



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**

## **2<sup>nd</sup> Consultation Meeting on Enhancing the Role of the Ombudsman (Activity A.3.4)**

**26 March 2021 (Friday)**

### **Agenda**

#### **BRIEF**

We would like to thank you for your participation and contribution to this second 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/220215213583>

Afternoon session link: <https://live.kudoway.eu/ad/220212871841>

**Duration:** 4 hours sessions and 1.5 hours lunch break (10:00 -10:30 testing and 10.30 – 16:00 Turkey time / 08:00-08:30 testing and 08.30– 14:00 CET/France and Poland, 07:00-07:30 testing and 07:30 - 13:00 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:** Turkish ombudsman Institution, representatives from public administrations, 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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## **2<sup>nd</sup> Consultation Meeting**

### **Activity A.3.4 Enhancing the role of the Ombudsman**

#### **Agenda**

**26 March 2021, Friday**

**MORNING SESSION LINK:** <https://live.kudoway.eu/ad/220215213583>

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

**10:00-10:30\*** Registration and testing the system

**10:30-10:35** **Assoc. Prof Dr Engin Saygın (Moderator)**, Welcoming participants, introduction of the agenda, speakers, and explanation about the ground rules for the meeting.

#### **Opening Remarks (10:35-11:00)**

**Özlem Demirel Cook**, Project Manager, Council of Europe, Ankara

**Metin Engin**, Head of Department, Directorate General of Legal Affairs Ministry of Justice

**Hakan Öztatar**, General Director, Directorate General of Legal Affairs Ministry of Justice

**Celile Özlem Tunçak**, Ombudsperson, Turkish Ombudsman Institution

#### **PANEL PRESENTATIONS -1 [BACKGROUND: THE OMBUD, PUBLIC AUTHORITIES AND DEMOCRATIC PUBLIC ADMINISTRATION]**

**11:00 -11:15** What are the field of areas generates the most complaints against public administrations [identified negative trends in the works of the public administration] What can be changed through Ombudsman's intervention. **Elif AÇIL**, Expert, Turkish Ombudsman Institution

**11:15-11:25** "Democratic public administration" **Dr Nick O BRIEN**

**11:25-11:35** "Specific access issues for women **Dr Naomi Creutzfeld**

**11:35-11:45** "The deployment of regional offices" **Marek Nowicki**

**11:45-12:15** **Questions and Answers (From participants to consultants or vice versa)**

**12:15-12:20** Opinion Poll for participants

**12:20-14:00** **Lunch break**

**AFTERNOON SESSION LINK:** <https://live.kudoway.eu/ad/220212871841>



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**PANEL PRESENTATIONS – 2 [THE OMBUD, PUBLIC AUTHORITIES, DEMOCRATIC PUBLIC  
ADMINISTRATION and CITIZENS]**

<b>14:00-14:15</b>	The reach of ex officio investigation powers- <b>Dr Nick O'BRIEN</b>
<b>14:15-14:30</b>	The power of informal dispute resolution- <b>Dr Naomi CREUTZFELDT</b>
<b>14:30- 14:45</b>	The function of the amicus curiae - <b>Marek NOWICKI</b>
<b>14:45-15:50</b>	Questions and Answers ( <b>From participants to consultants or vice versa</b> )
<b>15:50- 15:55</b>	Opinion Poll for participants
<b>15:55-16:00</b>	<b>Wrap up and closing of the webinar</b>

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**Meeting Features / Notes**

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

**Questions:**

- a. verbal questions (moderation) – Participants will be able to ask their questions at the time provided for the relevant part.
- b. verbal questions (consultants)- International consultants will be able to ask their questions to the audience at the time provided for the relevant part.
- c. 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, the moderator, on behalf of the participant will voice or announce these written questions to the consultants and the Ombudsman **during the webinar** if the time would allow.

**Polling/Evaluation:** Instant polling will be carried out through one or two short questions during the meeting. An online evaluation form will be submitted to the participants by the project team after the meeting to receive feedback in 5 working days.

**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.

**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.



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

### 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.

### 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. H el ene 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 Atat rk 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.



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

### **Assoc. Prof Burcu Hatiboglu-Kisat**



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. Hatibođlu- Kisat 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.