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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 Kaan Esener, Ambassador of Turkey to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 18 February 2019.

[…]

With reference to your letter of 5 October 2018, 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 Esra Gül DARDAĞAN KİBAR

– Mr Necati POLAT

– Ms Saadet YÜKSEL

The curricula vitae of the candidates as well as an information note on the national procedure for selecting the candidates are at annex.

[…]

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

1. The election of the candidates for the position of judge at the European Court of Human Rights was commenced by the Turkish Government 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.

2. [...]

3. [...]

4. As it had been the case with the first and second one, the procedure was re-initiated with a public announcement for candidates posted simultaneously on the websites of the Ministry of Foreign Affairs and the Ministry of Justice on 23 October 2017.

5. As a result of interviews and evaluations held, the Council of Ministers selected three candidates, namely Prof. Dr. Selami Kuran, Selma Öztürk Pınar and Prof. Dr. Necati Polat for this post, in accordance with the Resolution No. 1646 (2009), from the short list submitted by the Interview Committee.

6. [...]

7. The Secretary General of the Parliamentary Assembly officially notified the Government that the candidate Selma Öztürk Pınar withdrew her candidacy on 20 April 2018. Thereupon, an announcement was posted by following the same process on 20 April 2018 for a female candidate to complete the list.

8. As a result of interviews and evaluations held, the Council of Ministers selected Asst. Prof. Dr. Neslihan Karataş Durmuş [...].

9. Thereupon, another candidate from the reserve list of candidates, Prof. Esra Gül Dardağan Kibar, was found suitable by the President of the Republic of Turkey [...][1].

10. [...] The list consisting of Prof. Dr. Necati Polat, Prof. Dr. Selami Kuran and Prof. Dr. Esra Gül Dardağan Kibar was submitted to the Committee on the Election of Judges to the Court.

11. The Committee interviewed the candidates on 27 September 2018 in Paris. Before the list was submitted to the Plenary Session of the Parliamentary Assembly, Prof. Dr. Selami Kuran withdrew his candidacy.

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1. The Presidential System of Government was accepted in Turkey with a referendum dated 16 April 2017. With the Presidential and 27th Parliamentary General Elections made on 24 June 2018, the transition to the new government system was completed. In this context, references made to “the Council of Ministers” was changed to refer to “the President of the Republic” pursuant to the Decree Law no. 703 issued within the scope of transition since “the Council of Ministers” was abolished in the Presidential System of Government.

12. Therefore, with a view to completing the list, a new announcement was posted on the websites of the Ministry of Justice and the Ministry of Foreign Affairs from 10 October to 24 October 2018 for the selection of a candidate. Moreover, in order to ensure the announcement to be informed by the potential candidates, the announcement was also sent to the Court of Cassation, the Supreme Administrative Court, the Constitutional Court, the Higher Education Institution and the Union of Turkish Bar Associations. The public announcement remained on the websites for 14 days. The applicants were requested to submit their documents until 24 October 2018. All process, including the relevant deadlines, was clearly mentioned in the announcement.

13. In accordance with the Resolution 1646 (2009) of the Parliamentary Assembly, the applicants are expected to meet the following criteria, as it was the case in the earlier processes:

– 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 12 November 2018, 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
– to have studies on human rights
– not to have any convictions (recklessness offences are not included)
– not to have any health problems that might prevent candidates from performing his/her duties

14. 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.

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

16. In the prescribed period of 14 days for submission, a total of 13 applications were received. As a result of the preliminary evaluation, two applicants were not called for an interview as they did not satisfy the criteria.

17. Eleven of the applicants were called for individual interviews that were conducted on 31 October 2018, and all candidates attended.

18. The applicants were interviewed by the Interview Committee composed of:

– General Director of Law and Legislation of the Directorate of Administrative Affairs of the Presidency of the Republic of Turkey (Chairperson of the Committee)
– Head of Department of Human Rights of the Ministry of Justice
– An ambassador experienced in the fields of the Court from the Ministry of Foreign Affairs
– General Secretary of the Court of Cassation
– General Secretary of the Council of State

– General Secretary of the Constitutional Court

– A member of the Council of Higher Education

19. 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, 20 minutes.

20. Following the interviews, the Interview Committee agreed on a short list of two candidates and these names were submitted to the President of the Republic of Turkey for the final decision.

21. Subsequently, Assoc. Prof. Dr. Saadet Yüksel was selected for candidacy by the President of the Republic of Turkey for this post in accordance with Assembly Resolution 1646 (2009), from the short list submitted by the Interview Committee.

Assoc. Prof. Dr. Saadet YÜKSEL: She has worked for the Constitutional Law Department of the Istanbul University Law School since 2006 and she has been chairing the Constitutional Law Department since 2017. Furthermore, she has been teaching courses on Constitutional Law as a part-time faculty member at the Koç University Law School since 2013. Additionally, she has also been taking responsibilities as a member of the Board of Directors of the Istanbul University Law School.

The candidate has extensive international experience. At the outset, she obtained her Master of Laws degree from Harvard University in 2011. Subsequently, she attended several universities in the United States (namely Harvard University, Georgetown University and International Law Institute) as a visiting researcher/scholar. Lastly, she taught a course on human rights in 2018 as a visiting professor at the Hamad Bin Khalifa University (Qatar).

Furthermore, the candidate published several studies on the topic of human rights and Constitutional law. In addition to teaching courses and conducting research in the field, she took part in domestic and international seminars and conferences on constitutional protection of human rights both as a participant and as a speaker. Accordingly, it is clearly inferred that she is eligible for the post on account of the strong level of her language skills and knowledge of constitutional law and human rights.

Appendix 1 – Esra Gül DARDAĞAN KİBAR

CURRICULUM VITAE

I. Personal details

Name, forename: Dardağan Kibar, Esra Gül

Sex: Female

Date and place of birth: 9 October 1967, Ankara

Nationality: Turkish

II. Education and academic and other qualifications

a. Education

Institution [Date from – Date to]	Degree(s) or Diploma(s) obtained:
Ankara University, Faculty of Law [1986-1990]	Licence
Ankara University, Graduate School of Social Sciences [1991-1993]	Master
Ankara University, Graduate School of Social Sciences [1993-1999]	PhD

b. Academic/ Professional Qualifications

Institution [Date from – Date to]	Academic/ Professional Qualification
Ankara University, Faculty of Political Sciences [1991-1999]	Research Assistant
Ankara University, Faculty of Political Sciences [1999-2000]	Research Assistant, PhD
Ankara University, Faculty of Political Sciences [2000-2002]	Lecturer, PhD
Ankara University, Faculty of Political Sciences [2002-2008]	Assistant Professor
Inter-Universities Council, 25.12.2006	Title of Associate Professorship (Habilitation)
Ankara University, Faculty of Political Sciences [2008-2014]	Associate Professor
Ankara University, Faculty of Political Sciences [2014-]	Professor

III. Relevant professional activities

a. Description of judicial activities

Expertise in civil lawsuits in the field of Private International Law.

b. Description of non-judicial legal activities

I am teaching Private International Law in under-graduate and graduate program. I taught also Introduction to Turkish Law between 2003 and 2016 in under-graduate program. Some of my published books and articles in the field of Private International Law and History of Turkish Law are below mentioned. I have supervised many

theses at graduate level in the field of Conflict of Laws, International Civil Procedure, Status of Aliens and European Intellectual Property Law. I have submitted papers in national and international symposiums on subjects falling into my research area.

c. Description of non-legal professional activities

None

IV. Activities and experience in the field of human rights

I am teaching the topic of Status of Aliens in the sphere of Private International Law in human rights perspective. Some of my articles and researches on the mentioned topic are also prepared in this perspective, particularly those concerning deportation.

V. Public activities

a. Public office

– Professorship of Private International Law in the Faculty of Political Sciences, Ankara University since 2014
– Chair of the Department of Political Sciences and Public Administration, Faculty of Political Sciences-Ankara University (2014-2017)

b. Elected posts

None

c. Posts held in a political party or movement

None

VI. Other activities

a. Field

Intellectual Property

b. Duration

2013-nowadays

c. Functions

Membership of Central Board of the Intellectual and Industrial Rights Research and Application Center (FISAUM), Ankara University.

VII. Publications and other works

Selected Publications

Books/ Authorship of Chapters in Edited Book

– Aybay, R. ve Dardağan, E., Uluslararası Düzeyde Yasaların Çatışması (International Conflict of Laws), B.2 (2nd ed.), İstanbul Bilgi Üniversitesi Yayınları, İstanbul 2008
– Aybay, R. ve Dardağan Kibar, E., Yabancılar Hukuku (Law of Aliens), B.3 (3rd ed)., İstanbul Bilgi Üniversitesi Yayınları, İstanbul 2010
– Dardağan, E., Fikir ve Sanat Eserleri Üzerindeki Haklardan Doğan Kanunlar İhtilâfı (Conflict of Laws in Copyright),Betik Yayınları, Ankara 2000. (PhD thesis)

– Dardağan Kibar, E.: «L'impact des instruments juridiques relatifs à l'association entre l'Union européenne et la Turquie sur la condition des étrangers en Turquie», La Turquie et l'Europe: Une évolution en interaction, Sous la direction de Samim Akgönül et Beril Dedeoğlu, L'Harmattan, 2013, 87-106

– Dardağan, E., Yaşayan Lozan (Living Lausanne) (ed. Çağrı Erhan), Kültür ve Turizm Bakanlığı Yayınları, Ankara 2003, 503-724, 833-838, 840-848 (co-authorship)

– Dardağan, E.: Milletlerarası Usul Hukukunda "Aşkın Yetki" Kavramı (The Concept of "Exorbitant Jurisdiction" in the Law of International Civil Procedure", Siyasal Kitabevi, Ankara 2005

(5 books and 8 authorship of book chapters in total)

Articles

– Dardağan Kibar, E., "Régime juridique et contentieux administratif de l'expulsion des étrangers: Le cas turc", Prof. Dr. Tuğrul Arat'a Armağan (Mélange pour l'honneur de Prof. Tuğrul Arat), Seçkin Yayınları, Ankara 2012, 721-748

– Aydıngün, İ. ve Dardağan, E., "Rethinking the Jewish Communal Apartment in the Ottoman Communal Building", Middle Eastern Studies, Vol. 42, No.2, 319-334 (March 2006)

– Dardağan Kibar, E., "Quelques remarques sur le rattachement objectif en matière contractuelle selon la nouvelle loi relative au droit internationale privé et à la procédure civile internationale turque", Ankara Law Review, Special Issue, 39-81 (2012)

– Dardağan Kibar, E.: "An Overview and Discussion of the New Turkish Law on Foreigners and International Protection", Perceptions, Vol.18, No.3, 109-128 (2013)

– Dardağan Kibar, E., "Yabancılar ve Uluslararası Koruma Kanunu Tasarısında ve Başlıca Avrupa Birliği Düzenlemelerinde Yabancıların Sınır Dışı Edilmelerine İlişkin Kurallar: Bir Karşılaştırma Denemesi" (Regulations Concerning Deportation of Foreigners in the Project of Law on Foreigners and International Protection and European Union Legal Instruments: An Essay of Comparison), Ankara Avrupa Çalışmaları Dergisi, Vol.11, No.2, 53-74 (2012)

(14 articles in total)

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		
– German (little)									

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.

X. Other relevant information

Membership of UNESCO International Agreements Committee in Turkish National Commission for UNESCO (2007-2018)

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

I will take up permanent residence in Strasbourg if elected a judge on the Court.

Appendix 2 – Necati POLAT

CURRICULUM VITAE[2]

I. Personal details

Name, forename: Polat, Necati

Sex: male

Date and place of birth: 27 June 1963, Elazig (Turkey)

Nationality: Turkish

II. Education and academic and other qualifications

– PhD in law: Nottingham University, England (1989-1994), on the interpretation of legal instruments in legal theory with special reference to rights

– LL.M. in constitutional law and MA in political science at Gazi University (Ankara), and Middle East Technical University (Ankara), respectively (1986-1989)

– Apprentice lawyer in Istanbul (1985-1986)

– Undergraduate education: Istanbul University Faculty of Law, Istanbul (1981-1985)

III. Relevant professional activities

1. An established legal scholar and an internationally recognised jurisconsult, I am currently **Professor of Public International Law at the Dept. of International Relations, Middle East Technical University** (METU), Ankara, since 2006. My area of specialisation is **international human rights law, in particular the human rights regime in Europe under the Council of Europe.** METU, where the medium of instruction is English, is one of the top universities in Turkey. It has a long-enduring cosmopolitan ethos in teaching and research and in the profiles of its teaching staff and students. I am fairly well published internationally, with many academic pieces in prestigious international journals (see Section VII below) and several books published by reputable academic publishers, such as the Edinburgh University Press, Routledge, and the international law specialists Transnational (now part of Brill).

2. Having taught various courses of public international law for over 24 years, I have intimate knowledge of the area. I have authored several Turkish-language textbooks in international law and in human rights as a sub-discipline. *Bir Kuram Olarak Uluslararasi Hukuk* (*International Law as Theory*), which came out in 1999, is an undergraduate textbook at many Turkish universities. In human rights, I am the co-author of the books *Insan Haklari ve Demokrasi El Kitabi* [*A Handbook of Human Rights and Democracy*] (1998) and *Herkes Icin Insan Haklari ve Demokrasi* [*Human Rights and Democracy Simplified*] (2004).

3. I have expert knowledge of the national legal system in Turkey, with emphasis on rights and the constitutional function of the state. Before my PhD work, I was a research assistant in constitutional law at Gazi University, Ankara, for three years. On my postgraduate course "Turkey and the European Court of Human Rights (ECtHR)," students are guided to study and research the relevant legal issues, especially in the Turkish penal law, before we scrutinize in the class the specific ECtHR cases picked for the week, with Turkey as the respondent state. My book, *Regime Change in Contemporary Turkey: Politics, Rights, Mimesis*, is centred on specific problems in the national legal system in Turkey, especially the enduring issues of the implementation of the basic rights in the Convention law.

4. I would like to think that I have some aptitude for judicial interpretation of the law, especially the interpretation of treaties. My PhD thesis is on the interpretation of formal legal instruments in individual cases, and the attendant problems of adjudication: *Interpreting the Law: a Reassessment of the Dichotomy between the Law and its Readings*. It was through my work on treaties, such as the Convention, that I became interested in public international law, and in international human rights protection in turn, subsequently devoting most of my academic work to it.

2. Text in bold indicates posts or missions held at present.

5. Having worked as an evaluator on the European Union 6th and 7th Framework Programmes, Brussels, I have some ability to work as part of a team at international level. I taught the law centred on the European Convention on Human Rights at the University of Southern Denmark (2010-2011), where I was, again, part of an international academic team.

6. I would like to think that I have been not only independent in my work over decades, but also impartial. My aforementioned book *Regime Change in Contemporary Turkey* (especially Part II) is an objective assessment of the state of human rights in Turkey in the light of the Convention law, not at all shy, as can be seen in its pages, of strong criticisms of the current practices.

7. Finally, I am proficient in English, with near-native mastery, and have some knowledge of French.

IV. Activities and experience in the field of human rights

Developer and instructor at METU of several courses (1999-2018) centered on the European Convention on Human Rights, the Protocols, and the case law of the European Court of Human Rights, including the following courses:

International Human Rights Law

The European Regime of Human Rights

Turkey and the European Court of Human Rights

Human Rights Issues in Europe

Human Rights in Russia

Co-coordinator of the European Union and the Turkish Democracy Foundation project (1998-1999) on the Mainstreaming of Human Rights in the Turkish Education System.

Law and human rights expert (2011) on the Turkey Political Criteria Programme funded by the Danish Foreign Ministry, to review on terrain several human rights awareness and advocacy projects that involved the Turkish police, the Ministry of Interior bureaucrats, and several non-governmental organisations in various Turkish provinces, including Diyarbakir.

Human rights expert on the Council of Europe project Democratic Citizenship and Human Rights Education (2012), in coordination with the Turkish Ministry of Education.

Author of the above mentioned book on Turkey's commitments to the Convention law and the actual state of human rights in the country, especially from 2013: *Regime Change in Contemporary Turkey: Politics, Rights, Mimesis* (Edinburgh University Press, 2016). The book also includes an assessment of the early performance of the Turkish Constitutional Court in its newly introduced function of settling human rights issues via individual applications. The rights treated to separate chapters and sections in the book include: freedom of expression, especially media independence; government control of internet access; social media restrictions; freedom of assembly and association; issues of free and democratic elections; hate crimes; discrimination; violence against women, the LGBTI rights, the ordeal of sex workers, dying prisoners and the right to release of prison inmates on health grounds, the right to life and the astonishing toll of workplace mortality in various work sectors in Turkey.

Implementation of basic rights under the current structure and dynamics of world politics is a theme that runs throughout my book *International Relations, Meaning and Mimesis* (New York and London: Routledge, 2012).

Co-author of the following book on the state of rights in Turkey: *Human Rights in Turkey* (Ankara: Turkish Democracy Foundation, 1998).

V. Public activities

VI. Other activities

Turkish Academy of Sciences lifetime member: 2012-

Visiting Researcher, Università degli Studi di Firenze, Dipartimento di Teoria e Storia del Diritto, Florence, Italy (2012)

Visiting Professor, Institute of History, Centre for Contemporary Middle East Studies, University of Southern Denmark, Odense (2010-2011)

Visiting Scholar at Edinburgh University, Scotland (2008)

Visiting Scholar at the Faculty of Oriental Studies, University of Cambridge, England (2003-2004)

Visiting Senior Research Fellow at Zentrum für Europäische Integrationsforschung, Rheinische Friedrich-Wilhelms-Universität, Bonn, Germany (2002)

Visiting Professor at the University of Kent (Darwin College), Canterbury, England (1995)

Visiting Research Fellow at the University of Tours, France (1990)

Many academic seminars, papers at academic conventions, and conference organisations outside Turkey, including those in the following countries: England, Scotland, Germany, France, Italy, Switzerland, the Netherlands, Belgium, Denmark, Sweden, and the United States.

Review of manuscripts for European Journal of International Law, European Journal of International Studies, Review of International Studies, Theory, Culture & Society, Millennium: Journal of International Studies, Alternatives: Global, Local, Political, International Political Sociology, Journal of Contemporary European Studies, Security Dialogue, Turkish Studies, Cyprus Review, Perceptions, Peace Building, Spectrum.

VII. Publications and other works

I have four English-language books published so far (as cited in Sections III and IV above), and two other English-language books are currently in progress. My early book on legal issues of territory in Central Asia in the aftermath of the Soviet Union, including rights, the ethno-border and transboundary water disputes, *Boundary Issues in Central Asia* (New York: Transnational, 2002), is still the only book-length academic work on the theme and is generally regarded as authoritative.

I have five Turkish-language books. In addition to the ones cited above, the Turkish-language books include the following co-edited volumes: *Devlet, Sistem ve Kimlik: Uluslararasi Iliskilerde Temel Yaklasimlar >The State, the System, and Identity: Basic Approaches in International Relations*>, (Istanbul: Iletisim, 2001);*Uluslararasi Iliskilerde Catismadan Guvenlige* [*From Conflict to Security in International Relations*] (Istanbul: Bilgi University Publications, 2012).

Many English-language articles published in the following academic periodicals (1994-2018):

Oxford Journal of Legal Studies

Law and Critique

International Journal for the Semiotics of Law

Social and Legal Studies

Government and Opposition

Peace Review: A Transnational Quarterly

International Affairs

European Journal of International Relations

Review of International Studies

Millennium: Journal of International Studies

Alternatives: Global, Local, Political

Internationale Politik

Mediterranean Politics

Insight Turkey

Social Text

Interventions: International Journal of Postcolonial Studies

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. Note on languages

My English is near native. As for French, I studied it in France many years ago (I enclose a certificate), but have since had little use for the French that I then picked up. As a result, presently my French is less than adequate. However, I am delighted to confirm my intention to resume French-language studies in any way possible if I am elected a judge on the Court.

X. Other relevant information

The scholarships, awards and prizes won include those by the Leverhulme Trust of the United Kingdom (2002-2005), the DAAD of Germany (2002), NATO (2000-2002), the HSFR of Sweden (1998-1999), the British Council (1995), the Turkish Ministry of Education (1989-1994), METU Outstanding Academic Achievement Awards (1999, 2011), the Turkish Academy of Sciences research award (2003-2004), and the academic publication awards of the Turkish TÜBİTAK (1994-2017).

h-Index (Google Scholar): 10

XI. Note on permanent residence in Strasbourg

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

Appendix 3 – Saadet YÜKSEL

CURRICULUM VITAE

I. Personal details

Name, Forename: Yüksel, Saadet

Sex: Female

Date and Place of Birth: 7 December 1983, Istanbul

Nationality: Turkish

II. Education and academic and other qualifications

University of Istanbul, Faculty of Law, Doctorate Program / Ph.D in Law Istanbul, Turkey, September 2006 – March 2012

Harvard Law School, Master of Laws / LL.M., Cambridge, MA, United States, August 2010 – June 2011

University of Istanbul, Faculty of Law, Master of Laws in European Union Law, Istanbul, Turkey, October 2004 – July 2006

International Law Institute, Georgetown University, Certificate, Washington, DC, United States, June 2005 – September 2005

– Legal English
– US Legal System
– Legal Research and Writing

University of Istanbul, Faculty of Law, Bachelor of Laws, Istanbul, Turkey, September 2000 – June 2004

University of Maryland, Maryland English Institute, Certificate, College Park, MD, United States, June 2003 – August 2003

– Intensive English for academic research

III. Relevant professional activities

Legal Consultant / Attorney at Law, Istanbul, Turkey, 2005 – Present

I have been a member of the Istanbul Bar Association as an attorney at law for over 14 years, with extensive experience and expertise in human rights and public international law. I have practiced as an attorney before the Turkish courts regarding issues such as the right to privacy, right to respect for family life and the right to communication. I have also been providing legal services as a consultant regarding issues such as the right to privacy, freedom of religion, freedom of expression, and other human rights issues as a member of the Istanbul Bar Association. In addition to my consultative services regarding human rights issues as a jurisconsult, I have been providing advisory services to Ministries on human rights issues and on the execution of decisions of the European Court of Human Rights.

Member, Constitutional Law Department, University of Istanbul, Faculty of Law, Istanbul, Turkey, 2006 – Present

University of Istanbul, Faculty of Law is the oldest and most prestigious law school in Turkey that shapes legal education as well as the legal system of the country with its students and professors from different backgrounds, approaches, and perspectives. As a member of the Constitutional Law Department of the Faculty of Law, University of Istanbul, I have been teaching, doing research, reviewing and refereeing law articles, publishing, and providing advisory services on the constitutional protection of human rights, human rights law, and public international law with an emphasis on the public purpose doctrine and European Union Law. I have intimate knowledge of the Turkish legal system, particularly of human rights and the Turkish constitutional judiciary. I have been providing on-demand advisory and consultancy services to Ministries, including the Ministry of Justice and the Ministry of Education, on drafting laws on issues such as the right to

vote, freedom of religion, freedom of speech, and other fundamental rights and freedoms, particularly on the implementation of judgments from the European Court of Human Rights and advisory opinions to the Turkish Constitutional Court.

Chair, Constitutional Law Department, University of Istanbul, Faculty of Law, Istanbul, Turkey, 2017 – Present

– Act as intellectual and administrative leader representing the Department in matters before the University of Istanbul and outside
– Establish the curriculum, teaching schedule, elaborate the content of exams and establish grading criteria of the Constitutional Law Department
– Select, renew the terms of, and evaluate academic personnel of the Department and academic programs offered by the Department
– Execute an advisory role upon demand from legislative and administrative branches of government
– Submit official reports on draft laws related to human rights and judicial reforms to both the legislative and administrative branches of government

Associate Professor, Tenured Full-Time Faculty Member, Constitutional Law Department, University of Istanbul, Faculty of Law, Istanbul, Turkey, 2016 – Present

Teach courses on constitutional law, human rights law, European Union Law, and public international law such as:

– Constitutional Law
– Constitutional Protection of Human Rights
– Turkish Constitutional Law course (for Erasmus students, in English)
– Advanced Human Rights (for Masters students)
– Seminar Series on the Origins and Development of the Public Purpose Doctrine in International Law
– Seminar Series on the Proportionality Standard in Human Rights

Part-Time Faculty Member, Koc University, Istanbul, Turkey, September 2013 – Present

– Teach courses (in English) on constitutional protection of human rights at Koc University, Faculty of Law, which is the top private law school in Turkey providing education in English

Scholar-in-Residence, NYU (New York University) School of Law, Center for Transnational Litigation, Arbitration, and Commercial Law, New York, NY, United States, January 2019

– Participated in seminars as a speaker on the jurisprudence of possessions within European Court of Human Rights Case Law

Visiting Professor, HBKU (Hamad Bin Khalifa University), Qatar via Contracted Services with Northwestern University Pritzker School of Law, Chicago, IL, United States, 2018

– Teach course on Advanced Human Rights (in English)

Assistant Professor, Full-Time Faculty Member, Constitutional Law Department, University of Istanbul, Faculty of Law, Istanbul, Turkey, 2012 – 2016

Taught courses on constitutional law, human rights law, European Union Law, and public international law such as:

– Constitutional Law
– Application of the Proportionality in the Field of Human Rights (for Masters students)
– Restriction of Human Rights (for Masters students)
– Constitutional Review in Europe and the United States (for Masters students)
– Turkish Constitutional Reforms within the context of Turkey’s Accession to the European Union (for Masters students)

Visiting Researcher, Harvard Law School, Cambridge, MA, United States, 2014 – 2015

– Conducted research on freedom of religion and the use of the proportionality standard in the field of human rights

– Participated in seminars as a keynote speaker on the constitutional protection of human rights, human rights systems, and provided a comparative analysis between Europe and the United States

Teaching and Research Assistant, Constitutional Law Department, University of Istanbul, Faculty of Law, Istanbul, Turkey, December 2006 – 2012

– Conducted and presented research on "Constitutional Arrangements of Turkey in 2001 within the Framework of Turkey's National Adaptation Policy Processes for European Union Membership"

– Conducted research on the independence of the judiciary and presented to all graduate and doctoral students

– Conducted research on preventing and combating terrorism

– Conducted and presented research on reconciliation in the Turkish criminal code as a means of restorative justice in the doctoral class of Victimology and Rights of Victims

– Conducted and presented research on the rule of law in the Turkish legal system in the doctoral class on "Developments Pertaining to Penal Sanctions and the New Turkish Criminal Code" for all graduate and doctoral students

– Conducted research on the European Parliament, translated and presented "Rules of Procedure of the European Parliament, 16th edition, July 2004" in a doctoral class on the European Parliament

– Conducted research in collaboration with the Center for Children's Rights of the Istanbul Bar Association on "Childhood Victimization Law in Turkey: Challenges and Solutions in the European Union Law"

Visiting Researcher, Georgetown University Law School, Washington, DC, United States, April 2009 – February 2010

– Conducted research on privacy protection for users of e-mail and other modern telecommunications technologies, focusing on unauthorized access to and interception of electronic communications by government

– Conducted research on the Treaty of Lisbon, with an emphasis on the proposed replacement of the Draft Treaty establishing a Constitution for the European Union, and its impact on Turkey

Visiting Scholar, International Law Institute, Washington, DC, United States, April 2009 – February 2010

– Organized training programs on Legal English and Legal Writing and Orientation in the United States Legal System

– Promoted a training program on Judicial and Court Administration and Case Load Management

Legal Trainee, Istanbul Bar Association, Turkey, June 2004 – September 2005

IV. Activities and experience in the field of human rights

Constitutional legal issues deal with state structure/powers and the protection of human rights. I have been focusing on the constitutional protection of human rights, the European Convention on Human Rights, the Protocols, and the judgments of the European Court of Human Rights throughout my academic career. As an expert on human rights and constitutional law and reforms, I have been conducting research, teaching, publishing, and providing consultancy and advisory services on human rights cases for over 14 years. In addition to my on-demand advisory and consultancy services to the legislative and administrative branches of the government on human rights issues, particularly on the execution of judgments from the European Court of Human Rights, I have been providing advisory opinions to the Turkish Constitutional Court and submitting official reports on draft laws related to human rights and judicial reforms to both the legislative and administrative branches of government.

Based on my nationally and internationally recognized competence, authority, work, publications, and career as a jurisconsult in the field of constitutional law and human rights law with an emphasis on the European Convention on Human Rights, the Protocols, and the judgments of the European Court of Human Rights, I

was granted the Outstanding Young Scholars Award by the Turkish Academy of Sciences in December 2018. The award is one of the first of its kind in the world and one of the most prestigious awards in Turkey and I am the first and only Professor in Law nominated for this award by the University of Istanbul in its history.

In my activities and experience in the field of human rights, I have taken part in seminars in Turkish and foreign universities, including Harvard University, New York University, Georgetown University, University of Zagreb, University of Sarajevo and published in internationally recognized academic journals on the constitutional protection of human rights. My publications have had concrete impact on Turkish human rights law and the judiciary.

– Published the first Turkish language books (see “Publications”) on the use of proportionality in the field of Turkish human rights law, which were cited in cases from Turkish courts, including the Court of Appeals and were recommended as reference books by the European Union-Council of Europe Joint Project on Strengthening the Capacity of the Turkish Judiciary on Freedom of Expression

– Organised monthly discussions for bachelor and graduate students on the European Convention on Human Rights, the Protocols, and the judgments of the European Court of Human Rights and the Turkish Constitutional Court

– Supervised masters and doctoral students’ qualification exams and theses on the European Convention on Human Rights and the case law of the European Court of Human Rights

– Developed and instructed courses focused on the constitutional protection of human rights, the case law of the European Court of Human Rights, and the Turkish Constitutional Court, such as:

  Advanced Human Rights

  Restriction of Human Rights

  Application of the Proportionality Standard in the Field of Human Rights

  Turkish Constitutional Reforms within the context of Turkey’s Accession to the European Union

– Lectured as Volunteer on childhood victimization in high schools, Center for Children’s Rights of the Istanbul Bar Association, September 2005 – December 2005

– Lectured on election system, equal representation, effective roles, and prevention of discrimination in politics against women, Association for Support and Training of Women Candidates (KA-DER), Istanbul, November 2013

– Conducted research and participated in international conferences and seminars on human rights issues, constitutional protection of human rights, European Union Law, and public international law issues such as:

  - The Need for Constitutional Revision in the Balkan and Black Sea Countries, Komotini, Greece, April 20 – 21, 2007 (English).

  Presented, Constitutional Arrangements of Turkey in 2001 under the Framework of European Union Adaptation Process

  - Turkey’s Procedural Challenges to Making a New Constitution, Foundation for Political, Economic and Social Research (SETA) Washington, DC, United States, February 1, 2010 (English).

  Keynote speaker

  - Turkey: Legal Perspectives, Inter-University Center for Legal Studies, Washington DC, United States, February 2, 2010 (English).

  Keynote speaker

  - The Right to Privacy and Personal Data Obtained through Wiretapping in the United States, University of Istanbul, Faculty of Law, Istanbul, Turkey, April 10, 2012 (English).

  Speaker and Discussant / Comparative Analysis of Turkish and United States Wiretap Law

  - Young Constitutional Law Scholars Symposium, Koc University, Faculty of Law, Istanbul, Turkey, June 26, 2012 (Turkish).

  Presented, Intelligence Surveillance of Wire Communications within the context of the Right to Privacy

- Analysis of the Debate on Turkey's Presidential Regime, Koc University, Faculty of Law, Istanbul, Turkey, March 29, 2013 (Turkish).

Presented, A Comparative Overview of the Discussions on the Turkish Presidential System

- Turkish-Bosnian Jurist Day, University of Sarajevo, Faculty of Law, Republic of Bosnia and Herzegovina, April 5-6, 2013 (English).

Presented, An Evaluation of Turkey's Political Regime Change in the Context of the Current Constitution Making Process

- 1st Turkish-Croatian Jurist Day, Istanbul University, Faculty of Law, Istanbul, Turkey, April 26-27, 2013 (English).

Presented, Turkish Constitutional Reforms within the context of Turkey's European Union Membership Process

- Comparative Constitutional Law, Changes in Constitutions, Koc University, Faculty of Law, Istanbul, Turkey, October 31, 2013 (Turkish).

Presented, A Comparative Analysis on the Free Exercise of Religion in Turkey and the United States

- 2nd Turkish-Croatian Jurist Day, University of Zagreb, Faculty of Law, Croatia, April 2-5, 2014 (English).

Presented, Turkish Constitutional Court's Approach Towards the Latest Constitutional Amendments and Democratization Packages

- International Conference on Law and Society III (ICLAS III), Law in Remedying the Ailments in the Society and the State, Istanbul University, Faculty of Law, Istanbul, Turkey, June 9-11, 2014 (English).

Presented, An Overview of Recent Changes in Constitutional Review

- Role of Law and Lawyers in the Modern World: Institutions and Constitutions, Istanbul University, Faculty of Law, Istanbul, Turkey, June 15, 2014 (English).

Speaker and Discussant

- Summer School for Giessen University Law Students, Istanbul University, Faculty of Law, Istanbul, Turkey, August 1-8, 2014 (English).

Presented, Turkish Constitutional Court's Approach Towards the Latest Constitutional Amendments and Democratization Packages

- Human Rights in Crisis, Istanbul International Summer School, Istanbul University, Faculty of Law, Istanbul, Turkey, August 11-20, 2014 (English).

Presented, An Overview of Recent Changes in Constitutional Review and Structure of the Constitutional Court in Turkey

- Harvard University, Center for Middle Eastern Studies, Cambridge MA, United States, April 29, 2015 (English).

Keynote speaker / The Clash between Free Exercise of Religion and Laicism within the Turkish Legal System

- Introduction to Continental European and Common Law Systems and the Application of Proportionality Seminar Series, University of Istanbul, Faculty of Law, October 19-23, 2015 (English).

Co-organized and Presented with Prof. Duncan Kennedy from Harvard Law School

- 11th Penal Justice Day, Istanbul University, Faculty of Law, June 1-3, 2016 (Turkish).

Presented, Criminal Proceeding Regulations Restricting the Fundamental Rights and Freedoms from the Tanzimat Era (1839) to Present

- Workshop on the Impact of Individual Application to the Constitutional Court on Turkish Human Rights Law and Judiciary as part of 1001 Project of the Scientific and Technological Research Council of Turkey, Koc University, Faculty of Law, Istanbul, Turkey, July 26, 2017 (Turkish).

Presented, The Application of the Principle of Proportionality in Constitutional Review

- International Congress on Legal Education, Justice Academy of Turkey, Istanbul, Turkey, October 4-6, 2017 (Turkish).

Presented, Legal Education in the American System

- Round Table Discussion, the Constitutional Court of the Republic of Turkey, Ankara, Turkey, December 25, 2017 (Turkish).

Presented, Abstract Review of Extraordinary Decrees Having the Force of Law and their Effect on Individual Applications

- Symposium on the New Turkish Governmental Model, Istanbul University, Faculty of Law, Istanbul, Turkey, April 16, 2018 (Turkish).

Presented, Checks and Balances in the New Turkish Presidential System

- Symposium on Ombudsman Institution, Istanbul Aydın University, Istanbul, Turkey, April 24, 2018 (Turkish).

Presented, Right to Remedies in the Context of Constitutional Review

- 7th Bosnian, Croatian and Turkish Jurist Days: Protection of Personal Data, Istanbul University, Faculty of Law, Istanbul, Turkey, May 4, 2018 (English).

Presented, The Protection of Personal Data under Turkish Constitutional Law in the Context of the Right to Privacy

- The Origins and Development of the Public Purpose Doctrine in International Law and Arbitration, Seminar Series, University of Istanbul, Faculty of Law, Istanbul, Turkey, 2017, 2018 (English).

Co-organized and Presented with Prof. Pedro J. Martinez-Fraga from New York University (NYU) School of Law

- Women's Rights, Istanbul University, Faculty of Law, Istanbul, Turkey, May 4, 2018 (Turkish).

Presented, Constitutional Guarantees for Equality and Women's Rights

- International Commercial Arbitral Awards: What They Are and What They Are Not, New York University (NYU) School of Law, New York, NY, United States, January 28, 2019 (English).

Presented, International Commercial Arbitration Awards as Possessions in European Court of Human Rights Case Law

V. Public activities

– Chair, Constitutional Law Department, University of Istanbul, Faculty of Law, Istanbul, Turkey, 2017 – Present

– Member of the Board of Directors, University of Istanbul, Faculty of Law, Istanbul, Turkey, 2013 – Present

– Member, Constitutional Law Department, University of Istanbul, Faculty of Law, Istanbul, Turkey, 2006 – Present

VI. Other activities

– Founding Member of the Board of Directors, Harvard Law School Association of Turkey, Istanbul, Turkey, 2015 – Present

– Member of the Board of Directors, Harvard Club of Turkey, Istanbul, Turkey, 2013 – Present

– Member of the Istanbul Bar Association, Istanbul, Turkey, July 2004 – Present

– Annales de la Faculté de Droit d'Istanbul, Member of the Publication Board, University of Istanbul, Faculty of Law, Istanbul, Turkey, 2006 – 2014

Review, edit, and referee law articles presented to the publication board;

Review, edit, and referee law articles written in English.

– Istanbul Law Review, Member of the Publication Board, University of Istanbul, Faculty of Law, Istanbul, Turkey, 2007

Review, edit, and referee law articles presented to the publication board

VII. Publications and other works

Books

– *Free Exercise of Religion in the Context of Constitutional Judiciary*, Istanbul, Alfa, 2015 (Turkish);

– *Intelligence Surveillance of Electronic and Wire Communications within the Context of the Right to Privacy*, Istanbul, Beta, 2012 (Turkish);

– *Free Movement of Workers in the EU and the Status of Turkish Workers in the EU*, Istanbul, Arıkan, 2007 (Turkish).

Book Chapters

– "Intelligence Surveillance of Wire Communications in the Context of Constitutional Law and Comparative Case Studies" published in *New Approaches and Challenges in Constitutional Law Issues: Theory and Practice*, Ed. Prof. Dr. Bertil Emrah Oder, XII Levha, 2013, p. 247-300 (Turkish);

– Translated into Turkish, "European Convention on the Suppression of Terrorism, CETS No. 196," published in *Comparative Criminal Law Series* (8), Ankara, 2008;

– Translated into Turkish, "Council Framework Decision 2002/475/JHA of 13 June 2002 on Combating Terrorism OJ L 164," published in *Comparative Criminal Law* Series (8)", Ankara, 2008.

Articles

– *Checks and Balances Under the Recent Constitutional Amendments in Turkey,* Anniversary Volume, University of Istanbul, Faculty of Law, 2019, (Forthcoming), (Turkish);

– *An Analysis of the Turkish Constitutional Court's Decision on Religious Marriage*, https://anayasatakip.ku.edu.tr/wp-content/uploads/sites/34/2017/08/Saadet-Yu%CC%88ksel-Anayasa-Mahkemesinin-Dini-Nikah-Karar%C4%B1na-Dair-Bir-Analiz.pdf, Oct. 25, 2017 (Turkish);

– *An Analysis of the Turkish Constitutional Court's Decision on Religious Marriage*, http://www.islamopediaonline.org/sites/default/files/syuksel-religious_marriage-final_2.pdf, Oct.16, 2015 (English);

– *Constitutional Debate on Political Regime Change: Institutional Mechanisms of Presidentialism and Parliamentarism*, Istanbul Law Review, Vol. LXXIV, No. 2, 2015 (Turkish);

– *The Clash Between Free Exercise of Religion and Secularism within the Turkish Legal System*, Public and Private International Law Bulletin of Istanbul University, Vol. 33, No. 2, 2013 (English);

– *Intelligence Surveillance of Wire Communications under Turkish Law*, Istanbul Law Review, Vol. LXXI, No. 1, 2013 (English);

– *A Comparative Approach on New Turkish Constitutionalism*, Annales de la Faculté de Droit d'Istanbul, Annales de la Faculté de Droit d'Istanbul, Vol. 44, No. 61, Istanbul, 2012 (English);

– Independence of Judges in Turkish Constitutional Law, Istanbul Law Review, Vol. LXX, No. 2, 2012 (Turkish);

– *Turkey's Procedural Challenges to Making a New Constitution*, Annales de la Faculté de Droit d'Istanbul, Vol. 41, No. 58, Istanbul, 2009 (English);

– Translated into Turkish the foreword of Francesca Bignami and Sabino Cassese's "*Law and Contemporary Problems, The Administrative Law of the European Union*", Istanbul Law Review, Vol. LXVI, No. 1, 2008;

– *Constitutional Arrangements of Turkey in 2001 under the Framework of EU Adaptation Process*, Annales de la Faculté de Droit d'Istanbul, University of Istanbul, Faculty of Law, Vol. 39, No. 56, Istanbul, 2007 (English);

– *Childhood Victimization Law in Turkey: Challenges and Some Solutions from EU Law*, Law and Justice Review, No. 9, Istanbul, 2007 (Turkish);

– *The EU Constitution and Its Challenges*, Anniversary Volume, University of Istanbul, Faculty of Law, 2006 (Turkish).

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. I intend to follow intensive French classes prior to and during my term of duty if elected as judge to the Court.

X. I confirm that I will take up permanent residence in Strasbourg if elected a judge on the Court.