

**1. Name and Surname : Fazıl SAĞLAM**

**2. Date of Birth : 23.02.1940**

**3. Title : Prof. Dr.**

**4. Education Status :**

<b>Degree</b>	<b>Field</b>	<b>University</b>	<b>Years</b>
<b>Undergraduate</b>	<b>Law</b>	<b>Istanbul University</b>	<b>1965</b>
<b>Postgraduate</b>			
<b>Doctorate</b>	<b>Law</b>	<b>University of Cologne</b>	<b>1971</b>

#### **5. Academic Titles**

<b>Title</b>	<b>Field</b>	<b>University</b>	<b>Years</b>
<b>Dr. Asst.</b>	<b>Constitutional Law</b>	<b>Ankara University</b>	<b>1973</b>
<b>Assoc. Prof.</b>	<b>Constitutional Law</b>	<b>Ankara University</b>	<b>1980</b>
<b>Prof.</b>	<b>Constitutional Law</b>	<b>Yıldız Technical University</b>	<b>1999</b>
<b>Prof.</b>	<b>Constitutional Law</b>	<b>Maltepe University</b>	<b>2008-2009</b>
<b>Prof.</b>	<b>Constitutional Law</b>	<b>Yakındopu University</b>	<b>2010-2013</b>

#### **6. Postgraduate and Doctorate Thesis**

##### **6.1. Postgraduate Thesis**

##### **6.2. Doctorate Thesis**

Der normative Teildes Tarifvertrages im türkischen Arbeitsrecht

## **7. Publications**

### **7.1. Articles Published in International Refereed Journals:**

**7.1.1.** "Bestand und Bedeutung der Grundrechte im Bildungsbereich in der Türkei" ("Presence and Importance of Fundamental Rights and Freedoms in Education in Turkey "): Europaeische Grundrechtezeitschrift 8. Jg. Heft 20-24, 31 December 1981.).

**7.1.2.** "Der Einfluss der Lehre von Friedrich Müler auf das türkische Verfassungsrecht" in: Rechtstheorie in rechtspraktischer Absicht, Freundesgabe zum 70 Geburtstag von Friedrich Müler (Hrg von Ralph Chistensen und Bodo Pieroth) Duncker & Humblot – Berlin 2008, s. 217 – 233.

**7.1.3.** "Die Probleme der Verfassungsgerichtsbarkeit aus türkischer und deutscher Perspektive": Digesta Turcica, Journal of the Union of Turkish Bar Associations 3, Ankara 2008, s. 114 – 127. (The Problems of the Constitutional Judiciary in Terms of Turkish German Laws ": A Gift to Erdoğan Teziç, Galatasaray University Publications Gift Series No: 5 Istanbul 2007, p. 138-115)

### **7.2. Papers Presented at International Scientific Meetings and Published in The Proceedings:**

**7.2.1.** "Die Auswirkungen der Verfassungsgerichtsbarkeit auf die Entwicklung des öffentlichen Rechts und der politischen Ordnung" (The Effect of Constitutional Judiciary on the Development of Public Law and Political Order): Neue Entwicklungen im Öffentlichen Recht, Stuttgart:Kohlhammer, 1979, s.159 - 168.

**7.2.2.** "Some Misconceptions Concepts in Human Rights and Democracy in Turkey": International Conference on the Constitution, TBA Publication, Ankara 2001, p. 243-250.

**7.2.3** "Bellicose Democracy: European Space and Turkey": Human Rights and Security - Human Rights and Security - Droits de l'homme et Securite, TBA Human Rights Research and Application Center Publication 1, Ankara 2002, p. 61-74.

**7.2.4.** "Die Institution der politischen Parteien in der Türkei in verfassungsrechtlicher Sicht": TSATSOS Th. Dimitris (Hrsg.), 30.Jahre Parteiengesetz in Deutschland - Parteiinstitution im internationalen Vergleich - Ertraege des 10. Internationalen Parteienrechtlichen Symposium in Hagen 1997, Nomos Verlagsgesellschaft Baden Baden 2002.

**7.2.5** 2001 Constitutional Amendment and TBA Constitution Proposal, Constitutional Reforms and European Constitution, TBA Human Rights Research and Application Center Publication, No: 2, Ankara 2002, p. (Paper presented to the international meeting organized jointly by the Human Rights Executive Board of the TBA and European Public Law Center (EPLC) on 1 June 2002).

**7.2.6** "Rising Star in the Democratic Constitutional State": Democracy and Judiciary, TBA Publication, Ed. Dr. Ozan Ergül, Ankara 2005, p.117-134.

**7.2.7** "Die Türkei auf dem Weg nach Rechtsstaat - Stand und Umsetzung der Reformen": Bitburger Gespräche Jahrbuch 2005 / II, Verlag C.H.Beck München 2006, p. 179 - 198 ( "Turkey Towards Constitutional State - Point - implementation of reforms": A Gift to Bülent Tanör, Oğlak Publications Istanbul 2006, p. 241 - 270)

### **7.3. International Books and Book Chapters:**

**7.3.1.** Der normative Teil des Tarifvertrages im türkischen Arbeitsrecht, Dissertation: Köln 1971. (Normative Part of Collective Bargaining Agreement in Turkish Labor Law, Doctorate Thesis: Köln 1971.)

**7.3.2.** "Koalitionfreiheit nach türkischer Verfassung": Gegenwartprobleme der Koalitionfreiheit (Hrsg. Economy -REHBINDER" Bern 1979, s.26 - 37. ("Union Freedom According to Turkish Constitution ").

**7.3.3** "Probleme der Interpretation der türkischen Verfassung": Deutsch-Türkisches Forum für Staatsrechtslehre I (Hrsg. Depenheuer-Dogan-Can), LIT Verlag Münster 2004, s. 31-38.

**7.3.4** "Religionsfreiheit und Laizismus nach den Entscheidungen des türkischen Verfassungsgerichts im Vergleich mit der Rechtsprechung des Europäischen Gerichtshofes für Menschenrechte": Zwischen Saekularitaet und Laizismus, (Hrsg. Depenheuer-Dogan-Can), LIT Verlag Münster 2005, s.95 – 101.

**7.3.5** "Die Diskussion über die Einführung der Verfassungsbeschwerde in der Türkei" : Auf dem Weg zu gemeinsamen europaischen Grundrechtsstandards (Hg. Depenheuer – Dogan - Can), LIT Verlag Münster 2007, s. 33 – 45).

**7.3.6.** Constitutional Law Lecture Notes, Near East University Faculty of Law Publication, Nicosia 2013.

7.3.7. TRNC Constitutional Law Courses, Near East University Faculty of Law Publication, Nicosia 2016.

#### **7.4. Articles Published İn National (Peer-Reviewed) Journals:**

**7.4.1.** "Some Problems of Peace Debt in terms of Collective Bargaining Agreement and Constitutional Interpretation of subclause 10 of article 20 of Law No. 275": SBFD XXVII / 1-2, p.73-84.

**7.4.2.** " Collective Bargaining Agreement and its Limits in Turkish Law ": SBFD XXIX / 1-2, p.205 - 218.

**7.4.3.** " Confidential Voice Records in terms of Turkish and German Constitutional Laws ": SBFD XXX / 1-4, p.107- 116.

**7.4.4.** "General framework of the fundamental rights and freedoms under the 1982 Constitution": TÜRKISH YEARBOOK OF HUMAN RIGHTS, Vol. 14, 1992.

**7.4.5** Legal Analysis of the Controversy on the 2007 Presidential Election ”: Maltepe University Journal of Law 2007-2 (A Gift to Aydın Aybay), Maltepe University Publication Istanbul 2007, p. 227-254.

**7.4.6.** “State of Law and Terror”: A Gift to Dr. Yavuz Sabuncu, AÜSBFD Volume 62 July-September 2007 No: 3, p. 291 - 317.

**7.4.7.** “Social State Principle and Depersonalization”: A Gift to Devrim Ulucan, Legal 2008, p. 753 - 771.

**7.4.8.** "Constitutional Complaint - Meanin, Scope and possible issues in practice of Turkey ": Ece GÖZTEPE - Aykut ÇELEBİ, the Democratic Constitution Views and Recommendations, Metis Publications, Istanbul 2012, p. 419 - 465.

**7.4.9.** “*The Right to Request Union Compensation in the event of a layoff of a worker who is not under the scope of job security due to union membership*” with Polat SOYER): Journal of Labor Law and Social Security Law, Volume: 10, Number: 39, Legal Publications Istanbul 2013, p. 3 - 24).

**7.4.10.** "Perspective on Constitutional Law and Some Problems of Labor Law”: Academic Forum of Labor Law and Social Security Law, Legal Publications Law Books Series: 285, Istanbul July 2014, p. 9 - 27, General Discussion Section: p. 28 - 61, answer section: p. 61 - 74.

**7.4.11.** "Right and Freedom of Meetings and Demonstrations ”: Gezi Resistance and Human Rights, TBA Publication, Ankara November 2014, p. 16-24.

**7.4.12.** *“Constitutional Court Decisions Go Back”*: A Gift to Yıldırım Uler, NEU Faculty of Law Publication, Nicosia 2014, p. 443 - 454.

**7.4.13.** *"New Developments Regarding the Legal Status of International Treaties on Fundamental Rights and Freedoms - Thoughts on Two Decisions of the Constitutional Court"*: A Gift to Rona AYBAY, Legal Law Journal Special Issue - December 2014, Volume 2, p.1959 - 1993.

**7.4.14.** *“The Rising Problems Emerged with the amendments in the Constitution of the Turkish Republic of Northern Cyprus”*: A Gift to Prof. Dr. Hüseyin Pazarcı, A.U.P.S.F. Publications, Publication No: 614, Ankara 2015, s.407 – 499.

**7.4.15.** *“Is the Constitutional Court a Guardianship Institution? - Is the country manageable without Constitutional Court? ”*: Turkey's Constitutional Agenda, 27 experts, 66 question and answer, İletişim Publications, Istanbul, 2016.

**7.4.16.** *"Recent Developments in Judicial Independence in Turkey"*: A Gift to Av. Teoman Ergül, TBA Publication, Ankara January 2017, p. 373-444.

**7.4.17.** *"Some Notes on the Initiative for Amendment of the Constitution ”*: Law Books Issue 5 - January / February 2017, p. 24-28.

**7.4.18.** *“The Position of the Council of Judges and Prosecutors in the Constitutional Amendments”* Güncel Law, March 2017/3, p. 42-44.

**7.4.19.** *"KHP V. Meeting Opening Statement: KHP Constitutional Court on the individual application - Comparison of Practice of Turkey in terms of Germany and Strasbourg Axis”*, Prepared for Publication by Ece GÖZTEPE - Mustafa Mert ALPBAZ, On İki Levha Publication, April 2018, p. 6-15.

**7.4.20.** *“Secularism, Headscarf, Attorney and Judge”*: A Gift to Dr. Victory Gören, Yetkin Publications Ankara 2017, p. 155 -188.

**7.4.21.** *"Thoughts on the Decision of the 16th Criminal Chamber of the Supreme Court of Appeals regarding Enis Berberoğlu dated 19.07.2018 and numbered 2018 / 2088, decision numbered: 2018/10 ”*(Published in Cumhuriyet im 08.08.2018)

**7.4.22.** *"Outlook of the State Powers after the State of Emergency Decree-Law Regime and the 2017 Constitutional Amendment ”*: Journal of Constitutional Law, Volume 7 / Issue 13 Years 2018.

**7.4.23.** *"An Essay on the Rules of All Rights and Freedoms in the Universal Declaration of Human Rights”* Marmara University Faculty of Law Journal of Law Research Special Edition“ (A gift to Dr. Ferit Hakan Baykal)

**7.4.24.** *"An Essay with the Constitutional Law Perspective on the concept of red-handed crime requiring heavy punishment”*: Journal of Constitutional Law - Volume: 8 / Issue: 15 / Year: 2019, p. 223-258.

**7.4.25.** *"Significant constitutional problems in the decisions of TRNC Constitutional Court between the years of 2016-2018 - with Turkey A Comparative Study with Turkey."* (with Sila

Tatlıdil): Kadir Has University Faculty of Law Journal, Volume 7, Number 1 / June 2019 , p. 47-76.

## **7.5. Papers Presented at National Scientific Meetings and Published in Proceedings:**

**7.5.1.** *"The Limits of the Decree-Law Authorization, Problems that may arise from the widespread application"*: Constitutional Judiciary, Constitutional Court Publications: 4, Ankara 1984, p.262-271.

**7.5.2.** *"Inequality between men and women in terms of adultery crime and the Constitutional Court Decisions on this issue: the indispensable essence of the Turkish Civil Code - The Old Word"*, Istanbul Bar Association Publication, Istanbul 1996, p.31-32.

**7.5.3.** *"Notes on Some Decisions Concerning Responsibility in Administrative Judiciary"*: Liability and Compensation on Lack of Support and Bodily Injury, Galatasaray University Publication, Istanbul 1996, p.66-71.

**7.5.4.** *"The Relationship of the Constitutional Court with Legislation-Execution and Judiciary in the Context of Authority and Function"*: Constitutional Judgment: 13, Constitutional Court Publications No: 32, Ankara 1996, p.43-60.

**7.5.5.** *"Current Problems of Political Party Institution in Terms of Constitutional Law"*: "Constitutional Judiciary", Issue 14, Ankara 1997, p.367-383.

**7.5.6** *"Impacts of European Court of Human Rights Decision Regarding Closed Party in Turkey on the Law of Parties"*: Judicial: 16, Ankara 1999, p.189-203.

**7.5.7** *"Right of Organization of Public Officials, Borders and Problems in Turkish Law"*: Unionization In Turkey, Its International Basis, Implementation and Problems, Galatasaray University Publication, 2000, p.111-128.

**7.5.8** *"Necessery Amendments in the Law on Political Parties to Ensure Compliance with International Standards"*: Constitutional Jurisdiction 17, Cons. Court Publication, Ankara 2000, p.233-254.

**7.5.9** *"Protection of Democracies Against Threatening Powers"*: Publication of ÇYDD with the same title, Otopsy Publications, Istanbul 2000, p.71-85.

**7.5.10** *"Some Problems that the Constitutional Amendment of 2001 Could Create and Their Possible Solutions"*, Constitutional Judiciary, Issue 19 Ankara 2002, p. 288 et.

**7.5.11** *"Current Perspectives on Constitutional Problems"*: Constitutional and Compliance Laws, TBA Publications: 50, Ankara 2003, p. 49 et

**7.5.12** Contribution to the panel titled *"Constitutional Complaint Model for Turkey"* Judicial Review, Issue 21, Ankara 2004, p.264-269.

**7.5.13** *"Hazards in the Constitutional Development Process"*: 75 Years Gift to Ülkü Azrak , İstanbul 2008, p. 503 - 522.

**7.5.14** *"Social State Principle and Desensitization"*: Main Title: The Complete Democracy Symposium, Sub-Title: The Indispensable Element of the State of Law: Social State ", Ankara 18-19 October 2007, TBA Publication 133, Ankara 2008, p.62 - 74.

## **7.6. Other Publications:**

### **7.6.1 Books:**

**7.6.1.1.** Limitation and Essence of Fundamental Rights, A.Ü.P.S.F Publications: 506 P.S.F Human Rights Center Publications: 4, Ankara 1982.

**7.6.1.2.** Current Problems of Political Parties Law, Beta Publications, İstanbul 1999.

**7.6.1.3** Constitutional Law Courses (with Ozan Erözden), Yıldız Technical University Publication, İstanbul 2006.

**7.6.1.4** Constitutional Law Lecture Notes, Near East University Faculty of Law Publication, Nicosia 2013

### **7.6.2. Joint Publications (Book Chapters): The order of names in joint studies is in alphabetical order and does not imply a degree of contribution;**

**7.6.2.1** *"Participation in Management in Terms of Constitutional and Labor Law"*: 100th Anniversary of Kanun-u Esasi, Ankara 1978, p.467 - 482.

**7.6.2.2** Justified Constitution Proposal, (Prepared by the relevant faculty members of the Faculty of Political Sciences and Law). A.U.P.S.F. Publications: 497, Ankara 1982.

**7.6.2.3** *"Constitutions in Turkey"* (with Mumtaz Soysal): Turkey Encyclopedia of Republican Era, Issue 1-2, İletişim Publications, İstanbul 1983.

**7.6.2.4** *"Thoughts on the State of Law"*: The State of Law and Velidedeoğlu, Çağdaş Publications, İstanbul 1985.

**7.6.2.5.** *"Current Problems of Workers' Rights in terms of Constitutional Law"*: Ö.EYRENCİ-S.TAŞKENT-F.SAĞLAM-D.ULUCAN, Current Problems of Working Life, Istanbul 1987.

**7.6.2.6.** *"Problems of the 1982 Constitution in Terms of Fundamental Rights and Freedoms"*: A GIFT TO BAHRİ SAVCI, Ankara 1988, p.433 - 442.

**7.6.2.7.** *"Protection of Labor Against Termination (Business Assurance) and a Model Proposal for Turkey"*, (with Ö. Eyrenci and S. Taşkent; Coordinated by D. ULUCAN), Turkey Social Economic Political Research Foundation Publications, Istanbul 1989.

**7.6.2.8.** *"Industrial Relations Policy"*, (with D. ULUCAN, Ö. EYRENCİ, T. BERKSOY and M. DEMİRCİOĞLU), Turkey Social Economic Political Research Foundation Publications 1990.

**7.6.2.9.** *"For a New Constitution, (the justified constitution proposal prepared with E.TEZİÇ, S.GÜRAN, Y.YAYLA, K.BAYRAKTAR, D.ULUCAN, B.TANÖR, S.BATUM, N.YÜZBAŞIOĞLU upon the request of TUSİAD)"*: Granted to the Presidency of the Grand National Assembly by Some Institutions and Organizations; Studies and Draft Texts on the Constitutional Amendment of the Political Parties in the Grand National Assembly of Turkey to the Presidency of the Grand National Assembly of Turkey, Presidency of the Grand National Assembly Publications 1993.

**7.6.2.10** *"Human Rights in the Republican Era"*: From Serf to Citizen in 75 years, Turkey Economic and Social History Foundation Publications, Istanbul 1998, p.91-100.

**7.6.2.11** *Human Rights, Section titled "Political Party Freedom"*, Yapı ve Kredi Publications, Istanbul 2000, p.195-215.

**7.6.2.12** *"Proposal Constitution of Turkish Republic"*: CONSTITUTION 2000, (Prepared by Ergun ÖZBUDUN, Fazıl SAĞLAM, Tekin AKILLIOĞLU and Yavuz SABUNCU upon the Request of the Union of Chambers and Commodity Exchanges of Turkey), the Union of Chambers and Commodity Exchanges of Turkey Publications, Ankara, 2000

**7.6.2.13** *Law of Political Parties and Election*, (Prepared by Ergun ÖZBUDUN, Fazıl SAĞLAM, Tekin AKILLIOĞLU and Yavuz SABUNCU upon the Request of the Union of Chambers and Commodity Exchanges of Turkey), The Union of Chambers and Commodity Exchanges of Turkey Publication, Ankara 2000.



**7.6.2.14** *"Proposal Constitution of Turkish Republic"*, prepared by Attila SAV, Fazil SAĞLAM, İbrahim KABOĞLU, İlhan ÖZAY, Necmi YÜZBAŞIOĞLU, Rona AYBAY, Ülkü AZRAK, Yavuz SABUNCU, Yekta GUNGOR OZDEN, Yılmaz ALİEFENDİOĞLU and Zafer ÜSKÜL upon the request of TBA), TBA Publication, Ankara 2001

**7.6.2.15** *"Problems Related to Personnel Working in Government Business Enterprises Included in the Scope of Privatization "* (with Prof. Dr. Devrim ULUCAN) A Gift to Prof. Dr. Nuri Çelik, Volume II, Beta Publications, Istanbul 2001, p.1415-1435.

**7.6.2.16** *"Some Problems of the Constitutional Judiciary"*: A Gift to Bülent Tanör, Legal Publications (Ed. Öget Öktem Tanör), İstanbul 2004, p.524-549.

**7.6.2.17** *"A Cross Section of Bülent Tanör's Struggle Against Injustice"*: A Gift to Bülent TANÖR, (Ed. Öget Öktem Tanör), Legal Publishing, İstanbul 2004, p.940-957.

**7.6.2.18** *"What We Don't Know About the Judiciary "*: Articles on Economics, Politics, State, A Gift to Dr. Kemali Saybaşı (Ed. Burak Ülman - İsmet Akça), Bağlam Publications, İstanbul 2006, p. 395-425.

**7.6.2.19** *"Problems and Possible Solutions related to the acquisition of the Constitutional Complaint Institution into Turkish Law"*: Constitutional Judicial Review (Ed. Mehmet Turan - Hikmet Tülen), Constitutional Court Publication, Ankara 2006, p.69-111.

**7.6.2.20** *"Turkey Toward State of Law - Point - Implementation of Reforms"* A Gift to Prof. Dr. Bülent Tanör (Ed. Mehmet O. Alkan), Oğlak Publications Istanbul 2006, p. 241-270 (Turkish text of the German publication in 7.2.6.)

**7.6.2.21** *"Problems of the Constitutional Judiciary in Terms of Turkish German Laws"*: A Gift to Erdoğan Teziç, Galatasaray University Publications Gift Series No: 5 Istanbul 2007, p. 138-151. (Turkish text of the German publication in 7.1.3.)

**7.6.2.22** *"Turkey Bar Association - Proposal of Constitution of Turkish Republic"*, 4th Edition, TBA Publication, Ankara, 2007 (Joint Work of the Commission; President Rona AYBAY; Members in alphabetical order: Suheyl BATUM, Faruk BİLİR, Ece GÖZTEPE, Korkut KANADOĞLU, Fazil SAĞLAM, Oktay UYGUN; Coordinating Member Av. Teoman ERGÜL)

### **7.6.3. Translations**

**7.6.3.1.** Two Faces of the West (M. DUVERGER), Ankara 1977 (with C. EROĞUL).

**7.6.3.2.** "Employer Programm" (Ferdinand LASALLE): History of Socialist Political Thought (Editor: M. TUNCAY) C. I, Ankara 1976, s.217 -243.

**7.6.3.3.** "Revisionism in Social Democracy" (Eduard BERNSTEIN): History of Socialist Political Thought (Editor: M. TUNCAY), C.I, Ankara 1976, s.369 - 399.

### **7.6.4. Articles in Journals**

**7.6.4.1.** " Depression and a Suggestion ", Cumhuriyet 1.3.1975.

**7.6.4.2.** "Constitution compatible to the Legislation", Cumhuriyet 17.3.1975.

**7.6.4.3.** " Essence of Fundamental Rights and Draft Constitution ": Cumhuriyet 23.08.1982.

**7.6.4.4.** "On the Reality of Democracy", Milliyet 17-18.2.1983.

**7.6.4.5.** "Thoughts on the Amendments to the Law on the Duties and Powers of the Police": Mülkiyeliler Birliği Dergisi, August 1985, Issue:79, s.11-12.

**7.6.4.6.** "Problems about the Fundemantel Rights and Freedoms": Yeni Gündem, Issue:30, 16 September 1985, Attachment: "Demokrasilerde" Issue :9.

**7.6.4.7.** "On the Referandum": Bilim ve Sanat 81, September 1987, s.5.

**7.6.4.8.** "The Laws of September 12th - How Turkish Legal Structure Was Changed?": Cumhuriyet 9.11 - 13.11.1987.

**7.6.4.9.** " Constitutional Amendment or Regime Bargaining?": Milliyet 20 -21 July 1995.

**7.6.4.10.** "Farewell Lesson of BAHRİ SAVCI ": Cumhuriyet: 16 November 1997.

**7.6.4.11.** "May Erbakan be a candidate?": Milliyet, 09.02.1999. **7.6.4.12** "Turkey in the European Framework of Rights": Mülkiye, January-February 2000, Vol.:XXIV, Issue.:220, s.97-108.

**7.6.4.13** "Sharia Party Should Be Closed" Milliyet 29.03.2000

**7.6.4.14** "Constitutional Complaint must become available" Milliyet 18.07.2000.

- 7.6.4.15 “The Problem of Decree Law: Forcing the President is Wrong”: Milliyet 19.08.2000
- 7.6.4.16 “Would despotic voting bring democracy?” Radikal Newspaper, 11.01.2002. (The title in the newspaper: “Despotism brought by Votes”)
- 7.6.4.17 “After Bülent TANÖR”: Radikal Newspaper, 20.12.2002.
- 7.6.4.18 “The Chaos in Siirt Votings”: Cumhuriyet, 26.12.2002.
- 7.6.4.19 The President of the Court of Cassation and the “Civil Division of Labor and Cooperation” Principle, Cumhuriyet, 02 ve 03.10 2005
- 7.6.4.20 Turkish laicism is defined, Cumhuriyet, 19 Eylül 2006
- 7.6.4.21 Opposition to Genocide Claims, Cumhuriyet 19 Ekim 2006
- 7.6.4.22 “Debates on Presidential Election”, Cumhuriyet 26 Ocak 2007
- 7.6.4.23 “A reply to the open Letter of Prof. Dr. Hasan Yazıcı”, Cumhuriyet, Attachment: Bilim Teknoloji, 9 February 2007
- 7.6.4.24 “Democracy, Bullet and Constitutional Court“: Cumhuriyet, 4 May 2007
- 7.6.4.25 “Thoughts on the last Constitutional Amendments”, Cumhuriyet Newspaper, 8 June 2007
- 7.6.4.26 “Turban and Constitution”: Cumhuriyet, 02. 02. 2008
- 7.6.4.27 “The Turban Issue and Mistakes of the President of Higher Education Instution”: Cumhuriyet, 28.02. 2008
- 7.6.4.28 “Constitutional Court and Turban”, Cumhuriyet, 07. 03. 2008
- 7.6.4.29 "Breaking from the Law-bound State I and II" Cumhuriyet, Cumhuriyet, 17 and 18 April 2008
- 7.6.4.30 "Attack to the Constitutional Court I and II ”: Cumhuriyet, 25 and 26 July 2008.
- 7.6.4.31 “Constitutional Court and the Unchangeable Rules of the Constitution”: Cumhuriyet, 17 November 2008.
- 7.6.4.32 "Criticizing the President of the Constitutional Court" Cumhuriyet: Republic 5 January 2009.

#### **7.6.5. Case Studies:**

7.6.5.1. "Arbitration Clause in Collective Bargaining Agreement": İHU, TSGLK 1 (No: 2).

7.6.5.2. "Collective Bargaining Charter": İHU Sen K. 21 (No: 1).

7.6.5.3. "Provision of Collective Bargaining Agreement as a Service Act": İHU 1984 II, TSGLK. 6 (No: 3).

7.6.5.4. "Benefit from Severance Pay in Resignation": İHU 1985 / I, Isk. 14 (No: 44).

## **8. Unpublished Studies:**

### **8.1 Scientific Opinions and Reports on Constitutional Law:**

8.1.1. Evaluation of Article 5 (a) of the Law on Lawyers in terms of the Constitution: (Scientific opinion prepared for submission to the Constitutional Court).

8.1.2. Legal Assessment on the action of workers who do not go to work for one day (scientific opinions submitted to the Confederation of Labor Unions of Turkey)

8.1.3. Scientific opinion on the amendments to be made in the 1982 Constitution, especially with regard to the provisions related to the press (submitted to the Press Council in 1989)

8.1.4. Reflections of the Press Council and the Ministry of Justice on the Constitutional Amendment (Submitted to the Press Council)

8.1.5. Scientific Opinion on the Assessment of Article 9 of the Anti-Terrorism Act in the face of the Provisions of the Constitution (was presented to the Turkish Confederation of Revolutionary Workers' Unions in 1992.)

8.1.6. Scientific Opinion on the Compliance of Social Welfare Increase with the Constitution (Prepared to be submitted to the Constitutional Court at the request of the General Directorate of Social Insurance Institution in 1993)

8.1.7. Scientific Opinion on whether Articles 1 / a, 2 / e and 4 / f of Law No. 3986 on Wage Payers are Unconstitutional (Prepared in 1994 upon the request of Başak Sigorta T.A.Ş.)

8.1.8. The Constitution in terms of Employee Rights (prepared in 1994 at the request of Kristal-İş Union).

8.1.9 A Comparison of the Study, "Proposed Amendment Package for Law on Political Parties No. 2820" by Prof. Dr. Süheyl Batum with TOBB Proposal, presented upon the request of TÜSİAD.

8.1.10. "Scientific Opinion on the Assessment of Draft Law on Big Stores selling Consumer Products and Material Needs across the Constitutional Provisions " presented on the request of the Turkish Federation of Stores and Dealers on 07.11.2001.

8.1.11 "Legal Opinion on Gradual Transition to Retirement Age in Accordance with the Decision of the Constitutional Court" presented on 01/24/2002 in demand of Turkish Confederation of Trade Unions (TURK-IS

8.1.12 Scientific Opinion on the Situation of Turkish Airlines Personnel Passages against Law No. 4736 30 submitted to this organization on 30.01.2002 upon the request of Turkish Airlines (jointly with Prof. Dr. Devrim ULUCAN and Prof. Dr. Öner EYRENCİ)

8.1.13 On 26.03.2002, upon the request of the Municipal Workers' Union, it was submitted to this organization: "Article 15 of the Law no. 2822: Opinion on whether the provision is contrary to the Constitution. "

8.1.14 On 03.09.2002, upon the request of the Turkish Pharmacists Association, "Legal Opinion Regarding the Problems of Determining Pharmacist Profit Rates by the Ministry of Health and Council of Ministers in Domestic and Imported Drugs "

## **8.2 International Meetings**

8.2.1. "Suffrage of foreigners who lives in Turkey in their own country": on the papers presented at the international symposium (in Turkish): YTÜ., Friedrich Ebert Foundation and the Turkey-European Studies 26-27, held between March 1998 Institute "EU citizens in Turkey: EU-Turkey Membership Living/Working in Turkey / Conditions and Development Prospects of EU citizens"

8.2.2. "Doppelte Staatsbürgerschaft": The Federal University of Augsburg and the Augsburger Turkish House Förderverein ATEF e. V. on 16 June 1998 at the University of Augsburg / Germany on the occasion of the "Turkish-German Day" (German).

8.2.3. ""Zugang zu politischen Parteien nach dem türkischen Parteienrecht" presented at the international symposium "(Die Parteimitgliedschaft im Zeichen der europaischen Einigung-Zugang der Zugang) , Formen und Europaisierung-" (right to enter political parties under Turkish law) (German) held in Hagen, Germany by "Institut für deutsches und Europaisches Parteienrecht"

8.2.4 "Some Misconceptions concepts in Human Rights and Democracy in Turkey" report. (Released) presented at the international conference "Constitutional Law Conference" held in Ankara between the 9 to 13 January 2001 by Turkey Bar Association.

8.2.5 "Militant Democracy and European Space and Turkey" Report presented at "Human Rights and Security entitled" International Meeting organized by the TBA and Human Rights Research and Application Center of Ankara on 07 and 08 December 2001.

8.2.5 "2001 Constitutional Amendment in regard to fundamental rights and freedoms and T.B.A.'s Constitution Proposal" presented at an international meeting organized by the UMT Human Rights Executive Board and European Public Law Center (EPLC) on 1 June 2002 in Istanbul: 2001.

### **8.3 Papers and conferences presented at National Meetings**

8.3.1 Two conferences on "Human Rights and Women" presented in 1996 and 1997 in the training program prepared jointly by the Istanbul Branch of the Turkish Women's Union and Yildiz Technical University.

8.3.2 "One Life dedicated to the Fundamental Rights and Freedoms in Turkey" Prof. BAHRİ SAVCI ": Prof. Dr. Tarık Zafer Tunaya On Wednesday 26.11.1997.

8.3.3. " Some Thoughts on the threats and hazards faced by the democratic order in Turkey Based on Human Rights" (December 10, 1997 speech delivered at the Human Rights Law Foundation Day Therefore AYBAY.)

8.3.4. Communiqué on "Political Parties in terms of the Relationship between the State of Law and Democracy" at the seminar titled "Relations between the State of Law and Democracy" in Cyprus in (5-6 March 1997)

8.3.5. "Current Problems of the Closure of Political Parties in the Light of the 1995 Constitutional Amendments": The Constitutional Court and M.Ü. Paper presented to the Constitutional Lawyers Meeting on the 35th Anniversary of the Constitutional Court organized by the Faculty of Law between 14-15 April 1997 (processed in Book 7.1.1.2)

8.3.6. "Constitutional Court Decision on the Closure of the Refah Party": M.Ü. Communiqué on the same subject presented with Bülent TANÖR on 29.04.1998 for the Constitutional Law Meeting II. (Partially processed in Book 7.1.1.2).

8.3.7. Party Closure Decisions of the Constitutional Court and of the Organs of the European Convention on Human Rights and the Impact of of the European Court on Domestic Law ”: M.Ü. and Istanbul Bar Association on 29.05.1998, the same subject was presented to the one-day Working Meeting (8.3.5.).

8.3.8. “Constitution of 1961 and Democracy of Parties ”: Speech presented at the opening ceremony of the Constitutional Forest organized by the Municipality of Esenyurt in memory of Muammer AKSOY, Tarık Zafer TUNAYA and Bahri SAVCI on May 27, 1998 and the groundbreaking ceremony of the Constitutional Institute Building.

8.3.9. Human Rights in the Republican Era : The paper presented at “Human Rights in the Republican Era” conference held at Yıldız Technical University on 21.10.1998 within the framework of the 75th Anniversary of the Republic and the 50th Anniversary of the Universal Declaration of Human Rights (7.4.8. processed in)

8.3.10 Constitutional Court's 37 anniversary of April 26 to 27, 1999 held in Ankara "Constitutional Symposium" presented in the flour "European parties Impact on the Law of the Human Rights Court Decisions closed to Party in Turkey" report.

8.3.11. "Right to Organize of Civil Servants in Turkish Law, Limits and Problems": organized by Galatasaray University and Istanbul Bar Association, between 14-15 May 1999. "Unionization in Turkey - International Basis - Applications and Issues" symposium papers presented (the same statement YT Protection Presented at the series of conferences held by YTU and Yaşatma Association at YTU.

8.3.12 Speech titled Western Standard in Freedom and Democracy at the roundtable on “Democracy and Liberalism” organized by Istanbul Bar Association Human Rights Center on 29.09.1999

8.3.13. For the 50th Anniversary of the Council of Europe and S.B.F. 30.09.1999 day held in Ankara by "European Framework of Rights in Turkey" held in celebration meeting on speech. (The text of this speech was published in the January-February 2000, Volume: XXIV, number: 220, p.97-108 of the Journal of Mulkiye.)

8.3.14 Speech made on the panel "Amendment to the Constitution of 1961 in Turkey Agenda" helld by Contemporary Democracy Foundation Day on 12/08/1999 (Speech texts published by the foundation)

8.3.15 Speech made on the panel “Human Rights” held in Sanliurfa organized by Turkey Bar Association on account of human rights day on 12.11.1999 with similar content in the speech (08.03.12) (the text of this speech was published by the BAT Journal)

8.3.16 Conference about Political Party Freedom held on 29.02.2000 at Human Rights Center of İÜ.

8.3.17 Speech at the panel “What is a Legal Regulation for Political Parties” organized by the Social, Economic and Political Research Foundation (TESAV) and Turkish Democracy Foundation (TDV) on 07.04.2000 in Ankara.

8.3.18 Speech done with Prof. İbrahim KABOĞLU at "What kind of a modern constitution" held by CHP Şişli District on 08.04.2000.

8.3.19 Speech titled “Protection of Democracy Against Powers Threatening Democracy” made on “Secular and Democratic Republic in the Light of the Contemporary Interpretation of the State of Law” panel organized by the Association for the Support of Contemporary Life at ITU Maçka Social Facilities on 10.04.2000.

8.3.20 “Amendments to be made in order to comply with the International Standards in the Law on Political Parties” presented at the “Symposium on Constitutional Judiciary” regarding Effects of International Norms on Fundamental Rights and Freedoms held on 25-26.04.2000 on the occasion of the 38th anniversary of the Constitutional Court.

8.3.21 The Speech presented in the panel on “What Kind of Constitution” organized by the IIBF Economics Club on the 10th of May 2000 with the participation of Prof. Dr. Emre KONGAR.

8.3.22. The Report "Past to Present Constitutional Change Efforts in Turkey" presented at the symposium "Change of Constitution Making Process and the New Constitution in Turkey" October 8, 2000.

8.3.23 Speech titled “Republic and Democracy” held at the “Commemoration Meeting of Prosecutor Bahri” organized by the Association of Civil Servants on 2 November 2000.

8.3.24. "Some Misconceptions in Human Rights and Democracy in Turkey" report presented at "The Problem of Democracy in Turkey on the Way to EU” meeting on November 24, 2000. : Same report was also presented at the "Constitutional Law Conference” organized by



Turkish Bar Association on January 09-13, 2001 in Ankara. Also on TUNAYA Memorial Day organized by AYBAY Law Foundation.

8.3.25 22 May 2001: Conference on Human Rights organized by Eyüp Police Headquarters and Eyüp Directorate of National Education

8.3.26 24 May 2001: Conference titled "Basic Principles of the Republic" given as closure lesson at Kocaeli University Faculty of Law.

8.3.27 30 May 2001: Conference on Human Rights and Republic.

8.3.28 "Main Points of the Amendments to the Constitution and Political Parties Law" report presented on the panel titled "Political Parties and Elections Law Debates" organized due to the anniversary of the establishment of the Doğru Yol Party, on 21 / 22.06.2001.

8.3.29 June 2001 Speech at KESK: "Evaluation of trade union rights and freedoms of public workers in the light of the Constitution, laws and international conventions"

8.3.30 Conference on "Evaluation of Constitutional Amendments" at Kocaeli University on 20 November 2001.

8.3.31 "Militant Democracy and European Space and Turkey" report held on international meeting titled "Human Rights and Security" organized by Human Rights Research and Application Center with Turkish Bar Association on 8 December 2001 in Ankara.

8.3.32 "Developments and problems related to the present day in the process that started with the Kanuni Esasi" speech presented in the panel on 125th Year of Kanuni Esasi on December 24, 2001 in Marmara University.

8.3.33 17. 01. Speech titled İn Plagiarism as Disciplinary Crime yapılan held at the panel on Etik Academic Ethics and Plagiarism düzenlen organized by YTU in 2002.

8.3.34 "Association Freedom in Turkey in the Light of Some Case Studies " held on the " Democratization Efforts on the Road to European Union: How the Associations Law can comply with the era?" panel organized in Support of Contemporary Living Association on 02.03.2002.

8.3.35 "Some Problems of the 2001 Constitutional Amendment and the Possibilities of Their Solution" report presented at the symposium held on 26-27 April 2002 in Antalya on the occasion of the 40th Anniversary of the Constitutional Court.

8.3.36 “Turkish Political Parties Act - History - Deficiencies - Reform Studies” report presented on the panel titled “Political Parties in Turkey and Europe” organized jointly by Konrad Adenauer Foundation, the Alumni Association, the Turkey-EU Association and the Turkish Democracy Foundation .

8.3.37 Conference entitled “Constitutional Amendments and Problems” given to University Students upon the invitation of Bilgi University on 06.05.2002.

8.3.38 “Current Perspectives on Constitutional Problems” sem presented to the symposium titled “Constitution and Harmonization Laws” organized by the UMT Human Rights Research and Application Center on 13 - 14 December 2002 at the Supreme Court Conference Hall.

8.3.39 The speech held in the panel on Laicism and Its Importance in Turkey organized by ÇYDD on April 10, 2003 at Y.T.Ü.

8.3.40 two reports “1) Right to elect and to be elected, to engage in political activities and Provisions Regarding Political Parties, Right to Petition 2) Scope, limitation and non-abuse of fundamental rights and freedoms” submitted at the international symposium on “ “Reforms Performed and Planned to be implemented in the Constitution within the Framework of Compliance with European Union of the Republic of Turkey” organized by Turkish Grand National Assembly on 22, 23, 24 April 2003.

#### **8.4. Unpublished Joint Work**

8.4.1 Some Findings and Recommendations on Constitutional Amendment, (In alphabetical order: Abadan-Unat – Alacakaptan - Aybay – Akal – Çelikel – Ekşi – Eroğul – Füzuran – Kazan – Özbudun – Sabuncu – Sirmen – Teziç – Unat – Uygun – Versan – Yavuz ve Yazıcı ile birlikte)

8.4.2 (With Research Assistant Pınar ÖZTÜRK) Prohibition of Discrimination presented by Pınar ÖZTÜRK in Belgium on June 14.

#### **9. Administrative Tasks:**

YTU Rector Legal Advisor; Chairman of YTU Law Committee; YTU Education Commission Member 1996 - 1998; 2002: Member of University Senate, Member of ADEK, President of ADEK Sub-Commission, 2003: Member of University Executive Board, Vice President of Istanbul Bar Association in 1995/96

**10. Memberships in Scientific Institutions:** Member of the Scientific-Advisory Board and Executive Committee of the Human Rights Research and Application Center of TBB (since 2002); Public Lawyers Platform Initiative and Executive Board (Since 2009)

**11. Awards:** Y.T.Ü. 1998 Science Incentive Certificate