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Election of Judges to the European Court of Human Rights

List and curricula vitae of candidates submitted by the Government of Turkey

Communication

Secretary General of the Parliamentary Assembly



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1. List and curricula vitae of candidates submitted by the Government of Turkey

Letter from Mr Erdoğan Işcan, Ambassador of Turkey to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 30 August 2017.

[...]

In reference to your letter dated 21 October 2015, I have the honour to submit the list of three candidates for election as judge to the European Court of Human Rights in respect of Turkey.

The names of the candidates are indicated below (in alphabetical order):

Ms Famile Arslan

Mr Basri Bağcı

Mr Ergin Ergül

The curriculum vitae of the candidates are at annex.

[...]

Information on national selection procedure for the position of a judge of the European Court of Human Rights

The election of the candidates for the position of judge at the European Court of Human Rights was commenced by the Ministry of Foreign Affairs upon the receipt of the communication of the Secretary General of the Parliamentary Assembly of the Council of Europe, dated 21 October 2015. The whole procedure was jointly conducted by the Ministry of Foreign Affairs and the Ministry of Justice.

As the first list of candidates had been found unsuitable for the position by the Advisory Panel, the Government of the Republic of Turkey decided not to submit the list to the Election Committee. For this reason, a new procedure has been commenced.

As it had been the case with the first one, the procedure was initiated with a public announcement for candidatures posted simultaneously on the websites of the Ministry of Foreign Affairs and the Ministry of Justice on 23 January 2017. Moreover, in order to raise awareness of potential candidates, the announcement was also sent to the Court of Cassation, the Council of State, the Constitutional Court and the Higher Education Institution. The public announcement remained on the websites for 30 days. The applicants were requested to submit their documents until 23 February 2017. All process, including the relevant deadlines, was clearly mentioned in the announcement.

In accordance with the Resolution 1646 (2009) of the Parliamentary Assembly, the applicants are expected to meet the following criteria:

- to hold Turkish nationality
- to be of high moral character
- to be fluent in one of the official languages of the Council of Europe (English or French) (to be documented) and to have at least intermediate knowledge of the other language
- as of 9 September 2016, to be at least 35 years of age and no older than 60 years of age
- to be graduated from a faculty of law/faculty of political sciences or faculty of economics and administrative sciences which provides sufficient law courses in their curriculum/foreign faculties equivalence of which is recognized.
- to have knowledge of Turkish legal system and public international law
- not to engage in any activity incompatible with their independence or impartiality or with the demands of a full-time office as a judge at the European Court of Human Rights.

In addition to the above-mentioned criteria the applicants are also expected to have one of the following qualifications:

- to hold at least the academic title of associate professor for academic candidates
- to be of first class under the Law no. 2802 and to have spent three years as first class judge or prosecutor for judge or prosecutor candidates

- to be a member of a High Court
- to document that he/she has effectively worked in his/her profession for at least 15 years for attorneys
- for the remaining candidates; public officials shall have experience for at least 15 years in public institutions and those who are not public officials shall have at least 15 years of effective professional experience.

The applicants were asked to submit their curriculum vitae in one of the official languages of the Council of Europe.

In the prescribed period of 30 days for submission, a total of 22 applications were received.

The Interview Committee reviewed the CVs of the applicants and decided not to call two of them on the ground that they did not satisfy the criteria.

The applicants were interviewed by the Interview Committee composed of:

- Deputy Undersecretary of the Prime Ministry (Chairperson of the Committee)
- Deputy Undersecretary of the Ministry of Foreign Affairs
- Deputy Undersecretary of the Ministry of Justice
- General Secretary of the Constitutional Court
- One Judge from the Court of Cassation
- One Judge from the Council of State
- A member of the Council of Higher Education.

All applicants were summoned for individual interviews that had been conducted on 14 and 15 March 2017, and twenty-one of them attended.

Following the interviews, the Interview Committee agreed on a short list of candidates and these names were submitted to the Council of Ministers of Turkey in order to make the final decision. During the interviews, questions about the Court's case-law and its functioning were asked to all candidates both in Turkish and in a language that they stated they were fluent in. Interviews were made with each candidate for, on average, 30 minutes.

The Council of Ministers selected three candidates, including a female candidate, for this post in accordance with the Resolution 1646 (2009), from the short list submitted by the Interview Committee.

Selection Criteria Of Members Of High Courts In Turkey

Selection of Members to the High Judiciary Bodies:

In Turkey, there are three separate high judiciary bodies, namely the Constitutional Court, the Court of Cassation and the Supreme Administrative Court.

Selection Criteria for Membership of the Constitutional Court

The members of the Constitutional Court shall be selected by the President of the Republic of Turkey and the Turkish Grand National Assembly (TGNA). The TGNA shall make the selection of the members to be selected from among the members of the Court of Auditors and selfemployed lawyers. The President of the Republic of Turkey shall make the selection of the members to be selected from among the members of the Court of Cassation, the Supreme Administrative Court and the higher education institutions. Each member shall be selected from among three candidate members nominated by each respective body. On the other hand, the President of the Republic of Turkey shall select four members from among high level executives, including deputy undersecretaries, and lawyers.

Eligibility criteria for membership are as follows:

- Candidates must be over forty-five years of age
- Candidates from among members of higher education institutions must have an academic title of "professor" or "associate professor" (in the fields of law, economics and political sciences)
- Candidates from among lawyers must have at least twenty years' experience as a practicing lawyer

- Candidates from among high level executives must have a university degree and at least twenty years' practical experience in public service
- Candidates from among judges and prosecutors having the status of first category judge must have at least twenty years' experience, including internship.

Selection Criteria for Membership of the Court of Cassation

The authority to select members of the Court of Cassation lies with the Council of Judges and Prosecutors (CJP).

Eligibility criteria for membership are as follows:

- 1) Candidates must have at least seventeen years' experience as a judge or prosecutor,
- 2) Candidates must have the status of a judge of first category and must be still retaining such status.

The status of a judge of first category shall be attained through the followings:

- To work as a judge or prosecutor for sixteen years and to get good degrees from most of the promotional reviews to which he is subjected every two years (LL.M and PhD degrees are to shorten the duration).

Requirements sought for promotion with a good degree are as follows:

- * To conclude 80% of the files he worked on during his term with regard to the promotional review,
- * To receive a good grade in 80% of his works reviewed by the Court of Cassation,
- * To attain good appraisal notes at the end of the reviews by inspectors,
- * Not to have been subjected to any investigation and disciplinary punishment,
- * For those working in administrative units, to attain good appraisal notes from senior appraisal officers,
- To become distinguished from among the fellow colleagues.

At the end of all these assessments, the Council of Judges and Prosecutors must conclude that a certain candidate is superior to his fellow colleagues.

Selection Criteria for Membership of the Supreme Administrative Court

There is a two-fold structure with regard to selection of members of the Supreme Administrative Court. Members for $\frac{3}{4}$ of the vacant membership positions shall be selected by the CJP. The remaining $\frac{1}{4}$ shall be selected by the President of the Republic of Turkey.

- In selection of members from among the administrative judges, the CJP shall apply the selection criteria for membership of the Court of Cassation.
 - As regards the selection of members for $\frac{1}{4}$ of the vacant membership positions by the President of the Republic of Turkey.
- * A selection shall be made from among high level public officials (including deputy undersecretaries) and professors in the fields of law, economics and public administration. High level public officials must have fifteen years' practical experience in public service after having completed their higher education.

Appendix 1 – Famile ARSLAN

CURRICULUM VITAE

I. Personal details

Name, surname: Arslan, Famile

Sex: Female

Date and place of birth: 15 December 1971, Palu, province of Elazığ, Turkey

Nationality/ies: Turkish (by birth) and Dutch

II. Education and academic and other qualifications

- 1991–1992 – HBO, Haagsche Hogeschool, The Hague University, MWD
- 1992–1999 – WO, University Leiden, Faculty of Law; Degree obtained in June 1999, Specialization: Dutch Law, Public International Law, Thesis Topic: Comparing free movement of persons in Association, Agreement Turkey / EU

III. Relevant professional activities

a. Description of judicial activities

- 2002–2006 – Lucardie Law in The Hague; Function: Attorney at law; Jurisdictions: Family Law, Immigration Law, Labor Law, Criminal Law, Social Security Law, Contract law
- 2006–2017 – Arslan Law; Function: Lawyer and Mediator; Jurisdictions: Family Law, Immigration Law, Labor Law, Criminal Law, Social Security Law, contract law
- 2017–Present – on the Ad Hoc Judge list at the ECtHR

In my law firm we have handled a lot of immigration cases, in which we have referred to the ECHR in general and specific on Articles 8 and 3 of the ECHR. Also as regards other treaties in the field of human rights, I have dealt with a lot of cases of family reunification where we have argued that the explanation of the Dutch government on Article 8 ECHR is not sufficient. Furthermore, we have done cases where it has been argued that the accessibility to the legal system is a right protected by Article 3 of the ECHR. Besides the immigration cases our, law firm handles also cases in criminal law where the universal human rights and the fundamental principle of fair trial is the measure.

Human rights, founded in the universal declarations, protocols, conventions, treaty, have been referred to in several cases of our law firm.

In fact, as a lawyer, my job is directly related to human rights, in particular the ECHR.

During my function as a civil servant working for the Immigration and Naturalization service in the Netherlands I handled for three and half years asylum cases, in those cases I decided on the asylum applications and conducted investigations. More than two years I was stationed on the airport in Amsterdam, in that time we had the procedure and the aim to handle asylum application within 24 hours. In Schiphol airport, I was to render decisions regarding AC/OC/Dublin cases. I handled complaints and conducted investigations on BMA, BuiZa, and language analysis. In that regard, I took the decisions and also heard the statement of the applicants. I have done cases (decisions, investigation, and interviews) involving the 1F status, (crimes against humanity) the Dublin cases, (research on country of first entry and the obligation to take the applicants) B9 (cases concerning human trafficking).

Later, I started to work in other fields of immigration as family reunification, study, labour and other matters. The jurisprudence of the ECtHR are daily studied and used in relevant issues and cases.

I followed the course of Professor Esin Orucu about Turkish law at the University in Leiden. I had followed several other private courses on Turkish law for lawyers in the Netherlands; these courses were about the Turkish Civil Code. Those courses were not only about the regulations and principles of the Turkish Law but also about on the practise and content. Not only were I interested in the Turkish law, but it is also essential for

my law firm because I have a lot of Turkish clients with several problems. These trainings are important due to the fact that in the Dutch international private laws, the use of foreign laws such as divorce cases, paternity cases, and heritage cases can be applied. Foreign law is also important in the recognition of judicial decisions and execution of them.

During my practise in law, I have supported and advised many Turkish citizens about the Turkish criminal code, family law and nationality law. Moreover, I have also advised Turkish and Dutch companies about Turkish corporate laws. As is seen from my experience, I have gained sufficient knowledge on Turkish Law.

In addition to those trainings, during my 15 years in practising law, I spent a lot of time in self-study about Turkish Law in order to advise my clients in the Netherlands.

Furthermore, I have followed courses about international private law, international parental child abduction (she has handled a lot of those cases), international immigration and international criminal act. These trainings were essential for me to follow in order to provide good services to my clients because of their backgrounds' diversity.

Between 2008 and 2013, I gave trainings about Turkish law, especially about divorces, recognition of judicial decisions, custody, parental law, child abduction and immigration. Those courses were given to community workers in different levels in order to ensure their professional development on those fields. Within those training, I gave more than 30 trainings in several cities in the Netherlands. Currently, I have given lectures on the differences between Turkish and Dutch law.

Since 2008, I have been working as tutor for students of the School of Law at Inholland University of Applied Sciences where I review the graduate thesis on various subjects, including human rights law.

Additionally, since 2004, I am the Chair of the Commissions of Complaints for Islamic schools in Netherlands and have handled complaints of parents and students and advised the Board of the schools and given recommendations, which also included complaints about human rights violations.

As a member of the Board of Islam and Citizenship, which is a partner of the Dutch government in issues concerning Muslims in the Netherlands, I have strived to create an environment through which Muslims can emancipate in the Dutch society. The discussions concerning integration and assimilation were high on the agenda. As the board, they carried out several projects about citizenship, equal treatment and possibilities. Issues of fundamental rights as human rights, anti-discrimination, and freedom of expression versus hate speeches were debated by Islam and Citizenship. Creating awareness about fundamental rights and improving the social and legal status of Muslims in the Netherland were among the goals of that foundation.

b. Description of non-judicial legal activities

- 1997 – Ministry of Justice in The Hague; Responsibilities: communication services, developing information brochures, handling information requests
- 1997–1998 – Ministry of Justice in The Hague; Immigration and Naturalization Service, section Asylum; Responsibilities: Rendering decisions on asylum applications as first instance, handling complaints, and conducting investigations
- 1998–2000 – Ministry of Justice; Immigration and Naturalization Service, section AC Schiphol; Responsibilities: Rendering decisions regarding AC / OC / Dublin cases. Handling complaints, conducting investigations BMA, BuiZa, language analysis. Conducting initial and further interviews / Dublin interviews B9 interviews / 1F interviews
- 2000–2002 – Ministry of Justice in Rijswijk; Immigration and Naturalization Service, section Regular; Responsibilities: Rendering decisions regarding regular applications, dealing with complaints, conducting investigations

c. Description of non-legal professional activities

Additional functions:

- 1992–2002 – Riagg the Hague, expert on developing material, advising
- 1994–1997 – Turkish Women Telephone, developing course materials, teaching courses, training and supervision of volunteers
- 2003–2016 – Board member of Islam and Citizenship

(Our goals as Islam and Citizenship were to create an environment where Muslims can emancipate in the Dutch society. The discussions concerning integration, assimilation were high on the agenda. Issues of fundamental rights as human rights, discrimination, and freedom of expression versus hate speeches had been debated by Islam and Citizenship)

- 2007–present – External expert at School of Law, Inholland Rotterdam
- 2007–2009 – Treasurer Foundation Islamic Broadcasting
- 2000–present – Chairman Complaints Islamic education

(we handle complaint cases of students about discrimination, unequal treatment and other issues)

- 2008–2011 – Board member European Muslim Network professionals

IV. Activities and experience in the field of human rights

As my professional work is a lawyer, I dealt with human rights related issues.

V. Public activities

a. Public office

- 1997–2002 – Immigration and Neutralization Service, the Ministry of the Netherlands

b. Elected posts

None

c. Posts held in a political party or movement

None

VI. Other activities

(As stated above, in my professional life and as a private person I have been debating issues as integration, discrimination and emancipation in the Netherlands. Those activities were likely obvious for an immigrant yet I believe that the fundamental human rights should be the measure in life)

VII. Publications and other works

Articles:

- Dec. 1994 – Social communication skills for immigrant women (Social evaardighedenvoor Turkse en Marokkaanse vrouwen en meisjes. Ineke Wieneke en Famile Arslan, Uitgeverij van Arkelte Utrecht;)
- 2006–2017 – www.wijblijvenhier.nl, author on the website/blog about immigrants in the Netherlands

Meetings and Seminars attended:

- Jul. 2006 – Muslim Leaders of Tomorrow

(Debating the position of Muslim immigrants in the West, my role was leading the roundtable discussion about freedom of religion), Copenhagen, Denmark. Organizer: Asma Society, USA

- Nov. 2006 – Women's Islamic Initiative in Spirituality and Equity

(Debating the role Muslim women, my role was as a member committee concerning equal treatment and discrimination), New York, USA. Organizer: Asma Society, USA

- Mar. 2007 – Dialogue Muslims and Jews in Europe

(Searching common ground for collaboration, my contribution was on freedom of expression versus hate crimes), Brussels, Belgium. Organizer: CJIE and European Commission

- Nov. 2004 – Honour Killings and Violence against Women

(My contribution was on equal treatment, emancipation of Muslim women, forces against violence), Scheveningen, the Netherlands. Organiser: Turkish Ministry of Foreign Affairs

– Nov. 2007 – Symposium Women and Migration

Organiser: Municipality of Zeytinburnu, Istanbul

(My contribution was on the position of women in immigration law in the Netherlands)

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
a. First									
Dutch	X			X			X		
Turkish	X			X			X		
b. Official languages:									
English	X				X		X		
French		X				X		X	
c. Other									
German		X			X			X	

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language [the second], please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

I confirm my intention to follow intensive language classes.

X. Other relevant information

XI. Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court.

I confirm that I will live in Strasbourg permanently if I will be elected as a judge on the Court

Appendix 2 – Basri BAĞCI

CURRICULUM VITAE

I. Personal details

Name, surname: Bağcı, Basri

Sex: Male

Date and place of birth: Elmadağ/Ankara – 11/09/1967

Nationality: Turkish

II. Education and academic and other qualifications

- 2014–Ongoing – PhD., Public Law, Institute of Social Sciences, Near East University Cyprus (Courses already taken: European Criminal Law, Law of Armed Conflicts, Philosophical Approaches in International Law, and Space Mining and International Law)
- 2012–2013 – LL.M, University of Exeter (United Kingdom). Thesis: An Examination of the Right to a Fair Trial: The Proceedings of Absentia Trial in International Criminal Proceedings. The detailed researches made during this education: at the International Criminal Court in respect of cases about Yugoslavia and Lebanon, and thereafter preparation a seminar assignment on the subject of International Criminal Law in Practice
- 2010–2011 – Language Education, San Diego – USA
- 2009–Ongoing – LL.M, Institute of Security Sciences, Turkish National Police Academy (Courses already taken: Constitutionalism, Scientific Research Methods, Globalization and Organizations, and Combating Corruption)
- 1984–1988 – Ankara University Law School, Ankara, Turkey (I took the selected course of European Union Law during the education)

III. Relevant professional activities

a. Description of judicial activities

The status of judges and prosecutors in Turkey is a system that allows transition between the two professions. According to the Turkish legal system, the prosecution activities are considered as judicial activities.

After graduating from law school, I was appointed as a judge candidate. I received professional education for both judges and public prosecutors. I was appointed, by drawing of lots, as a public prosecutor. Thereafter, I served as a public prosecutor for about six years in various places. While serving as a public prosecutor, I conducted investigations in relation to almost all kinds of offences and participated in trials in criminal courts in my capacity as a public prosecutor. In addition, I lodged appeals against certain decisions rendered by criminal courts, which I found to be unlawful.

As I was distinguished from among my colleagues, I was appointed as a justice inspector in 1999. For a total of 9 years, during which I served as a justice inspector and a chief justice inspector, I conducted inspections in numerous court houses in order to establish whether judges and prosecutors performed their duties in line with the law. During such inspections, I also inspected the compliance of the actions and proceedings of the offices of the chief public prosecutors and of both criminal and civil courts with the law and jurisprudence. Furthermore, I issued appraisals in respect of judges and prosecutors as to whether their conducts and behaviors were in conformity with the requirements of the profession, whether they duly fulfilled their duties and responsibilities and whether they acted fairly and impartially.

Moreover, the Council of Judges and Prosecutors has been appointed me to the Court of Cassation as a member on 5 July 2017, taking into consideration the appraisals, duration in profession, my background, and my competence in the field of law, from among approximately 3000 eligible judge and prosecutors on account of duration in profession.

b. Description of non-judicial legal activities

In 2008, I was appointed as the Deputy Director General to the Directorate General for Criminal Affairs. The Directorate General for Criminal Affairs is the department responsible for the functioning of the criminal justice system as well as the determination of its policy. During my term of office, I was also responsible for conducting disciplinary investigations and investigations into duty-related offences in respect of judges and prosecutors as well as conducting investigations about lawyers and public notaries. As the Deputy Director General, I performed duties such as conducting procedures about written orders in relation to decisions and judgments, which were rendered by judges and courts and became final without being reviewed by the Court of Cassation, conducting procedures as regards the offences the investigation of which requires permission of the Minister of Justice and also conducting investigation, prosecution and disciplinary proceedings incumbent on the Ministry of Justice as prescribed by the Laws.

At the end of 2008, I was appointed as the Deputy Director General to the Directorate General for Prisons and Detention Houses. This department is responsible for administration of penitentiary institutions and execution of penalties. For nearly 3 years during which I served as the Deputy General Director, I was responsible for the followings: administration and inspection of penitentiary institutions and detention houses and monitoring their financial affairs; coordination of relations with charitable institutions and other institutions with regard to employment of convicts, who were serving their sentences, after execution of their penalties; carrying out procedures regarding the placement of convicts under observation; conducting the referral and transfer procedures of convicts and detainees and coordinating the execution and rehabilitation affairs in this regard; and organizing education and training affairs of convicts and detainees in penitentiary institutions. I contributed to the drafting of regulations and circulars as regards the management of execution services. I inspected penitentiary institutions on a regular basis and made contributions to ensure that penalties were executed in humane conditions.

I was appointed as the Deputy Undersecretary in 2013. The position of deputy undersecretary is a high-ranking post within the Ministry. As the Deputy Undersecretary, I am responsible for the works of the Directorate General for Personnel, of the Directorate General for Prisons and Detention Houses and of the Project Coordination Committee. I have played an active role in and exercised discretion as regards the drafting of several laws regulations and circulars. I have chaired judicial projects. I ensure coordination of the preparation and implementation of the Judicial Reform Strategy which sets the aims and goals regarding the future of the Turkish justice system. The Project Coordination Committee, which is chaired by me, has been established with a view to carrying out projects for alignment of the Turkish justice system with the European Convention on Human Rights and European standards. In addition to this, I have ensured coordination of putting the regional courts of appeal into operation which is a very significant reform in the Turkish judicial system. As the Deputy Undersecretary, I ensure coordination of the settlement of issues encountered in the structure and functioning of the Turkish justice system and of the measures aimed at elevating the human rights standards.

I held office as the Acting Undersecretary of the Ministry of Justice for 9 months in 2015. Within that period, I was also a member of the High Council of Judges and Prosecutors. The High Council has been established for the purpose of the judiciary to proceed independent from and impartial to all kind of political and sectarian view and effects. To this end, it has been authorized to appoint, to promote, to impose a disciplinary sanction and to permit prosecution for judges and prosecutors in office. I, as member of first chamber, handled with appointment of judges and prosecutors. On the other hand, as a member of plenary session, I handled all other issues just mentioned upon objection made by the parties of the relevant process.

IV. Activities and experience in the field of human rights

V. Public activities

a. Public office

- 2017–Present – Member of the Court of Cassation
- 2015–2017 – Deputy Undersecretary
- 2015–2015 – Acting Undersecretary, Member of the High Council of Judges and Prosecutors (For 9 months)
- 2013–2015 – Deputy Undersecretary

- 2011–2013 – Chief Inspector, Department of Inspection Board, Ministry of Justice
- 2008–2011 – Deputy Director General, Directorate General for Prisons and Detention Houses, Ministry of Justice
- 2008–2008 – Deputy Director General, Directorate General for Criminal Affairs, Ministry of Justice
- 2005–2008 – Chief Inspector, Department of Inspection Board, Ministry of Justice
- 1999–2005 – Inspector, Department of Inspection Board, Ministry of Justice
- 1997–1999 – Public Prosecutor, Hüyük – Konya
- 1996–1997 – Public Prosecutor, Pervari – Siirt
- 1993–1996 – Public Prosecutor, Gürün-Sivas
- 1989–1993 – Judge Candidate- Ankara

b. Representation Duty in International Committees

VI. Other activities

He gained the Mediator Certificate on, and he has the capacity of a mediator.

VII. Publications and other works

Books:

- Prescription periods in Turkish Criminal Law and Statute of Limitation, Ankara, 1999 (printed in Turkish)
- An examination of the right to a fair trial: The proceedings of absentia trial in international criminal proceedings (Thesis at University of Exeter)

Articles:

Presentations:

Presentation on judicial and administrative investigations conducted by inspectors, 2006, 2007 and 2008

Teaching activities:

Seminars and Conferences organized:

Head of the Executive Board for the International Istanbul Law Congress (attended by presidents of high courts, ministers of justice and chief public prosecutors from fifty States)

Projects took part in:

- Strengthening the Judicial Ethics in Turkey (2012 IPA)
- Project on Developing Mediation Practices in Civil Disputes in Turkey
- Improvement of Enforcement Services in Prisons (DEPAR) (2010 IPA)
- Establishment of Distance Education System in Penal Execution Institutions Procurement Project
- Development of An Effective Risk Evaluation System for Children in Turkish Probation Services
- Strengthening of Probation Services' Institutional Capacity in Transition to Electronic Monitoring System
- Strengthening the Legal Aid Services in Turkey (2013 IPA)
- Performance Assessment and Management System for Judiciary 2013 IPA
- Strengthening the Capacity of Turkish Judiciary on Freedom of Expression
- Support to Individual Application to Constitutional Court of Turkey
- Strengthening Capacity Against Cyber Crime
- Strengthening Witness Protection Capacities
- Towards an Effective and Professional Justice Academy

- Improved Relations between Mass Media and Judiciary
- Project on enabling judges and prosecutors to receive language education and do a master's degree abroad (Project management throughout the term of office as the Deputy Undersecretary)

Meetings and Seminars attended:

- Human Rights Seminar, 2004
- Seminar on Combat against Money Laundering, 2005
- Redrafting of the Regulation on the Inspection Board of the Ministry of Justice, 2006
- Working Group on the shortcomings identified in courthouses by the Inspection Board, 2007 (Within this scope, implementation of the practice of taking into account the judgments of the European Court of Human Rights for inspection and promotion)
- Meetings of the European Committee for the Prevention of Torture and Inhumane or Degrading Treatment and Punishment (attended as the agent of the Ministry of Justice throughout the term of office as the Deputy Director General for Prisons and Detention Houses)
- Visit made to the European Court of Human Rights to enable the Turkish judges and public prosecutors to be informed on human rights practices, 2014
- Representative of the Turkish Government at the Plenary Session of the Venice Commission in 2016.

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	Fair	very good	good	fair	very good	good	fair
a. First language:									
Turkish	x			x			x		
b. Official languages:									
English	x			x			x		
French			x			x			x

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language [the second], please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

Yes, I confirm.

X. Other relevant information

XI. Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court.

Yes, I confirm.

Appendix 3 – Ergin ERGÜL

CURRICULUM VITAE

I. Personal details

Name, surname: Ergül, Ergin

Sex: Male

Date and place of birth: 24 January 1968, Balıkesir/Turkey

Nationality: Turkish

II. Education and academic and other qualifications

University degree	Institution	Subject	Year
Ordinary degree	Faculty of Law, Istanbul University	Law	1990
Master's	Institute of Forensic Medicine, Istanbul University	Legal and criminal aspects of drug addiction	1993
PhD	Institute of Security Sciences at the Police Training College	Protecting foreigners against expulsion, <i>refoulement</i> and extradition in the European Human Rights Convention	2011
Short course of study – the judicial system in France	Ecole National de la Magistrature (France)	Six months	2000

III. Relevant professional activities

a. Description of judicial activities

- 1991–1993 – Training as a judge at the Istanbul Courthouse
- 1993–1997 – Judge at Saraykent Court (Yozgat)
- 1995–1996 – Judge in the Turkish Navy (during national service)
- 2011 – Judge at the Ankara Court (Judge meeting the conditions for being elected to the Court of Cassation)

b. Description of non-judicial activities

- 1997–2010 – Magistrate, Head of Department and Deputy Director General at the Directorate General of International Law and External Relations at the Ministry of Justice
- 2010–2012 – (Seconded as) Principal Legal Advisor at the National Public Security (Sub-)Secretariat

c. Description of non-judicial legal activities

- 2014 – Deputy Under-Secretary to the Prime Minister (seconded) (Head of the legal services)
- 2014 – President of the High Disciplinary Commission with the Prime Minister

IV. Activities and experience in the field of human rights

- 1998–2003 – Magistrate at the Human Rights Office at the DG of International Law and External Relations at the Ministry of Justice, and participation in hearings at the ECHR
- 2002–2005 – Member of the editing committee of the ECHR judgments journal, published by the Police Training College and translation and interpretation of a number of judgments published in this journal

- 2010–2014 – Participation in the publication of books, for example “Human rights and the fight against terrorism” and in the preparation of the 4th legislative package concerning democratisation at the National Public Security (Sub-)Secretariat
- 2009–2011 – PhD thesis on “Protecting foreigners against expulsion, refoulement and extradition in the European Human Rights Convention”
- 2012 – Member of the Independent Standing Human Rights Commission of the OIC (IPHRC)
- 2014–2016 – Representative of the IPHRC at the 27th and 32nd sessions of UN Human Rights Council
- 2014..... – Chair of the Committee responsible for examining access to information
- 2017..... – Ad hoc judge at the ECHR

V. Public activities

a. Public office

- 2012–2013 – Head of the External Relations Department at the Prime Minister’s National Public Security (Sub-) Secretariat (seconded)
- 2013–2014 – Deputy Under-Secretary at the National Public Security (Sub-)Secretariat

b. Elected posts

None

c. Posts held in a political party or movement

VI. Other activities

a. Field

- Civil registry, international co-operation in criminal affairs – the fight against corruption – the fight against terrorism

b. Duration

- 1997–2005 – Member of the national section of the International Commission on Civil Status (ICCS)
- 2001–2005 – Participation in the meetings of the Committee of Experts on the Operation of European Conventions on co-operation in Criminal Matters (PC-OC) (PC-OC) and of the European Committee on Crime Problems (CDPC)
- 2003– (six months) – Expert on the Parliamentary Committee of Inquiry into Corruption
- 2004–2010 – Head of the Turkish delegation with GRECO
- 2012–2014 – Representative of Turkey with CODEXTER

c. Functions

- 2014 – Under-Secretary to the Prime Minister (seconded)
- 2014 – Chair of the Committee responsible for examining access to information

VII. Publications and other works

23 books published, some fifty articles published in legal or other periodical journals and 9 articles published in academic journals

Some books published:

in Turkish

- The European Court of Human Rights and its practice (Avrupa İnsan Hakları Mahkemesi ve Uygulaması, Yargı publications, Ankara 2003, (2nd.edition: Yargı publications: Ankara 2004)
- The Black Economy and Money Laundering (Kara Ekonomi ve Aklama Suçu, Adalet publications), Ankara 2005
- Expulsion, refoulement and extradition in the European Human Rights Convention, Turkish, (Avrupa İnsan Hakları Sözleşmesi ve Türk Hukukunda Sınır Dışı Etme, Geri Gönderme ve Geri Verme, Yargı publications, Ankara 2012
- Modern legal dictionary French Turkish and Turkish-French (Fransızca-Türkçe, Türkçe – Fransızca Modern Hukuk Sözlüğü), Yargı publications, Ankara 2012
- Individual applications to the Constitutional Court and the Court of Human Rights and its practice (Anayasa Mahkemesine ve Avrupa İnsan Hakları Mahkemesine Bireysel Başvuru ve Uygulaması), Yargı publications, Ankara 2012
- The Independent Standing Human Rights Commission of the OIC, (İslam İşbirliği Teşkilatı Bağımsız Daimi İnsan Hakları Komisyonu, Kuruluşu, Yapısı, Misyonu ve Vizyonu), Adalet publications, Ankara 2014

In English

- Rumi: a Source of universal justice and peace, Metropolitan Municipality of Konya, Directorate of Culture Publications, Konya 2014

In French

- Rumi: Un guide pour la justice universelle et la paix, les Publications de l'Académie de la Justice de Turkey, Ankara 2017

A number of academic articles:

In Turkish

- Strategies for fighting terrorism in the context of balancing freedom and security (Özgürlük ve Güvenlik Dengesi Bağlamında Uluslararası Terörle Mücadele Stratejileri), Journal of the Erzincan Faculty of Law (Erzincan Hukuk Fakültesi Dergisi), EÜHFD, C. XVIII, S. 1- 2(2014)6
- The legal and institutional fight against terrorism in the context of the Council of Europe, Avrupa Konseyi Çerçevesinde Terörle Hukuki ve Kurumsal Mücadele, Journal of the Gazi University Faculty of Law (Gazi Üniversitesi Hukuk Fakültesi Dergisi), Temmuz-Ekim 2014, Sayı 3-4, s.(737-770)

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
a. First language:									
Turkish	X			X			X		
b. Official languages:									
English		X				X			X
French	X			X				X	
c. Other languages:									
Arabic	X				X			X	
Spanish			X			X			X

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language [the second], please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

I intend to do so for English before taking up office.

X. Other relevant information

XI. Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court.

I confirm.