



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

### 3rd Consultation Meeting on Enhancing the Role of the Ombudsman

#### (Activity A.3.4)

29 April 2021 (Thursday)

#### SUMMARY

We would like to thank you for your participation and contribution to this third 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*.

**Objective:** This meeting will aim to create a platform for discussion and exchange of opinions with the Ombudsman Institution on the draft recommendations report, the draft guidelines, and the draft comparative report for enhancing the role and potential of the Ombud Institution.

#### Online Platform: KUDO Web Conferencing

Session link: <https://live.kudoway.eu/ad/220219569162>

**Duration:** 2 hour session 13:00-13:30 Test and 13:30-15:30 Turkish time (12:00-12:30 test and 12.30 – 14:30 programme CET/France and Poland, 11:00- 11:30 test, 11:30-13:30 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) Comparative Report on European Standards and Practices (Turkish) - Final Draft
- 2) Recommendations Report on Enhancing the Role of the Turkish Ombudsman (Turkish) - Final Draft
- 3) Guidelines on the Ombudsman and Public Authorities –(Turkish) Final Draft
- 4) “The Protection, Promotion and Development of the Ombudsman Institution”, Council of Europe publication (Turkish)
- 5) “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 and Project Team of the Council of Europe.

#### Consultants - Key Speakers

1. **Dr. Nicholas O’BRIEN**, Tribunal Judge, United Kingdom
2. **Marek A. NOWICKI**, Expert, administration of justice, international human rights, Ombud institutions, Poland
3. **Dr. Naomi CREUTZFELDT**, Academic, Westminster University, United Kingdom
4. **Mustafa ARSLAN**, Unit Chief, Strategy Development, Turkish Ombud Institution





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

### Agenda

**Thursday, 29 April 2021**

**SESSION LINK: <https://live.kudoway.eu/ad/220219569162>**

\* Turkish Time (CET+1, GMT+2)

**13.00-13.30\*** Registration and testing the system  
Ms Özlem Demirel Cook / Ms Aslihan Sevimli (Moderators), Council of Europe Project Team in Ankara, welcoming participants, introduction of the agenda, speakers, and explanation about the ground rules for the meeting.

#### Opening Remarks

**13.30-13.45** **Ms Özlem Demirel Cook**, Project Manager, Council of Europe Programme Office in Ankara  
**Mr Metin Engin**, Head of Department, Directorate General of Legal Affairs Ministry of Justice  
**Ms Celile Özlem Tunçak**, Ombudsperson, Turkish Ombudsman Institution

#### PANEL PRESENTATIONS:

**13.45-14.00** “Strengthening awareness, access and participation”, **Dr Naomi Creutzfeldt**

**14.00-14.15** “Improving public administration”, **Dr Nick O’Brien**

**14.15-14.30** “Expanding the competence and technique of the Ombud Institution”, **Marek Nowicki**

**14.30-14.45** Needs and priorities of the Ombud Institution and self-assessment areas planned to be prioritised in implementation among the recommendations and best practices stated in the “Recommendations”, “Guidelines” and “Comparative Report”, **Mustafa Arslan, Chief of Strategy Development Unit, Turkish Ombud Institution**

**14.45- 15.35** **Questions and Answers (From participants to consultants or vice versa)**

**15.35** Closing: Final remarks and steps

**16.00** System Closure





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

### Meeting Features / Notes

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

- Questions:**
- verbal questions (moderation) – Participants will be able to ask their questions at the time provided for the relevant part.
  - verbal questions (consultants)- International consultants will be able to ask their questions to the audience at the time provided for the relevant part.

**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.

### 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 Ombudsman 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).





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**

### **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.

