



This project is co-funded by the European Union,  
the Republic of Turkey and the Council of Europe.

**Improving the Effectiveness of the Administrative Judiciary and Strengthening the Institutional Capacity of the  
Council of State**

**1<sup>st</sup> Consultation Meeting on Enhancing the Role of the Ombudsman  
(Activity A.3.4)**

**2 February 2021 (Tuesday)**

**BRIEF**

We would like to thank you for your participation and contribution to this first consultation meeting on enhancing the role of the Ombudsman, organised within the framework of the Joint Project on *Improving the Effectiveness of the Administrative Judiciary and Strengthening the Institutional Capacity of the Council of State*.

**Overall Objective:** This meeting will aim to raise awareness about the potential role of an ombudsman in making public administration more effective in a democratic society and so reducing the burden on the administrative courts.

**Online Platform:** KUDO Web Conferencing;

Morning session link: <https://live.kudoway.eu/ad/220219738352>

Afternoon session link: <https://live.kudoway.eu/ad/220211376572>

**Duration:** 5 hours 10 minutes, 1.5 hours lunch break (10:00 -10:30 testing and 10.30 – 17:00 Turkey time / 08:00-08:30 testing and 08.30– 15:00 CET/France and Poland, 07:00-07:30 testing and 07:30 - 14:00 GMT/UK) **Please note the two-hour time difference between Turkey and Central Europe and three-hour time difference between Turkey and UK) \***

**Language:** Turkish, English (simultaneous interpretation)

**Reading Materials:**

- 1) Comparative Report on European Standards and Practices (Turkish)- Consultant's Draft Report
- 2) Protection, promotion and development of the Ombudsman institution, CoE Publication (Turkish)
- 3) Administration and You Handbook, CoE Publication (Turkish)

**Moderator:** Assoc. Prof Dr Engin Saygın, Yıldırım Beyazıt University, Law Faculty

**Participants (50):** Turkish ombudsman Institution, representatives from civil society organisations, judges from administrative courts, representatives from the Ministry of Justice, team of Consultants, CoE Team

**Consultants /Keynote Speaker(s)**

1. **Dr Nicholas O'BRIEN**, Tribunal Judge, UK
2. **Marek A. NOWICKI**, Expert, administration of justice, international human rights, national human rights institutions, ombudsmen
3. **Dr Naomi CREUTZFELDT**, Academician, Westminster University, UK





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**1<sup>st</sup> Consultation Meeting**  
**Activity A.3.4 Enhancing the role of the Ombudsman**  
**Draft Agenda**

**Tuesday, 2 February 2021**

**MORNING SESSION LINK:** <https://live.kudoway.eu/ad/220219738352>

\* Turkish Time (CET+2, GMT+3)

**10:00-10:30\*** Registration and testing the system  
**10:30-10:40** **Assoc. Prof Dr Engin Saygın (Moderator)**, Welcoming participants, introduction of the agenda, speakers, and explanation about the ground rules for the meeting.

**Opening Remarks**

**10:40-10:45** **Hakan Öztatar**, General Director, Directorate General of Legal Affairs Ministry of Justice  
**10:45--10:55** **Celile Özlem Tunçak**, Ombudsman, Turkish Ombudsman Institution  
**10:55-11:05** **İbrahim Kılınc**, Secretary General, Turkish Ombudsman Institution  
**11:05-11:10** **Metin Engin**, Head of Department, Directorate General of Legal Affairs Ministry of Justice

**PANEL PRESENTATIONS -1 [BACKGROUND]**

**11:10-11:20** What is the purpose of an ombudsman? **Dr Nick O BRIEN**  
**11:20-11:30** How has that purpose been fulfilled by different ombudsman in Europe? **Dr Naomi CREUTZFELDT**  
**11:30-11:45** What light do European and other international standards cast on the practice of the ombudsman? **Marek NOWICKI**  
**11:45-12:00** How do the Turkish Ombud and Turkish administrative justice system fit into this context? **Elif AÇIL**, Expert, Turkish Ombudsman Institution  
**12:00-12:30** Questions and Answers (unanswered questions will be collected in writing and answers will be documented in the report)  
**12:30-12:35** Opinion Poll for participants  
**12:35-14:00** **Lunch break**

**AFTERNOON SESSION LINK:** <https://live.kudoway.eu/ad/220211376572>





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### PANEL PRESENTATIONS – 2 [THE OMBUD, CITIZENS AND DEMOCRATIC PARTICIPATION]

- 14:00-14:15** The Ombud's public profile and public trust, **Marek NOWICKI**
- 14:15-14:30** Access to the Ombud (including for women in particular), **Dr Naomi CREUTZFELDT**
- 14:30- 14:45** The advice sector and civil society, **Dr Nick O'BRIEN**
- 14:45-15:15** Questions and Answers (unanswered questions will be collected in writing and answers will be documented in the report)

**15:15-15:30** **Break**

### PANEL PRESENTATIONS– 3 [THE OMBUD, PUBLIC AUTHORITIES AND DEMOCRATIC PUBLIC ADMINISTRATION]

- 15:30-15:40** Providing guidance to public authorities, **Dr Naomi CREUTZFELDT**
- 15:40-15:55** Delivering training to public authorities and co-ordinating a regulatory network  
**Dr Nick O'BRIEN**
- 15:55-16:10** Resolving public-authority employment disputes, **Marek NOWICKI**
- 16:10-16:50** Questions and Answers (unanswered questions will be collected in writing and answers will be documented in the report)
- 16:50-16:55** Opinion Poll for participants
- 16:55-17:00** Wrap up and closing of the webinar

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### Meeting Features / Notes

**Live recording – Meeting will be recorded in Turkish.**

**Meeting Report:** The Report with consultants' comments and answers to written questions will be prepared after the meeting. Presentations from the meeting will be uploaded after the event to the project websites.

**Questions:**

- verbal questions (moderation) – Participants will be able to ask their questions at the time provided for the relevant part.
- written questions- Participants will be able to write their questions on **KUDO platform -chat section** during and after the presentations. If some of the questions were left unanswered, they will be collected and forwarded to the consultants or the Turkish Ombudsman Institution to be answered and included in the meeting report prepared by the consultants.

**Polling/Evaluation:** Instant polling will be carried out through one or two short questions at the end of the meeting. An online evaluation form will be submitted to the participants by the project team after the meeting to receive feedback.

**Communications/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.





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### BRIEF CURRICULUM VITAE OF THE CONSULTANTS

#### 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.





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### **Assoc. Prof Engin Saygın**



Associate Professor Engin Saygın graduated from the Faculty of Law, Ankara University in 2000. He received his master degree (LL.M) from the University of Essex, the United Kingdom in 2003. He started his PhD at Exeter University in 2004 and completed at Brunel University in 2007. His PhD has been supervised by Prof. Hélène Lambert and he passed his viva successfully with no revision his thesis with the title of “Improving Human Rights Compliance through National Human Rights Institutions: An Ombudsman for Turkey”

After receiving his PhD, Mr. Saygın joined at Erzurum Atatürk University in 2009 and served as an assistant professor at the Faculty of Law until 2014. Currently, he is an associate professor at the Department of Administrative Law of the Faculty of Law, Ankara Yıldırım Beyazıt University. He teaches the courses of Introduction to Law, Constitutional Law, Administrative Law and the Law of Administrative Procedure at undergraduate level in English. Mr. Saygın also carried out researches as a visiting academic at the University of Groningen, the Netherlands in 2013 and the University of Manchester, the United Kingdom in 2019.

### **Assoc. Prof Burcu Hatiboğlu-Kısat**



Following her bachelor studies on sociology in Ankara University, she completed her masters and PhD studies in Social Services Department, Faculty of Economics and Administrative Sciences, Hacettepe University. She continues with her studies in the same department on gender equality, access to justice, urban rights, social justice and human rights. Hatiboğlu- Kısat also focuses on ensuring gender equality in social policies and implementations as a member of the executive board of Hacettepe University Social Sciences Implementations and Research.

She has publications on various journals on the national and international level. She has worked on various projects to develop women rights and gender equality. She worked as a gender expert in the following projects implemented by the Council of Europe: Developing Mediation Practices in Civil Disputes in Turkey (2017), EU-CoE Joint Project on Strengthening the Institutional Capacity of Court of Cassation (2019) and Enhancing the Effectiveness of Civil Monitoring Boards in line with European Standards (2020). She participated as a gender expert in the preparation of 2020-2023 Action Plan for Balance and Monitoring Network Gender Mainstreaming. She currently serves as a national gender expert in the Project on Improving the Effectiveness of Administrative Judiciary and Strengthening the Institutional Capacity of the council of state implemented by the Council of Europe.

