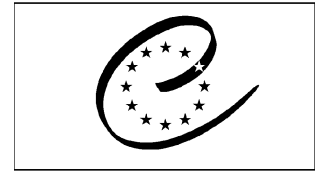


Ministers' Deputies

CM Documents

CM(2007)70 8 June 2007¹



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Committee of Ministers
Comité des Ministres

998 Meeting, 13 June 2007

4 Human Rights

4.1 European Court of Human Rights - Election of judges – List of candidatures in respect of Turkey

¹ This document has been classified restricted at the date of issue. It was declassified at the 998th meeting of the Ministers' Deputies (13 June 2007) (see CM/Del/Dec(2007)998/4.1).

*Permanent Representation
of Turkey
to the Council of Europe*

The Ambassador

Strasbourg, 20 March 2007

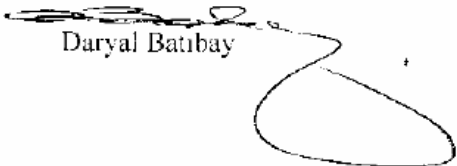
Dear Mr. Secretary General,

With reference to your letter of 21 December 2006 initiating the procedure for the election of 20 judges to replace those whose term of office will expire by the end of October 2007, should protocol No. 14 does not enter into force, I hereby inform you of the Turkish candidates in the alphabetical order:

- | | |
|---------------------------|---|
| Prof. Dr. Mustafa Erdoğan | Professor of Constitutional Law
Hacettepe University
Department of Politics and
Public Administration |
| Prof. Dr. Ruşen Ergeç | Professor of International and European
Protection of Human Rights and
Constitutional Law
University of Brussels |
| Prof. Dr. Arzu Oğuz | Professor of Law
Ankara University
Department of Comparative Law at the
Faculty of Law |

The Curricula Vitae of the candidates are enclosed herewith.

Yours sincerely,


Daryal Batibay

Mr Terry Davis
Secretary General of the Council of Europe
Strasbourg

CURRICULUM VITAE
Mustafa ERDOĞAN

I. Personal Details

Name, forename: Mustafa Erdoğan, Prof. Dr.
Sex: Male
Date and place of birth: January 1, 1956, Trabzon, Republic of Turkey

II. Education and academic and other qualifications

Education

- B.A., Law, Ankara University, 1981
- M.A. in EEC Law, 1982 (Ankara University, Turkey).
- Ph. D. in Public Law, 1988 (Ankara University, Turkey).

Academic positions

- Professor of Constitutional Law, Hacettepe University, 1997-
- Associate Professor of Constitutional Law, 1991-1997, Hacettepe University,
- Ass. Professor, Dr. in Public Law, February 1991- October 1991, Hacettepe University.
- Ass. Professor, Dr., in Political and Social Theory, 1988-1991, Ankara University.
- Research Assistant in Political and Social Theory, 1985-1988, Ankara University.
- Administrative Judge, Ministry of Justice, 1983-1985.

Academic work in the USA

- International Forum for Democratic Studies, National Endowment for Democracy, Washington, DC/USA, , democracy fellow, March 1-July 31, 2003.
- George Mason University, Va/USA, Department of Public and International Affairs, visiting Fulbright scholar for research, Sep. 1997- May 1998.

III. Relevant professional activities

a. Judicial activities:

Administrative judge, 1983-1985.

b. Non-judicial legal activities

Professor of Constitutional Law, Department of Politics and Public Administration, Hacettepe University, 1997-present.

IV. Articles and experience in the field of human rights

Articles

“Anayasa Mahkemeleri Önemli Midir? Orta Avrupa’da Anayasa Yargısı ve Demokrasinin Pekişmesi” (Do Constitutional Courts Matter? Constitutional Review and Democratic Consolidation in Central Europe), *Ankara Üniversitesi Hukuk Fakültesi Dergisi*, 54/3 (2005), pp. 1-22.

“Religious Freedom in the Turkish Constitution”, *The Muslim World*, Nos. 3-4 (July 1999), pp. 377-88.

“Sivil Özgürlük Olarak Din ve Vicdan Özgürlüğü” (Freedom of Religion and Conscience as a Civil Liberty), in *Anayasa ve Özgürlük* (Ankara: Yetkin Yayınevi, 2003), pp. 139-151.

“İnsan Haklarına Kavramsal Bir Yaklaşım” (A Conceptual Analysis of Human Rights), *Liberal Düşünce*, n. 12 (1998), pp. 7-16.

“Özgürlük, Adalet, Refah” (Freedom, Justice, and Welfare), in A. Güriz (ed.), *Adalet Kavramı* (Ankara: Türkiye Felsefe Kurumu, 1994), pp. 115-130.

“İnsan Hakları Öğretisine Giriş” (An Introduction to the Doctrine of Human Rights), *Journal of the Faculty of Economics and Administrative Sciences, Hacettepe University*, V. 11 (1993), pp. 25-40.

Other

- (1) In 2006 I have authored the greater –theoretical- part of a guide on human rights, published and distributed by the Presidency of Human Rights, under the Office of Primeminister.
- (2) On the invitation from Presidency of Human Rights I have given several lectures on freedom of speech during recent years.
- (3) I have contributed to a project on promoting freedom of speech in Turkey which was conducted by Association for Liberal Thinking under sponsorship of the European Commission in 2002-2004.
- (4) With L. Korkut I have translated Jack Donnelly’s *Universal Human Rights in Theory and Practice* into Turkish which has been published by Turkish Democracy Foundation in 1995.

V. Public activities

No official post held other than academic position as law professor.

VI. Other Activities

- (1) Currently I am a member of Liberal Düşünce Topluluğu (Association for Liberal Thought).
- (2) Currently I am a current member of Türk Siyasî İlimler Derneği (Turkish Association of Political Science)
- (3) I have been the chief editor of *Liberal Düşünce* (Liberal Thought), a quarterly journal since 1996).
- (4) I have been writing columns for *Star Gazetesi* (a daily newspaper) twice a week since August 2006.
- (5) As member of editorial boards and as referee I have been contributing to a number of academic and semi-academic journals.

VII. Publications and other works

I have more than 10 books (all in Turkish) and many articles (most in Turkish).

Books

Constitutional Law (Ankara: Orion, 5th ed. 2007).
Enlightenment, Modernism, and Liberalism (Ankara: Orion, 2006).
Constitutional Democracy (Ankara: Siyasal Kitabevi, 7th ed. 2005).
Constitutions and Politics in Modern Turkey (Ankara: Liberte, 4th ed. 2003).
Constitution and Liberty (Ankara: Yetkin Yayınevi, 2002).
Democracy, Secularism and the State Ideology (Ankara: Siyasal Kitabevi, 2nd. ed. 2000).

Articles (other than cited above):

“Ahlâkî Çoğulculuk” (Ethical Pluralism), in A. Cevizci (ed.), *Felsefe Ansiklopedisi*, (Encyclopedia of Philosophy) V. 3 (2005), pp. 696-701.
“Küreselleşme, Hukuk ve Türkiye” (Globalization, Law and Turkey”, *Liberal Düşünce*, n. 25-26 (2002), pp. 53-65.
“Avrupa Birliği Anayasalarında Devletin Temel Nitelikleri” (Basic Tenets of State in the Constitutions of European Union Countries), *Liberal Düşünce*, n. (2001), n. 23, pp. 29-35.
“Islam in Turkish Politics: Turkey’s Quest for Democracy without Islam”, *Critique: Journal for Critical Studies of the Middle East*, No. 15 (Fall 1999), pp. 26-49.
“Cultural Diversity, Institutional Rivalry, and Democracy”, *Journal of the Faculty of Economics and Administrative Sciences, Hacettepe University*, V. 15 (1997), pp. 153-165.

VIII. Languages

Language	Reading	Writing	Speaking
First language: Turkish	VG	VG	VG
Official languages: English	VG	G	G

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

CURRICULUM VITAE
Rusen ERGEÇ

I. Personal details

Name : Ergeç
Forename : Rusen
Sex : male
Date and place of birth: 3 January 1952, Istanbul

II. Education and academic and other qualifications

-1969: graduated from American International High School (Mons, Casteau, Belgium);
-1974-1975: Licentiate in political sciences and international relations (University of Brussels);
-1975-1977: master degree in international law (University of Brussels);
-1977-1981: Licentiate in law (University of Brussels) { René Marc Award};
-1985: PhD (University of Brussels) { Alice Segerhs Award}

III. Relevant professional activities

a) *Judicial activities:* none

b) *Non judicial legal activities :*

-Professor ("professeur ordinaire") of International and European protection of Human Rights and Constitutional Law at the University of Brussels ("Université libre de Bruxelles") (1995-....)

-Professor of Public International Law at the Royal Military School of Belgium (2006-...)

-Member of the Brussels Bar (1991-...): practicing public law, human rights and international law.

-1985-1986, parliamentary legal advisor at the Belgian

Senate

-Member of the scientific committee of Revue trimestrielle des droits de l'homme (Brussels), Journal de droit européen (Brussels- 1995-2002), Revue belge de droit constitutionnel (Brussels).

-Co-founder and Editor in chief of the Belgian French-Dutch periodical Chroniques de droit public – Publiekrechtelijke Kronieken (1995-2003).

-Member of the board of the "Chroniques de droit public - Publiekrechtelijke Kronieken (2003-)

-Member of the « Société française de droit international » (French Society of International Law) (2000-...)

c) *Non-legal professional activities :* none

IV. Activities and experience in the field of Human Rights

a) *At theoretical level*

- Since 1981 actively involved in teaching and research relating to Human Rights, especially the European Convention on Human Rights at the University of Brussels (Law faculty).

- Courses and lectures on the European Convention on human Rights at the Collegio de Mexico (1994), the Athens Pandeion University (1993), the Law Department of Duke University (summer training course of 1989), and the Académie royale de Belgique (1999).

b) *Practice level*

Handling of numerous cases relating to Human Rights before the European Commission of Human Rights, European Court of Human Rights, Belgian Constitutional Court, Belgian Supreme Administrative Court, and before the International Court of Justice in the Hague (1 case) and United Nations Human Rights Committee (1 case)

c) *Other activities relating to Human Rights*

- Arbitrator appointed by Belgium with respect to the human dimension of the Organization for Security and Co-operation in Europe (OSCE) (1993-2000).
- Vice-President of the Institut des droits de l'homme at the Brussels Bar {Brussels Bar's Institute of Human Rights} (1994-2000).
- Expert of the European Council with respect to human rights (1992- 1998; various missions to Eastern Europe Countries).
- Expert on various occasions of the Belgian Ministry of Justice with respect to human rights (1988-...).
- Member of the Groupe d'études politiques européennes (Brussels) (1990-...).

V. Public Activities

- a. *Public office:* none
- b. *Elected posts:* none
- c. *Posts held in a political party or movement:* none

VI. Other activities

- a. *Field:* none
- b. *Duration:* none
- c. *Functions:* none

For my current activities (see above)

VII. Publications and other Works

- Les droits de l'homme à l'épreuve des circonstances exceptionnelles. Etude sur l'article 15 de la Convention européenne des droits de l'homme, Brussels, Bruylant, 1987, 427 p. { « *Human Rights under Exceptional Circumstances. Study on Article 15 of the European Convention on Human Rights* »};
- Regards sur la Constitution turque de 1982, Editions of the University of Ankara, 1988, 86 p. { « *Commentary of the 1982 Turkish Constitution* »};
- La compétence extra-territoriale à la lumière du contentieux sur le gazoduc euro-sibérien, Brussels, Editions de l'Université, Bruylant, 1984, 115 p. { « *Extraterritorial Jurisdiction in the Light of the dispute on Euro-siberian pipe-line* »};
- Convention européenne des droits de l'homme { « *European Convention on Human Rights* »}, (together with J. Baron Velu, Chief Advocate General at the Belgian Supreme Court and professor at the University of Brussels), Brussels, Bruylant, 1990, 1185 p. (new impression in 1995);
- Introduction au droit public { « *Introduction to Public Law* »}, volume I: Le système institutionnel { « *Institutional System* »}, Brussels, Kluwer - Story Scientia, 1994, 2d edition 300 p.; volume II, Les droits et libertés { « *Rights and Liberties* »}, 2003, (2^d edition), 235 p.
- Acting as editor: Les droits économiques, sociaux et culturels dans la Constitution { « *Economic, social and Cultural Rights in the Constitution* »}, Brussels, Bruylant, 1995, 320 p. ;
- Together with Els Witte, André Alen et Hugues Dumont, Bruxelles et son statut – Het Statut van Brussel, Brussels, { « *Brussels and its Statute* »}, De Boeck & Larcier, 817 p. ;
- Protection européenne et internationale des droits de l'homme, Brussels, Bruylant, 2006, 2d edition, 271 p. { « *European and International Protection of Human Rights* »}.

More than 100 articles and notes in French and English on matters of public and administrative law, as well as private and public international law.

VIII. Languages

Languages	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language:									
Turkish	X			X			X		
b. Official languages:									
English	X			X			X		
French	X			X			X		
c. Other languages:									
Dutch	X				X			X	
German	X				X			X	
Italian	X				X			X	

IX. Other relevant information

None.

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

CURRICULM VITAE
OĞUZ Arzu

I. Personal details

Name and forename: Arzu OĞUZ
 Sex: Female
 Date and Place of the Birth: 03.08.1963, Merzifon/Turkey
 Nationality: Turkish
 Contact Information: Ankara University Faculty of Law
 Cebeci/ANKARA/TURKEY
 Tel: +90 312 363 40 50 / 2232
 Fax: + 90 312 363 77 19
 Mobile: + 90 533 331 03 80
 e.mail: aoguz@law.ankara.edu.tr

II. Education and academic and other qualifications

1997 PhD in Private Law, University of Ludwig–Maximilians Munich/Germany
 Dissertation on “Probleme der Simulation in rechtshistorischer und rechtsvergleichender Sicht” (The Problems of Simulation from the View Point of History of Law and Comparative Law)

1989 LLM in Private Law, Ankara University, Faculty of Law
 Dissertation on “Culpa Liability in Roman and Contemporary Turkish Law”.

1986 Law, Ankara University, Faculty of Law

Academic credentials

2005- Professor of Law, Department of Comparative Law , Ankara University, Faculty of Law
 1999 Associate Professor, Department of Roman Law, Ankara University, Faculty of Law
 1997 Doctor Assistant, Department of Roman Law, Ankara University, Faculty of Law
 1988 Research Assistant, Department of Roman Law, Ankara University, Faculty of Law

Work experience

2005- PRESENT
 Head of Department of Comparative Law at Faculty of Law
 2000- PRESENT
 Director of Research Center on Intellectual and Industrial Property (FISAUM) at University of Ankara
 2000-PRESENT
 Member of the Board of Directors for the Ankara University Student Houses
 2004-2005
 Representative of the Faculty of Law of the Ankara University for the Erasmus Program
 2000-2003
 Member of the Faculty Board of University of Ankara, Faculty of Law

III. RELEVANT PROFESSIONAL ACTIVITIES

- October 2006 Speaker on Turkish Trademark in Congress of Association of Deutsch-Türkisch-Juristenvereinigung e.V. Augsburg, Germany.
- June 2006 Speaker on Turkish Intellectual Property Rights in Forschungszentrum Rossendorf, Dresden
- June 2006 Research on Comparative Law in Albert-Ludwigs-Universität in Freiburg, Germany
- July 2006 Participant on XVII. International Congress of Comparative Law in Utrecht, Netherlands
- Summer 2005 Research on Lex Mercatoria (International Commercial Law), Pace University, New York, USA

- July 2004 Speaker in the Seminar on “Traditionen im Umbruch – Die Reformen im türkischen Familienrecht”
Eberhard Karls University of Tübingen/Germany
- Three weeks in June and July 2003, Participant in the International Visitor Program on Intellectual Property
Academy for Educational Development, USA
- September 2000 Speaker in the Congress of Roman Law (SIHDA) about “The Legal, Social and Political Life of Women in Antiquity” on “Zur gemischten Schenkung, insbesondere unter Ehegatten”.
- July-August 1998 / August 1999 / July-August 2002
Research on Status of Aliens and Comparative Law
Max Planck Institute, Hamburg, Germany
- July-August 2000 / January 2000 / July –August 2001 Research on Roman Law
Leopold-Wenger-Institute, Munich, Germany

IV. Other activities

Member of Board, Germany Universities’ Turkish Graduate Association
Member of Association of Deutsch-Türkisch-Juristenvereinigung e.V.

V. Publications and other works

Articles

- Conflict of Laws in Cross-Border Environmental Pollution, Turkish Bar Union Review, 1991, p.23-46.
- Zur Behandlung von Formmängeln bei der Grundstücksveräußerung nach türkischem Recht, Rechtspflegerstudienhefte 1, 2000, s.1-7.
- Zur gemischten Schenkung, insbesondere unter Ehegatten, Annales de la Faculté de Droit D’Istanbul since 1951, İstanbul 2004, Vol. XXXVI, No.: 53, p.493-500.
- Die Entwicklung des Zivilgesetzbuches in der Türkei (Vom islamischen zum modernen Recht in der Türkei), JURA, Heft 6/ 2005, s.384-387.
- Das reformierte türkische Scheidungsrecht - Prinzipien, Scheidungsgründe und Scheidungsfolgen - (mit Ausnahme des nachehelichen Unterhalts), Zeitschrift für das gesamte Familienrecht, J. 2005/10, s.766-774.
- The Role of Comparative Law in Development of Turkish Civil Law, Pace International Law Review, 2005, Vol.XVII, No. II, p.373-386.

Books

- Probleme der Simulation in rechtshistorischer und rechtsvergleichender Sicht (The Problems of Simulation From the View Point of History of Law and Comparative Law), Ankara 1998 (PhD Dissertation).
- Comparative Law, Concept, Aim and Functions, Method, History, The Legal Families of the World, Ankara 2003.

VI. Languages

Languages	Reading			Writing			Speaking		
	VG	G	F	VG	G	F	VG	G	F
a. First language:									
Turkish	X			X			X		
b. Official languages:									
English		X			X			X	
French									
c. Other languages:									
German	X			X			X		
Latin		X							

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