

4th Consultation Meeting on Enhancing the Role of the Ombudsman (Activity A.3.4) 21 June 2021

General Objective : This meeting aims to launch the Final Report *A Comparative Review on Ombuds: Recommendations of Action for the Turkish Ombudsman and Guidelines for the Ombudsman and Public Authorities* produced by the Council of Europe consultants and to receive feedback from the Ombudsman Institution on further steps and actions to implement these recommendations.

The Report presents a comparative overview of a range of Ombuds, describing how they operate and illustrating relevant examples of best practices. The Report is structured on four specific themes of practical relevance and contains corresponding recommendations of how to strengthen the role of the Turkish Ombudsman, and puts forward a set of rules regarding the conditions of cooperation between the public authorities and institutions and the Ombudsman.

This report is expected to initiate a number of actions to support the Turkish Ombudsman to enhance its role and potential by implementing the recommendations presented in the report.

Co-operation with the Ombudsman Institution will continue within the Project framework in order to further strengthen the current pre-trial solution methods and put into practice suitable alternative dispute resolution (ADR) mechanisms thereby reducing the number of disputes before the administrative courts.

Online Platform: KUDO Web Conferencing

Session link: <https://live.kudoway.eu/ad/220212438307>

Duration: 1.5-hour session; Test 14:00- 14:30 and Programme 14:30-15:45 Turkish time (13:00-13:30 test and 13:30-14:45 programme CET/France and Poland, 12:00-12:30 test, 12:30-13:45 GMT/United Kingdom). Please consider one-hour difference between Turkey and Central Europe and two hours difference between Turkey and the United Kingdom.

Language: Turkish, English (simultaneous interpretation)

Activity outputs:

- 1) Final Report: “A Comparative Review on Ombuds: Recommendations of Action for the Turkish Ombudsman and Guidelines for the Ombudsman and Public Authorities” (Turkish and English)
- 2) “The Protection, Promotion and Development of the Ombudsman Institution”, Council of Europe Publication (2019) (Turkish)
- 3) “The Administration and You” Handbook, Council of Europe Publication (Turkish)

Participants: Representatives and experts from the Ombudsman Institution of Turkey, representatives of the Ministry of Justice, international consultants of the Council of Europe, Project Team of the Council of Europe

Consultants - Key Speakers:

1. **Dr Nicholas O'BRIEN**, Judge, the United Kingdom
2. **Marek A. NOWICKI**, Expert, administration of judiciary, international human rights, Ombud institutions, Poland
3. **Dr Naomi CREUTZFELDT**, Academic, University of Westminster, the United Kingdom
4. **Elif AÇIL**, Expert, Turkish Ombudsman Institution

Programme

21 June 2021 /Monday

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* Turkish Time (CET+1, GMT+3)

14:00-14:30 * Registration and testing the system
Ms Özlem Demirel / Ms Aslihan Sevimli (Moderators), Council of Europe Project Team, welcoming participants, introduction of the agenda, speakers, and explanation of the ground rules of the meeting.

Opening Remarks

14:30-14:50 **Mr Cristian Urse**, Head of the Council of Europe Programme Office in Ankara
Mr Hakan Öztatar, Director General, Ministry of Justice, Directorate of Legal Affairs
Mr Şeref Malkoç, Chief Ombud, Turkish Ombudsman Institution

Presentation of the Final Report: Why the Report is important?

14:50-14:57 Recommendations, **Dr Nick O'Brien**
14:57-15:05 Guidelines, **Marek Nowicki**
15:05-15:12 Comparative Review, **Dr Naomi Creutzfeldt**

15:12-15:30 The action plan of the Ombudsman Institution for the implementation of the proposed recommendations and the guidelines, **Ms Elif Açıl**, Expert, Turkish Ombudsman Institution

Co-operation Issues

15:30-15:35 Co-operation with the Ombudsman Institution –**Ms Özlem Demirel Cook**, Project Manager, Council of Europe

15:35-15:40 Co-operation with the Ombudsman Institution – **Mr Metin Engin**, Head of Department, Ministry of Justice, Directorate of Legal Affairs

15:40-15:45 Final remarks and the way forward, **Mr. İbrahim Kılınc**, Secretary General, Turkish Ombudsman Institution

System closure

Meeting Features / Notes

Live recording – Meeting will be recorded in Turkish.

Communication/Visibility: Media consent of the participants will be sought for the photograph or video to be recorded for drafting news or short film about the meeting.



Bu Proje, Avrupa Birliđi, Türkiye Cumhuriyeti ve Avrupa Konseyi tarafından birlikte finanse edilmektedir.

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Marek A. Nowicki



Marek A. Nowicki, Polish citizen, advocate, international human rights expert, born in 1953. Marek A. Nowicki was a judge in the European Commission of Human Rights in Strasbourg from March 1993 to October 1999. In the years 2003 - 2006, he was Polish member of the EU Network of Independent Experts on Fundamental Rights. In the period from July 2000 to December 2005, he was the UN-appointed international Ombudsperson in Kosovo and in the years 2008 - 2016 he presided over the UN Human Rights Advisory Panel in Kosovo. During many years of his professional career, he served as an expert on human rights and ombudsman institutions for the European Commission for Democracy through Law (Venice Commission), the Council of Europe and the OSCE Office for Democratic Institutions and Human Rights in numerous European countries, including Turkey. He is the author of dozens of books and hundreds of articles on human rights, in particular on the ECHR, published in Poland and abroad.

Dr Nick O'Brien



Nick O'Brien qualified as a solicitor in 1987. In 1991 he was appointed Legal Adviser to the Legal Services Ombudsman for England and Wales, becoming Deputy Ombudsman in 1999. In 2000 he joined the GB Disability Rights Commission as the first Legal Director and served as a member of government taskforces on the establishment of the Equality and Human Rights Commission, and on Public Legal Education. In 2007, he was appointed a part-time judge in the mental health tribunal and served as an adviser on human rights to the UK Parliamentary Ombudsman and Health Service Ombudsman for England (PHSO). He has held an honorary research fellowship at Liverpool University since 2007, and has written on ombudsmen, human rights, and disability rights. In 2013 he was appointed specialist adviser to the House of Commons Public Administration Select Committee on its inquiries into PHSO and public service complaints. In January 2016 he was appointed additionally as a fee-paid tribunal judge in the Special Educational Needs and Disability tribunal. In 2019 he won **the Bernard Crick Prize** awarded by the Political Quarterly for his article, Administrative Justice in the Wake of 'I, Daniel Blake', Political Quarterly Vol.89 Issue 1, 2018. He is co-author, with Mary Seneviratne, of *Ombudsmen at the Crossroads: The Legal Services Ombudsman, Dispute Resolution and Democratic Accountability* (Palgrave 2017), and, with Margaret Doyle, of *Reimagining Administrative Justice: Human Rights in Small Places* (Palgrave 2019).

Dr Naomi Creutzfeldt



Dr. Naomi Creutzfeldt is a Reader in Law at the University of Westminster where she teaches public law and comparative law. Her current ESRC funded research project (together with Dr Chris Gill, Glasgow) is on "Access to Justice, Alternative Dispute Resolution (ADR), and consumer vulnerability in the European energy sector." Before joining Westminster in 2016, she was part of the European Civil Justice Systems team at the Centre for Socio-Legal Studies, University of Oxford. Her interests in administrative and civil justice systems and ADR (as pathways of informal dispute resolution) have a broader scope, addressing questions of access to justice, vulnerability, and consumer protection. Naomi has widely published. Her latest book: *Ombudsmen and ADR*, palgrave 2018. Naomi is a trained civil and commercial mediator, a member of the Common Room at Wolfson College (Oxford) and a member of the dispute resolution ombudsman standards board.

