün

We are pleased to commence our monthly e-mail newsletter to update our community and clients about legal developments in Turkey and begin with a brief description of current state of Turkish justice.

As the developments frequently makes headlines in international media we, the Turkish people, have been living in extraordinary times since the 15 July 2016 military coup attempt. Whilst it was generally known that members of a faith-based movement had worked their way up the ranks of almost all state institutions and secured the key decision making posts, we all trusted in their good intentions for our nation and the country.

Newsroom



IBA Annual Conference Sydney 2017

Our partners are attending the conference. Please contact gun@gun.av.tr if you wish to meet with them.



AIPPI World Congress Sydney 2017

Our partner Mr. Uğur Aktekin, co-chair of our IP practice, is attending the congress. Please contact ugur.aktekin@gun.av.tr if you wish to meet with him.



6.000+ applications for internship in 2017

6000+ internship applications were received in 2017 and we admitted 19 formal trainees and 100+ summer interns.

The judiciary was the most infiltrated, we had thought. The secular army was the most trusted of the state institutions, however many of its innocent and secular officers were imprisoned and consequently removed from duty through manipulated criminal proceedings based on bogus or forged evidence. We were pleased to observe that the civil government was overpowering the military to finally end the military coups era in Turkey.

However this time a new power struggle broke out between the government and the Gülenists when the government moved to shut down private courses where they collected students to university test exams. During that struggle we experienced a judicial coup attempt through series of coordinated corruption investigations and arrests by public prosecutors who were believed to be members of the movement. We were relieved that the better of two evils happened and the coup attempt failed.

In the late evening of 15 July 2016 we were shocked and terrified by the military activity on the ground and on the sky of İstanbul and Ankara military planes and copters shooting at civilians, tanks squashing cars with drivers inside. Later it was revealed that the Gülenist members in the army tried to overthrow elected government and once more they failed.

Since 20 July 2016 an extraordinary state of emergency has been in place. There has been intensive enactment of rules and amendments on a number of laws in a very wide spectrum; some of which clearly goes beyond the scope of the state of emergency. However, the Constitutional Court surprised us all in declaring that it lacked jurisdiction to scrutinize government decrees made under the auspices of the state of emergency.

Under the state of emergency the state is moving swiftly to clear the state institutions. Tens of thousands of public officers have been sacked from service. Thousands of movement members have been imprisoned under temporary arrest orders most of which are believed to be through rule of thumb assessments.

Almost 40% of the judges and public prosecutors have been sacked from the judiciary as they were identified as members of the movement or being linked to it. The vacuum is being filled with the quick appointment and deployment of young, inexperienced and ill-trained judges, while the courts and the judges already on duty are continuously reorganized and rotated. However these depressing developments created enormous anxiety among the remaining members of the judiciary and have caused additional delays in both civil and criminal proceedings, and the quality of trials and judgements are plummeting.

The main opposition party CHP's Justice March has been welcomed by the general public reflecting the ever burgeoning civil society effort to improve justice in the country.

In the area of civil dispute resolution through state courts mediation has been forced on parties, especially in labor disputes while commercial arbitration is flourishing after the recent establishment of the İstanbul Arbitration Center.

Despite these extraordinary times our firm remain tall and straight, and committed to providing uncompromised quality legal services at the highest ethical standards.