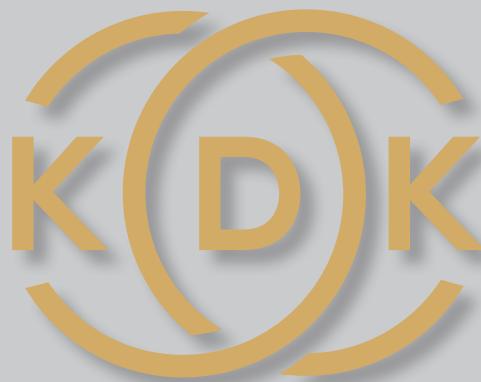


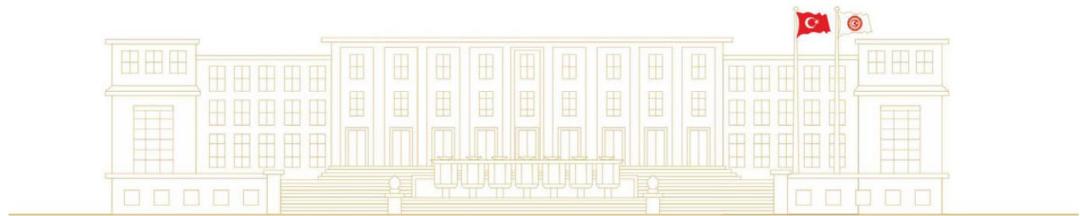


**Republic of Türkiye
OMBUDSMAN INSTITUTION**



**2023
ANNUAL
REPORT**

ABRIDGED ENGLISH VERSION



2023

ANNUAL REPORT ABRIDGED ENGLISH VERSION


REPUBLIC OF TÜRKİYE
OMBUDSMAN INSTITUTION



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TO THE READER

By Law, the Turkish Ombudsman Institution has to submit an Annual Report about its activities to the Grand National Assembly of Türkiye at the end of January each year.

The original Annual Report for 2023 is 758 pages long. This abridged English version has been prepared for the benefit of foreign readers, and some of the key highlights about the Ombudsman Institution of Türkiye have also been added in order to familiarize readers with the Institution.

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Chapter I

2023

ANNUAL REPORT

**SUMMARY OF THE
YEAR 2023**

CHAPTER 1: SUMMARY OF THE YEAR 2023

The Ombudsman Institution of Türkiye has been carrying out its activities for eleven years within the scope of its mission to protect the rights of individuals against actions by the administrative authorities that are contrary to the law, fairness, human rights, and the principles of good administration, to improve the effective functioning of the administration and the quality of services; and to foster a society in which individuals are aware of their rights.

Significant progress has been made in enhancing the problem-solving capacity of the Ombudsman Institution by increasing its recognition among the public and public administrations. Through the decisions it has issued, the Institution has resolved the problems of millions of citizens, contributed to the establishment of the principles of good administration, and served as a strong protector of human rights.

Furthermore, the Institution has addressed issues affecting millions of people through its special reports and workshops focused on key societal challenges.

With its institutional strategy and working principles developed especially in recent years, the Ombudsman Institution:

- ❖ Contributes to individuals' easy access to the Institution as an effective way of seeking legal remedies and ensuring rapid access to justice, by prioritizing amicable solutions,
- ❖ Through its special reports and recommendations to public administrations, promotes an administrative approach that is human-centered, transparent, impartial, equitable, and accountable,
- ❖ Contributes to the establishment of an administrative approach at the highest level that promotes and protects the rule of law and human rights, while respecting individual freedoms,
- ❖ Helps to spread the culture of seeking legal remedies, supports the development of rights-conscious individuals, and promotes the effective use of alternative dispute resolution mechanisms and the settlement of the culture of legal remedies in society.

In order to ensure that public services are delivered promptly and efficiently and that the human-centered state approach is established at the highest level, the Ombudsman Institution conducts its activities based on the following principles:

- ❖ Facilitating access to the Institution for all segments of society as a mechanism for seeking legal remedies,
- ❖ Ensuring that individuals have easy and free access to justice by promoting more effective use of amicable settlement and conciliation mechanisms,
- ❖ Providing guidance to public administrations by emphasizing the Ombudsman Institution's preventive and educational roles, and by offering solutions to issues affecting large segments of the population,
- ❖ Establishing an administrative approach that embraces and prioritizes good administration principles and human rights,

- ❖ Increasing public awareness and reducing the judiciary's workload by operating as a reliable and preferred alternative legal remedy mechanism.
- ❖ Maintaining an exemplary institutional model through strong organizational structure and a competent professional staff.

I. STATISTICS ON THE EXAMINATION OF COMPLAINT APPLICATIONS

- The Ombudsman Institution received 19,317 complaint applications in 2023. The total number of complaint applications received over nearly 11 years is 226,720.
- In addition to the 19,317 complaint applications lodged to the Ombudsman Institution in 2023, a total of 21,081 files were examined in this period, including 1,764 files transferred from 2022. Of these, 19,289 applications were finalized.
- **2,364 files in 2023 were resolved through amicable settlement.**
- **A total of 1,972 Recommendations were issued by the Ombudsman Institution in 2023.**
- The compliance rate with Recommendations has steadily increased over the years: from 20% in 2013, to 65% in 2017, 70% in 2018, 75% in 2019, 76.38% in 2020, and it reached 79.50% in 2021, and 80.01% in 2022. Finally, in 2023, this rate was 77.51%.
- In 2023, the Institution conducted 204,301 interviews — in person or by phone — providing legal guidance and assistance to applicants.

II. PROMOTING THE CULTURE OF SEEKING LEGAL REMEDIES

Among the mechanisms available to the public for seeking legal remedies are: Human Rights and Equality Institution, Personal Data Protection Authority, Review Board of Access to Information, The Directorate of Communications of the Presidency of the Republic of Türkiye (Communication Center (CİMER) and Open Door systems), through which individuals can submit their opinions, information, requests, complaints, and demands regarding public services.

A. PUBLICATIONS

The publications released in 2022 as part of the Ombudsman Institution's publicity and awareness-raising efforts are listed below:

- 2022 Annual Report
- 2022 Annual Report (in English)
- 2022 Activity Report
- 2023 Performance Program
- Ombudsman Academic (Refereed Journal) Volumes:17 and 18
- Bulletin Ombudsman (e-bulletin) Volumes: 26 and 27
- 2023 International Ombudsman Conference on “The Future of Human Rights in the 21st Century”

B. RELATIONS WITH UNIVERSITIES

- As of 2023, the number of University Ombudsman Clubs has reached 150.
- On 24 January 2023, students from the TOBB University of Economics and Technology Ombudsman Club visited the Institution.

- On 30 January 2023, students from the Dicle University Ombudsman Club visited the Institution.
- On 30 March 2023, the Social Sciences Competition and Regulation Community of Ankara University visited the Institution.
- On 24 April 2023, as part of the “Ombudsman Meets with Youth” program, Chief Ombudsman Şeref Malkoç met with students of Bilkent University.
- On 15 September 2023, as part of the “Ombudsman Meets with Fatih Residents” program, Chief Ombudsman Mr. Şeref Malkoç came together with the representatives of Ombudsman Student Clubs.
- On 13 April 2023, a meeting was held with law students completing their internship at the Ombudsman Institution.
- On 27 January 2023, students from the High School Organization of the Trabzon Branch of the National Turkish Student Union visited the Ombudsman Institution.
- On 1-7 October 2023, within the framework of the protocol signed between the Ombudsman Institution and the Turkish Red Crescent to spread the culture seeking legal remedies, the Ombudsman Institution came together with the representatives of Ombudsman Student Clubs at the workshop held at the Red Crescent Heybeliada Camp. In addition, within the scope of the Erasmus program, volunteering workshops were organized with the students from the Dicle University Ombudsman Club on 20 November 2023 and from the Bursa Uludağ University Ombudsman Club on 26 November 2023.
- On 13 October 2023, students from Ankara Medipol University visited the Ombudsman Institution.
- On 17 November 2023, the Ombudsman Institution participated as a speaker in the conference titled “Palestine with its Historical and Legal Dimensions” organized by TOBB University of Economics and Technology.
- On 17 November 2023, the Ombudsman Institution participated as a speaker in the panel titled “Civil Action against Violence and Social Mediation” organized by Anadolu University.
- On 5 December 2023, students from İstanbul Medeniyet University Ombudsman Club visited the Ombudsman Institution.
- On 18 December, Chief Ombudsman Mr. Şeref Malkoç attended the inauguration of the Northeast Anatolia Career Fair, hosted by Atatürk University and coordinated by the Presidential Human Resources Office. He visited the Institution’s stand and engaged with Ombudsman Communities.

C. ACTIVITIES FOR CHILDREN

- The Ombudsman Institution is the only institution in Türkiye that receives applications directly from children without requiring parental approval or permission.
- In cooperation with the Ministry of National Education, the concept of the “Ombudsman” has been incorporated into the curricula of 4th, 7th, and 9th grades to raise awareness about legal remedies among primary and secondary school students.

- On 19 January 2023, children from the 27th Term Children's Council of Ankara Metropolitan Municipality visited the Ombudsman Institution and met with Ombudsman Ms. C. Özlem Tunçak, responsible for women's and children's rights.
- On 19 January 2023, Eksi 25 Association paid a visit to the Ombudsman Institution.
- On 27 January 2023, Ombudsman Ms. Celile Özlem Tunçak visited the Özne Child Life Center project, which was first initiated in Bursa, Türkiye. She also attended the Child Rights Advisory Board Meeting chaired by the Minister of Family and Social Services, Ms. Derya Yanık.
- On 3 February 2023, Child Rights Thematic Meeting of the Fundamental Rights Sector Coordination Platform held within the scope of the EU Project was attended.
- On 14 February 2023, children receiving treatment at Bilkent City Hospital (Children's Hospital) after being transferred from earthquake-affected provinces were visited by Ombudsman Ms. Celile Özlem Tunçak and Ombudsman Mr. Yahya Akman and the accompanying delegation.
- On 10 March 2023, "Women and Girls' Access to Justice in Times of Crisis and Disaster" meeting organized within the scope of the EU Project on Fostering Women's Access to Justice in Türkiye, was attended.
- On 5 April 2023, the 3rd meeting of the "Technical Assistance for the Support of Children's Rights in Türkiye" Project, organized by the Ministry of Family and Social Services General Directorate of Child Services, was attended.
- On 13 April 2023, Children's Rights Lecture held online by Akdeniz University Faculty of Law was participated.
- On 19 April 2023, the launch of the Türkiye Child Rights Strategy Document and Action Plan (2023–2028), coordinated by the Ministry of Family and Social Services, was participated.
- Within the framework of the 23 April National Sovereignty and Children's Day Program, Chief Ombudsman Mr. Şeref Malkoç and Ombudsman Ms. Celile Özlem Tunçak met with students at Erman İlicak Science High School.
- On 26-28 April 2023, the 1st Annual Children's Council, which was held for the first time in Türkiye with the theme of "Children's Century" to discuss children's needs, challenges, and proposed solutions.
- On 26-28 April 2023, the commission meetings titled "Children in Disasters, Crises, and Emergencies" were attended.
- On 10 May 2023, at the "Children's Rights Conference" held in cooperation with Istanbul University Faculty of Law and Istanbul Bilgi University Information and Technology Law Institute, a presentation titled "Child Rights Issues in the Light of the Applications Lodged to the Ombudsman Institution" was delivered.
- On 17-18 May 2023, Ombudsman Ms. Celile Özlem Tunçak attended the 93rd Session of the UN Committee on the Rights of the Child, held in Geneva.
- On 8 June 2023, "Meeting for the Development of the Integrated Children's Policy Document" organized by Ankara Metropolitan Municipality Women and Family Services Department Child Services Branch Office was participated.

- On 9 June 2023, the opening ceremony of the EU-funded “Improving the Capacity of Lawyers and Bar Associations on Promotion, Protection and Monitoring of Children's Rights (ÇABA)” Project was attended.
- On 12 June 2023, the “Inter-sectoral Children's Board Meeting” organized by the Directorate General of Sectors and Public Investments was participated.
- On 19-20 June 2023, the “Custody Arrangements Workshop” within the scope of the “Improving the Effectiveness of Family Courts: Better Protection of the Rights of Family Members” Project was participated. A presentation was delivered introducing the Ombudsman Institution, explaining the application procedure and application review process, the Institution's Decisions (examples of decisions on custody and establishment of parent-child relationship), and the Institution's Special Reports.
- On 20 June 2023, in cooperation with UNICEF Türkiye Office, Child Rights and Participation Training was held for the Assistant Experts of the Ombudsman Institution.
- On 21 July 2023, the 2023 2nd Child Advisory Board Meeting organized by the Ministry of Family and Social Services General Directorate of Child Services was participated.
- On 24 August 2023, the "Another Life is Possible" Project Meeting conducted by Giresun University Child Rights Department was attended.
- On 1 November 2023, I attended the 4th Steering Committee and 7th Quarterly Management Meeting held within the scope of the “Technical Assistance for the Support for Children's Rights in Türkiye” Project was participated.
- On 7 November 2023, the “Evaluation of Child Custody and Establishment of Parent-Child Relationship” Workshop organized by the Ministry of Justice was participated.
- On 20 November 2023, the introductory meeting of the “Report Rights Violations against Palestinian Children” prepared by the Justice on Earth Women Jurists Platform (YAP) and the Jerusalem and Law Group was attended.
- The Opening and Closing Ceremonies of the 24th International Children's Forum, coordinated by the Ministry of Family and Social Services and UNICEF was participated.
- On 19 December 2023, the “Child Rights Monitoring and Evaluation Board” meeting held in accordance with the Presidential Circular was participated.

D. INTERNATIONAL ACTIVITIES

In 2023, the activities carried out within the framework of the EU project are as follows:

- Within the scope of the EU project, on 11-12 January 2023, the International Ombudsman Conference titled “The Future of Human Rights in the 21st Century” was held in Ankara with the participation of approximately 70 participants, including approximately 40 Ombudspersons and Human Rights representatives, from nearly 40 international ombudsman institutions and human rights organizations.
- Within the scope of the EU project, between 27 February and 3 March 2023, 7th working visit was organized to Slovenia and Croatia.
- On 16 February 2023, the 12th Steering Committee and 21st Monthly Management Meetings were held in the Ombudsman Institution.
- The Closing Conference of the EU project was held on 4 May 2023.

Within the framework of study visits abroad:

- On 19-21 February 2023, Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation participated in the international conference on “Climate Change and Human Rights” in Qatar, organized by the Qatar National Human Rights Committee, OHCHR, UNDP, the League of Arab States, and GANHRI. Chief Ombudsman Mr. Malkoç delivered a speech at the event.
- On 23-25 February 2023, Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation participated in the international conference on “Interaction and Cooperation in the Field of Reliable Protection of Human Rights and Freedom”, dedicated to the 28th anniversary of the Foundation of the Institute of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman).
- Upon the invitation of the Mediator of the Kingdom of Morocco Mr. Mohamed Benalilou, on 27 February – 2 March 2023, Chief Ombudsman Mr. Şeref Malkoç, Ombudsman Ms. Celile Özlem Tunçak and the accompanying delegation participated in the conference held in Rabat on the occasion of the 20th anniversary of the establishment of the Mediator Institution of the Kingdom of Morocco.
- On 16-19 May 2023, Ombudsman Ms. Celile Özlem Tunçak participated in the 93rd Session of the United Nations Committee on the Rights of the Child Fundamental in Geneva/Switzerland.
- Upon the invitation of the Commissioner for Fundamental Rights of Hungary Mr. Akos Kozma, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid an official visit to Hungary on 16-19 May 2023.
- On 19-20 June 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation participated in the 14th International Conference of Information Commissioners (ICIC) held in Manila/Philippines. The main theme of the 14th ICIC, which was held in Asia for the first time dedicated for the 20th anniversary of ICIC, was “Bridging Information across Nations: Concretizing the Global Role of Access to Information for Democratic Preservation, Inclusivity, and Development”. Chief Ombudsman Mr. Malkoç delivered a speech at the conference.
- Upon the invitation of the Central Election Commission of Uzbekistan, on 7-10 July 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to Uzbekistan as an international observer in the Presidential elections.
- On 2-5 September 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to Kyrgyzstan upon the invitation of Ombudsman of the Kyrgyz Republic, Ms. Jamila Jamanbayeva. Within the scope of the visit, a bilateral memorandum of understanding was signed to strengthen cooperation between Institutions. Chief Ombudsman made contacts during the visit and paid a visit to the President of Kyrgyzstan, Mr. Sadyr Japarov.
- On 11-12 September 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to Tatarstan to attend the 24th Board of Directors and 17th General Assembly Meetings of Asian Ombudsman Association (AOA), of which the Ombudsman Institution of Türkiye is a member of the Board of Directors, and the International Scientific and Practical Conference held in Kazan and hosted by Human Rights Commissioner (Ombudsman) of Tatarstan, Ms. Sariya Saburskaya. Chief Ombudsman Mr. Şeref Malkoç was re-elected as a member of the AOA Board of Directors. In addition, at the conference, Mr. Malkoç gave a speech about

“Digitalization and Human Rights” and explained the activities of Türkiye and the Ombudsman Institution of Türkiye in this field.

- On 7-8 September 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation attended the international conference on “Constitutional Justice: Dignity, Freedom and Justice for All”, organized by the Constitutional Court of Kazakhstan and dedicated to the Constitution Day of the Republic of Kazakhstan. Mr. Malkoç gave a speech at the session titled “Constitutional control as one of the main indicators of the rule of law in promoting the values of human rights and freedoms protection”.
- On 21 September 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to Italy to participate in the International Ombudsman Conference held in Rome, hosted by Ombudsman of Lazio and President of the National Coordination of the Italian Ombudsmen, Mr. Marino Fardelli. He gave a speech on migration and refugees in the session titled “Human Rights in Global Crises”.
- Upon the invitation of People’s Advocate (Ombudsman) of the Republic of Moldova, Mr. Ceslav Panico, on 27 September 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation attended the international conference held on the 25th anniversary of the Office of the People’s Advocate of Moldova. Chief Ombudsman gave a speech on “Human Rights in the New Digital Realities”.
- On 8-12 October 2023, Chief Ombudsman Mr. Şeref Malkoç, Ombudsman Ms. Celile Özlem Tunçak and the accompanying delegation paid a visit to Georgia. Within the scope of the visit, experiences were shared on monitoring children's rights with the Vice-Chair of the UN Committee on the Rights of the Child, Ms. Sophie Kiladze, and her team. Chief Ombudsman Şeref Malkoç had a meeting with Prime Minister of Georgia Mr. Irakli Garibashvili and Chairman of the Chair of the Human Rights and Civil Integration Committee of the Parliament of Georgia Mr. Mikheil Sarjveladze.
- On 17-18 October 2023, upon the invitation of the High Commissioner for Human Rights in the Russian Federation, Ombudsman Ms. Celile Özlem Tunçak and the accompanying delegation paid a visit to Russia to attend the Eurasian Ombudsman Alliance (EOA) meeting and the 8th International Scientific and Practical Conference themed “Issues of Human Rights Protection: Exchange of Best Practices of Ombudspersons”, organized in Moscow. Ombudsman Celile Özlem Tunçak made a presentation at the conference about good practice examples in the Ombudsman Institution of Türkiye and mentioned the human tragedy in Gaza.
- On 31 October – 1 November 2023, upon the invitation of Parliamentary Ombudsman of Malta Judge Emeritus Joseph Zammit McKeon, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to Malta to attend the International Conference on “The Right to Good Administration: Myth, Aspiration or Reality?”. Mr. Malkoç made a speech at the Conference on “Good Administration Principles and the Ombudsman Institution”, sharing information about the activities of the Ombudsman Institution on this issue, and emphasized the war crime committed by Israel in Gaza.
- On 3 November 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to the United Arab Emirates to attend the international conference on “The role of the ombudsman in protection against discrimination, with a special focus on religious rights” organized by European Ombudsman Institute (EOI) in Dubai. At the conference, Mr. Malkoç gave a speech on “The Role of

Ombudsman Institution of Türkiye against Discrimination and Marginalization" and emphasized the importance of defending the right to life, which is the most fundamental right of every individual, regardless of language, religion or ethnicity.

- On 9-10 November 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to attend the European Network of Ombudsmen (ENO) 2023 conference, hosted by European Ombudsman Emily O'Reilly, at the European Parliament in Brussels.
- Upon the invitation of Commissioner for Human Rights of Kazakhstan, Mr. Artur Lastayev, on 23-24 November 2023, Ombudsman of Türkiye, Mr. Yahya Akman participated in the International Scientific-Practical Conference titled "Countering Domestic Violence: Problems and Solutions" held in Astana, Kazakhstan.
- On 7-8 December 2023, upon the invitation of Commissioner for Human Rights of Kazakhstan, Mr. Artur Lastayev, Chief Ombudsman of Türkiye, Mr. Şeref Malkoç participated in the international conference on "Implementation of International Legal Norms Ensuring Human Rights into National Legislation", in Astana, Kazakhstan.

Activities within the framework of the OICOA;

On 19 November 2019, the Organization of Islamic Cooperation Ombudsman Association (OICOA), which has 33 members, held its "Board of Directors" election at its General Assembly meeting in Istanbul. Chief Ombudsman Mr. Şeref Malkoç was elected as the first President of the Association.

- On 25 January 2023, Chief Ombudsman and the first President of the OICOA Mr. Şeref Malkoç sent letters to Chief Parliamentary Ombudsman of Sweden Mr. Erik Nymansson and to all OICOA members, strongly condemning the act of burning the Holy Quran in Sweden.
- On 6 July 2023, President of the OICOA Mr. Şeref Malkoç sent a letter to ombudsman institutions and national human rights bodies around the world, strongly condemning another act of burning the Holy Quran in Sweden.
- On 18 July 2023, the 8th Board of Directors meeting of OICOA was held online.
- On 1 August 2023, a training was organized by the OICOA Secretariat, attended by a significant number of member institutions.
- On 5-6 October 2023, 9th Board of Directors Meeting and 3rd General Assembly Meeting of OICOA were held, with the participation of 50 representatives from 20 countries. During the General Assembly, a new Board of Directors was elected, and Chief Ombudsman Mr. Şeref Malkoç was unanimously re-elected as President of OICOA.
- On 18 October 2023, OICOA President Mr. Şeref Malkoç issued a declaration regarding the conflicts in Palestine and Israel. He emphasized that international law was being violated in Gaza in front of the entire world, and that events were taking place that hurt human dignity and conscience, and that the killing of civilians constituted a breach of international humanitarian law.
- On 28 November 2023, the Ombudsman Institution of Türkiye, as the current President of OICOA, organized an online training session for OICOA members on "The Rise of Islamophobia in Europe and Seeking Rights in These Terms".

Activities within the Asian Ombudsman Association (AOA);

- On 16 May 2023, the Ombudsman Institution of Türkiye participated online in the training given by the Federal Tax Ombudsman of Pakistan on operations and the complaint management process.
- As a member of the Board of Directors of the Asian Ombudsman Association, on 11 September 2023, Chief Ombudsman Mr. Şeref Malkoç participated in the 24th Board of Directors and 17th General Assembly meetings of the Asian Ombudsman Association held in Tatarstan, Kazan. **At this General Assembly meeting, where elections were held, Chief Ombudsman Mr. Şeref Malkoç was unanimously re-elected as a Board member and it was decided that the next Board of Directors meeting would be held in Türkiye.**

Activities within the European Ombudsman Institute (EOI);

- On 17-19 March 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to Niš, Serbia for the EOI Board of Directors Meeting, of which the Ombudsman Institution is also a member. At the meeting, Mr. Malkoç was unanimously elected as a member of the Executive Board and the Board of Directors.
- On 3 November 2023, Chief Ombudsman and the accompanying delegation paid a visit to the United Arab Emirates to attend the international conference titled “The Role of the Ombudsman in Protection against Discrimination, with a Special Focus on Religious Rights,” organized by the EOI in Dubai. Mr. Malkoç gave a speech on “The Role of the Ombudsman Institution of Türkiye against Discrimination and Marginalization” at the conference.

Activities within the Association of Mediterranean Ombudsmen (AOM);

- On 24-26 May 2023, Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation attended the 12th Meeting and General Assembly of the Association of the Mediterranean Ombudsmen held in Pristina, hosted by the Ombudsman Institution of Kosovo. Additionally, within the scope of the visit, Mr. Malkoç met with the President of Kosovo, Dr. Vjosa Osmani-Sadriu.
- On 21-22 November 2023, the Ombudsman Institution participated in the joint AOMF-AOM training session on “Whistleblowers Protection and Fighting against Corruption”, held in Rabat, Morocco, hosted by the Office of the Mediator of the Kingdom of Morocco. Information and experience were exchanged among the training participants.

Activities within the European Network of Ombudsmen (ENO);

- On 9-10 November 2023, Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation attended the European Ombudsman Network (ENO) 2023 Conference held at the European Parliament in Brussels, hosted by European Ombudsman Ms. Emily O'Reilly.

Activities within the Association of Ombudsmen and National Human Rights Institutions of Turkic States (TURKOMB);

- On 5 October 2023, a TURKOMB meeting was held in Istanbul with the participation of Ombudsmen and Ombudsman representatives of Türkiye, Azerbaijan, TRNC, Kyrgyzstan, Kazakhstan, and Uzbekistan.

E. PROVINCIAL WORKING VISITS

Serving as a bridge between citizens and public administrations, the Ombudsman Institution continued its regional meetings and provincial working visits with the theme of “Ombudsman Meets with the Public” in 2023, to familiarize citizens with the activities of the Institution and to guide them on how to file an application to the Institution. In this regard, regional meetings were conducted in **Çankırı, Kastamonu, Bolu, Karabük, İstanbul, Aksaray, İğdır, Ağrı, Erzurum, Eskişehir, Mardin, Bursa, Kırşehir, and Kırıkkale**. Citizens, NGOs, opinion leaders, village headmen, and provincial administrators were met during these visits.

F. INSTITUTIONAL MEETINGS AND RELATIONS WITH PUBLIC INSTITUTIONS

- Within the scope of the EU-funded “Technical Assistance Project for Empowerment of the Role of Ombudsman in the Protection and Promotion of Human Rights”, on 11 January 2023, the International Ombudsman Conference titled “The Future of Human Rights in the 21st Century,” jointly organized by the Ombudsman Institution of Türkiye and the European Union, was held at the Presidential Complex, with the participation of the President of Türkiye, H.E. Recep Tayyip Erdoğan. The conference was attended by nearly 70 ombudsmen and human rights defenders from 41 countries, from the Philippines to Peru, from Asia to Africa, from the Turkic world to Europe.
- The Closing Conference of the “Technical Assistance Project for Empowerment of the Role of Ombudsman in the Protection and Promotion of Human Rights” was held on 4 May 2023. The project, carried out by the Ombudsman Institution and the European Union, continued for four years.
- In order to strengthen the mechanism for seeking legal remedies, with the support of the Scientific and Technological Research Council of Türkiye (TÜBİTAK), a technical cooperation protocol was signed between the Ombudsman Institution and Gazi University on 16 March 2023 regarding the Ombudsman Institution Complaint Management System.
- On 19 January 2023, Chief Ombudsman Mr. Şeref Malkoç attended the meeting of the Constitution Committee of the Grand National Assembly of Türkiye, which convened to discuss the “Bill of Law on Amending the Constitution of the Republic of Türkiye”.
- On 14 March 2023, Director of the Ankara Sincan Juvenile Closed Penal Institution, Mr. Ferda Keskin, and his accompanying delegation paid a visit to Chief Ombudsman Mr. Şeref Malkoç. During the meeting, information was exchanged.
- On 7 June 2023, Chief Ombudsman Şeref Malkoç and Ombudsman Celile Özlem Tunçak met with the President of Human Rights and Equality Institution of Türkiye (HREIT) Muharrem Kılıç, who visited our Institution, and during the meeting, cooperation opportunities between the two Institutions were evaluated.
- Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation paid congratulatory visits on 27 July 2023 to Prof. Dr. Ömer Bolat, who was appointed as

Minister of Trade, and Mr. Ali Yerlikaya, who was appointed as Minister of Interior with the new cabinet; on 2 August 2023 to Mr. İbrahim Yumaklı, who was appointed as Minister of Agriculture and Forestry, and Deputy Ministers of Foreign Affairs Mr. Burak Akçapar, Mr. Ahmet Yıldız, Mr. Mehmet Kemal Bozay and Mr. Yasin Ekrem Serim; on 8 August 2023 to Mr. Yusuf Tekin, who was appointed as Minister of National Education; and on 9 August 2023 to Prof. Dr. Haluk Görgün, who was appointed as President of Defense Industries. They also paid a courtesy visit to the Minister of Culture and Tourism, Mr. Mehmet Nuri Ersoy, on 9 August 2023.

- On 3 May 2023, Ombudsman Ms. Celile Özlem Tunçak, held a meeting with the spouses and relatives of Ukrainian prisoners of war. During the meeting, issues regarding the importance of Türkiye's peacemaking and mediating role in the war between Russia and Ukraine and the demands of the spouses and relatives of prisoners of war were discussed.
- During the regional and provincial meetings; the governor, mayor, village headmen and institution managers of that province were met, consultations were held regarding the problems of the province, and meetings were held with the rectors of the universities where conferences were held to promote the culture of seeking legal remedies.
- On 7 June 2023, President of HREIT, Mr. Muharrem Kılıç, paid a visit the Ombudsman Institution and met with Chief Ombudsman Mr. Şeref Malkoç and Ombudsman Ms. Celile Özlem Tunçak.
- On 25 October 2023, Chief Ombudsman Mr. Şeref Malkoç met with the authors, advisors and referees in Ankara who contributed to our "Ombudsman Academic Journal".
- On 26 October 2023, Chief Ombudsman Mr. Şeref Malkoç and Ombudsmen Mr. Yahya Akman, Mr. Sadettin Kalkan, Ms. Fatma Benli Yalçın and Ms. Celile Özlem Tunçak met with the Heads of the Institutions for seeking legal remedies at the consultation and evaluation meeting in the Education and Social Facility of the Grand National Assembly (Parliament) of Türkiye (GNAT).
- On 26 October 2023, Chief Ombudsman Mr. Şeref Malkoç and Ombudsman Ms. Celile Özlem Tunçak attended the 8th Family Council organized by the Ministry of Family and Social Services and provided information.
- Ombudsman Ms. Fatma Benli Yalçın represented our Institution at the "Anti-Discrimination Advisory Committee Meeting" held by the HREIT on 24 November 2023.
- Chief Ombudsman Mr. Şeref Malkoç and Ombudsman Ms. Celile Özlem Tunçak attended the 25 November International Day for the Elimination of Violence against Women program, held under the auspices of the President of Türkiye, H.E. Recep Tayyip Erdoğan.
- On 21 December 2023, the Uzbek Governor Delegation, who were visiting Türkiye within the scope of the cooperation between the Presidential Human Resources Office of Türkiye and the Organization of Turkic States in the field of "Human Resources", paid a working visit to the Ombudsman Institution.
- On 28 December 2023, the "Judicial Reform Strategy and Human Rights Action Plan Meeting" held by the Minister of Justice was attended.

G. RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS (NGO)

Chief Ombudsman of Türkiye, Ombudsmen and Experts held regular meetings and exchanged views with NGOs and professional organizations such as the Confederation of Turkish Trade Unions (TÜRK-İŞ), the Confederation of Turkish Real Trade Unions (HAKİŞ), the Confederation of Public Servants Trade Unions (MEMUR-SEN), the Union of Chambers and Commodity Exchanges of Türkiye (TOBB), the Union of Turkish Bar Associations, and the Union of Municipalities of Türkiye.

H. RELATIONS WITH THE GRAND NATIONAL ASSEMBLY OF TÜRKİYE (GNAT)

- On 8 March 2023, the 2022 Annual Report, which includes the activities carried out by the Ombudsman Institution in 2022, was presented to the Joint Commission consisting of the members of the Petition Commission and the Human Rights Investigation Commission by the Chief Ombudsman Mr. Şeref Malkoç, and was accepted unanimously.
- On 17 March 2023, the Ombudsman Institution Reports for 2021 and 2022 were discussed at the General Assembly of the GNAT.
- On 7 August 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying Ombudsmen Mr. Yahya Akman, Ms. Fatma Benli Yalçın, Mr. Arif Dülger, Mr. Sadettin Kalkan, and Ms. Celile Özlem Tunçak paid a congratulatory visit to Mr. Numan Kurtulmuş, who had been elected as the Speaker of the GNAT.
- On 10 August 2023, Mr. Şeref Malkoç and the accompanying Ombudsmen Mr. Yahya Akman, Ms. Fatma Benli Yalçın, Mr. Arif Dülger, and Mr. Sadettin Kalkan paid a congratulatory visit to Ms. Sunay Karamık, the Chairman of the Petition Committee of the GNAT, for her new position.
- Also;
 - On 12 January 2023, Prof. Dr. Mustafa Şentop, the Speaker of the GNAT, delivered a speech at the International Ombudsman Conference titled “The Future of Human Rights in the 21st Century”, jointly organized by the Ombudsman Institution and the EU and held at the Presidential Complex. Prof. Dr. Şentop also met with the ombudsman and human rights representatives who were in our country to attend the International Conference and hosted a dinner in their honor.
 - On 18 January 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying Ombudsmen visited Prof. Dr. Mustafa Şentop. During the meeting, the International Ombudsman Conference was assessed.

I. RELATIONS WITH MEDIA

Establishing strong relations with the press is crucial for enhancing the visibility of the Ombudsman Institution and increasing its effectiveness through public support. Within this framework, representatives from both local and national media are regularly invited to attend the Institution's workshops, conferences, and meetings. Likewise, invitations from the press are also welcomed and accepted.

In 2023:

- The Ombudsman Institution was appeared in the press a total of **16,649** times: **1,818** in the printed media, **735** on television, and **14,096** on news websites.
- A total of **78** interviews were given to news agencies, newspapers and magazines, and live television broadcasts were attended.
- Within the framework of regional meetings and study visits, interviews and meetings were held with approximately **300** local press members and media representatives in different provinces.
- Annual activities were discussed during the breakfast press conference held with Ankara representatives of the national press.
- In addition, in 2023, the Ombudsman Institution of Türkiye website was visited 254,827 times, the website for children 25,752 times, and the databank about decisions 57,079 times, the website for women, 3,366 times, the Ombudsman Club page 6,482 times, and the e-application page 650,876 times.

J. GENERAL EVALUATION REGARDING THE ADDED VALUE OF THE OMBUDSMAN INSTITUTION FOR TÜRKİYE IN 2023

To sum up, the Ombudsman Institution has carried out a wide range of activities aimed at encouraging more qualified applications and promoting a culture of seeking legal remedies. Through its efforts to foster amicable settlements and issue well-founded decisions, the Institution has made an indisputable contribution to reducing the judiciary's workload.

In this context, the Institution has:

- contributed to the good administration by issuing recommendations in line with the principles of good administration and enabling citizens to actively participate in administrative processes,
- contributed to resolving issues affecting broad segments of society through its influence on legislative amendments,
- not only addressed individual complaints but also helped clarify the legal status of others in similar situations,
- provided legal assistance and guidance within the scope of information requests, thereby helping citizens navigate the legal system more effectively.

Within this framework, the legal assistance and guidance activities provided to **204,301** people with **19,289** decisions issued in 2023—clear evidence of its transparency, accountability, and people-centered approach. These efforts have significantly expanded the culture of seeking legal remedies, prevented tens of thousands of lawsuits against the administration, and directly resolved citizens' problems. By facilitating citizen participation in state administration beyond elections held every five years, **the Institution has served as an instrument of direct democracy** and contributed to strengthening democracy.

2023 IN FIGURES

- Complaints received: 19,317
- Resolved cases: 19,289
- Recommendations: 1,972
- Amicable Settlements: 2,364
- Compliance Rate to the Recommendations: 77.51%
- Average Duration to Resolve Cases: 52.08 Days
- Average Duration to Resolve Cases with an Amicable Settlement: 65.62 Days
- Number of Information Provided: 204,301
- Rate of Admissibility: 28.01 %
- Ability to Settle Disputes: 80.27 %
- Number of Provincial Meetings: 14
- Number of Activities for Youth and Children: 67
- Number of International Activities: 85
- Number of Staff: 298
- 2023 Annual Budget: 160,225,160.00
- Number of Trainings: 55
- Number of Media Coverage: 16,649
- Number of Visits to the Institution's Website: 1,001,457

Chapter

II

2023

ANNUAL REPORT

**FOREWORDS BY
CHIEF OMBUDSMAN**

Mr. Şeref Malkoç

CHAPTER 2: FOREWORDS BY CHIEF OMBUDSMAN MR. ŞEREF MALKOÇ



The Ombudsman Institution is a constitutional institution in Türkiye established to ensure access to legal remedies. Its primary objective is to promote an accountable administration approach that respects human rights and operates in accordance with the principles of legality, fairness, and justice.

The Ombudsman Institution, which was included in Article 74 of our Constitution with the Constitutional amendment made in 2010, has been acting with the duty of protecting the rights of individuals against the acts, actions, attitudes and behaviors of the administration that are contrary to law, fairness, human rights and good administration principles since the day it was established with Law No. 6328 enacted in 2012.

In the second century of our Republic, the full establishment of the rule of law is the most fundamental element for realizing the vision of a “Türkiye that has more added value, shares more equitably, is stronger and more prosperous.” For this reason, the key objectives of the Ombudsman Institution include the consolidation of a management approach that is based on the rule of law, respects social order and individual rights as a principle, protects and strengthens the fundamental rights and freedoms guaranteed by the Constitution, effectively and efficiently combats human rights violations and ensuring that public awareness of human rights is increased across all segments of society.

Guided by the principle of “Let the people live so the State may live,” and with the belief that “The best of people are those who are most beneficial to others,” our Institution has, in its 11-year journey, influenced national policies, laws, and other administrative regulations through its decisions and special reports, and has acted as a partner in resolving disputes by serving as a bridge between the administration and the public. Our Institution has contributed to the

establishment of good administration principles in administration and has been a strong protector of human rights.

Ombudsman Institution received a total of **226,720** complaints in the 11-year period and issued **224,928** decisions. In 2023, we received 19,317 applications. We concluded 19,289 applications, including the files carried over from last year.

Over the past 11 years, **by acting as a bridge between citizens and the administration, we have resolved a total of 18,225 complaints through amicable means by addressing citizens' issues while also guiding the administration. During this period, we issued a total of 77,138 recommendations. In 2023, we contributed to both resolving individuals' problems and improving the quality of administrative services by issuing 1,972 recommendations and 2,364 amicable resolutions.** Apart from written applications, we informed a total of 1,217,432 individuals, including 204,301 in 2023, through phone calls, emails and face-to-face communication. We provided them with legal assistance and guidance.

By holding discussions with each Ministry, we ensured that a Deputy Minister was appointed as a liaison point with our Institution in order to ensure that complaints are resolved at the highest level, requests for information and documents are addressed promptly, and compliance with our recommendations is improved.

As part of our efforts to promote the Ombudsman Institution and to inform citizens about the circumstances and procedures under which they can apply to our Institution, as well as about our operations and activities, we continued in 2023 with our regional meetings and provincial working visits themed "Ombudsman Meets with Public." We came together with citizens, NGOs, opinion leaders, local administrators and provincial authorities in the provinces of **Çankırı, Kastamonu, Bolu, Karabük, İstanbul, Aksaray, İğdir, Ağrı, Erzurum, Eskişehir, Mardin, Bursa, Kırşehir and Kırıkkale.**

During this period, we continued to promote the establishment of Ombudsman Clubs in order to raise awareness of our Institution. **As of 2023, the number of University Ombudsman Clubs has reached 150.** Between 1–7 October 2023, we organized a workshop at Heybeliada Camp of the Red Crescent with the participation of club representatives. At Kars Kafkas University, İğdir University, Ağrı İbrahim Çeçen University, Mardin Artuklu University, Aksaray University, Bursa Uludağ University and Bursa Technical University, we held conferences titled "Ombudsman and Universities in the Century of Türkiye" with the participation of university rectors, academic staff and students, focusing on the concept of ombudsman and the structure and activities of the Ombudsman Institution.

We saw the media as a key stakeholder in increasing the visibility and recognition of our Institution and in garnering public support. We were featured **a total of 16,649 times in the media, including 1,818 appearances in the printed media, 735 on television channels, and 14,096 on online news platforms.** We gave interviews to news agencies, newspapers and magazines, and participated in live television broadcasts. As part of our regional meetings and

working visits, we held meetings and discussions with a total of 300 local journalists and media representatives across various provinces.

Unfortunately, on 6 February 2023, our country experienced what has been called the Disaster of the Century, due to its scale and impact, distinguishing it from previous earthquakes. With epicenters in Pazarcık and Elbistan districts of Kahramanmaraş, respectively, the earthquakes caused devastating destruction across 11 provinces, leaving the nation deeply wounded. In these earthquakes, 50,783 people lost their lives, approximately 115,353 were injured and tens of thousands of buildings collapsed. According to data released by AFAD, as of 16 February, a total of 4,323 aftershocks occurred following the main quakes. When compared globally in terms of magnitude, affected area, the length of the fault rupture, and the impacted population, this was an extraordinary and extremely rare seismic event. The 11 affected provinces (Adana, Adıyaman, Diyarbakır, Elazığ, Gaziantep, Hatay, Kahramanmaraş, Kilis, Malatya, Osmaniye and Şanlıurfa) account for 15.74% of Türkiye's total population and, based on the 2022 population data, it is estimated that 13,423,001 people were directly affected by this immense disaster.

As part of the earthquake disaster that struck 11 provinces with its epicenter in Kahramanmaraş on 6 February 2023, we visited the AFAD Headquarters on 9 February 2023, and participated in the earthquake coordination efforts carried out under the supervision of Vice President Fuat Oktay. Between 12–15 February 2023, we conducted inspections in the provinces of Adana, Osmaniye, Hatay, Gaziantep, Adıyaman and Kahramanmaraş which were affected by the earthquake disaster, visited AFAD and crisis centers, received briefings on the ongoing efforts in the regions, extended our condolences to the families of those who lost their lives and conveyed our best wishes for recovery to the injured.

On 21 March 2023, we conducted another visit to the earthquake-affected regions. As part of this visit, we first carried out inspections in central Hatay and İskenderun district, as well as in Nurdağı district of Gaziantep, where we received updates from local authorities on the latest situation, met with citizens living in container cities established for earthquake survivors and listened to their problems and requests. Following this, we visited Şanlıurfa, where we were briefed on the ongoing efforts. We conducted on-site inspections in areas affected by flooding and observed the recovery work in the damaged zones. In May, we visited the earthquake zones of Kahramanmaraş, Gaziantep, Şanlıurfa, Diyarbakır, Adıyaman and Malatya to observe the ongoing efforts and developments directly on the ground.

In 2023, our institution continued to maintain its relations with both international organizations and institutions and with representatives of human rights organizations and ambassadors, with the aim of maintaining communication in response to human rights violations occurring around the world. In addition to domestic activities, our institution places great importance on international relations and collaborations.

As you are aware, European countries and the USA have made numerous statements and carried out various efforts regarding human rights, democracy and the rule of law.

However, as seen in Israel's attack on Gaza, it is evident that there is a lack of genuine commitment to human rights and the rule of law. As a result, the global belief in fundamental values such as human rights and the rule of law has been deeply shaken. It has once again become clear that it is our civilization that will meet humanity's expectations and needs in this regard.

As the Ombudsman Institution, within the framework of our historical responsibility on this matter, we continue to carry out our activities with care, establishing close relations with ombudsman institutions, national human rights institutions and the associations they form. Our aim here is to create joint platforms for cooperation and lay the groundwork for a collective effort to draw attention to human rights violations and unlawful actions around the world and to work toward minimizing them.

In addition, in the Century of Türkiye, we will continue to carry out activities regarding justice, fairness, human rights and individual rights under the leadership of the Ombudsman Institution of Türkiye in parallel with our country's growing prominence on the global stage.

Our institution is a member of 9 different ombudsman associations and plays an active role within them. As of 2023, we hold the Presidency of the Board of Directors of the Organization of Islamic Cooperation Ombudsman Association, serve as a Board Member of the Asian Ombudsman Association, and hold Executive and Board Membership in the European Ombudsman Institute. In parallel with the establishment of the Organization of Turkic States, we also took the lead in founding TURKOMB last year. We remain committed to its activities this year, as well.

Within this scope, during our visits abroad, we held meetings with Presidents, Prime Ministers and Ministers of various countries. We also visited ambassadors, consulates, Maarif Foundations, Yunus Emre Institutes, Representative Offices of the Presidency for Turks Abroad, Representative Offices of the Directorate of Religious Affairs, as well as Turkish businesspeople and NGOs, observing their work on site.

Within the scope of the "Technical Assistance Project for Empowerment of the Role of Ombudsman in the Protection and Promotion of Human Rights," we held the International Ombudsman Conference on "The Future of Human Rights in the 21st Century", jointly organized by our Institution and the European Union, on 11 January 2023 at the Presidential Complex, with the participation of our esteemed President Recep Tayyip Erdoğan. During the conference, which brought together nearly 70 ombudsmen and human rights advocates from 41 countries, ranging from the Philippines to Peru, from Asia to Africa, and from the Turkic World to Europe, we discussed the responsibilities and roles that national ombudsmen and human rights representatives would undertake, as well as the contributions they could make in the protection and advancement of human rights.

On the other hand, we continued our cooperation with NGOs. The Chief Ombudsman, Ombudsmen and our Experts held regular meetings and exchanged views with NGOs and professional organizations such as TÜRK-İŞ, HAK-İŞ, MEMUR-SEN, the Union of

Chambers and Commodity Exchanges of Türkiye, the Union of Turkish Bar Associations and the Union of Municipalities of Türkiye.

On this occasion, I would like to extend my sincere thanks to the Speaker of the Grand National Assembly of Türkiye, Prof. Dr. Numan Kurtulmuş, whose strong support we have clearly felt in making our Institution more effective and stronger, and during the discussions of our Institution's Annual Report and budget in the General Assembly and Commissions of the Grand National Assembly of Türkiye, we received great support from Commission Chairs and our Members of Parliament. In this context, I would like to express my heartfelt gratitude to the esteemed Chair and members of our Joint Commission, the esteemed Chair and members of the Planning and Budget Commission and all Members of Parliament who expressed their views in the General Assembly.

The activities mentioned in the 2023 Annual Report are the result of strong, dynamic and dedicated teamwork. I sincerely thank everyone, from Ombudsmen to the Secretary General, from workers to civil servants, from our experts to unit supervisors, who has contributed and made efforts to help address the concerns of our citizens.

Yours sincerely.

Şeref MALKOÇ
Chief Ombudsman

Chapter III

2023

ANNUAL REPORT

FOREWORDS BY OMBUDSMEN

Mr. Yahya AKMAN
Ms. Fatma BENLİ YALÇIN
Mr. Arif DÜLGER
Mr. Sadettin KALKAN
Ms. Celile Özlem TUNÇAK

CHAPTER 3: FOREWORDS BY THE OMBUDSMEN

Forewords by Ombudsman Mr. Yahya Akman:



In 2023, a year in which we proudly celebrated the 100th anniversary of the founding of the Republic of Türkiye, the Ombudsman Institution also marked the completion of a decade since it began receiving complaints in 2013.

Drawing on the century-long experience of the Republic, our Institution has pursued its goal of becoming an Institution that makes the voice of the public conscience heard and acts as a bridge between the people and the state in achieving the ideal of a state governed by the rule of law, protecting fundamental rights and freedoms and strengthening democracy, with determination and enthusiasm in 2023.

Ensuring an honorable life in wealth and prosperity, where the individual benefits from his rights and freedoms at the highest level, is the most sacred and difficult duty that states have undertaken for their people, both in history and today. The dimension that the modern state and public administration approach has reached today, both in terms of its human power and institutional capacity and its power to affect the fundamental rights and freedoms of the individual, has made it necessary and important for the individual to resort to various means of seeking legal remedies before the administrative authorities.

Although judicial control of the administration is undoubtedly the greatest guarantee of the rule of law, systems based solely on the control of the administration based on the criterion of legality cannot prevent the occurrence of grievances; they are inadequate in terms of providing remedies. At this point, states are expected to adopt a good administration approach based on the “rule of law”, “development of democracy and respect for human rights” so that individuals can live a prosperous and honorable life; and in this context, Ombudsman

institutions are expected to identify “illegalities”, “legal gaps” and “unfair practices” in the current system and resolve the problems effectively and rapidly.

Based on such understanding and principles, while we, as the Ombudsmen, aim to ensure that the administration performs its duties respecting human rights and freedoms, the culture of law and reconciliation is developed in public management, principles of good administration are implemented, any disputes arising between the administration and the individual are resolved effectively and rapidly, public services are rendered in an effective and efficient manner, human rights are raised to international standards and the culture of seeking legal remedies is adopted and strengthened in the society, at each ombudsman level, we aim to guide the administrations through our detailed and thorough examinations, researches and reports that we carry out over concrete applications with respect to the issues assigned to us under the legislation,

In this context, the applications in my area of responsibility in 2023 were mostly from the fields of “Justice, National Defense and Security”, “Forestry, Water, Environment and Urbanization”, “Health”, “Property Right” and “Food, Agriculture and Livestock”, respectively.

The majority of the applications received under the topic of “*Justice, National Defense and Security*” are complaints regarding “*Activities of Penal Institutions*”. As is known, detained individuals who are deprived of their liberty and housed in closed institutions by legitimate authorities in accordance with the procedure and therefore have limited or no communication with the outside world, are completely under the responsibility of the public administration in terms of protection of their fundamental rights and freedoms.

The state has absolute responsibility in terms of preventing any violations of rights that these individuals may be subjected to and investigating any grievances that may be experienced. In this context, we conduct our comprehensive and meticulous examinations and researches before the Ministry of Justice in accordance with the provisions of Law No. 6328 in order to resolve the complaints lodged by individuals housed in penal institutions. When we look at the general distribution of complaints regarding the activities of penal institutions, it is seen that the application subjects are predominantly related to prison conditions and practices.

The sub-topic of “*Activities regarding the Execution of Judicial Services*” within the topic of justice, national defense and security is an area where applications from citizens are examined regarding actions to which the Ministry of Justice and Bar Associations are parties, with a particular focus on the non-implementation of court decisions. In 2023, complaints were lodged with our Institution under this topic regarding the failure to collect attorney fees and litigation expenses based on court orders, provision of legal aid, actions of enforcement offices, deletion of criminal records, updating of the wage schedule regarding mandatory defense counsel assignments, operation of the UYAP system and actions regarding the judicial investigation, prosecution and trial process.

Applications are also made to our Institution with complaints about the failure to respond to applications for information made to the administrations within the scope of the right to information, which was granted constitutional security in 2010. The applications in question, which are examined in the sub-field of “*Obstruction of the Exercise of the Right to Information and the Right to Petition*”, may be related to requests for access to information

and documents in order to apply for legal remedies, or they may be aimed at the inspection of the administration or obtaining advice or opinions from the administration. In such applications, our Institution meticulously carries out the necessary examinations to determine whether the requested information or documents fall within the exceptions specified in Law No. 4982.

Issues related to “*National Defense Services and Practices Concerning Military Personnel, as well as Matters Related to the Public Personnel Regime of the Turkish Armed Forces*” have also been the subject of complaints lodged with our Institution. In 2023, under this category, complaints were received on topics such as temporary/permanent duty travel allowances, appointments/transfers due to excuses or other reasons, recognition as a martyr/martyrdom certificates, access to military social facilities, deferment of military service, material and moral compensation due to disability during military service, disciplinary investigations, reinstatement to military rank after reappointment, reimbursement of financial and social rights and legal interest, settlement of OYAK (Military Solidarity Institution) deductions with precedents, correction of retrospective longevity pays and HİTAP (Service Tracking Program) records for military personnel, cancellation of training and education expenses due to compulsory service obligations, objections to oral examinations and operational compensation.

Applications are also submitted to our Institution within the scope of “*Activities of Law Enforcement Forces*”. As it is known, law enforcement activities inherently include authorities that interfere with fundamental rights and freedoms. However, due to the principle of the rule of law, which is also expressed in Article 2 of our Constitution, law enforcement authorities are subject to various limitations and supervision, and the concept of human rights lies at the core of these limitations and supervision. Within the scope of the activities of law enforcement forces, our Institution received applications in 2023 regarding complaints regarding the attitude and behavior of law enforcement personnel, administrative traffic fines, requests to have transferred or lost vehicles removed from the registry, procedures and actions regarding the issuance, renewal and cancellation of private security guard ID cards, procedures regarding gun licenses and procedures regarding driver’s licenses.

Another area within the scope of my responsibilities is “*Forestry, Water, Environment and Urbanization*.” Our country, which is located in a geography where natural disasters, particularly earthquakes, occur frequently, is considered to be in the “high-risk” group in terms of disasters. On 6 February 2023, two major earthquakes struck our country, with epicenters in the Pazarcık and Elbistan districts of Kahramanmaraş and, subsequently, on 20 February 2023, another major earthquake occurred, with its epicenter in Yayladağı, Hatay. These earthquakes caused massive destruction across 11 provinces, costing nearly 50,000 lives, damaging more than half a million buildings, disrupting communication and energy infrastructure and leading to significant economic losses.

In this context, in 2023, our Institution received various applications, mainly from our citizens affected by the earthquake, regarding the provision of tents and containers, urgent performance of earthquake damage assessments or objecting to the earthquake damage assessment rate, and completion of deficiencies related to housing constructed after the earthquake. Again, in this context, applications regarding the supervision of building inspection companies, urban transformation, and reconstruction and housing works, in

particular, those related to rental assistance requests, were mainly the subject of complaints lodged with our Institution.

Our Institution also examines complaints related to the “*Property Right*.” As is well known, the property right is one of the fundamental rights and freedoms guaranteed both by national constitutions and international human rights conventions. Unlike other rights protected by the Constitution, disputes concerning the property right may simultaneously involve multiple branches of law, including zoning law, civil law, administrative law and criminal and criminal procedure law, and thus may require detailed examination and investigation from various legal perspectives. In this context, upon reviewing the applications submitted to our institution in 2023, it has been observed that the majority of applications are related to issues such as claims for expropriation and mesne profits, payment of expropriation fees, confiscating without expropriating, cadastral renewal works, correction of land registry records, leasing of immovables of treasury, immovables registered as protected sites, confiscation and similar measures, and disputes arising from uncertainties experienced in obtaining the receivables based on court decisions.

Another area within my scope of responsibility is “*Health*.” The right to health is one of the inalienable and non-transferable rights that individuals are inherently entitled to from birth. Health services, by their very nature, differ from other public services, as the central concern, i.e. human health, cannot be postponed or substituted. In 2023, our Institution received applications in the field of health on various issues, including allegations of patient rights violations due to the attitude and behavior of healthcare personnel; allegations of medical malpractice; problems with access to treatment and medication; requests for the inclusion of certain medicines/products/medical supplies in the reimbursement list or for increasing of the amount of reimbursement; demands for higher travel and daily allowance payments; requests for the deletion of personal health data from records; complaints related to the medical appointment scheduling system; allegations that private or university-affiliated healthcare institutions were charging excessive fees; requests for the correction or amendment of health reports; demands of healthcare personnel regarding the operation of healthcare services; complaints by pharmacies affiliated with the Turkish Pharmacists’ Association (TEB) arising from their protocol with the Social Security Institution (SSI) concerning medicine supply; and applications related to professional chambers, etc.

Our institution also accepts requests and complaints in the field of “*Food, Agriculture and Livestock*.” Under this category, in 2023, our institution received applications regarding agricultural support payments in the context of agricultural loans and incentives; the construction of farm (vineyard) houses on agricultural land; the allocation of pasture-designated properties to village residents; requests concerning the sales stores of the General Directorate of the Meat and Milk Board (ESK); demands related to the wheat procurement policy of the General Directorate of the Turkish Grain Board (TMO); requests for necessary actions to be taken regarding stray dogs under Law No. 5199 on the Protection of Animals in order to safeguard public health and safety; and requests for carrying out, without penalty, the actions and procedures for implanting chips in pets. Regarding these applications, the first priority is to reach an amicable resolution by inviting the relevant authorities to act in accordance with the principles of good administration.

In summary, as in previous years, in 2023 we aimed to identify unlawful practices and unfair implementations through investigations based on concrete applications related to the matters within my area of responsibility and to resolve issues effectively and promptly, while at the same time, we strived to contribute to the development of a culture of law and reconciliation in public administration, the implementation of good administration principles, and the adoption and strengthening of a culture of seeking legal remedies in society.

Finally, while we sadly witness the massacre of humanity in Gaza before the eyes of the whole world, I strongly condemn Israel's actions against the Palestinian people that amount to genocide and I hope that this human tragedy will end as soon as possible and that the 2023 Report will be beneficial for our country.

Yahya AKMAN

Ombudsman

Forewords by Ombudsman Ms. Fatma Benli Yalçın:

In today's understanding of the rule of law, states are obliged to uphold good administration principles, in particular fundamental human rights to which individuals are inherently entitled, not only in all their acts, actions, attitudes and behaviors towards individuals within their national borders, but also in their acts, actions, attitudes and behaviors towards those in the international arena.

In order to safeguard human rights on an international level, numerous international protection mechanisms were established right after the Second World War based on core human rights treaties led by the United Nations and the Council of Europe.

However, it is observed that the established protection mechanisms have not reduced, but rather increasingly exacerbated human rights violations across the world in the form of wars declared in violation of international law, border violations, civilian massacres and acts of genocide including in Palestine, where, at the time this foreword is being written, one of the gravest humanitarian tragedies of the past century is taking place, with the number of children killed by Israel using 53,000 tons of bombs reaching an unimaginable 10 thousand; 7,000 people, half of whom are children, still trapped under the rubble; 1.9 million Gazans displaced and access to basic food supplies blocked for over two months as a method of collective punishment to force them to abandon their own country. The main reason for this situation is the loss of effectiveness of the international protection mechanisms established for the protection of human rights, due to the prioritization of national interests by the states that dominate international relations. So much so that, unlike the 153 countries that voted in favor of a humanitarian ceasefire at the United Nations General Assembly which lost more than 130 staff members in Gaza and had its own schools and camps bombed by Israel, the ceasefire call was effectively thwarted due to the opposition of the USA and Israel, and the collective punishment, assaults, and war crimes taking place in the Gaza Strip were not prevented.

Although the international protection mechanisms established for the safeguarding of human rights are of as great an importance as the constitutions and laws that guarantee human rights across the world, the inability to effectively implement the decisions of the international protection mechanisms when they conflict with the interests of imperial powers effectively abolishes the right of every member of the family of humanity to live together in peace and harmony with equal rights.

Today, in order to end the ongoing violations both in Gaza and in other parts of the world and to establish peace and tranquility globally, it is essential to urgently activate the “humanitarian law mechanisms” applicable during times of conflict and to take immediate measures in this direction. To achieve this, each of the international and regional associations and networks formed by Ombudsman and human rights institutions, particularly the aforementioned international organizations, as well as national Ombudsman and human rights institutions, have more duties and responsibilities than ever before.

The Ombudsman Institution of the Republic of Türkiye, adopts an increasingly active attitude to prevent human rights violations by participating more in activities of international ombudsman/human rights institutions in terms of associations and networks, as well as by communicating its views and suggestions through diplomatic channels and sharing the special reports it prepares in this regard with national and international public, and spares no effort to put an end to these violations. An example of these efforts is the initiative led by Chief Ombudsman of the Ombudsman Institution, Mr. Seref Malkoç, who arranged meetings between the Russian and Ukrainian Ombudsmen and President Recep Tayyip Erdoğan and personally contacted the leaders of both countries, for a humanitarian corridor similar to the food corridor established with the support of our President during the Russia-Ukraine war. Our Ombudsman is working on reports on war and aggression crimes committed in the Gaza Strip during the assaults which completely disabled 22 hospitals and 53 healthcare facilities and killed 300 healthcare providers and 93 journalists, as well as more than 20 thousand people 74% of whom were women and children, in defiance of the humanitarian law required to be implemented pursuant to the 4th Geneva Convention.

As a different means of seeking legal remedies and an inspection mechanism for conflicts between the administration and the citizen under the responsibility of being a Constitutional institution and with the sense of duty assigned to it, the Ombudsman Institution plays an important role in shaping our country’s future on the basis of an understanding of rights and justice and ensuring that the principle of the rule of law and the principles of good administration are better established in relations between the citizen and administration.

Our department engages in reconciliation and mediation efforts with administrations to resolve disputes between individuals and public authorities and provides guidance by upholding the principles of good administration in line with the findings included in its decisions, thereby contributing to the improvement of the quality of both central and local public services. While making the said contribution, our Institution and our department also work to ensure that the concepts of “rights,” “law,” “justice,” “fairness” and “good administration principles” become more firmly rooted in relationships between the administration and individuals.

In 2023, as in 2022, our department handled applications related to four main areas under my responsibility, in particular human rights, as well as civil registration and citizenship, refugee

and asylum seeker rights, services carried out by local administrations, transportation, media and communication, and in addressing these applications, particular emphasis was placed on the fundamental rights inherently possessed by every human being, as well as other rights and the principles of good administration.

As a result of the examination of the applications, a large number of applications ranging from applications regarding fundamental rights and freedoms such as “right to life”, “prohibition of torture and ill-treatment”, “freedom of expression”, “freedom of religion and conscience”, “freedom of settlement and travel”, “freedom of communication”, “the right of privacy and protection of personal data” in the field of human rights; from “work and transactions related to population services” in the field of civil registration, citizenship, refugee and asylum seeker rights, to the problems of migrants, asylum seekers and refugees, from zoning practices and infrastructure services, solid waste management and water services in the field of services provided by local administrations, from problems related to internet infrastructure services in the “telecommunication sector” experienced by consumers to the problems experienced in press-media and commercial transportation have been resolved through reconciliation and mediation initiatives made by our Institution before the administrations and through our decisions, thereby increasing the level of contentment of individuals, groups of individuals, non-governmental organizations and legal entities.

While carrying out its work, the Ombudsman Institution also increases the quality and efficiency of public services, draws attention to issues that cause discomfort in the public, presents its opinions and suggestions on the subject to the administration along with its decisions, and to the Grand National Assembly of Türkiye with the annual report it prepares every year, and shares the same with the public, as well. Problems experienced with the administration are identified through applications, meetings are held with administrators to eliminate problem areas, and thus, a contribution is made to the solution of the problems of those who do not apply to our Institution. As in the case of inclusion of the suggestions formerly proposed by our Institution as part of its Recommendations in the amendment made to the Highway Traffic Law, the contribution of the work carried out increases exponentially like waves in the sea.

This way, our Institution is able to handle and resolve not only the problems of the applicant but also those of thousands and even a hundred thousands of people that have the same problem with the applicant, through its decisions taken with regard to tens of thousands of applications lodged with it every year.

On this occasion, I wish for the 2023 Report to be beneficial for our country and humanity, with the hope that human rights violations around the globe, particularly in Gaza, will come to an end, the humanity will live together in peace and harmony and that our Country and Republic will live to see many more 100 years and the Ombudsman Institution many more 10 years of its anniversary.

Fatma BENLİ YALÇIN

Ombudsman

Forewords by Ombudsman Mr. Arif Dülger:

We have ended the year 2023 with the pride of celebrating the 100th anniversary of the Republic of Türkiye and beginning its second century, as well as the shame of seeing international law disregarded and human dignity and conscience trampled on in Gaza before the eyes of the entire world, and the agony of the devastating earthquake that affected a significant part of our country, and we have entered the year 2024, when my second term of office will end as of December.

The intense attacks carried out by Israel on Gaza, their violation of international law, their disproportionate and excessive nature, and especially the bombing of living spaces without discrimination of civilians, as well as the obstruction of access to basic necessities such as water, food and medical supplies, and of humanitarian aid, constitute crimes against humanity and it is imperative that these grave acts which amount to war crimes under international law come to an end as soon as possible through the establishment of a peaceful environment. In an environment where such violations are taking place in the context of international human rights, it is essential for all human rights institutions and defenders, especially Ombudspersons whose aim is to contribute to the peace and welfare of people in the field of human rights, to take action. Our Institution bears a fundamental responsibility not only limited to the protection of the rights of individuals within the country but also toward contributing to the protection and strengthening of fundamental rights and freedoms all around the world. This responsibility has been voiced whenever possible by the Chief Ombudsman of Türkiye, Şeref Malkoç, on all platforms, both national and international, condemning those who commit war crimes and crimes against humanity. Although this universal responsibility to contribute to the protection and strengthening of fundamental rights and freedoms places a heavy burden on our Institution, it also empowers us by underlining the significance of the work we carry out. With the strength derived from this universal responsibility, our Institution has undertaken a significant mission in terms of ensuring that

rights and freedoms people are protected in the light of universal legal principles in our country, as well, people will live humanely in keeping with the human dignity and the supreme value of humans as individuals, receive better standards of services and seek their rights fearlessly and that the principles of good administration will guide public management. Within the framework of this mission, our goals are to ensure that the rightful get what they deserve, that citizens trust their state and that the ties between citizens and the state are strengthened, and to serve as a bridge of communication between citizens and the state.

In line with these goals, since its establishment, our Institution has made significant contributions, through its decisions and the annual and special reports it has prepared, for ensuring that the administrations function and serve better and more effectively on the one hand and for protection and strengthening of human rights by contributing to raising the citizens' awareness of seeking legal remedies and pursuing their rights on the other hand, thereby realizing the principle of the rule of law, and will maintain such contributions in the future, as well.

In order to strengthen and increase this contribution, it is important to further strengthen the institutional structure, administrative and financial status of our Institution, as in the case of similar institutions abroad, by granting powers such as the ability to conduct ex officio investigations and to express opinions on issues related to the promotion and protection of human rights to the parliament and all other relevant authorities, upon their request or on its own initiative, in accordance with the UN's "Principles Relating to the Status of National Institutions Established for the Promotion and Protection of Human Rights", known as the Paris Principles, and the Venice Commission's "Principles on the Protection and Promotion of the Ombudsman Institution" of the Council of Europe, known as the Venice Principles.

In 2023, applications made to our Institution under the titles of "Education-training, youth and sports", "Energy, industry, customs and trade", "Science, art, culture and tourism", "Economy, finance and tax" and "Other subjects and fields" were examined and resolved in terms of compliance with law and fairness together with the expert staff in our Department. As we enter the second century of our Republic, I hereby present our annual report with the honor of being able to play a role in ensuring justice, which is the basis of property, and in supporting continued existence of our state and nation within the law, and I hope that it will be beneficial to our country.

Arif DÜLGER
Ombudsman

Forewords by Ombudsman Mr. Sadettin Kalkan:

The Ombudsman Institution, which was established in order to examine, investigate and make recommendations to the administration on all kinds of acts, actions, attitudes and behaviors of the administration upon complaint in terms of compliance with law and fairness within the understanding of justice based on human rights by creating an independent and effective complaint mechanism in the operation of public services, and is regulated in Article 74 of our Constitution, maintains its activities under the Presidency of the Grand National Assembly of Türkiye as per Law no. 6328 dated 14.06.2012.

Among the fundamental objectives of the Ombudsman Institution are to increase the performance of the public administration system in the countries where it is implemented and to improve the accountability of the administration to the citizens, thus ensuring the transparency and accountability of the administration.

When citizens who have complaints about the administration resort to judicial proceedings, the workload of the judiciary increases, and due to the inability of the judicial process to provide swift solutions to these applications, the issues often remain unresolved in a satisfactory manner. In addition, the prolonged duration of judicial procedures results in delayed access to justice for individuals, which can lead to a weakening of the sense of justice in the society. The Ombudsman Institution, on the other hand, with its impartial stance and prompt solution recommendations, reduces the burden on the judiciary by eliminating the need for every citizen facing administrative issues to go to court, thereby also preventing any harm to the principle of the rule of law.

In this regard, the Ombudsman Institution conducts investigations with the aim of protecting citizens against the administration and undertakes important functions such as making public administration more effective, promoting human rights, eliminating problems arising from



poor governance and addressing the grievances of citizens who have been subjected to injustice by the administration.

However, considering that it may not always be possible for everyone to apply to the Ombudsman Institution regarding the poor functioning of the administration, it is evaluated that, in order for the Ombudsman Institution to fully provide the expected benefit, it should be granted the authority to conduct an *ex officio* investigation, as in the ombudsman practices around the world, and on the other hand, measures should be taken to reduce the hesitations of the administrations regarding the implementation of the institution's decisions, which will make the institution more functional and effective.

In a period called the “Century of Türkiye”, when we left behind the 100th anniversary of our Republic, I am honored to serve in the Ombudsman Institution, which is guided by the belief that “The best of people are those who are most beneficial to others” and the principle that “Let the people live so the State may live” and observes fairness by taking law and human rights as its basis, and I hope that the 2023 Annual Report will be beneficial for our country.

Sadettin KALKAN

Ombudsman

Forewords by Ombudsman Ms. Celile Özlem Tunçak:

As the Ombudsman Institution, we bear the honor and responsibility of presenting our Annual Report, which covers our activities for the year 2023, to the Grand National Assembly of Türkiye. Within the framework of Law No. 6328, we aim to contribute to our citizens' pursuit of seeking legal remedies by examining the acts and actions of the administration on the basis of human rights.

Our 2023 Annual Report includes applications from various fields and our reviews, and aims to identify problems that arise in this context and to recommend solutions. Our report offers detailed information on working life, social security rights, women's rights, children's rights, disability rights, family rights and social services.

In this context, our investigations related to social security and working life have focused in detail on issues such as disputes regarding retirement procedures, problems faced by personnel employed under worker status and conflicts concerning insurance procedures. Furthermore, we have approached the problems encountered in working life with sensitivity and developed solution proposals aimed at protecting the rights of employees. We will continue to meticulously examine applications related to social security and working life and to produce solutions to the problems in this area.

We thoroughly address applications in the field of women's rights and carefully examine issues that concern a broad segment of society, such as the avoidance of gender discrimination in recruitment announcements and the requests of female inmates in prisons for hygiene products, thereby striving to offer fair and just solution proposals on these matters.

In this process, we emphasize the necessity of a fair approach in recruitment by adopting the principle of equal opportunity between women and men. At the same time, we highlight the

importance of requests made to improve living conditions in prisons and offer solution proposals on these matters.

We examine in detail the applications concerning matters such as establishing personal relationship with the child after divorce, safety of life and disciplinary proceedings, and provide recommendations to help ensure justice in these areas.

Through our work, particularly in the fields of children's and women's rights, we aim to contribute to resolving the problems faced by the most vulnerable segments of society. Within the scope of our Child Rights Strategy, we are working diligently to foster a society that is sensitive to the rights of children.

We continue our efforts to identify problems and develop solution proposals based on applications related to the rights of persons with disabilities, family rights and social services. As the Ombudsman Institution, we remain determined and committed to ensuring equal rights and justice for every segment of society.

Additionally, our investigations and the solution proposals we put forward following the earthquake disaster in 2023 are presented in detail in our Report. We provide a comprehensive account of the work we carried out to identify the challenges faced by earthquake victims and to address their grievances.

With the hope and prayer that our Institution, which has become the focus of the rule of law and good administration principles, will continue its mission and contribute to the social peace and justice of our country in 2023, the year we celebrate the centennial of the foundation of our Republic and the tenth anniversary of the Ombudsman Institution starting to receive applications, I would like to thank all my colleagues with whom I have worked and express my gratitude to our Chief Ombudsman Mr. Şeref Malkoç for his unwavering support for my department.

Yours sincerely,

Celile Özlem TUNÇAK
Ombudsman

Chapter IV

2023

ANNUAL REPORT

PROCEDURE FOR COMPLAINT APPLICATION AND STATISTICS RELATED TO APPLICATIONS

Procedure for Complaint Application
Complaint Investigation Process and Decisions
General Statistics
Statistics on Amicable Settlements
Statistics on Recommendation and Partial Recommendation and Partial Refusal Decisions
Evaluation of Our Institution's Success Regarding Its Problem-Solving Ability

CHAPTER 4: PROCEDURE FOR COMPLAINT APPLICATION AND STATISTICS RELATED TO APPLICATIONS

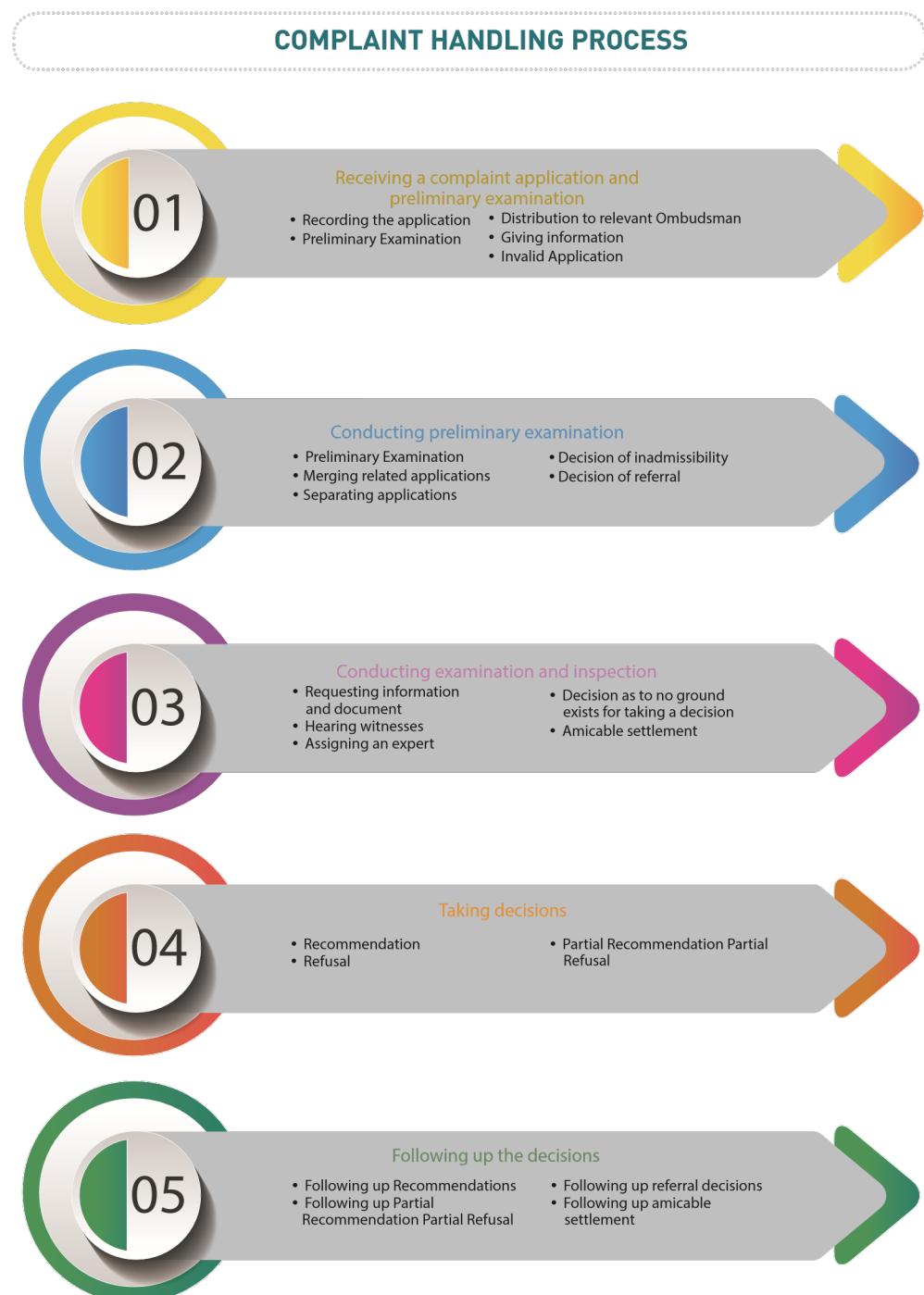
4.1 PROCEDURE FOR COMPLAINT APPLICATION

Natural and legal persons whose rights, freedoms or interests are violated as a result of the acts, actions, attitudes and behaviors of the administration may lodge a complaint with the Ombudsman Institution. Within this framework, besides all individuals, legal entities such as companies, non-governmental organizations, associations, foundations, trade unions, etc. shall be entitled to apply. In addition, foreign nationals can also lodge their complaints without any requirement of nationality or reciprocity.

When the complaint is about human rights, fundamental rights and freedoms, women's rights, children's rights and general issues of public interest, all natural and legal persons can also apply without requiring that their rights and freedoms or interests have been directly violated. Therefore, in these matters, non-governmental organizations such as associations and foundations, as well as individuals, can take an active role in the control mechanism of the administration.

Additionally, a complaint application may also be submitted by a legal representative or attorney. Applications can be delivered to our Institution in person, by mail, by e-mail (iletisim@ombudsman.gov.tr) or via the e-Government portal, fax, or through the electronic application system. Moreover, our Istanbul Office, which is currently operational, also accepts complaint applications. However, for applications submitted via fax or electronic mail, the original signed petition must be sent to our Institution within 15 days. Otherwise, the complaint application will be considered invalid.

4.2 COMPLAINT INVESTIGATION PROCESS AND DECISIONS

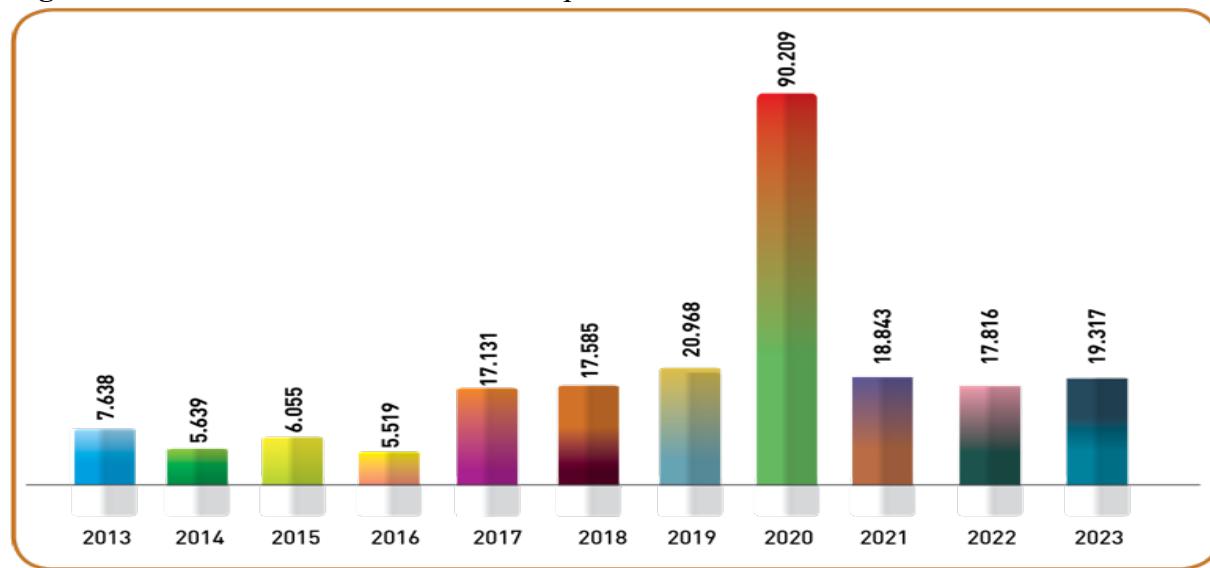


4.3 GENERAL STATISTICS

As of 2013, a total of **226,720** complaints have been lodged with our Institution, including **19,317** complaints received in 2023.

Table 1: Number of Complaints over the Years

Year/Date	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
Total Complaints	7,638	5,639	6,055	5,519	17,131	17,585	20,968	90,209	18,843	17,816	19,317	226,720

Figure 1: Variation of the Number of Complaints over the Years


When the complaints lodged with our Institution in 2023 are examined according to age group distribution, it is observed that the highest number of applications came from applicants in the 35-44 age group with 29.95%. This is followed closely by the 25-34 age group with 29.04%, the 45-54 age group with 18.85%, and the 55-64 age group with 7.62%.

Table 2: Distribution of Complaints in 2023 by Age Groups

Age Group	Number	Percentage %
Age group [0-18]	152	0.79%
Age group [18-24]	1,253	6.49%
Age group [25-34]	5,609	29.04%
Age group [35-44]	5,786	29.95%
Age group [45-54]	3,642	18.85%
Age group [55-64]	1,472	7.62%
Age group [65-74]	560	2.90%
Age group [75-84]	155	0.80%
[85-]	26	0.13%
Legal Entity	246	1.27%
Age Not Specified	416	2.15%
TOTAL	19,317	

Figure 2: Distribution of Complaints in 2023 by Age Group

In 2023, **98.73%** of the complaints lodged with our Institution were made by natural persons and **1.27%** by legal entities.

Table 3: Distribution of Complaints by the Type of Applicant in 2023

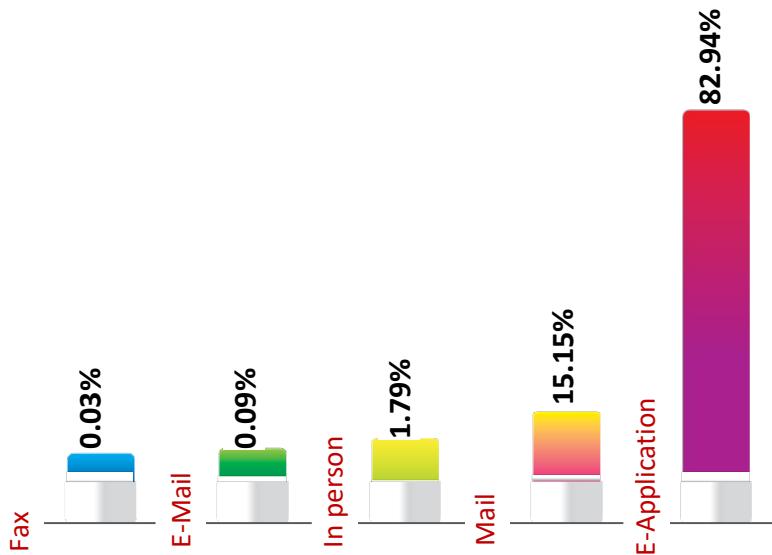
Type of Applicant	Number	Percentage %
Natural Person	Male	13,867
	Female	4,757
	Boy	88
	Girl	64
Legal Entity	Not Specified	295
	Company	
	Trade Union	
	Association	246
	Public Institution	
Other		246
		1.27%
TOTAL	19,317	

Figure 3: Distribution of Complaints by the Type of Applicant in 2023

As in previous years, majority of the applications in 2023 were lodged through the “e-Application” system with **82.94%**, and while **15.15%** were lodged by mail.

Table 4: Distribution of Complaints in 2023 by Application Methods

Application Method	Number	Percentage %
Fax	6	0.03%
In person	345	1.79%
Mail	2,927	15.15%
E-Application	16,022	82.94%
E-mail	17	0.09%
TOTAL	19,317	

Figure 4: Distribution of Complaints in 2023 by Application Methods


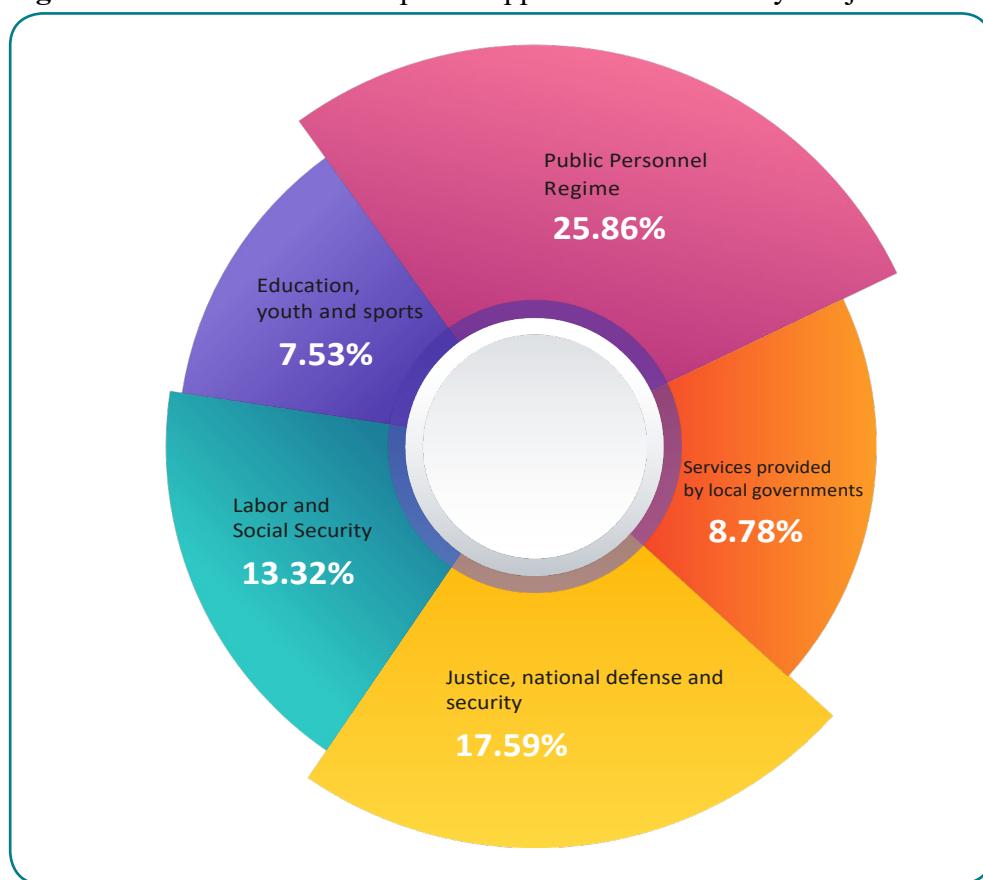
When the complaints made in 2023 were evaluated by subject, the highest number of applications were received in the field of **public personnel regime with 25.86%**, followed by justice, national defense and security with 17.59%, labor and social security with 13.32%, services provided by local administrations with 8.78%, education-training, youth and sports with 7.53% and economy, finance and tax with 5.24%.

Table 5: Distribution of Complaint Applications in 2023 by Subject

Topic/Area	Number	Percentage %
Public personnel regime	4,995	25.86%
Justice, national defense and security	3,398	17.59%
Labor and social security	2,573	13.32%
Services provided by local governments	1,696	8.78%
Education-training, youth and sports	1,455	7.53%
Economy, finance and tax	1,012	5.24%
Public personnel regime -1 (Sub-topics related to the rights of employees with worker status in the administration arising from the Labor Law and employment contracts)	572	2.96%
Transportation, press and communication	540	2.80%
Forestry, water, environment and urbanization	451	2.33%
Energy, industry, customs and trade	416	2.15%
Civil registration, citizenship, refugee and asylum seeker rights	346	1.79%
Rights of persons with disabilities	340	1.76%
Health	316	1.64%
Property right	314	1.63%
Social services	285	1.48%

Topic/Area	Number	Percentage %
Children's rights	223	1.15%
Human rights	215	1.11%
Food, agriculture and livestock	77	0.40%
Other topics and areas	30	0.16%
Protection of family	28	0.14%
Science, art, culture and tourism	19	0.10%
Women's rights	16	0.08%
TOTAL	19,317	

Figure 5: Distribution of Complaint Applications in 2023 by Subject



When a total of 19,317 complaints lodged with our institution in 2023 were evaluated on the basis of administrations, the highest number of complaints was made against the Ministry of Justice with a rate of 14.38%, followed by complaints against Local Administrations with 11.74%, the Ministry of National Education with 9.82%, the Ministry of Labor and Social Security with 8.47%, Universities and Faculties with 6.00%, the Ministry of Health with 5.96% and the Social Security Institution with 5.72%.

Table 6: Distribution of Complaints by Administrations in 2023

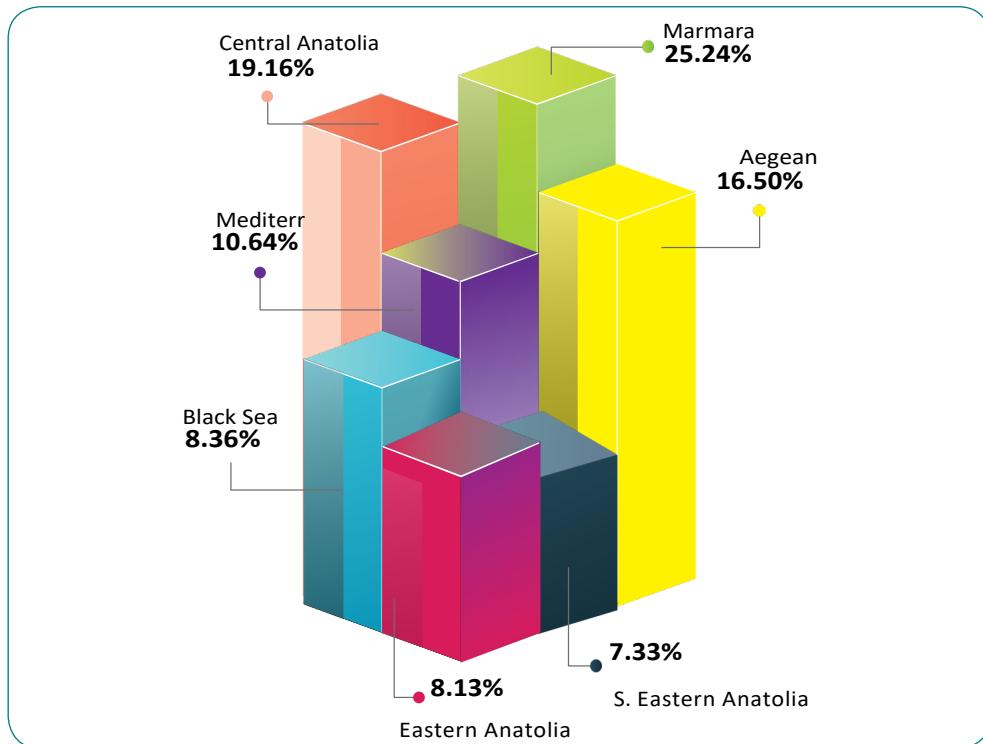
Name of the Administration	Number	Percentage %
Ministry of Justice	2,777	14.38%
Local Governments	2,268	11.74%
Ministry of National Education (MoNE)	1,897	9.82%
Ministry of Labor and Social Security	1,637	8.47%
Universities and Faculties	1,159	6.00%
Ministry of Health	1,152	5.96%
Social Security Institution (SSI)	1,104	5.72%
Governorates-District governors	418	2.16%
Ministry of Interior	352	1.82%
Ministry of Environment, Urbanization and Climate Change	334	1.73%
General Directorate of Security (EGM)	292	1.51%
Council of Higher Education (YÖK)	257	1.33%
Ministry of National Defense (MSB)	234	1.21%
General Directorate of Civil Registration and Citizenship Affairs	219	1.13%
Union of Chambers of Certified Public Accountants and Sworn-in Certified Public Accountants of Türkiye (TÜRKMOB)	218	1.13%
Banks and Financial Institutions	210	1.09%
Ministry of Treasury and Finance	198	1.03%
Natural Catastrophe Insurance Pool	194	1.00%
Revenue Administration (GİB)	190	0.98%
Ministry of Youth and Sports	184	0.95%
Ministry of Trade	158	0.82%
Information Technologies and Communications Authority (BTK)	151	0.78%
Ministry of Agriculture and Forestry	148	0.77%
Ministry of Family and Social Services	139	0.72%
Disaster And Emergency Management Authority	118	0.61%
Measuring, Selection and Placement Center (ÖSYM)	111	0.57%
General Directorate of Land Registry and Cadastre	108	0.56%
Ministry of Transport and Infrastructure	91	0.47%
General Directorate of State Hydraulic Works	90	0.47%
Presidency of Religious Affairs	89	0.46%
Judicial Institutions	65	0.34%
Energy Market Regulatory Authority (EMRA)	63	0.33%
General Directorate of Highways	61	0.32%

Name of the Administration	Number	Percentage %
General Directorate of Migration Management	61	0.32%
Housing Development Administration (TOKİ)	60	0.31%
General Directorate of Post and Telegraph Organization (PTT)	59	0.31%
Banking Regulation and Supervision Agency (BRSA)	58	0.30%
Other	2,393	12.39%
TOTAL	19,317	

When the applications submitted to our institution in 2023 were evaluated by region, the highest number of applications were made from the **Marmara Region with 25.24%**, which was followed by the Central Anatolia Region with 19.16%, the Aegean Region with 16.50% and the Mediterranean Region with 10.64%.

Table 7: Distribution of Complaints in 2023 by Regions

Name of the Region	Number	Percentage %
The Marmara Region	4,875	25.24%
The Central Anatolia Region	3,701	19.16%
The Aegean Region	3,187	16.50%
The Mediterranean Region	2,055	10.64%
The Black Sea Region	1,615	8.36%
The Eastern Anatolia Region	1,571	8.13%
The Southeastern Anatolia Region	1,416	7.33%
No address	762	3.94%
Abroad	135	0.70%
TOTAL	19,317	

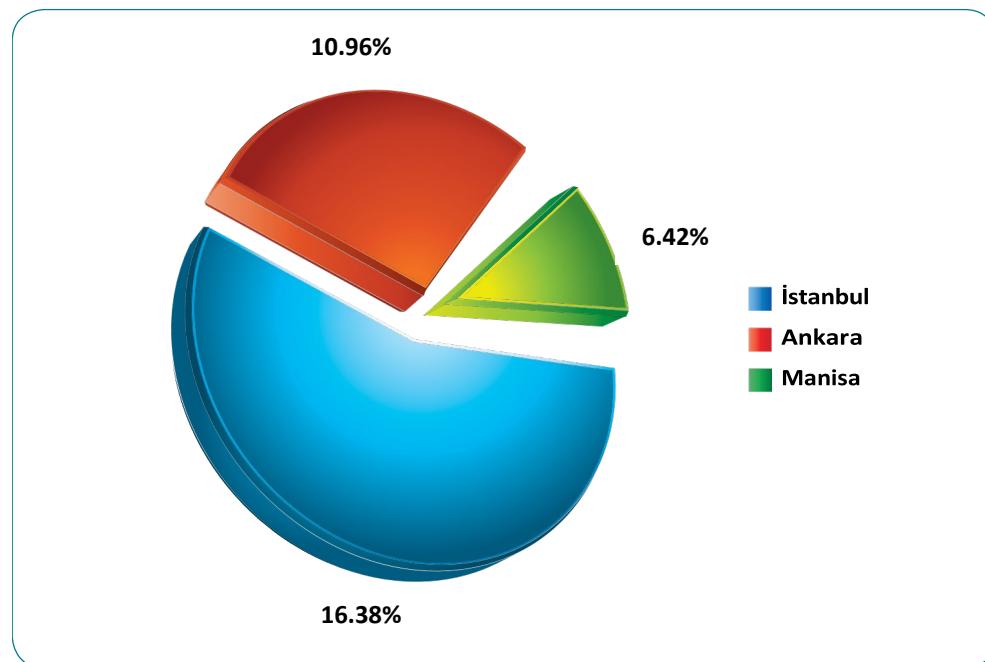
Figure 6: Distribution of Complaints in 2023 by Regions


In 2023, as in previous years, the province with the highest number of applications was Istanbul with 16.38%, followed by Ankara with 10.96% and Manisa with 6.42%.

Table 8: Distribution of Complaints by Provinces in 2023

Name of province	Number	Percentage %
Istanbul	3,164	16.38%
Ankara	2,118	10.96%
Manisa	1,241	6.42%
İzmir	1,052	5.45%
Adana	558	2.89%
Konya	522	2.70%
Bursa	453	2.35%
Antalya	421	2.18%
Kocaeli	404	2.09%
Samsun	364	1.88%
Other	9,020	46.69%
Total	19,317	

Figure 7: Distribution of Complaints by Provinces in 2023



Complaints are examined according to the distribution of topics and areas among the Ombudsmen within the scope of the "Directive on the Division of Work among the Ombudsmen" and the distribution of applications referred to the Ombudsmen within this scope as of 31 December 2023 is as follows.

Table 9: Distribution of Subjects and Fields of Duty of Ombudsmen

Ombudsman Mr. Yahya AKMAN	<ol style="list-style-type: none"> 1. Forestry, water, environment and urbanization 2. Right to property 3. Food, agriculture and livestock 4. Justice, national defense and security 5. Health
Ombudsman Ms. Fatma BENLİ YALÇIN	<ol style="list-style-type: none"> 1. Transportation, press and communication 2. Services provided by local governments 3. Human rights 4. Civil registration, citizenship, refugee and asylum seeker rights
Ombudsman Mr. Arif DÜLGER	<ol style="list-style-type: none"> 1. Education-training, youth and sports 2. Energy, industry, customs and trade 3. Science, art, culture and tourism 4. Economy, finance and tax 5. Other subjects and fields
Ombudsman Mr. Sadettin KALKAN	<ol style="list-style-type: none"> 1. Public personnel regime

Ombudsman
Ms. Celile Özlem TUNÇAK

1. Labor and social security
2. Rights of persons with disabilities
3. Women's rights
4. Children's rights
5. Social services
6. Protection of family
7. Under issues related to the public personnel regime, issues related to the rights of employees with worker status in the administration arising from the Labor Law and employment contracts

Table 10: Distribution of Complaints Referred to Ombudsmen in 2023

Ombudsman	Number	Percentage %
Yahya AKMAN	4,556	23.59%
Fatma BENLİ YALÇIN	2,797	14.48%
Arif DÜLGER	2,931	15.17%
Sadettin KALKAN	4,995	25.86%
Celile Özlem TUNÇAK	4,037	20.90%
Preliminary Examination, Distribution and Information Department	1	0.01%
Total	19,317	

Data on Cases of 2023

In 2023, a total of **21,081** complaints were processed for evaluation, including 19,317 applications received during the year and 1,764 transferred from 2022.

Of the total 21,081 complaints that were evaluated, **19,289** (91.50%) were concluded by our Institution, while the examination of **1,792** applications is still ongoing. On the other hand, as a result of the preliminary assessment, a Merging Decision was made for 2,362 applications that were identical in terms of subject and reason, and these were examined under a single file.

Table 11: Data on Cases of 2023

Number of Cases Transferred from 2022	Number of Cases Distributed in 2023	Total	Number of Cases Concluded in 2023	Number of Cases Being Processed
1,764	19,317	21,081	19,289	1,792

Upon examination of complaints lodged with the Ombudsman Institution, the following decisions are issued:

- ❖ Invalid Application
- ❖ Merging
- ❖ Separating
- ❖ Referral
- ❖ Inadmissibility
- ❖ Amicable Settlement
- ❖ Decision of No Grounds for Ruling
- ❖ Refusal
- ❖ Partial Recommendation Partial Refusal
- ❖ Recommendation

A “**Decision of Inadmissibility**” is issued for applications that do not fall within the scope of our Institution’s mandate, do not meet the mandatory requirements stipulated by the law under which a complaint must be filed, do not pertain to a specific issue, or are related to disputes that are currently being heard or have been resolved by judicial authorities, as well as for applications with the same subject matter, parties, and reasons as previously concluded applications.

In order to lodge an application with the Ombudsman Institution, the applicant must have exhausted the administrative remedies stipulated in the Administrative Judicial Procedure Act No. 2577 and the mandatory administrative remedies in the special laws. For the applications lodged without exhausting the administrative remedies, a “**Decision of Referral**” is issued and the application is forwarded to the relevant administration.

Pursuant to Article 34 of the Regulation on the Procedures and Principles Regarding the Implementation of the Law on the Ombudsman Institution, a “**Decision of No Grounds for Ruling**” is issued by our Institution in cases where the complainant withdraws their application; if the complainant is a natural person, upon their death; or in case of a legal entity, upon its dissolution; or if a lawsuit is filed concerning the subject of the complaint while the examination and investigation are ongoing.

If, as a result of the examination and investigation, it is concluded that the allegation subject to the complaint is justified, a “**Recommendation**” is issued by our Institution; if it is concluded that the claim subject to the complaint is not valid, a “**Refusal**” is issued and in cases where some of the claims are valid and others are not, a “**Partial Recommendation and Partial Refusal**” is issued.

The purpose of establishment and the reason for existence of the Ombudsman Institution is to seek and find an amicable settlement. In this context, if the complaint is resolved through amicable settlement as a result of the initiatives made by our Institution, an “**Amicable Settlement Decision**” is issued.

Within this scope, concerning the **19,289** complaints concluded by our Institution as of 31 December 2023, the ratio of the decisions issued are as follows:

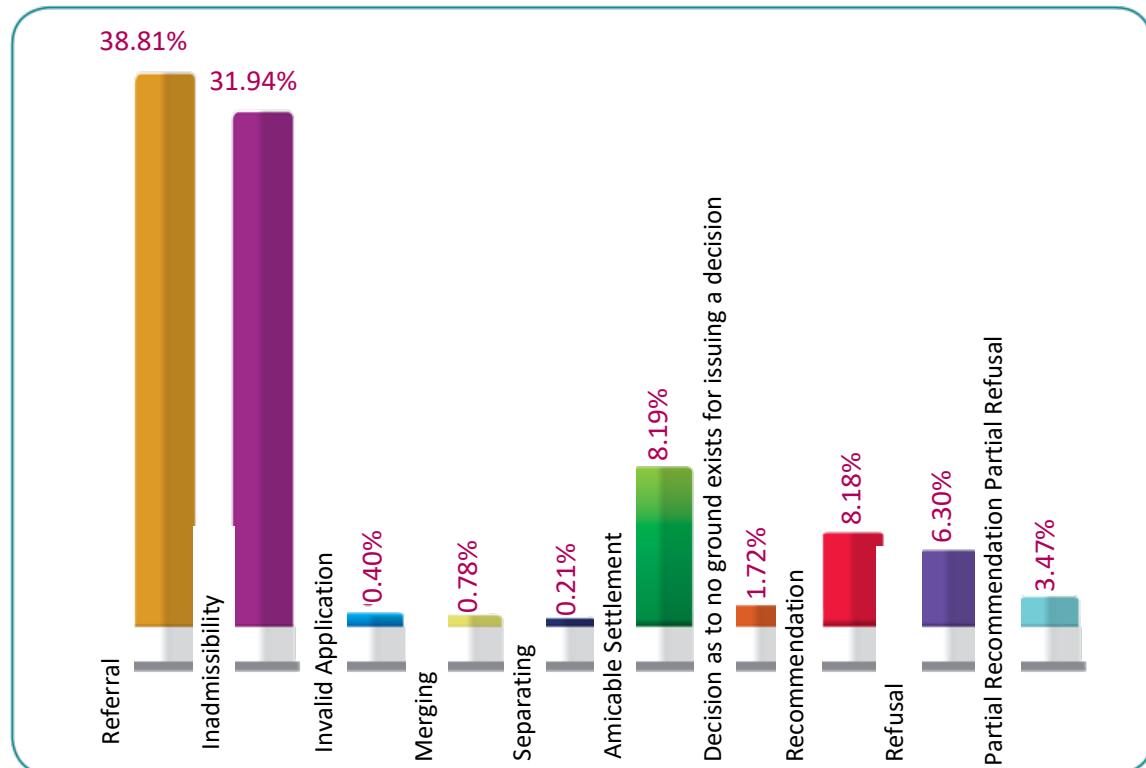
- ❖ “Referral” at the ratio of 38.81%,
- ❖ “Inadmissibility” at the ratio of 31.94%,

- ❖ “Amicable Settlement” at the ratio of 8.19%,
- ❖ “Invalid Application” at the ratio of 0.40%,
- ❖ “Decision of No Grounds for Ruling” at the ratio of 1.72%,
- ❖ “Recommendation” at the ratio of 8.18%,
- ❖ “Refusal” at the ratio of 6.30%,
- ❖ “Partial Recommendation Partial Refusal” at the ratio of 3.47%

The number and percentage distribution of the decisions issued by the Ombudsman Institution in terms of types of decisions are presented below.

Table 12: Distribution According to the Types of Decisions in 2023

Types of Decisions	Number	Percentage %
Referral	6,570	38.81%
Inadmissibility	5,407	31.94%
Invalid Application	67	0.40%
Merging	132	0.78%
Separating	36	0.21%
Amicable Settlement	1,386	8.19%
Decision of No Grounds for Ruling	291	1.72%
Recommendation	1,384	8.18%
Refusal	1,066	6.30%
Partial Recommendation Partial Refusal	588	3.47%
Total Number of Decisions	16,927	
Number of Cases Resolved with Merging Decision (+)	2,362	
Total Number of Resolved Cases	19,289	

Figure 8: Distribution According to the Types of Decisions in 2023

The statistics regarding the number of cases reviewed in 2023 by the Chief Ombudsman, the Ombudsmen, and the Preliminary Examination, Distribution and Information Bureau, as well as the decisions issued, are given in the tables below.

Table 13: Decisions Issued by Chief Ombudsman Şeref Malkoç

Types of Decisions	Number
Recommendation	1,384
Refusal	1,066
Partial Recommendation Partial Refusal	588
Total	3,038

Table 14: Decisions Issued by Ombudsman Yahya Akman

Types of Decisions	Number	Percentage %
Separating	13	0.29%
Merging	6	0.13%
Amicable Settlement	268	5.96%
Referral	2,100	46.70%
Inadmissibility	1,581	35.16%
Decision of No Grounds for Ruling	20	0.44%
Partial Recommendation Partial Refusal Proposal	258	5.74%

Refusal Proposal	131	2.91%
Recommendation Proposal	120	2.67%
Total Number of Decisions	4,497	
Number of Cases Resolved with Merging Decision (+)	87	
Total Number of Resolved Cases	4,584	

Table 15: Decisions Issued by Ombudsman Fatma Benli Yalçın

Types of Decisions	Number	Percentage %
Separating	8	0.31%
Merging	24	0.94%
Amicable Settlement	456	17.81%
Referral	974	38.03%
Inadmissibility	916	35.77%
Decision of No Grounds for Ruling	48	1.87%
Partial Recommendation Partial Refusal Proposal	14	0.55%
Refusal Proposal	53	2.07%
Recommendation Proposal	68	2.66%
Total Number of Decisions	2,561	
Number of Cases Resolved with Merging Decision (+)	210	
Total Number of Resolved Cases	2,771	

Table 16: Decisions Issued by Ombudsman Arif Dülger

Types of Decisions	Number	Percentage %
Separating	6	0.21%
Merging	17	0.60%
Amicable Settlement	96	3.39%
Referral	1,298	45.78%
Inadmissibility	834	29.42%
Decision of No Grounds for Ruling	51	1.80%
Partial Recommendation Partial Refusal Proposal	30	1.06%
Refusal Proposal	240	8.47%
Recommendation Proposal	263	9.28%
Total Number of Decisions	2,835	
Number of Cases Resolved with Merging Decision (+)	267	
Total Number of Resolved Cases	3,102	

Table 17: Decisions Issued by Ombudsman Sadettin Kalkan

Types of Decisions	Number	Percentage %
Separating	3	0.08%
Merging	76	1.99%
Amicable Settlement	166	4.34%
Referral	1,240	32.40%
Inadmissibility	1,290	33.71%
Decision of No Grounds for Ruling	100	2.61%
Partial Recommendation Partial Refusal Proposal	65	1.70%
Refusal Proposal	316	8.26%
Recommendation Proposal	571	14.92%
Total Number of Decisions	3,827	
Number of Cases Resolved with Merging Decision (+)	1,770	
Total Number of Resolved Cases	5,597	

Table 18: Decisions Issued by Ombudsman Celile Özlem Tunçak

Types of Decisions	Number	Percentage %
Separating	6	0.20%
Merging	9	0.29%
Amicable Settlement	400	13.01%
Referral	956	31.10%
Inadmissibility	785	25.54%
Decision of No Grounds for Ruling	72	2.34%
Partial Recommendation Partial Refusal Proposal	218	7.09%
Refusal Proposal	290	9.43%
Recommendation Proposal	338	11.00%
Total Number of Decisions	3,074	
Number of Cases Resolved with Merging Decision (+)	28	
Total Number of Resolved Cases	3,102	

Table 19: Decisions Issued by Preliminary Examination, Distribution and Information Department

Types of Decisions	Number
Invalid Application	67
Total Number of Resolved Cases	67

The number of complaints and their percentages in 2023 according to the sub-topics under the main topics designated in the Directive on the Division of Work of the Ombudsmen are presented below.

Table 20: Distribution of Complaints by Subtopics in 2023

Justice, National Defense and Security	Number	Percentage %
Activities related to the execution of justice services	775	22.81%
Other issues related to justice, national defense and security	5	0.15%
Obstruction of the exercise of the right to information and the right to petition	596	17.54%
Activities of penal institutions	1,629	47.94%
Activities of law enforcement agencies	143	4.21%
Practices related to national defense services and military personnel	102	3.00%
Issues concerning the public personnel regime of the Turkish Armed Forces and activities that are not purely military in nature	148	4.36%
Total	3,398	

Protection of Family	Number	Percentage %
Other issues related to protection of family	15	53.57%
Domestic violence and abuse	5	17.86%
Protecting family structure and values	4	14.29%
Protecting family integrity	3	10.71%
Adoption and foster family services	1	3.57%
Total	28	

Science, Art, Culture and Tourism	Number	Percentage %
Scientists and scientific activities	4	21.05%
Other issues related to science, arts, culture and tourism services	7	36.84%
Professional organizations related to science, industry, culture and tourism (chamber, stock exchange, union, etc.)	1	5.26%
Intellectual and artistic works and copyright	2	10.53%
General issues related to culture and tourism	4	21.05%
Matters carried out by associations and foundations engaged in cultural, artistic, tourism and promotional activities, as well as by private legal entities providing public services	1	5.26%
Total	19	

Labor and Social Security	Number	Percentage %
Issues related to rights claimed from the administration under the Labor Law and employment contract due to the administration being the principal employer (subcontracted laborer issues)	890	34.59%
Social insurances	759	29.50%
Other issues regarding labor and social security	334	12.98%
Retirement fund	314	12.20%
Worker and employer problems (except contracted and temporary personnel problems)	184	7.15%
Issues related to the rights of employees working in the status of workers in the former Administration arising from the Labor Law and employment contracts	36	1.40%
Bag-Kur (Social Security Organization for Artisans and the Self-employed)	17	0.66%
Union activities	10	0.39%
Occupational health and safety procedures	8	0.31%
Working conditions	7	0.27%
Occupational accidents	7	0.27%
Unions and collective labor relations	5	0.19%
Work permits for foreigners	2	0.08%
Total	2,573	

Children's Rights	Number	Percentage %
Other issues related to children's rights	161	72.20%
Hate speech against children	30	13.45%
Social services and aid activities for children	20	8.97%
Children in need of protection, care and assistance	9	4.04%
Child neglect and abuse	3	1.35%
Total	223	

Education-Training, Youth and Sports	Number	Percentage %
Processes, actions and practices related to students	466	32.03%
Issues related to higher education services	425	29.21%
Exams and related practices	420	28.87%
Other issues related to education-training, youth and sports	109	7.49%
Sports federations	20	1.37%
Teachers' problems related to education and training	12	0.82%
Youth studies and projects	1	0.07%
Youth centers and similar facilities, as well as youth camps and associations	1	0.07%
Youth and sports councils	1	0.07%
Total	1,455	

Economy, Finance and Tax	Number	Percentage %
Banking transactions	354	34.98%
Insurance transactions	253	25.00%
Tax procedures	198	19.57%
Financial consumer rights and issues	57	5.63%
Procurement processes and procedures	45	4.45%
Public debts	30	2.96%
Other issues related to economy, finance and tax	28	2.77%
Capital markets	24	2.37%
Public receivables	16	1.58%
Financial crimes and smuggling	7	0.69%
Total	1,012	

Energy, Industry, Customs and Trade	Number	Percentage %
Consumer rights and problems related to the subject	268	64.42%
Energy and natural resources	87	20.91%
Practices of Consumer Arbitration Committee	22	5.29%
Other issues related to energy, industry, customs and trade	16	3.85%
Customs procedures	16	3.85%
Domestic trade	4	0.96%
Foreign trade	3	0.72%
Total	416	

Rights of Persons with Disabilities	Number	Percentage %
Other issues related to the rights of persons with disabilities	221	65.00%
Discrimination against persons with disabilities	43	12.65%
Exploitation, violence and abuse against persons with disabilities	1	0.29%
Social services and aid for persons with disabilities	69	20.29%
Habilitation and rehabilitation services and programs	3	0.88%
Persons with disabilities in need of protection, care and assistance	3	0.88%
Total	340	

Food, Agriculture and Livestock	Number	Percentage %
Other issues related to food, agriculture and livestock	40	51.95%
Animal rights, health and protection	12	15.58%
Agricultural loans and incentives	11	14.29%
Agricultural markets	6	7.79%
Food production, safety and reliability	3	3.90%
Losses caused by natural disasters in the sectors of food, agriculture, and livestock	3	3.90%
Rural development	2	2.60%
Total	77	

Human Rights	Number	Percentage %
Applications from prisoners	96	44.65%
Confidentiality of private life and protection of personal data	40	18.60%
Right to life, protection of physical and moral integrity and prohibition of ill-treatment (torture, persecution, inhuman and degrading treatment).	26	12.09%
Victims of terrorism and duty	17	7.91%
Prevention of all forms of discrimination	11	5.12%
The freedom to elect and be elected	10	4.65%
Freedom of assembly and of association	7	3.26%
Freedom of thought, conscience and religion, as well as freedom of worship	5	2.33%
Freedom of speech	2	0.93%
Other issues related to human rights	1	0.47%
Total	215	

Women's Rights	Number	Percentage %
All forms of violence against women, honor and custom killings, harassment and abuse	8	50.00%
Gender discrimination	5	31.25%
Women in need of protection, care and assistance	2	12.50%
Other issues related to women's rights	1	6.25%
Total	16	

Public Personnel Regime - 1	Number	Percentage %
Recruitment of personnel (including problems arising from not being appointed as a public official, quota restrictions, etc.), assignment, transfer and relocation	1,756	35.16%
Assignment, transfer and relocation	618	12.37%
Financial rights	602	12.05%
Disciplinary actions and termination of civil service	528	10.57%
Complaints about the attitudes and behaviors of public personnel (including mobbing and ill-treatment)	493	9.87%
Contracted and temporary personnel problems	276	5.53%

Public Personnel Regime -1	Number	Percentage %
Positions and/or titles	167	3.34%
Examinations regarding the recruitment of public personnel (written and oral examinations conducted by the institutions regarding the personnel recruitment)	137	2.74%
Duties, responsibilities, general rights and prohibitions	134	2.68%
Other issues related to public personnel	115	2.30%
Progression and promotion	108	2.16%
Social rights and aid	39	0.78%
Personnel evaluation	13	0.26%
Personnel within the scope of privatization	9	0.18%
Total	4,995	

Public Personnel Regime -2	Number	Percentage %
Issues related to the rights of employees working in the status of workers in the Administration arising from the Labor Law and employment contracts	572	100.00%
Total	572	

Services Provided by Local Governments	Number	Percentage %
Water	1,048	61.79%
Zoning and public works procedures and applications	170	10.02%
Other issues related to services rendered by local governments	103	6.07%
Infrastructure services	96	5.66%
Public transportation services	64	3.77%
Licensing procedure and transactions	61	3.60%
Financial services (Announcement and advertisement tax, road contribution fee, etc.)	56	3.30%
Landscaping	50	2.95%
Municipal police services	24	1.42%
Car park services	14	0.83%
Solid waste management	4	0.24%
Natural gas	3	0.18%
Construction and sales of dwellings through urban transformation projects	2	0.12%
Marriage services	1	0.06%
Total	1,696	

Right to Property	Number	Percentage %
Ownership of movable and immovable property	154	49.04%
Expropriation procedures	45	14.33%
Land ownership	42	13.38%
Confiscation without expropriation	40	12.74%
Other issues related to the right to property	30	9.55%
Condominium	3	0.96%
Total	314	

Civil registration, Citizenship, Refugee and Asylum Seeker Rights	Number	Percentage %
Civil registration services and procedures	136	39.31%
Visa problems	103	29.77%
Citizenship services	50	14.45%
Other issues related to civil registration, citizenship and refugee and asylum seeker rights	33	9.54%
Problems of illegal immigrants and asylum seekers	22	6.36%
Problems of citizens of the Republic of Türkiye who are abroad temporarily or permanently	1	0.29%
Problems about related communities	1	0.29%
Total	346	

Forestry, Water, Environment and Urbanization	Number	Percentage %
Other issues related to forestry, water, environment and urbanization	113	25.06%
Fight against natural disasters (earthquake, flood, avalanche, etc.)	81	17.96%
Environmental pollution (air, water, soil and noise pollution)	76	16.85%
Issues related to development and housing	65	14.41%
Urban transformation services	54	11.97%
Management of water and water-related resources	29	6.43%
Construction and allocation of disaster housing	20	4.43%
Infrastructure and public works services	7	1.55%
Issues related to the preservation of immovable cultural and natural heritage	3	0.67%
Environmental Impact Assessment (EIA) reports	3	0.67%
Total	451	

Health	Number	Percentage %
Patient rights	100	31.65%
Treatment and reports	63	19.94%
Other issues related to health	39	12.34%
Pharmaceuticals and pharmacy	34	10.76%
Examination appointment system	28	8.86%
Hospital, polyclinic and physician requests	24	7.59%
Public and private treatment institutions	14	4.43%
Family practice services	6	1.90%
Emergency and ambulance services	5	1.58%
Private medical centers	3	0.95%
Total	316	

Social Services	Number	Percentage %
Applications within the scope of the social assistance and solidarity incentive fund	206	72.28%
Social services and aid for relatives of martyrs and veterans	30	10.53%
Other issues related to social services	37	12.98%
Social services and assistance for the elderly	7	2.46%
Services for the elderly in need of protection, care and assistance	3	1.05%
Ensuring social justice	1	0.35%
Granting disability and old-age pensions according to Law No. 2022 of 01/07/1976 on the Grant of Pensions to Turkish Citizens who are over the Age of 65 and Who Are Destitute, Infirm and Without any Means of Support	1	0.35%
Total	285	

Transportation, Press and Communication	Number	Percentage %
Consumer rights and problems related to the subject	411	76.11%
Electronic communication and IT services	65	12.04%
Other issues related to transportation, press and communication	41	7.59%
Dangerous goods and combined transport by road, rail, sea and inland waterways	16	2.96%
General, local and thematic publications	2	0.37%
Advertising broadcasts	2	0.37%
Telecommunication facilities (base stations, etc.)	1	0.19%
Domestic and foreign press and media organs	1	0.19%
Media service providers	1	0.19%
Total	540	

Other subjects and areas	Number	Percentage %
Other subjects and areas	30	100.00%

4.4 STATISTICS ON AMICABLE SETTLEMENTS

The method of resolving disputes through reconciliation, which ensures that complaints are addressed more efficiently and promptly, is among the most frequently utilized approaches by our Institution. In line with this method, **184** cases in 2013, **123** cases in 2014, **161** cases in 2015 and **80** cases in 2016 were resolved through reconciliation.

As is known, with the amendment published in the Official Gazette no. 29995 of 02.03.2017, the term "**Amicable Settlement**" was added to the Regulation on the Procedures and Principles Regarding the Implementation of the Ombudsman Institution Law, in order to properly express the purpose of our Institution and the contributions and services provided, making the framework of the reconciliation culture more meaningful.

In this context, the number of resolved files was 1,887 in 2017, 2,498 in 2018, 2,707 in 2019, 2,867 in 2020, 3,160 in 2021 and 2,194 in 2022. In 2023, the total number of "Resolved Files" was 2,364, 1,386 of which were resolved through Amicable Settlement and 978 through Referral.

Table 21: Distribution of Files Resolved Through Amicable Settlement in 2023

Number of Files Resolved through Amicable Settlement	Through Amicable Settlement Decision	Through Referral Decision	TOTAL
	1,386	978	
	58.63%	41.37%	

On the other hand, since our Institution started receiving complaints in 2013, it has concluded a total of **18,225** applications through reconciliation/amicable settlement.

Table 22: Distribution of Files Resolved Through Amicable Settlement over the Years

Type of Decision	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	TOTAL
Through Reconciliation/ Amicable Settlement	184	123	161	80	1575	1916	1607	1,808	1,928	1,419	1,386	12,817
Through Referral					312	582	1100	1059	1232	775	978	6,038
Total	184	123	161	80	1,887	2,498	2,707	2,867	3,160	2,194	2,364	18,225

4.5 STATISTICS ON RECOMMENDATION AND PARTIAL RECOMMENDATION AND PARTIAL REFUSAL DECISIONS

With the increase in the number of applications lodged with our Institution since 2017, there has been an increase in qualified or acceptable applications and a significant increase in the recommendations issued to the administrations.

If, following the examination and investigation of an application by our Institution, it is concluded that the complaint is justified, a Recommendation is issued; if the complaint is found to be partially justified, a Partial Recommendation and Partial Refusal is issued.

Within this scope,

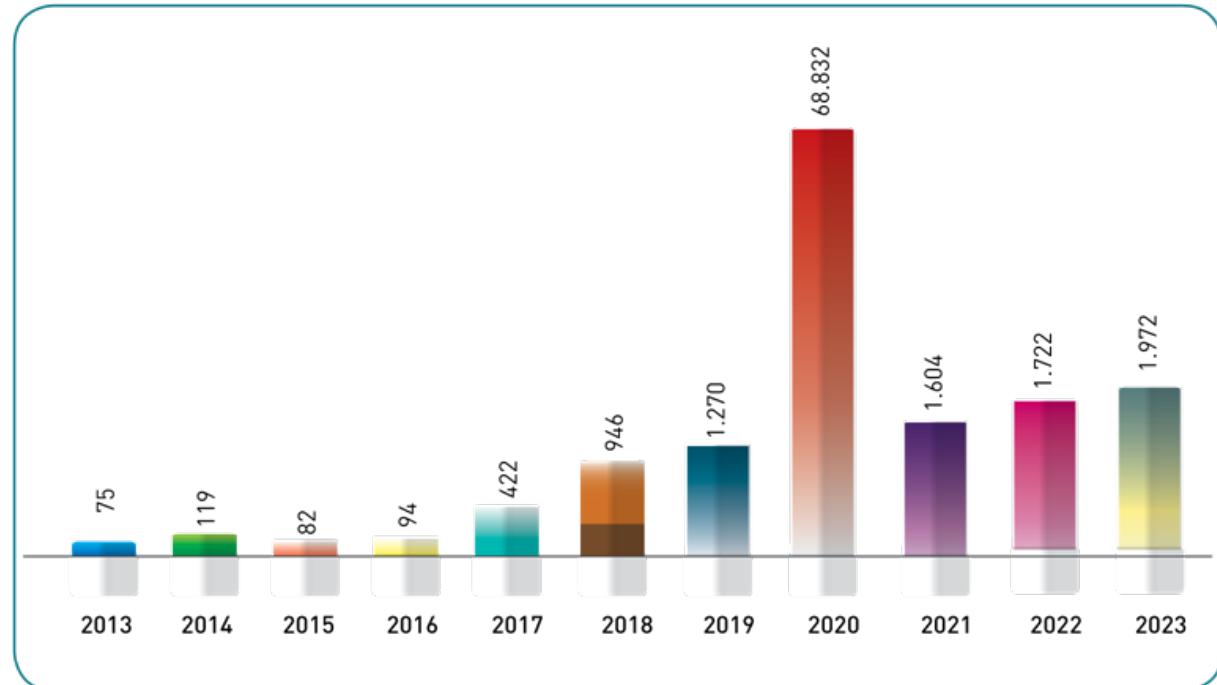
- ◊ While a total of 792 Recommendations were issued by our Institution in the 5-year period between 2013 and 2017, more Recommendations were issued in 2018 than in the total of 5 years and the number of Recommendations was 946. There was a significant increase in the number of Recommendations issued in 2019, and this number reached 1,270.
- ◊ In 2020, with the impact of the pandemic, a total of 68,832 decisions in favor of Recommendation were issued, of which 68,128 were Recommendations and 704 were Partial Recommendation and Partial Refusal Decisions.
- ◊ In 2021, a total of 1,604 decisions in favor of Recommendation were issued, of which 1,201 were Recommendations and 403 were Partial Recommendation and Partial Refusal Decisions.
- ◊ In 2022, a total of 1,722 decisions in favor of Recommendation were issued, of which 1,097 were Recommendations and 625 were Partial Recommendations and Partial Refusals.
- ◊ In 2023, a total of 1,972 decisions were issued, of which 1,384 were Recommendations and 588 were Partial Recommendations and Partial Refusals.

Table 23: Distribution of Recommendations and Partial Recommendation Partial Refusals by Years

Type of Decision	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
Recommendation	64	93	56	62	245	677	860	68,128	1,201	1,097	1,384	73,867
Partial Recommendation	11	26	26	32	177	269	410	704	403	625	588	3,271
Partial Refusal												
TOTAL	75	119	82	94	422	946	1,270	68,832	1,604	1,722	1,972	77,138

On the other hand, since 2013 when it began receiving complaints, our Institution has issued 77,318 decisions in favor of recommendation, 3,271 of which were partial recommendations.

Figure 9: Number of Recommendations by Years



In 2023, out of **1,972** decisions issued in the direction of Recommendations, feedback was given on whether or not they would be complied with for **1,734** of them, while it was reported that the decisions for **6** of them were in the evaluation phase. No response has yet been given for **232** decisions, and the legal response period for the administrations is still ongoing.

Among the **1,734** administrations that responded to our decisions:

- ◊ The relevant administrations reported they would comply with **1,344** of our decisions,
- ◊ The relevant administrations provided justifications for **390** of our decisions.

Considering all these factors, the compliance rate with the Recommendations issued by our Institution as of the end of 2023 was **77.51%**.

Table 24: Distribution by the Rate of Compliance by the Administrations in 2023

Administrations' Approach to Recommendations	2023	Percentage (%)
Complied with	1,344	77.51%
Justifications provided	390	22.49%

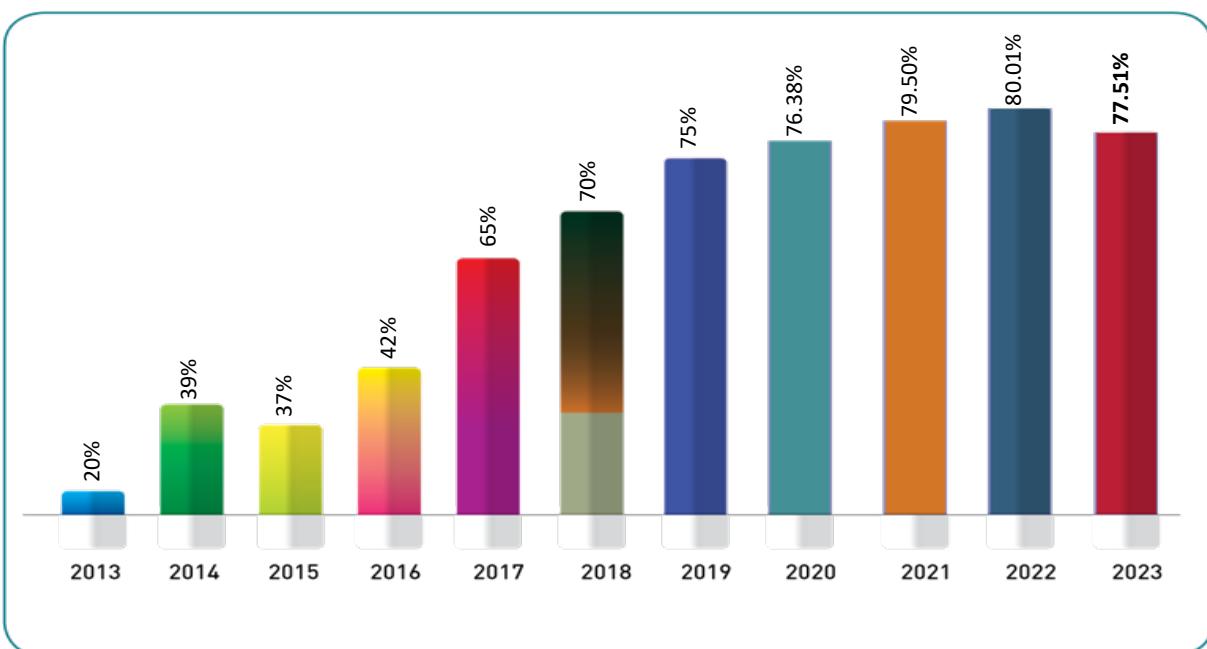
While compliance rates were 20% in 2013, 39% in 2014, 37% in 2015 and 42% in 2016, they saw a significant increase of 23 points in 2017, reaching 65%, and the upward trend continued by rising to 70% in 2018, 75% in 2019 with a 5-point increase, 76.38% in 2020, 79.50% in 2021 and 80.01% in 2022.

The compliance rate in 2023 was 77.51%.

Table 25: Rates of Compliance with Recommendations by Years

Rate of Compliance %	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
20	39	37	42	65	70	75	76.38	79.50	80.01	77.51	

Figure 10: Rates of Compliance with Recommendations by Years



4.6 EVALUATION OF OUR INSTITUTION'S SUCCESS REGARDING ITS PROBLEM-SOLVING ABILITY

One of the most important problems that all ombudsman institutions in the world experience and try to solve is the nature of the applications made to them and whether they are acceptable.

When we look at the global practices, the vast majority of applications are returned by ombudsman institutions without examination for the following reasons:

- Applications that do not fall within the jurisdiction of the ombudsman institution,
- Applications that are directly submitted to the ombudsman without filing an application with the administrative authorities,
- Applications that do not affect the interests of the applicant,
- Applications regarding cases concluded by judicial bodies,

- Applications in the examination of which there is no public interest, etc.

Applications other than these, which do not have any deficiencies in terms of procedure, are evaluated as acceptable applications.

When evaluating the problem-solving capabilities and success of ombudsman institutions, acceptable applications are considered as the main criterion, and the results based on these applications are recognized as valid.

In this context, the acceptability rate of the applications submitted to our Institution in 2023 corresponds to **28.01%**.

A total of **21,081** complaints were reviewed by our Institution for evaluation, including **19,317** applications received in 2023 and 1,764 applications transferred from 2022.

Out of the total **21,081** complaints reviewed, **19,289** of them (91.50%) were concluded by our Institution, and the results of the review were communicated to the complainants. Detailed information regarding the decisions made is provided in the sections above.

Among the **19,289** applications concluded by our Institution in 2023, **5,402** were deemed acceptable. This corresponds to a rate of **28.01%**. This acceptability rate is significantly higher than that of the other ombudsman institutions referred to hereinabove.

Of the **5,402** acceptable applications, **2,364** were concluded through amicable settlement, while a Recommendation was issued for **1,972** applications in total, **588** of which were partial recommendation partial refusal, and a Refusal decision was issued for **1,066** applications.

Table 26: Distribution of Decisions Pertaining to Applications in 2023

Types of Decisions	Number
Number of Files Resolved by Amicable Settlement	2,364
Recommendation	1,384
Partial Recommendation Partial Refusal	588
Refusal	1,066
Total	5,402

The ratio of the total of amicable settlements, recommendations and partial recommendation and partial refusal decisions to the total decisions made on acceptable applications corresponds to 80.27%. For 19.73% of the applications, the complaints were not found to be justified and refusal decisions were issued. **In view of the foregoing, our Institution has resolved or demonstrated its intent to resolve the issues in 80.27% of the applications submitted. In other words, the success rate reflecting our Institution's problem-solving capability in 2023 was 80.27%.**

On the other hand, as will be detailed in subsequent parts of the Annual Report, our Institution organizes promotional activities, conferences and competitions, arranges workshops and

distributes printed materials for promotion with the aim of increasing the number of qualified and acceptable applications. The guide to lodge complaints is both published on our Institution's website and printed for distribution to the public. Additionally, our E-Application page includes informative content aimed at guiding applicants through the process.

In 2024, our efforts to raise awareness and enhance public understanding will continue to intensify, with the aim of increasing the number of qualified and acceptable applications, thereby further enhancing our Institution's problem-solving capability to even higher levels.

Chapter V

2023

ANNUAL REPORT

**FACILITATING
ACCESS TO THE
RIGHT TO
COMPLAINT AND
ENHANCING ITS
EFFECTIVENESS**

Activities in the Field of
Information Processing
Infrastructure of Our
Institution

Information Statistics on
Complaints

Activities to Improve
Qualification of the
Personnel

CHAPTER 5: FACILITATING ACCESS TO THE RIGHT TO COMPLAINT AND ENHANCING ITS EFFECTIVENESS

In line with the strategies determined to facilitate access to the right to complaint and to enhance its effectiveness, our Institution carried out the necessary efforts in 2023, taking initiatives to improve applicants' accessibility to the Ombudsman Institution. The process was supported through both improvements made to the e-Application system and guidance mechanisms for applicants, as well as through ensuring that individuals were accurately and thoroughly informed about their own applications. In addition, a human resources strategy aimed at realizing the Institution's vision was put into practice, leading to empowerment of the Institution's personnel.

5.1 ACTIVITIES IN THE FIELD OF INFORMATION PROCESSING INFRASTRUCTURE OF OUR INSTITUTION

The activities performed in 2023 are as follows:

➤ **In the Complaint Management System (CMS);**

- ❖ Developing an automated decision-writing system using artificial intelligence methods,
- ❖ Creating a user-friendly and relational structure by developing unit and authorization screens,
- ❖ Implementing necessary updates for document confidentiality status and encryption of data in line with the Law on the Protection of Personal Data,
- ❖ Ensuring the sustainability of OCR processes,
- ❖ Developing a statistical information bank for statistics of applications and decisions,
- ❖ Completing integration and infrastructure works for the UETS (National Electronic Notification System) e-notification system.

➤ **In the E-Application system;**

- ❖ Designing a new interface for the E-Application system,
- ❖ Integrating new software to isolate cyberattacks targeting our e-Application system from both domestic and international sources,
- ❖ Developing informative screens specifically designed for persons with disabilities,
- ❖ Creating application information pages in multiple languages,
- ❖ Developing a software module within the e-Application system using artificial intelligence methods for applications by citizens,
- ❖ Deduplicating codes that slow down the system to improve overall system speed,
- ❖ Ensuring the sustainability of updates made within the scope of connected web services.

➤ **On Web pages;**

- ❖ Enriching the contents of web pages aimed for the institution, children and women by providing a dynamic structure.

Furthermore;

- Developing a mobile game or web game application that introduces the Institution, as well as an electronic document management system specific to our Institution, is among our plans to increase applications by children.
- On the other hand, the necessary arrangements and activities for the ISO 27001 Information Security Management System were carried out, and both internal and external audits were conducted. The activities were approved by a TURKAK-accredited organization, the ISO 27001 Certificate was obtained and the Information Security Management System is currently in operation.
- Studies were carried out within the scope of the Information and Communication Security Guide published by the Digital Transformation Office of the Presidency. An internal audit was conducted and the audit report was sent to the Digital Transformation Office.

5.2 INFORMATION STATISTICS ON COMPLAINTS

Table 27: Information Statistics for 2023

Topic	Number
(Direct Face to Face Meetings as well as Online Meetings within the Scope of the Ombudsman Meets the Public Regional Meetings, Provincial Study Visits, Meetings with Primary Schools and High Schools, University Conferences, Video Conferences and Social Media Live Broadcasts and Dissemination of the Culture of Seeking Legal Remedies in the International Arena)	204,301
Requests for Information through e-Mail	
Phone Calls	
TOTAL	204,301

Additionally, the yearly distribution of the information activities carried out by our Institution regarding complaints is provided below:

Table 28: Information Statistics by Years

Number of Information Activities Conducted Regarding Complaints by Years	2013-2016	2017	2018	2019	2020	2021	2022	2023
	67,849	115,957	141,430	156,454	218,014	151,284	162,143	204,301

5.3 ACTIVITIES TO IMPROVE QUALIFICATION OF THE PERSONNEL

In 2023, with the aim of enhancing the competence, knowledge, expertise, and problem-solving abilities of our personnel, and ensuring that complaints are resolved quickly and accurately according to international standards while increasing institutional capacity, a total of 55 training sessions and activities were conducted for our staff. In this regard,

approximately 45% more training sessions and activities were organized in 2023 compared to the previous year.

The training activities conducted in 2023 targeted a diverse group, ranging from specialists to support staff. Some of these training and activities were "Information and Experience Sharing Programs" aimed at helping assistant specialists gain knowledge about the work and operations of other institutions, "Clinical Studies on Ombudsman Decisions" aimed at ensuring consistency in decisions and improving the quality of the decisions, "Visits to Penal Institutions" to familiarize staff with applications coming from prisons, "Introduction of and Visit to the Nation's Library" to prepare for thesis periods, "Periodic Book Reading Debates" to enrich intellectual perspectives, "Hygiene Training for Food and Health" focusing on support staff, "Communication Training in Professional Life" for administrative personnel, "Training on Collective Bargaining Agreement" aimed at informing permanent workers about their rights, various conferences and meetings organized to involve all personnel, especially institutional experts.

On the other hand, the relationship between our Institution and academia is being maintained in a multifaceted manner, and in this context, in addition to the protocol with Başkent University, it has been ensured that our staff can benefit from the university's library throughout the duration of the protocol. Furthermore, with the Presidency's Circular No. 2023/1, it was decided that within the scope of the "Year of Mevlâna", a letter would be sent to all our universities regarding the 19th issue of our Ombudsman Academic Journal, and that articles on the prominent thinkers of our ancient civilization, especially Mevlâna, would be included.

Moreover, our Ombudsman Academic Journal, which publishes studies on topics that have become milestones, especially in the fields of public administration, good governance, ombudsman practices and social sciences, has been at the forefront since its first publication with 18 issues, its history dating back to 10 years, 146 peer-reviewed articles and 362,730 article downloads and views. The editorial board of our journal is continuously growing, and as a result, each issue follows a more comprehensive and up-to-date approach, focusing on law, placing justice at its core, and pursuing a rights-based perspective.

Chapter

VI

2023

ANNUAL REPORT

**THE PREVENTIVE
FUNCTION OF THE
OMBUDSMAN
INSTITUTION AND
ITS ADDED VALUE TO
OUR COUNTRY**

Amicable Settlement
Methods with Easy and
Quick Access to Justice

Added Value Provided by
our Recommendations

Human Rights Monitoring
Activities

General Evaluation on the
Added Value of the
Ombudsman Institution to
Our Country

CHAPTER 6: THE PREVENTIVE FUNCTION OF THE OMBUDSMAN INSTITUTION AND ITS ADDED VALUE TO OUR COUNTRY

6.1 AMICABLE SETTLEMENT METHODS WITH EASY AND QUICK ACCESS TO JUSTICE

Today, to address the shortcomings of traditional oversight mechanisms and to ensure that individuals' rights are more effectively protected, institutions have been established that provide cost-free, simple, direct, practical and fast processes. In this context, the ombudsman, who acts as a mediator between the administration and citizens, also plays a role to complement the deficiencies of other oversight methods.

In 2023, the average resolution time for complaints was 52.08 days. For Amicable Settlements, the average time was 65.62 days. Additionally, 27.34% of the complaints resolved amicably were concluded in 30 days or less.

6.2 ADDED VALUE PROVIDED BY OUR RECOMMENDATIONS

According to paragraph three of article 20 of the Law on the Ombudsman Institution and article 32 of the Regulation on Procedures and Principles Concerning the Implementation of Law on the Ombudsman Institution, if, as a result of the examination and investigation, it is concluded that the claim subject to the complaint is justified, our Institution issues a "Recommendation" which includes one or more of the following:

- **Acknowledgment of wrongdoing,**
- **Compensation for damage,**
- **Action to be taken or activity to be carried out,**
- **Making legislative amendments,**
- **Withdrawal, annulment, modification, or correction of the action, correction of the practice,**
- **Seeking reconciliation,**
- **Taking precautions**

6.3 HUMAN RIGHTS MONITORING ACTIVITIES

Our Institution actively participated in the 12th Development Plan activities carried out by the Presidency on 30-31 January 2023 and contributed to the Special Expertise Commission Report on Efficiency in Judicial Services. In this context, the outcomes obtained both from the applications submitted to our Institution and from the monitoring of the implementation of our Institution's Human Rights Action Plan were shared with the Presidency of Strategy and Budget.

Based on its experience as an independent human rights institution, our Institution also contributes to reports and strategy documents being prepared at both national and international levels. In this context, during 2023, contributions made are as follows:

- The policy development for the UDHR75 Initiative organized by the United Nations High Commissioner for Human Rights on the occasion of the 75th anniversary of the adoption of the Universal Declaration of Human Rights, which aims to shape the vision for human rights for the next 25 years among UN member states;
- The Hate Crime Report prepared by the Organization for Security and Co-operation in Europe (OSCE);
- The Strategy and Action Plan on Antidiscrimination envisaged under Measure No. 9 of Chapter 19 titled “Social Policy and Employment” within the scope of the “National Action Plan for Accession to the EU (2021-2023)”;
- We hosted the international delegation for the draft Evaluation Report prepared with respect to the section titled “Preventing corruption and promoting integrity in law enforcement agencies” (Theme II) of the Questionnaire pertaining to the Fifth Evaluation Round of the Group of States against Corruption (GRECO), participated in the meetings organized under the auspices of the Ministry of Justice in this regard and submitted our Institution’s opinions and assessments for inclusion in the forthcoming report.

Furthermore,

- Our Institution’s contributions, opinions and recommendations were submitted to the Ministry of Justice to be used in the Judicial Reform Strategy and Strategic Plan considering the issues identified in the area and potential improvements.
- The activities under the 2021–2023 Human Rights Action Plan were followed, and an Evaluation Report prepared, which will be submitted to the Presidency and to the Speaker’s Office of the GNAT. Additionally, our Institution’s contributions, opinions, and recommendations were submitted for use in the Human Rights Action Plan covering the years 2024–2026.

In order to shed light on the issues that will be verified and determined during the visits to penal institutions to minimize the human rights violations alleged to have been committed in penal institutions and prisons and to increase the effectiveness of the Monitoring Boards, and the issues that should be taken into consideration during the reporting to be made after the visit, the Draft Monitoring Board Report was prepared and submitted to the General Directorate of Prisons of the Ministry of Justice in 2022. As a result of the ongoing meetings and mutual consultations throughout the year, the information that the draft report prepared by our Institution would be taken as a basis by the Monitoring Boards was conveyed to our Institution by an official letter. As a result of the examination of the reports received by our Institution in 2023, it is seen that the format and evaluation criteria specified in our draft report were taken as basis.

Our Institution continues to participate in meetings held with Turkish NGOs abroad, hosted by our foreign missions. As a result of the face-to-face meetings conducted in previous years, this year our Institution started receiving requests for legal support from Turkish NGOs abroad and is working to provide the required legal support within the scope of its mandate and authority. In this context, legal support was provided to 4 different NGOs. One such example is the preparation, directly by our office, of an application petition to be submitted to the European Court of Human Rights (ECHR) on behalf of the Religious Affairs Foundation of Belgium.

In addition, in 2023, we are pleased to receive letters from foreign NGOs, in addition to the Turkish NGOs. Again, throughout the year, our Institution continues to systematically monitor international human rights violations concerning Turkish citizens abroad and to contact the relevant country's Ombudsman Offices.

Necessary communication was established to ensure our Institution's involvement as a stakeholder in the project to be implemented under IPA Technical Assistance within the Gendarmerie General Command, and contributions were made to the preparation of the project fiche during the ongoing work.

Training in foreign language was provided to the Organization of Islamic Cooperation Ombudsman Association on "The Rising Causes of Islamophobia in Europe and the Struggle for Seeking Legal Remedies against It."

At the international level, our Institution participates in trainings and workshops organized by the Organization of Islamic Cooperation Ombudsman Association, the Asian Ombudsman Association and the European Network of Ombudsmen.

Our Institution also participates in the Consultation Commission meetings organized by the Human Rights and Equality Institution of Türkiye (HREIT).

6.4 GENERAL EVALUATION ON THE ADDED VALUE OF THE OMBUDSMAN INSTITUTION TO OUR COUNTRY

In the general preamble of Law No. 6328 on the Ombudsman Institution, it is stated that "...it is aimed that the administrations take into consideration and comply with the proposals of the Institution as much as possible, thereby reducing burden on the administrative judiciary ..." Accordingly, as an Institution that supports the administrative judiciary authorities, which handled approximately 800 thousand case files in 2023, and helps to ease their workload, facilitating swift access to justice remains among our primary objectives.

In this framework, through a total of **19,289** decisions issued as a result of the examinations and investigations conducted by our Institution, contributions were made to enhancing the quality of public services and to fostering a transparent, accountable and human-centered administration. Moreover, **2,364** of the applications submitted in 2023 were resolved through amicable settlement. Additionally, a total of **1,972** Recommendations, 588 of which were classified as Partial Recommendation Partial Refusal, were issued following examinations and investigations, thereby contributing to the reduction of the courts' workload. On the other

hand, a total of **1,066** Refusal Decisions issued during the same period may have contributed to a decrease in the number of individuals resorting to jurisdiction by explaining to applicants that their requests could not be fulfilled within the framework of the legislation.

In addition to examining complaints, our Institution also responds to individuals' requests for information. Through our information office, which operates much like a call center, a total of **204,301** information requests were addressed in 2023, including through phone calls made and received by our Institution, requests for information submitted via e-mail, face-to-face meetings with citizens who visited our Institution and Istanbul Office, those made within the scope of Regional Meetings titled "Ombudsman Meets the Public", provincial study visits, meetings with primary schools and high schools, university conferences, video conferences and live social media broadcasts, as well as face-to-face interactions carried out internationally within the scope of promoting a culture of seeking legal remedies.

Through our Amicable Settlement, Refusal and Recommendations totaling 5,402 following the examinations and investigations by our Institution, as well as the legal assistance we provided, we directly contributed to reducing the workload of courts and also helped increase the quality of public services and establish a transparent, accountable and human-centered administration. As a result of all these efforts, the Ombudsman Institution has served as a means for citizens to audit public institutions and organizations through the complaints they lodged and ensured citizens' participation in government, particularly in terms of local administrations, apart from the elections performed every five years, thereby directly contributing to strengthening of democracy in our country as a tool for democracy.

Chapter

VII

2023

ANNUAL REPORT

INFORMATION AND EVALUATION REGARDING THE APPLICATIONS

Justice, National Defense and
Security

Protection of Family

Science, Art, Culture and Tourism

Labor and Social Security

Children's Rights

Education, Youth and Sports

Economy, Finance and Tax

Energy, Industry, Customs and

Trade

Social Services, Rights of Persons

with Disabilities and the Elderly

Food, Agriculture and Livestock

Human Rights

Women's Rights

Public Personnel Regime

Services Rendered By Local

Administrations

Right to Property

Civil Registration, Citizenship,

Refugee and Asylum Seeker Rights

Forestry, Water, Environment and

Urbanization

Health

Transportation, Press and

Communications

CHAPTER 7: INFORMATION AND EVALUATION REGARDING THE APPLICATIONS

7.1 JUSTICE, NATIONAL DEFENSE AND SECURITY

In 2023, under the title “Justice, National Defense and Security,” the applications examined are as follows: demands and complaints of those in prisons or convicts regarding prison conditions and practices; demands for video phone calls, open and closed visits; the compliance of the subsistence provided in the penal institution with healthy nutrition conditions, an increase in the subsistence fee; complaints regarding the decisions of the Penal Institution Administration and Monitoring Board and the decisions of the Offices of the Judge of Execution; requests for transfer to a different penal institution for reasons such as education, health and proximity to the family; complaints of detainees and convicts regarding health problems such as ensuring their transfer to hospital, provision of reported medication or prescription of medication; complaints regarding the prices and product variety in the canteens in the penal institution; quotas imposed on publications such as books/magazines that detainees and convicts can bring along; complaints to the effect that their personal belongings sent by their relatives or previous institutions were not delivered, their petitions were not sent/delivered, their requests for information were not met; requests to benefit from education-training activities, socio-cultural activities and sports activities in the penal institution; allegations of overcrowding in cells beyond capacity; requests for placement in an open penal institution, benefiting from probation and requests for release; complaints regarding prolonged trials; requests for the reexamination of court decisions and retrials; requests for legal aid; administrative traffic fines; requests for payment of receivables and subsidiaries subject to court orders; requests for payment in finalized enforcement proceedings files without judgment; applications for expert opinion; enforcement proceedings; requests for the removal of criminal records and archives; payment of compulsory defense fees, etc.

EXAMPLE

Requests regarding the healthy nutrition of detainees and convicts housed in penal institutions, as well as quantity and amount of daily subsistence, continue to be submitted to our Institution as in previous years, which included the planning of menus suitable for specific dietary needs¹, provision of healthy and adequate food², an increase in the subsistence allowance in line with rise in inflation, providing detainees with the necessary quantity and quality of food on a daily basis³, requests for food that is appropriate for specific

¹ Referral dated 05.10.2023 on application no. 2023/15438

² Partial Recommendation Partial Refusal dated 19.01.2023 on application no. 2022/10712

³ Referral dated 16.10.2023 on application no. 2023/16236

medical conditions⁴, requests for an increase in subsistence allowances⁵ and applications requesting the waiver of collection of subsistence allowances due to inability to pay⁶.

In relation to such applications, our Institution continues its examination by corresponding with the relevant authorities, and if necessary, seeking medical opinions from health institutions. The right to life, which is one of the most fundamental and inalienable rights and is protected under Article 17 of our Constitution, Article 2 of the European Convention on Human Rights and Article 6 of the International Covenant on Civil and Political Rights, also includes the right to protection by public authorities against threats and risks to life. International agreements and recommendations also emphasize the necessity of applying the general living conditions specified in terms of health and nutrition to all prisoners without exception and providing prisoners with nutritious food, including a minimum amount of energy and protein.

In line with the necessity of adequately safeguarding aspects such as the health and well-being of prisoners within the practical requirements of detention, it is recognized by the rulings of the ECHR and the Constitutional Court that ensuring appropriate nutrition for convicts and detainees, with due regard to their health, constitutes a positive obligation of public authorities under Article 17 of the Constitution.⁷

Within the scope of its positive obligation to provide detainees and convicts with proper nutrition, the state must ensure that detainees and convicts under its protection are nourished efficiently and effectively, maintaining a healthy and balanced diet and protecting their physical and health conditions. It is clear that Article 72 of Law No. 5275 and Articles 4, 5 and 6 of the Regulation on the Nourishment of Convicts, Detainees and Penal Institution Staff impose positive obligations on the relevant public authorities within the scope of the nutrition of detainees and convicts.

Following reviews performed by our Institution concerning an application claiming that the relevant Penal Institution failed to provide sufficient and healthy food, it was determined from the examination of the monthly food list that the list was prepared under the control of a food engineer and signed by the authorities as per the legislation, and decision was taken to refuse the complaint on grounds that the quantity of subsistence was determined as 2,300 kcal by the administration taking into consideration the daily recommended energy intake of 2,250 kcal for adult male detainees and convicts based on the calculation made by Türkiye Dietary Guidelines (TÜBER 2015), that efforts were made to ensure diversity of food in menu planning, minimum energy requirements were being met and the daily food fee had been increased since 15 November.⁸

⁴ Referral dated 24.07.2023 on application no. 2023/8588

⁵ Referral dated 19.05.2023 on application no. 2023/6533

⁶ Referral dated 14.02.2023 on application no. 2023/1986

⁷ ECHR, Moisejevs/ Lithuania, Application No: 64846/01, 15.06.2006, Constitutional Court, Şehmus Özsubaşı, Application No: 2013/2582, 03.03.2016

⁸ Partial Recommendation Partial Refusal dated 19.01.2023 on application no. 2022/10712

On the other hand, the payment of food expenses for convicts and detainees held in penal institutions is regulated under Article 2 of Law No. 2548 on Fees to Be Collected for the Construction of Prisons and Courthouse Buildings and Food Expenses to Be Charged to Prisoners, which stipulates that each prisoner is obliged to pay the food expenses for the duration of their stay in prison. According to the regulation, a payroll is issued and served to convicts/detainees every six months during their stay in the penal institution, and for those who are to be released, a payroll is issued and served one week before their release, and those who document their inability to pay by submitting a certificate of poverty obtained from the local headman's office in their place of residence are not charged for food expenses.

Our Institution also receives applications within the scope of the foregoing regulation, and in this context, one such application concerned a complaint regarding the **request for the refund of an unjustly accrued late payment interest, despite the timely payment of the food expense.**

Within the scope of the investigation carried out regarding the complaint, following correspondences with Istanbul Tax Office Presidency of the Revenue Administration after it was reported by the General Directorate of Prisons and Detention Houses of the Ministry of Justice that the amount unduly collected from the applicant had been sent to İkitelli Tax Office Directorate of Istanbul Tax Office Presidency through Ankara Chief Public Prosecutor's Office for deposit into the Trust Account of the relevant Penal Institution, the relevant Presidency stated that late payment interest of 2,936.16 TL in total which was unduly paid had been transferred to the relevant bank branch upon performance of the refusal and return transactions through corrections by the administration, thereby thus resolving the complaint amicably.⁹

7.2 PROTECTION OF FAMILY

Review of the applications submitted in 2023 concerning the topic of “Protection of Family” reveals that they were related to matters such as establishment of personal contact between an incarcerated mother and her children, requests for weekend visitation with the child (establishment of personal contact), objections to court decisions regarding the establishment of personal contact, termination of indefinite alimony and requests concerning judicial proceedings.

In an application submitted to our Institution, the applicant stated that her ex-husband tortured their children, that she made statements to this effect in her testimony at the [...] District Police Department on [date], that he threatened to kill her and the children when she wanted a divorce, that she filed a complaint, that he was sentenced, but still continued his abusive behavior, that the local court ruled for the establishment of personal contact between the father and the children, but the Regional Court of Justice overturned the local court's decision and issued a new ruling preventing the children from staying overnight with the father, that the 2nd Civil Chamber of the Regional Court of Justice ruled that the personal contact

⁹ Amicable Settlement dated 17.04.2023 on application no. 2023/313

established between the father and the children should be temporarily suspended as a precaution and that a new verdict should be issued and that she was sentenced to 10 days in prison after the father filed a complaint with Bayburt Civil Court of First Instance for not handing over the children to the father, and thus requested the Ministry of Family and Social Services to intervene in the case and redress her grievances.

Paragraph one of Article 5 of Law on the Ombudsman Institution no. 6328 dated 14.06.2012 titled “Duties of the Institution” stipulates that the Ombudsman Institution shall be responsible for examining, investigating, and submitting recommendations to the Administration with regard to all sorts of acts and actions as well as attitudes and behaviors of the Administration upon complaint on the functioning of the Administration within the framework of an understanding of human rights-based justice and in the aspect of legality and conformity with principles of fairness, and **subparagraph (b) of paragraph three of Article 17 titled “Application and application procedures” of the cited Law** provides for the following: *Those applications which concern the disputes which are being dealt with or have been resolved by judicial organs shall not be examined.*

A similar provision is included in subparagraph (c) of paragraph two of Article 4 of the Regulation on the Procedures and Principles Regarding the Implementation of the Law on the Ombudsman Institution, published in the Official Gazette no. 28601 (duplicate) dated 28.03.2013. Article 19 titled “Performing the preliminary examination” of the cited Regulation stipulates that complaints shall be subjected to a preliminary examination prior to the examination and investigation phase, and in the preliminary examination, the complaint shall be examined in terms of whether it falls within the scope of duty of the Institution, while paragraph one of Article 20 titled “Actions and decisions to be taken upon preliminary examination” stipulates that in the event that the complaint does not fulfill any of the conditions stated in Article 19, apart from the paragraph that says “the administrative remedies are exhausted”, the decision of inadmissibility shall be taken.

7.3 SCIENCE, ART, CULTURE AND TOURISM

The following subheadings are featured under the main title of “Science, art, culture and tourism”:

- 1) General problems related to culture and tourism,
- 2) Issues carried out by associations and foundations with cultural, artistic, tourism and promotional activities, as well as by private law legal entities performing public services,
- 3) Intellectual and artistic works and copyrights,
- 4) Protection of art and the artist,
- 5) Scientists and scientific activities,
- 6) Other topics related to science, art, culture and tourism services.

Under the title of **Culture and Tourism**, applications were received in 2023 regarding various issues such as the review of the content and theme of the Feshane Exhibition organized by Istanbul Metropolitan Municipality,¹⁰ the reopening of the Karabaş-i Velî Lodge for free sama and Masnavi talks,¹¹ activities targeting Arab tourism in the province of Trabzon,¹² tourist guide licensing,¹³ Adile Sultan Pavilion Teachers' House,¹⁴ inspection of photography activities in Cappadocia,¹⁵ library conditions,¹⁶ opening the upper galleries of the Hagia Sophia Mosque to visitors¹⁷ and allegations of non-compliance with the protocol signed between TUTAP and the Ministry of Culture and Tourism.

Under the title of **scientists and scientific activities**, applications were received concerning academic incentives, TÜBİTAK scholarships, placement in doctoral programs abroad, decisions of the ethics committee and the highest number of applications received in 2023 were, as in previous years, regarding the process of obtaining the title of associate professor. Our Institution receives applications from associate professorship candidates who applied to the Interuniversity Board (IUB) for the **title of associate professor** but whose applications were either rejected on the grounds of not meeting the minimum requirements based on the evaluation of the pre-designated jury members, or who were deemed unsuccessful in the review of their scholarly work, and the examination of these applications is carried out based on the associate professorship application files requested from the IUB Presidency, the reports of the jury members who conducted the evaluation and the assessments of the Associate Professorship Commission, and it has been observed that the most prominent issue raised in these applications is the candidates' complaint that the jury members' reports were not objective, justified or detailed. The most significant observation is that some jury members provide overly general evaluations in their reviews of scholarly works without relying on scientific reasoning. However, under the relevant legislation, jury members are expected to prepare justified and detailed reports. This will also ensure that supervision of the associate professorship processes are carried out more effectively. Consequently, it is essential that the Interuniversity Board (IUB) Presidency take the necessary measures to ensure that jury members prepare their individual reports with adequate justification and detail.

In relation to associate professorship, applications were received and reviewed concerning objections to changes in application requirements,¹⁸ objections to the results of the application for associate professorship,¹⁹ requests for the re-evaluation by the Associate Professorship Commission of objections to the scholarly work review process in light of the stated

¹⁰ Referral dated 08.09.2023 on application no. 2023/13892

¹¹ Referral dated 08.09.2023 on application no. 2023/13644

¹² Inadmissibility dated 28.08.2023 on application no. 2023/9760

¹³ Referral dated 21.02.2023 on application no. 2022/18980

¹⁴ Referral dated 21.06.2023 on application no. 2023/2657

¹⁵ Referral dated 23.06.2023 on application no. 2023/8626

¹⁶ Referral dated 22.06.2023 on application no. 2023/8043

¹⁷ Inadmissibility dated 12.06.2023 on application no. 2023/1655

¹⁸ Referral dated 18.10.2023 on application no. 2023/15837

¹⁹ Refusal dated 21.07.2023 on application no. 2023/4480, Referral dated 01.09.2023 on application no. 2023/13784

justifications and for action to be taken as per the relevant results,²⁰ request for the acceptance of the objection to the report of one of the jury members,²¹ objection to the cancellation of the application for associate professorship due to the decision that the minimum application conditions were not met on the grounds that one of their articles, being still under examination of the journal in which it was to be published, could not be included in scoring and request that the relevant application be finalized according to the jury reports by virtue of the fact that the said justification was subsequently removed,²² and objections to decisions made following investigations into allegations of ethical violations²³.

Apart from this, applications have also been received on matters related to academic incentives, such as: the request for projects submitted in academic incentive applications to be recognized as R&D projects,²⁴ requests for the return of academic incentive points and, accordingly, the restitution of financial entitlements from the academic incentive allowance and associated personal rights,²⁵ complaints regarding the Academic Incentive Allowance Application Guide,²⁶ requests for the completion of incomplete grant payments²⁷ and annulment of Ethics Committee decisions,²⁸ payments made within the scope of R&D activities,²⁹ objections to the procedural and substantive evaluation process of projects submitted to TÜBİTAK,³⁰ procedures for placement into doctoral programs abroad,³¹ and requests for data intended for use in doctoral thesis research³².

EXAMPLE

In the examination of the application requesting acceptance of the objection to the report of one of the associate professorship jury members, in the case of one concrete example where the requirements, procedures and evaluation processes for associate professorship applications are regulated under Article 24 of the Higher Education Law and the relevant provisions of the Associate Professorship Regulation, it was found that the applicant's associate professorship application made within the scope of March 2022 term was deemed "unsuccessful" as a result of two jury members stating their opinions as "successful" and three jury members stating their opinions as "unsuccessful"; the applicant argued that the assessment made by one jury member, which stated "the applicant has not taught undergraduate courses in the application field" and "has not supervised any theses (master's/PhD)", failed to include any evaluation of the submitted works and was therefore contrary to the principle of equality and relevant legal provisions, as it acknowledged the applicant met the minimum application criteria but deemed the conditions insufficient for awarding the title of associate professor; the requirements specific to the field of science were published online in accordance with subparagraph 2.1.1

²⁰ Recommendation dated 08.03.2023 on application no. 2022/14007

²¹ Recommendation dated 08.03.2023 on application no. 2022/14007

²² Refusal dated 02.01.2023 on application no. 2022/9630

²³ Inadmissibility dated 04.10.2023 on application no. 2023/7045

²⁴ Refusal dated 31.03.2023 on application no. 2022/14792

²⁵ Refusal dated 07.06.2023 on application no. 2022/19088

²⁶ Refusal dated 17.07.2023 on application no. 2023/1430

²⁷ Refusal dated 07.07.2023 on application no. 2023/2520

²⁸ Refusal dated 17.02.2023 on application no. 2022/14227

²⁹ Referral dated 28.03.2023 on application no. 2023/3662

³⁰ Referral dated 20.03.2023 on application no. 2023/3059

³¹ Refusal dated 08.03.2023 on application no. 2022/16487

³² Referral dated 07.09.2023 on application no. 2023/13515

of the Associate Professorship Application Guide for March 2022 period and, the application conditions for the Social, Humanities and Administrative Sciences basic field were included, the points that a candidate could get from the postgraduate theses that they have supervised and completed were determined in Article 6 of the said table, however, no requirement was included regarding the minimum score to be obtained within the scope of the said article, when the content of the Declaration submitted by the applicant was examined, the said part was left blank, in other words, there was no declared postgraduate thesis supervision, and Article 9 of the Table determined the points that a candidate could get from the courses that they have given in open, distance or face-to-face environments after completing their doctoral education, in this context, subheadings of "master's or doctoral course" and "associate degree or undergraduate course" were included and the points that could be obtained from each subheading were determined; in addition, no distinction was made between the associate degree course and the undergraduate course in terms of scoring in the article and within the scope of the said article it was clearly stated that it was mandatory to get at least 2 points, it was stated in the Declaration submitted by the applicant that they had taught an associate degree course for one semester and also taught a master's degree course for one semester; as a result of the evaluation made within this scope, it was possible for the applicant, as a candidate applying for associate professorship, to be criticized based on the adequacy of the courses they had taught and the postgraduate thesis supervision activities they had conducted and this issue could be taken into consideration within the scope of the general evaluation, however, it could be considered reasonable to reach a conclusion by only considering the aforementioned activities without examining the quality of all the works submitted in the application file and their contribution to the relevant field of science; likewise, in such case, it was concluded that a contradictory situation would arise to the effect that a candidate who was determined to meet the minimum application conditions in terms of "Postgraduate Thesis Advisory" and "Education-Training Activity" would be re-evaluated in terms of the mere presence or absence of the same activities and would be deemed unsuccessful, and the final evaluation presented by the jury member in question was not based on substantial and sufficient justifications and was also not compatible with the rules determining the scope and limit of the evaluations to be carried out by the jury members; on the other hand, upon the objection made by the candidate within the scope of Article 8 of the Associate Professorship Regulation, it was concluded that the rejection decision given by the Associate Professorship Commission without considering the aforementioned issues was in violation of law and fairness, and it was decided to recommend to the Presidency of the Interuniversity Board that the objections of the applicant regarding the work review process be re-evaluated by the Associate Professorship Commission, taking into account the issues stated in the justification, and that action be taken according to the result.³³

³³ Recommendation dated 08.03.2023 on application no. 2022/14007

7.4 LABOR AND SOCIAL SECURITY

THE RIGHT TO SOCIAL SECURITY

It is observed that the applications submitted to our Institution regarding the right to social security and its practices are mostly concentrated on issues such as the granting of retirement, survivors' and disability pensions, the payment of retirement bonuses, other retirement procedures, interest claims, disputes concerning the determination of insurance status, general health insurance procedures, insurance premium deductions and premium refunds.

EXAMPLE

Pursuant to the provisions of Provisional Article 95 added to Law No. 5510 by virtue of Article 1 of Law No. 7438, it is stipulated that only the age requirement shall be eliminated from the requirements for entitlement to old-age or retirement pensions without altering the conditions related to the number of premium payment days and/or the duration of insurance coverage under subparagraph (B) of paragraph one of Provisional Article 81 of Law No. 506, paragraph two of Provisional Article 10 of Law No. 1479, paragraph (B) of Provisional Article 2 of Law No. 2925 and Provisional Article 205 of Law No. 5434.

It has been observed that, as a result of the legal regulation publicly known as the EYT (Retirement Age Victims) regulation, there is a group of individuals who applied to the Social Security Institution but are still waiting to have their retirement procedures completed and to be granted a pension, despite the time that has passed.

In another application submitted to our Institution regarding retirement procedures, the applicant stated that, despite having served for more than seven years as the Head of the Department of Financial Services and for nearly one year as a Department Head before retiring, he/she was not paid any compensation for position and duty along with the retirement pension and therefore applied for the payment of these compensations.

Following conversations and correspondences with the relevant department of the Social Security Institution regarding the application submitted to our Institution, an Amicable Settlement was issued upon being notified that the relevant records had been corrected as a result of the correspondences made with the Institution the applicant worked for and that the compensation as the subject of the application had been paid to the applicant.³⁴

EXAMPLE

In a dispute arising within this context, the applicant stated in their application that, after serving as Deputy Provincial Director for approximately thirteen years, they retired but were not granted the additional indicator of 3600 though it was redefined to be granted as such for deputy provincial directors under Law No. 7417.

Following oral consultations and written correspondence with the relevant department of the Social Security Institution, our Institution was informed that the applicant's additional indicator had been raised to 3600 as of 15.01.2023 and that the resulting pension differences

³⁴ Amicable Settlement dated 03.10.2023 on application no. 2023/7462

had been transferred to the applicant's bank account, upon which an Amicable Settlement was issued.³⁵

PROBLEMS, RIGHT TO WORK, AND WORKING LIFE OF PERSONNEL EMPLOYED UNDER WORKER STATUS (ARTICLE 4/D OF LAW NO. 657) IN ADMINISTRATION

As is well known, prior to the Industrial Revolution, work used to be defined as a set of actions carried out solely to meet daily human needs. Following the Industrial Revolution, however, the concept of work came to refer to the act of being regularly employed within an organization and receiving wages in return for one's labor.

The concept of human rights, which was initially developed at the intellectual level and was subsequently enshrined in national and international documents, refers to all the rights that a person should possess simply by virtue of being human. The right to work, which is a human right, is defined as the right granted to all individuals, under minimum conditions established by the state and on a voluntary basis, to engage in any activity that provides an income worthy of human dignity, and has been safeguarded through both national and international regulations.

In the field of working life, a significant number of complaints lodged with our Institution originate from individuals employed in public institutions under permanent worker status concerning issues such as changes in occupational codes, payment of wage differences arising from changes in occupational codes, and problems encountered by employees working for employers classified as private legal entities providing public services.

EXAMPLE

In a complaint submitted to our Institution, the applicant stated that, although overtime wages had been paid to other employees, s/he had not received such payments for nearly 2 years due to the Ministry's claim of insufficient budget allocation, and thus requested the payment of the outstanding overtime wages.

Upon evaluation by our Institution, it was determined that there was no doubt regarding the existence, proof or documentation of the applicant's overtime work; the relevant authority had acknowledged the applicant's overtime, calculated the payment with a 60% increase, and prepared the "Overtime Calculation Chart for Permanent Workers between April 2020 and March 2021", and that the five-year statute of limitations had not yet expired for the receivable in question. In addition, in the letter of the Ministry of Family and Social Services dated 16.12.2021; it is stated that it has been evaluated that the overtime wage should be paid by the institution where the overtime is actually done, regarding the overtime work of permanent workers whose official positions are in the Social Service Center Directorates but who are assigned to other institutions. Considering the explanations included in the decision, precedent court decisions and the decisions of our Institution on similar matters; it was recommended to ... Nursing Home Elderly Care and Rehabilitation Center Directorate, as the institution where the overtime was actually done, that the overtime wages of the applicant, who was entitled to overtime wages during the period when he was assigned to ... Nursing

³⁵ Amicable Settlement dated 22.09.2023 on application no. 2023/6274

Home Elderly Care and Rehabilitation Center Directorate while working under 4D permanent worker status in ... Social Service Center Directorate, be paid with late payment interest.³⁶

7.5 CHILDREN'S RIGHTS

The Article 7 of Law No. 6328, titled "Duties of the Chief Ombudsman and Ombudsmen" stipulates that the Chief Ombudsman shall arrange division of labor among ombudsmen, with one of the ombudsmen being assigned to deal with women and child rights issues. In this context, applications received in the fields of "children's rights" and "women's rights" are examined meticulously with the assignment made by the Chief Ombudsman. The Ombudsman Institution is the first and only institution in our country that receives applications directly from children.

EXAMPLE

In the application lodged with our institution by [...] whose child is studying at [...] Anatolian High School, the applicant stated that their child was reprimanded for smoking at school, however, despite the fact that the punishment the child received was contrary to the "Regulation on Rewards and Discipline for Secondary Education Institutions", the District National Education Directorate deemed the decision appropriate and requested an inspection of the procedures carried out in violation of the legislation.

A referral was given by our Institution to the Ministry of National Education in order to evaluate whether the disciplinary process carried out with respect to the child in question was in accordance with the relevant legislation and to ensure that the decision for disciplinary action taken for the child was carried out in a manner compatible with the dignity of the child as a human being and in accordance with the Convention on the Rights of the Child, considering the child's psychological and health status and the fact that he was in the final year of high school and thus was preparing for university, in the framework of national and international legislation.³⁷

Activities of the Ombudsman Institution in the Field of Children's Rights

- Visit to Özne Child Life Center
- Visit by Children Volunteers from Eksi 25 Association to Our Institution
- Visit by the 27th Term Ankara Metropolitan Municipality Children's Assembly to Our Institution
- Participation in the "12th Development Plan" Child Specialization Commission Meetings
- Participation in the Thematic Meeting on Children's Rights of the Fundamental Rights Sector Coordination Platform
- Visit to Children Victims of Earthquake
- Online Participation in the Children's Rights Course at Faculty of Law of Akdeniz University

³⁶ Recommendation dated 08.03.2023 on application no. 2022/15364

³⁷ Referral dated 13.01.2023 on application no 2022/19245

- Participation in the Children's Rights Conference
- Participation in the 93rd Session Reviewing the Türkiye Report of the Committee on the Rights of the Child
- Children's Rights Education Program in Collaboration with UNICEF and the Ombudsman Institution
- Communication Training Program in Collaboration with UNICEF and the Ombudsman Institution
- Participation in the Child Advisory Board Meeting
- Participation in Children's Workshops as Online Guests within the Scope of "Another Life is Possible Project"
- Visit to Erman Ilicak Science High School within scope of "23 April National Sovereignty and Children's Day"
- Participation in the Launch of "Türkiye Children's Rights Strategy Document and Action Plan"
- Participation in the Launch of the National Action Plan for Educational Practices through Inclusion/Integration
- Participation in the "1st Children's Council" Held Under the Theme "The Century of the Child"
- Participation in the Opening of the Project on Improving the Capacity of Lawyers and Bar Associations on Promotion, Protection and Monitoring of Children's Rights (ÇABA)
- Participation in Meetings on "Development of an Integrated Child Policy Document by the Ankara Metropolitan Municipality"
- Participation in the 2023 Intersectoral Children's Board Meeting
- Working Visit to Georgia
- Participation in the "Technical Assistance for Supporting Children's Rights in Türkiye" Project Meeting
- Participation in the Central Coordination Sub-Commission Meeting
- Participation in the "Evaluation Workshop on the Procedures of Child Handover and Establishment of Personal Contact with the Child"
- Training on the Ombudsman Institution and Children's Rights for Lawyers from the Bar Associations of Kars, Ağrı and İğdır
- Participation in the Introduction Meeting of the "Health Mediators Model in Combating Child Marriages" within the Scope of the "Prevention of Child Marriages Project"
- Symposium on "Protecting Children from Exploitation and Abuse in the Digital World"
- Accountability for Children, Advocacy for Rights Project
- Participation in the Children's Rights Monitoring and Evaluation Board Meeting

7.6 EDUCATION, YOUTH AND SPORTS

The right to education, as a social right that is accepted as one of the most fundamental human rights and requires the positive contribution of the state, is mentioned in Article 2 of Protocol No. 1 to the European Convention on Human Rights, "*No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to*

teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.”

According to Article 42 of the Turkish Constitution, “*No one shall be deprived of the right of learning and education.*” This clear-cut provision not only imposes a responsibility on the state not to prevent individuals from enjoying these rights, but also imposes a positive responsibility on the state regarding the right to education. These positive responsibilities are the provision of education and training opportunities to individuals by the state itself, the state’s duty of supervision and control in the proper execution of the educational service, and finally, supporting successful students who lack financial means through scholarships and other means, thereby holding the state constitutionally liable for ensuring equality of opportunity in education and assisting beneficiaries who may have problems benefiting from this right on their own.

According to the Directive on Division of Duties, the following subheadings fall under the main category of “Education, youth and sports”:

- 1) Exams and related practices
- 2) Processes, actions and practices related to students
- 3) Teachers’ problems related to education
- 4) Issues related to higher education services
- 5) Protection of youth
- 6) Youth studies and projects
- 7) Youth centers and similar facilities and youth camps and associations
- 8) Studies for disadvantaged youth
- 9) Sports federations
- 10) Youth and sports councils
- 11) Other issues related to education, youth and sports services.

Within the framework of these sub-headings, many applications were received in 2023 regarding “Exams and related practices”, “Processes, actions and practices related to students” and “Issues related to higher education services”.

EXAMPLE

In the application, it was requested that students studying at Vocational and Technical Anatolian High Schools be supported in their preference for undergraduate programs related to their field in university entrance exams by being granted additional points, and that, in addition to the departments abbreviated as M.T.O.K. (Vocational and Technical Secondary Education Institutions), new departments such as “aerospace engineering,” “aircraft engineering,” “aircraft electrical engineering,” and “aircraft maintenance” be established; as a result of the review conducted regarding the application, it was evaluated that the M.T.O.K. quota is a quota reserved for graduates of Vocational and Technical Secondary Education Institutions to choose programs related to their field, particularly engineering, and that the

authority to decide on the opening or closure of undergraduate programs referred to as M.T.O.K. in Faculties of Technology lies with the Council of Higher Education pursuant to Article 7 of the Higher Education Law, and although the Council of Higher Education clearly has discretion regarding the allocation of quotas for M.T.O.K. undergraduate programs, it was assessed that vocational and technical education should be supported and, considering current conditions, that equality should be ensured for students graduating from the relevant fields in the application as it is for those from other fields, and thus a Recommendation was issued to the Presidency of the Council of Higher Education to carry out the necessary studies to evaluate the request for establishing departments such as “aerospace engineering,” “aircraft engineering,” “aircraft electrical engineering,” and “aircraft maintenance” within the M.T.O.K. programs that can be chosen by graduates of the relevant fields of vocational high schools.³⁸

7.7 ECONOMY, FINANCE AND TAX

Under the main heading of “Economy, finance and tax”, the following issues are included:

- 1) Banking transactions
- 2) Insurance transactions
- 3) Capital markets
- 4) Protection of competition
- 5) Transactions related to privatization
- 6) Tender works and transactions
- 7) Budget applications
- 8) Public receivables
- 9) Public debts
- 10) Tax transactions
- 11) Financial crimes and smuggling
- 12) Financial consumer rights and issues
- 13) Other topics related to economy, finance and tax.

Under this heading, although very few applications were received regarding issues such as the protection of competition, privatization procedures, and budget applications, the most frequently received applications were concerning banking transactions.

³⁸ Recommendation dated 17.04.2023 on application no. 2022/15313

EXAMPLE

In the application, regarding the assignment of an expert and payment of insurance for the workplace, it was stated that, as a result of the earthquake disaster, the applicant's house located in the province of Kahramanmaraş was damaged and workplace destroyed, that only 15% of the earthquake insurance compensation was paid without appointing an expert, this amount did not cover the repair costs, and no insurance compensation was paid for the destroyed workplace, and the application requested the appointment of an expert to examine the damage assessment at the house and the payment of insurance compensation for the aforementioned workplace; upon examination of the application, in the response letter dated ... sent to our Institution by the Turkish Natural Catastrophe Insurance Pool (DASK), it was explained that an expert was appointed and a payment of ... TL was made to the applicant following the expert report based on the damage file no. ... opened in relation to Compulsory Earthquake Insurance (ZDS) policy no. ... issued by the applicant with the coverage date of..., and that another damage file no. ... was opened based on a separate ZDS policy no. ... issued by the applicant with the coverage date of ...; however, upon review of the complaint-related damage file no., it was determined that the entire building at the insured address was used as a commercial premises, and according to Article A-2 of the General Terms and Conditions of Compulsory Earthquake Insurance which stipulates that "Buildings Used Entirely for Commercial or Industrial Purposes Shall Not Be Covered by Insurance," the damage in question was found to be excluded from coverage, the entire building in question was registered as commercial in the Damage Assessment and Objection procedures of the Ministry of Environment, Urbanization and Climate Change, and since the entire building was used for commercial purposes, the Institution had no liability for the damage that occurred; if the insured claims that the dwelling in question was residential and not commercial, evidence supporting this claim must be submitted to the Institution by the insured, and since no such evidence had been submitted so far, no payment had been made under DASK, and if such evidence is submitted, the damage compensation for the residence in question could be re-evaluated by DASK; furthermore, it was stated that since the entire building under the ZDS policy no. ... was used for commercial purposes, no expert was appointed for that file, and that an expert was only appointed under ZDS policy no. ...; in this context, since it was determined that the applicant's request would be fulfilled by the relevant Administration, the examination and investigation were concluded with an Amicable Settlement.³⁹

7.8 ENERGY, INDUSTRY, CUSTOMS AND TRADE

Under the main heading of “Energy, industry, customs and trade”, the applications received by the Ombudsman Institution under the following subheadings have been examined:

- 1) Domestic trade
- 2) Foreign trade
- 3) Customs procedures

³⁹ Amicable Settlement dated 26.10.2023 on application no. 2023/6501

- 4) Consumer rights and problems related to the subject
- 5) Applications of the Consumer Arbitration Committee
- 6) Energy and natural resources
- 7) Other matters related to energy, industry, customs and trade.

EXAMPLE

In the application, it was stated that regarding the transition from construction site subscription to residential subscription, a “Distribution System Connection Agreement” was signed and the connection line fee was paid in line with the connection opinion of the relevant company to meet the Distribution Network and Connection Line needs of the residences (60 independent units) located at ... Province, ... District, ... Neighborhood, Block ... Parcel ... by ... Electricity Distribution Inc. (EDAŞ); however, although it was committed by the related Company (as per the Residential Connection Opinion no. 62-0261306-02-01 dated 28.06.2021) that the construction of the distribution facilities would be completed within 6 months from the date of signing the Distribution System Connection Agreement, this commitment had not been fulfilled since the agreement was signed on 05.07.2021, and the transition from construction site subscription to residential subscription had not been possible due to the failure of the electricity distribution company to complete the construction of the transformer and distribution facilities, causing significant financial grievance, and as a result of the evaluation of the application requesting the urgent completion of the transformer and distribution facilities by the electricity distribution company to enable the transition from construction site subscription to residential subscription, it was determined that ... Electricity Distribution Inc. did not act in accordance with the relevant legislation, which clearly stipulates that, in cases where the user entering into the system connection agreement is a consumer, the necessary facilities and equipment for the connection must be provided and the facilities must be made ready for energization within the period specified in the agreement following the signing of the connection agreement; therefore, it was decided to issue a recommendation to ... Electricity Distribution Inc. to urgently complete the transformer and distribution facilities in accordance with the signed “Connection Agreement” and subsequently evaluate the applicant’s request for transition from construction site subscription to residential subscription.⁴⁰

7.9 SOCIAL SERVICES, RIGHTS OF PERSONS WITH DISABILITIES AND THE ELDERLY

In 2023, the highest number of applications were related to pensions granted under Law No. 2022 and Law No. 3294, as well as the home care allowance granted under Law No. 2828, with claims that these pensions were unlawfully terminated. Additionally, applications were received regarding grievances about social support aid provided by public institutions and municipalities, attitudes and behaviors by officials toward people with disabilities, discrimination against the people with disabilities, objections to disability rates in medical board reports, objections to “unfit to drive” reports, difficulties in accessing public services, the right to free travel, the right to a companion, access to services under home care programs,

⁴⁰ Recommendation dated 16.10.2023 on application no. 2023/5985

as well as problems experienced by persons with disabilities in need of protection, care and assistance and by families of martyrs and veterans in securing their health, education, employment, financial and moral rights, determination of General Health Insurance (GHI), etc.

EXAMPLE

In an application made to our institution, it was understood that the individual claimed their disability report, which stated a 57% disability rate, had been canceled on the grounds of being false and that the repayment of the disability tax reduction was requested; upon this, the individual requested a revision of the decision but received no response from the administration, moreover claimed that their renewed report indicated an increased disability rate of 65% from 57% and demanded redress of their grievance, for which a “Referral” was urgently issued to the Revenue Administration for the necessary review and assessment, followed by a return to our institution by the individual stating that they had received two different decisions from the administration regarding the reimbursement of the disability tax reduction and that the issue remained unresolved, prompting renewed contact with the relevant administration to clarify the inconsistency and differing practices between the two responses, and as per the reply from the aforementioned Administration upon our request, it was determined that the two different letters sent to the applicant on the same issue resulted from a system error, that the situation was conveyed to the relevant Tax Office Directorate regarding the reimbursement of the canceled disability reductions, and that the necessary actions would be taken as soon as possible to resolve the taxpayer’s grievance.⁴¹

7.10 FOOD, AGRICULTURE AND LIVESTOCK

Under this heading; applications are received regarding agricultural support payments in the context of agricultural credits and incentives, construction of farm (vineyard) houses on agricultural land, allocation of pasture-qualified properties to villagers, demands for sales outlets of the General Directorate of Meat and Dairy Authority, demands regarding the wheat purchase policy of the Directorate General of Turkish Grain Board, requests for necessary actions to be taken for the protection of human health and safety regarding stray dogs pursuant to Law No. 5199 on the Protection of Animals, as well as for the chip-related procedures for pets to be carried out without penalty.

EXAMPLE

As a result of the application made to our Institution with the request to make the land where the enterprise, whose request for permission to build a livestock facility was rejected within the scope of Law No. 5403, suitable for agriculture again, it was ensured that the relevant Administration initiated the necessary procedures for the recovery of the land to its former state and the collection of the expenses to be incurred by the relevant party in accordance with the provision in Article 21 of Law No. 5403, which states that “All structures constructed without permission on lands allocated for agricultural use in land use plans shall be

⁴¹ Amicable Settlement dated 15.09.2023 on application no. 2023/6788

demolished and removed. Expenses incurred for the restoration of the land shall be collected from the responsible parties.”⁴²

7.11 HUMAN RIGHTS

In 2023, our institution received a significant number of applications alleging violations of fundamental rights and freedoms. While the majority of these applications were of an individual nature, it is also observed that certain concrete allegations of violations were submitted to our institution by lawyers, non-governmental organizations, professional associations, and even political parties and members of parliament. This situation also indicates the presence of public trust in our institution.

Among the complaints submitted during this period, priority is given to applications involving alleged violations of rights in penal institutions and other closed facilities, as well as violations concerning the rights to petition and access to information, voting and being elected, citizenship, travel, assembly and demonstration, freedom of thought, conscience and religion, and the prohibition of torture and ill-treatment.

EXAMPLE

In penal institutions, individuals who display behavior contrary to security and discipline, whether directed at administrative staff or other inmates, and who do not cease such conduct despite warnings, and who also pose a risk of self-harm, are placed under special short-term isolation in an environment referred to as a “tissue damage and trauma prevention room,” commonly known as a soft room, in order to prevent harm primarily to themselves, as well as to other inmates, staff and property.

While this measure constitutes a form of intervention that is, in principle, lawful, it may become a violation of fundamental human rights if implemented in a manner contrary to basic safeguards. To avoid resulting in a human rights violation, it is considered essential that the implementation of the soft room measure be carried out in accordance with the safeguards outlined below.

First of all, to avoid resorting to this measure, it is important for prison administrators to refrain from automatic and immediate intervention in all actions deemed “contrary to discipline.” As mentioned above, it is necessary to distinguish between institutional security and institutional discipline, and to avoid the automatic use of force against all kinds of actions contrary to institutional discipline. For, as stated, the use of force/intervention in nearly every such incident leads to the inevitable placement of prisoners in the soft room. However, holding someone in a soft room should be a measure employed only in exceptional circumstances, and as clearly indicated in the letters of the Directorate of Prisons and Detention Houses of the Ministry of Justice dated 27.11.2017 and 14.05.2019 on the “Use of rooms prepared with soft materials,” such rooms do not constitute disciplinary punishment, nor are they areas where disciplinary punishments are to be enforced.

On the other hand, placing a detainee in a soft room to help them calm down falls within the discretion of the administration, which is responsible for maintaining institutional security and

⁴² Amicable Settlement dated 07.10.2023 on application no. 2023/15877

discipline. However, to avoid potential human rights violations, this measure should only be employed with the permission of the institution's director, following incidents that concern institutional security/order and only when deemed necessary, and it should not be used as a disciplinary response. In cases where security and discipline can be maintained through less severe measures, the act of transferring an inmate to a tissue damage and trauma prevention room through the use of force, classified as a last-resort and exceptional measure, should not be implemented as a first-line response.

When conducting body searches in the tissue damage and trauma prevention room, if there are reasonable and serious indicators that the convict is in possession of prohibited substances or items, correction officers should first ask the individual to voluntarily hand over the item before removing any clothing; if a search requiring removal of clothing is deemed necessary, the inmate should be allowed to dress again as soon as possible, and be kept in the tissue damage and trauma prevention room in this manner, in order to ensure respect for human dignity, honor and the inmate's sense of modesty.

As emphasized in the reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, while it is considered reasonable for prison staff to use force and, in exceptional circumstances, physical restraints to control prisoners who resort to violence, the restraint must be removed once the situation necessitating its use has ended, without turning it into a form of punishment. In cases where the administration has to confine the prisoner in the tissue damage and trauma prevention room using restraints, it is recommended that the prisoner's condition be regularly monitored and that the restraint be removed as soon as possible, with greater sensitivity.

It is essential to record camera footage in trauma prevention rooms where individuals at risk of self-harm are held, particularly to help them calm down during a crisis. However, at this point, the right to privacy must be given utmost importance. In this context, the camera angle must not capture the toilet area. This is a vital condition for the protection of the right to privacy. Accordingly, it is considered necessary to review the functioning of soft room camera systems in all closed institutions across the country to ensure they comply with the right to privacy. In other words, all penal institutions must take steps to ensure that cameras installed in trauma-preventive rooms are positioned in a way that allows for monitoring of self-harming behavior, while also ensuring that the toilet area remains outside the camera's view to respect individuals' right to privacy. This requirement has been emphasized in the Recommendations issued by the Ombudsman Institution.⁴³

7.12 WOMEN'S RIGHTS

Pursuant to Article 7 of Law No. 6328, which stipulates that the Chief Ombudsman shall arrange division of labor among ombudsmen, with one of the ombudsmen being assigned to deal with women and child rights issues, special importance is attached to these areas in the legislation.

Our Institution carries out its activities within the scope of its mission to protect individuals' rights against acts of the administration that are contrary to law, fairness, human rights and

⁴³ Partial Recommendation Partial Refusal dated 05.10.2022 on application no. 2022/5414

the principles of good administration; to enhance the proper functioning of the administration and the quality of service delivery; and to foster individuals who are aware of their rights.

Within the Ombudsman Unit responsible for women's and children's rights, administrative practices in this field are monitored and evaluated through the complaints mechanism in accordance with relevant legislation, and contributions are made to the protection and promotion of the human rights of women and children by identifying shortcomings and reporting the activities carried out to the GNAT. Moreover, unlike other institutions, a structure has been established in which all children in Türkiye, including girls, can directly submit applications through the Children's website of the Ombudsman Institution.

Since February 2018, the Ombudsman Institution's website for women has been designed and launched with the aim of promoting women's human rights by providing information (such as guidance on institutions to which women exposed to violence may apply, introductions to protective and preventive mechanisms, examples of relevant decisions, etc.).

Applications submitted to our Institution in the field of women's rights are examined without the condition of violation of interest.

EXAMPLE

In the application filed with our Institution, the applicant stated that, pursuant to Additional Article 43 of Civil Servants Law No. 657, which regulates that female civil servants who have given birth, or male civil servants whose spouses have given birth, may request to work half of the regular weekly working hours without additional breastfeeding leave during the period from the end of their postnatal maternity or, as per paragraph (F) of Article 104, paternity leave until the beginning of the month following the date the child reaches compulsory primary school age, and accordingly requested that the part-time work permit be arranged to cover the hours between 08:30 and 12:30.

Following the examination and evaluation of the matter, it was concluded that Additional Article 43 of Law No. 657 grants civil servants who have given birth the right to work part-time until their child reaches primary school age, that the President is authorized to determine the procedures and principles for the implementation of this provision, that the applicant's request was rejected by the administration on the grounds that no regulatory act had been issued regarding the implementation of the article, that there was no dispute as to whether the applicant met the conditions set forth in the Law, that although the administration had initiated work to implement the regulatory act, the regulatory act had not entered into force during the seven-year period and public personnel were thus unable to benefit from this right, that the purpose of the relevant legal provision is to allow parents to establish a stronger personal bond with their children during this critical developmental period when the child needs his/her parents the most, that the Law not only outlines a general framework but also details the procedures to be followed if the leave is granted, including when a civil servant can return to full-time work, how payments related to financial and social rights and payments based on actual work will be made, and how rank and grade progression and working hours will be regulated, along with the duration of the entitlement, and that the statement in the second paragraph of the same article granting the President authority to determine the procedures and principles of use and to specify those who cannot benefit from this right does not prevent the implementation of the legal provision itself, whose procedures and principles

have already been defined by the Law; therefore, it was concluded that the administration's rejection of the applicant's postnatal part-time work request, in spite of the fact that there was no dispute over the applicant's eligibility under the Law, on the grounds that the procedures and principles pertaining to the enjoyment of the said right had not yet been established, was not in accordance with the law and fairness.

In this context, a Recommendation was issued to the administration to the effect that the applicant be allowed to benefit from the postnatal part-time work opportunity under Additional Article 43 of Civil Servants Law No. 657.⁴⁴

In 2023;

- Our Institution contributed to the Current Regulation for the Prevention of Violence against Women with the Workshop Report titled "Increasing the Effectiveness of Mechanisms for Prevention of Domestic Violence against Women and Children".
- In 2018, cases of domestic violence against women and children frequently came to the forefront of public attention. The cases in question, which disturbed the public conscience, were human rights violations and a special report was prepared by our Institution in order to identify the deficiencies in the functioning of the existing mechanisms for the prevention of domestic violence against women and children and to create concrete solution proposals. As part of the work on this special report, a workshop titled "Increasing the Effectiveness of Mechanisms for Prevention of Domestic Violence against Women and Children" was organized on 19 February 2018 with the participation of authorized public institutions, representatives of non-governmental organizations working in the field and academicians.
- Upon being consulted regarding the draft Presidential Circular on "Combating Violence Against Women," our Institution provided its opinions and contributions in line with the mission and vision of the Ombudsman Institution as a human rights protection body, and in harmony with its focus on women's rights.
- In order to guide the conduct of investigations into domestic violence and violence against women and the implementation of Law no. 6284 on Protecting Family and Preventing Violence Against Women, the Circular no. 154/1 dated 17.12.2019 on the "Implementation of the Law on Protecting Family and Preventing Violence Against Women" was revised and updated as the Circular no. 154/2 dated 10.01.2023 on "Preventing Domestic Violence and Violence Against Women."
- On 13 January 2023, our Institution participated in the "Fundamental Rights Sector Coordination Platform Women's Rights Thematic" Meeting organized by the European Union Project.
- On 20-21 January 2023, our Institution participated in the 1st and 2nd Phase meetings of the "Specialization Commission for Women's Role in Development" under the Twelfth Development Plan organized by the Presidency of Strategy and Budget of the Republic of Türkiye.

⁴⁴ Recommendation dated 10.08.2023 on application no. 2023/4060

- On 10 March 2023, our Institution took part in the online panel titled “Access to Justice for Women and Girls In Times of Crisis and Disaster,” held in the context of International Women’s Day and organized within the scope of the joint project with the European Union on “Fostering Women’s Access to Justice in Türkiye.”
- Our Institution participated in the event held in Ankara on 25-26 April 2023 within the scope of the “Women’s Access to Justice and Human Rights Mechanisms Project” of the Flying Broom Foundation, and made a presentation on 26 April 2023, including the introduction of the Ombudsman Institution, the application procedure and application review process and the Institution’s Decisions (examples of decisions regarding applications by children and women).
- On 3 May 2023, our Institution participated in the “International Symposium on Vulnerable Groups in Disaster Periods from the Point of Human Rights Law” organized by the Human Rights and Equality Institution of Türkiye (HREIT).
- Our Institution also took part in the preparatory meeting for the “Strategy Document and Action Plan on Women’s Empowerment,” coordinated by the General Directorate on the Status of Women, one of the main service units of the Ministry of Family and Social Services.
- On 15 June 2023, our Institution participated in the Advisory Board Meeting held in online and face-to-face format at Monec Hotel, organized by the United Nations Women Office in Türkiye. During the Advisory Board Meeting, information was shared regarding the “Strong Civic Space for Gender Equality” project, implemented by UN Women since April 2021 with financial support from the European Union, aimed at advancing gender equality and women’s rights in Türkiye through civil society support.
- On 19-20 June 2023, our Institution participated in the “Custody Arrangements Workshop” held in Ankara within the scope of the project “Improving the Effectiveness of Family Courts: Better Protection of the Rights of Family Members” and a presentation was delivered introducing the Ombudsman Institution, detailing the application procedures and review processes, and highlighting Institutional Decisions (including sample rulings on custody, child handover and establishment of personal contact) as well as Special Reports prepared by the Institution.
- On 25 September 2023, our Institution participated in the opening ceremony of the “Strengthening the Foster Care System in Türkiye Project,” organized by the General Directorate of Child Services under the Ministry of Family and Social Services.
- On 21 September 2023, our Institution attended the meeting titled “Policy Dialogue Series on Care Work and Care Economy in Post-COVID-19 World,” organized by UN Women Türkiye Office.
- The Women’s Law Commission of the Union of Turkish Bar Associations (UTBA) visited our Institution and met with Celile Özlem Tunçak, the Ombudsperson Responsible for Women’s and Children’s Rights. During the meeting held with the Executive Board Members of the Women’s Law Commission of the Union of Turkish Bar Associations, established under the Union of Turkish Bar Associations to operate within the framework of the provisions outlined in the Directive, Ms. Tunçak, as the

Ombudsperson Responsible for Women's and Children's Rights, provided information on the Institution's activities in the field of women's rights, the procedures for reviewing applications in this area, decisions and workshops.

7.13 PUBLIC PERSONNEL REGIME

When the public personnel system in Türkiye is examined, it is seen that it is established in the areas of administrative, academic, military and judicial personnel in accordance with the historical development line and that each area is regulated by separate legal texts, of which the administrative personnel are subject to the Civil Servants Law (CSL) no. 657, the academic personnel to the Higher Education Personnel Law no. 2914, the Judges and Prosecutors to the Judges and Prosecutors Law no. 2802 and the Military personnel to the Turkish Armed Forces (TAF) Personnel Law no. 926.

The complaint applications submitted to our institution are also categorized within the scope of the Labor Division Directive of the Ombudsman Institution, and the complaint applications within the scope of the Public Personnel Regime (excluding TAF personnel and workers) are collected under the headings given below.

- ❖ Recruitment of personnel (issues arising from being ineligible to be appointed as a public servant, quota restrictions)
- ❖ Appointment, transfer, assignment, and relocation
- ❖ Duties, responsibilities, general rights, and prohibitions
- ❖ Advancement and promotion
- ❖ Evaluation of personnel
- ❖ Financial rights
- ❖ Social rights and benefits
- ❖ Disciplinary penalties and termination of civil service post
- ❖ Contractual and temporary personnel issues
- ❖ Personnel within the scope of privatization
- ❖ Cadre and/or positions
- ❖ Examinations recruitment of for public personnel (written and oral exams conducted by institutions for their personnel recruitment)
- ❖ Complaints regarding the attitudes and behaviors of public personnel (including mobbing and mistreatment)

The aforementioned applications are examined and evaluated with reference, in particular, to the Constitution, Law no. 657 and other relevant Laws, regulations, judicial decisions and decisions of the Constitutional Court.

7.14 SERVICES RENDERED BY LOCAL ADMINISTRATIONS

The Turkish administrative organization, as expressed in Article 123 of the Constitution, is based on the principles of *central administration* and *local administration*, in terms of its establishment and duties.

The Ombudsman Institution emerges as an alternative dispute resolution mechanism for those in conflict with local administrations. While the institution approaches citizens' issues with the local administration in a manner similar to that of a court through legal audit, it also seeks to find a solution that is appropriate to the requirements of the concrete situation with a sense

of fairness. In this context, the Ombudsman Institution, which has been examining applications regarding the acts and actions of local administrations, along with attitudes and behaviors of the same, since 29.03.2014, received approximately 12,500 applications regarding the services rendered by local administrations by the end of 2023.

7.15 RIGHT TO PROPERTY

The right to property is among the fundamental rights and freedoms guaranteed by both national constitutions and international human rights conventions. Indeed, Article 35 of the Constitution stipulates that everyone have the right to ownership and inheritance, that these rights may only be limited by law for public interest purposes, and that the exercise of the right to property may not be contrary to the public interest.

Upon reviewing the applications submitted to our institution in 2023, it has been observed that the majority of applications are related to issues such as claims for expropriation and mesne profits, payment of expropriation fees, confiscating without expropriating, cadastral renewal works, zoning plans, correction of land registry records, leasing of immovables of treasury, immovables registered as protected sites, confiscation and similar measures, and disputes arising from uncertainties experienced in obtaining the receivables based on court decisions.

EXAMPLE

In an application submitted to our institution regarding the claim for confiscation without expropriation and for mesne profits, the applicant's attorney stated that a High-Speed Train (HST) line passed through part of the immovable properties owned by the applicant in 2009, that debris from these works was dumped on the applicant's properties and that a waterway was built for the water coming from the culvert on some of their immovable properties, rendering the immovable properties in question inactive and non-productive, but that the immovable properties were not expropriated; and demanded that the relevant properties be expropriated and the cost for mesne profits to be calculated, including the interest thereof, for the period starting from 2009 until now be compensated for by the administration.

As a result of the investigation carried out by our Institution within this framework, it was determined that the administration that confiscated the property without a prior expropriation decision or before the completion of the expropriation procedures was in the position of an unlawful occupier, and our Institution took a decision to make a recommendation to the Directorate General of Turkish State Railways for immediate expropriation of the part of the immovable property that was confiscated without actual expropriation and to pay the mesne profit that will be duly calculated, taking into account the judicial precedents regarding the part of the immovable property that was actually used for track.⁴⁵

⁴⁵ Recommendation dated 29.05.2023 on application no. 2023/18067

7.16 CIVIL REGISTRATION, CITIZENSHIP, REFUGEE AND ASYLUM SEEKER RIGHTS

Under the title of **civil registration, citizenship, refugee and asylum seeker rights**, as determined as the area of investigation by our institution, the conflicts between both Turkish citizens, their foreign relatives and foreign nationals with the administrations are handled.

EXAMPLE

Passport book price refers to the sales price of passports subject to the Law on Valuable Papers no. 210 and having the status of “*valuable papers*”. According to Article 4 of Law no. 210, valuable papers are sold to the relevant parties for the prices shown in the table enclosed to the cited Law. Within this scope, passports can be sold to those who request them upon payment of the prescribed prices. Therefore, just as with the passport fee, the payment of the corresponding valuable papers fee should coincide with the process of issuing the passport due to the close connection between the payment and the issuance of the passport. Indeed, in the justification of Article 4 of Law no. 210, it is stated that “*If valuable papers are also used as a means of collecting fees, both the valuable paper price and the fee amount shall naturally be collected together*”, indicating that the valuable paper price and the relevant fee will be collected together, and reminding that the payment times of both must be compatible.

In this context, it is not legally possible to fulfill the applicants’ claims for refund or requests for transactions based on fees from the year 2022, in accordance with the provisions of the tax legislation.

In addition, our Institution has investigated the claims that the relevant administration, the Directorate General of Civil Registration and Nationality, did not give an appointment for passport issuance towards the end of December 2022 due to high workload. Within this scope, in response to the review and investigation by our Institution, the Administration stated that while the total number of applications for passport was 2,188,863 in 2021, the relevant figure rose to 4,769,420 in 2022 and that while the number of people submitting an application for passport was 359,679 in December 2021, the relevant figure rose to 1,396,394 in December 2022 with an increase of 288%, which is quite remarkable. Especially within the context of the foregoing data, it is clear that the increase in December 2022 was at a level that could overwhelm administrative procedures.

However, the Partial Recommendation and Partial Refusal Decision⁴⁶ taken by our Institution about the issue stipulates, in accordance with the principles of good administration, that “*...Considering the likelihood of similar situations occurring again in the final month of each year in the future, it would be beneficial for the relevant administration to take preventive measures in advance. The administration should anticipate an extraordinary increase in passport requests due to the rise in passport fees and book prices in December and take appropriate measures accordingly. In particular, before any significant increases in passport fees and passport book prices, it is important to foresee measures that strengthen the administrative process such as informing the public through various means, preparation of*

⁴⁶ Partial Recommendation Partial Refusal dated 04.10.2023 on application no. 2023/5638

the IT infrastructure used for making appointments against any possible increased workload, assignment of additional personnel to meet the increase in the requests for passports and working overtime.”, thereby recommending the relevant administration to take necessary precautions for the subsequent years in relation to the month of December when the passport charge will be increased.

7.17 FORESTRY, WATER, ENVIRONMENT AND URBANIZATION

Under this title, our institution receives applications related to TOKİ (Housing Development Administration of the Republic of Türkiye) applications, building registration certificates, disaster housing, objections to earthquake damage assessments, claims of forest and pasture land occupation, requests for cancellation of chamber memberships, supervision of building inspection firms, urban transformation, housing benefit requests, zoning and settlement works, environmental pollution, and noise pollution.

EXAMPLE

With regard to an application made to our Institution, where the applicant stated that they were not provided with a tent following the earthquakes on 06.02.2023, and requested that necessary actions be taken to supply them with a tent, our institution held several meetings with the Office of Private Secretary of Governorship of Kahramanmaraş on different dates in order to resolve the issue promptly and amicably, and in the most recent phone call on 03.04.2023, it was reported that a tent had been provided to the applicant to resolve the issue, thereby resolving the relevant application amicably.⁴⁷

In an application made to our Institution requesting the end of unauthorized practices on a privately owned property located within a registered immovable protection area, the applicant stated that Karabük Cultural Heritage Preservation Regional Board had issued a demolition order for the property in Safranbolu, Karabük province, that the property owners had brought the matter to court and the case was concluded in favor of the Board, and consequently, the applicant requested that the relevant demolition decision be implemented by Safranbolu Municipality.

As a result of the review of the file conducted by our institution, it was determined that in the case subject to the complaint, construction activities requiring a building permit were carried out within the registered immovable protection area, and since the area subject to the application was located within a registered immovable protection area, Karabük Cultural and Natural Heritage Conservation Regional Board issued a demolition order for the property under its decision no. 5067 dated 28.03.2019, but that the Municipality could not initiate any action for demolition after the building registration certificate was issued and the matter was brought before the court.

As is well known, in the context of disaster risk preparedness, Provisional Article 16 was added to Zoning Law No. 3194 to register buildings without a permit or buildings in violation of their permits and the annexes thereto and to provide zoning amnesty. The said Law states that while building registration certificates duly obtained shall lead to the cancellation of demolition orders issued under Zoning Law No. 3194 and administrative fines that could not

⁴⁷ Amicable Settlement dated 04.04.2023 on application no. 2023/2314

be collected, Article 4 titled “Exceptions” of the cited Law stipulates that provisions of this Law, which do not conflict with special laws, shall be applicable in areas designated or to be designated under Law no. 2863 on the Conservation of Cultural and Natural Property. Thus, as can be seen in the relevant example, the powers and responsibilities of the administrations arising from the Law on the Conservation of Cultural and Natural Property remain in effect with regard to the protected areas.

In the evaluations made since it was found that the authority regarding all permits and inspections in the relevant areas lies with the Regional Conservation Boards as per Zoning Law no. 3194 and Law no. 2863 on the Conservation of Cultural and Natural Property, that no information or documents could be obtained indicating that the property owner was granted permission for construction activities requiring a building permit but that the property owner in question obtained a building registration certificate in a way to include the unlicensed building, it was determined that the postponement of the relevant demolition by the Municipality was in violation of law and fairness, and a recommendation was made for the demolition decision taken by Karabük Regional Board for Conservation of Cultural Heritage to be urgently implemented by Safranbolu Metropolitan Municipality.⁴⁸

7.18 HEALTH

Applications filed with our institution under the title “Health” mainly address issues related to the health system and claims of violations of the right to health.

In the field of health, our institution receives complaints regarding allegations of patient rights violations due to the attitudes and behaviors of healthcare personnel, claims of incorrect or erroneous diagnosis and treatment (medical malpractice), problems with access to treatment and medication, difficulties in obtaining medications from abroad, requests to have medicines/ products/ medical materials included in the reimbursement list / requests for an increase in payments, requests for an increase in travel and per diem allowances, requests for the deletion of personal health data from records, complaints related to the medical examination appointment system, claims that private or university healthcare institutions and organizations charge excessive fees, requests for corrections / changes to medical reports, requests for the registration of disability health reports in the national disability database, allegations that prisoners in penal institutions do not receive adequate health services, requests from healthcare workers related to the operation of healthcare services, requests for changes in the medical staff at private hospitals, requests for the assignment of doctors in specific branches in certain provinces where the patients are located, complaints directed at the Social Security Institution (SSI) and the Turkish Pharmacists’ Association (TEB) related to the protocol signed between the Pharmacies that Are Members of the TEB and the SSI on Supply of Medicines, applications related to professional chambers, and allegations of non-implementation of court decisions, along with various other issues.

⁴⁸ Recommendation dated 10.02.2023 on application no. 2022/11546

EXAMPLE

In an application filed with our institution containing a claim of malpractice, the applicant stated that cautery burn occurred on their leg during surgery and requested necessary actions be taken against those responsible.

It was deemed necessary to investigate whether the treatment of the applicant involved medical malpractice (malpractice) due to omission, negligence, lack of knowledge, lack of skill or organizational deficiencies and expert opinion was needed to determine whether the administration had a service defect within the scope of the application file. Within this scope, a specialist physician working in the General Surgery branch at Ankara Bilkent City Hospital and a Biomedical Engineer working in the Clinical Engineering Services Unit were appointed as experts separately.

In this regard, in the expert report prepared by the General Surgery Specialist, it was stated that the existing lesion was a burn caused by the cautery plate, that such a burn was not expected with a device that had undergone all necessary checks, such devices were subjected to routine checks and maintenance by the administration but they could still malfunction momentarily during the intervention despite all the checks; thus, the healthcare personnel in question and the physician on duty were not at fault. In the expert report prepared by the Biomedical Engineer, it was observed that the product safety of the device used in this incident was not ensured according to the examination of the service forms and certificates; furthermore, it was suggested that a more definitive opinion could be formed if further examination was conducted regarding the information and documents referred to in the report.

Within the scope of the claim in question, as a result of the examinations carried out by our Institution, considering that the cautery devices should be routinely checked and maintained by the administration, that such a burn would not normally be expected in a device that has undergone routine checks but that the company that carried out the check of the cautery device that caused the burn during the applicant's surgery did not have service competence for this type of equipment in accordance with the Circular no. 2022/2 on Purchases of Medical Devices and Services and that the service activity became invalid, the metrology activity reports that should be issued every two (2) months in the 2021-2022 and 2022-2023 periods were issued every twelve (12) months by an unqualified company, and that the validity period specified in the certificate expired on 16.03.2022, it was concluded that the device in question was not subjected to necessary routine checks and maintenance by the administration, that the service was poor due to lack of organization on the part of the administration, and that the right to protect moral and material existence of people as guaranteed in Article 17 of the Constitution was violated; therefore, it was recommended to the Ministry of Health to ensure that the medical devices be tested, checked and calibrated in line with the legislation over the course of their lifetime, to acknowledge that the person's right to protect his/her moral and material existence was violated due to the administration's service defect and to take necessary action to eliminate the applicant's grievance.⁴⁹

⁴⁹ Recommendation dated 09.05.2023 on application no. 2022/16586

7.19 TRANSPORTATION, PRESS AND COMMUNICATIONS

Transportation services are considered an important indicator of development and economic power, as they ensure the transportation of goods or services produced by people from one place to another in the fastest and safest way with minimal cost. Press services also deeply affect the public's ability to access news and form opinions as a means of mass communication. Press services encompass products that deliver all kinds of news and ideas to society. In particular, the role of the press in the formation of public opinion in a democratic manner through written products such as newspapers and magazines, and visual products like television and social media is of great importance. Likewise, in the information technologies and communication sector one of today's most significant industries it can be observed that networks and services have become more closely integrated particularly with the development of mobile communication and the internet, and that significant progress has been made in terms of the development of the technologies where users access multiples services together. On the other hand, with the progress mentioned, certain regulatory and supervisory activities within specific limits are also being brought into the agenda in fields such as electronic communication, the internet and mobile communication which are of great importance in our daily lives and are experiencing rapid technological advancements and changes, influenced by economic and social conditions.

EXAMPLE

In 2023, applications were received regarding issues such as the non-delivery of mail to the intended recipients or the failure to deliver PTT shipments,⁵⁰ identification and effective resolution of delays in the delivery of documents issued for notification to the addressees,⁵¹ and the attitudes and behaviors of PTT employees⁵².

In the Recommendation dated 29.09.2023 taken by our Institution on application no. 2023/5459, which includes allegations about the constant late delivery of registered mails related to judicial processes, taking into consideration that long delivery times for notification documents could lead to delays in the judicial processes and unresolved legal matters and violation of right to freedom of communication and the right to a fair trial, a recommendation was made to the General Directorate of the Post and Telegraph Organization (PTT) to the effect that due care be taken for timely performance of postal services particularly regarding the documents issued for notification by the courts or enforcement offices as the subject of the complaint and that, with respect to the delays in delivery of notifications, necessary measures be taken for identification and effective resolution of the reasons for delay. In the letter received from the General Directorate of the Post and Telegraph Organization following the relevant Recommendation, it was stated that, considering the important nature of the contents of the notification document and the potential material / moral damages in case of any disruptions to judicial/administrative decisions, any required notifications were made to all General Directorates of PTT across the country to improve the distribution services, increase customer satisfaction, focus on on-the-job trainings to raise awareness among staff and

⁵⁰ Partial Recommendation Partial Refusal dated 08.11.2023 on application no. 2023/6770, Referral dated 10.03.2023 on application no. 2023/1636 and Referral dated 25.05.2023 on application no. 2023/6318

⁵¹ Recommendation dated 29.09.2023 on application no. 2023/5459

⁵² Referral dated 22.05.2023 on application no. 2023/6409

eliminate any deficiencies and to be informed that all irregular and delayed operations would be under the responsibility of the administrative personnel, as well; furthermore, it was also reported that efforts had been initiated to update the notification delivery performance coefficient within the scope of the performance coefficients of the distribution personnel in order to ensure more effective and efficient performance of distribution-delivery services.

Chapter

VIII

2023

ANNUAL REPORT

**APPROACHES OF
ADMINISTRATIONS
TO OUR DECISIONS
AND REQUESTS FOR
INFORMATION AND
DOCUMENTS**

Approaches of
Administrations to Our
Decisions

Approaches of the
Administrations to the
Requests for Information
and Documents of the
Ombudsman Institution

CHAPTER 8: APPROACHES OF ADMINISTRATIONS TO OUR DECISIONS AND REQUESTS FOR INFORMATION AND DOCUMENTS

8.1 APPROACHES OF ADMINISTRATIONS TO OUR DECISIONS

One aspect of the Ombudsman's success is undoubtedly the implementation of its decisions by administrations. In this sense, when we look at the global examples, it is seen that in countries where democracy is strong, public participation in governmental activities is encouraged, the public is responsive to people's complaints, fundamental human rights are protected and strengthened as societal values, and the Ombudsman has become a culture and is equipped with strong powers, the rate of compliance with decisions is around 80-90%.

The first step in ensuring the implementation of the decisions taken by the Ombudsman Institution by the administrations is, essentially, increasing the recognition of the institution in the public and among citizens, and raising awareness effectively.

In this context, the directive regarding the organizational structure of the Institution has been amended, and

- Press Consultancy, which will play an active role in improving the Institution's relationships with the press and promoting it in line with the "goal of increasing public awareness" of our Institution,
- Institutional Communication Department, which will ensure that institutional communication will be functional with a more systematic and professional perspective, both in the public, in public institutions, as well as in Non-Governmental Organizations and other institutions, have been established.

The second stage of the implementation of the decisions of the Ombudsman Institution by the administrations is the establishment of the Research, Follow-up and Evaluation Bureau within the Strategy Development Department, pursuant to the amendment dated 03.05.2017 to the above-mentioned Directive. This Bureau is tasked with effectively following up on Recommendation, Referral, and Amicable Settlement Decisions issued by the Ombudsman Institution, conducting annual report studies, creating general/specific statistics regarding complaint applications and responding to information requests on this matter.

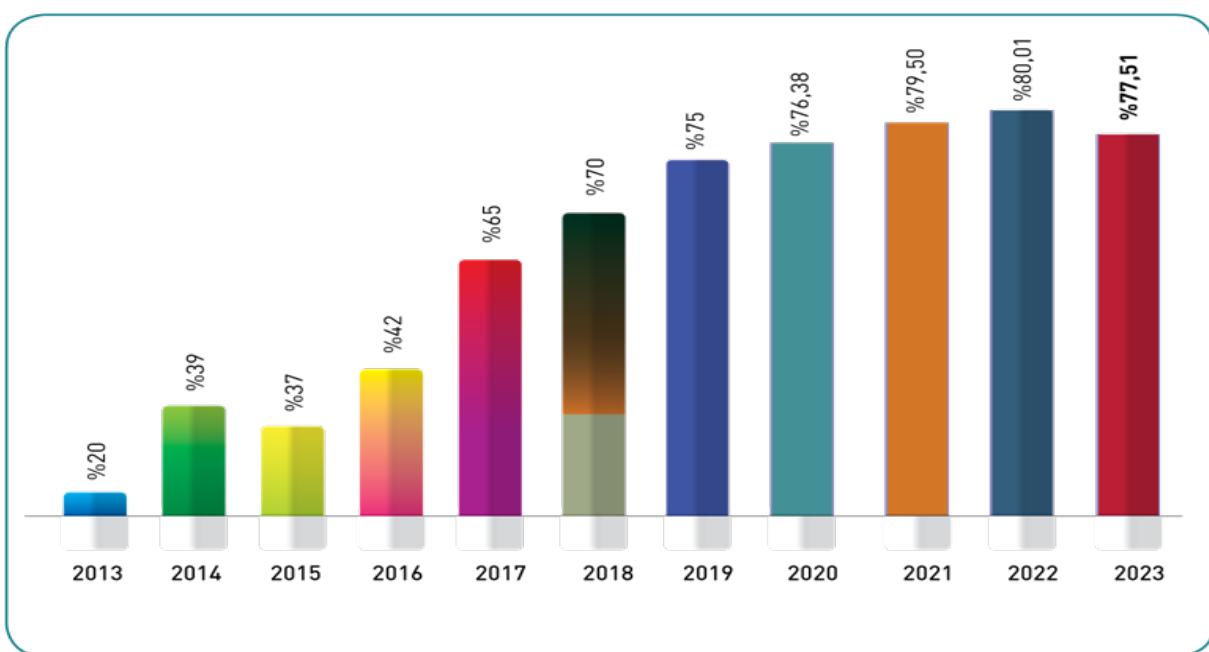
Additionally, at the end of each calendar year, the Annual Report of our institution, covering its activities and recommendations, is presented to the Joint Commission, which consists of the members of the Petition Commission and the Human Rights Inquiry Commission, in accordance with Article 22 of our Institution's Law no. 6328 and is also discussed in the General Assembly of the GNAT. In this context, our Institution carries out its supervisory activities on behalf of the Grand National Assembly of Türkiye and draws its strength from the moral authority of the Grand Assembly. The Joint Sub-Commission consisting of members of the Petition Commission and the Human Rights Inquiry Commission invites the representatives of institutions that do not, or are unable to, comply with the recommendations issued by our Institution, or that do not respond positively to information and document requests to the Commission to provide an explanation. This activity of the Commission further enhances the effectiveness of Recommendations issued by our Institution.

Within this scope, the compliance rates with the recommendations over the years are presented in the table below.

Table 29: Compliance Rates with Recommendations over the Years

Compliance Rate%	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
	20	39	37	42	65	70	75	76.38	79.50	80.01	77.51

Figure 11: Compliance Rates with Recommendations over the Years



8.2. APPROACHES OF THE ADMINISTRATIONS TO THE REQUESTS FOR INFORMATION AND DOCUMENTS OF THE OMBUDSMAN INSTITUTION

The Ombudsman Institution acts as a bridge between the administration and the citizen, while examining the complaints based on law and fairness within the understanding of justice based on human rights. While the Ombudsman Institution fulfills these duties, it also eases the burden of the judiciary and makes significant progress in terms of easy and fast access of citizens to justice. The Ombudsman Institution, which is obliged to finalize the applications in a short time like 6 months, produces a solution to the problem of the citizens within a few months, sometimes in less than a month, with amicable settlement decisions.

It is of great importance that public institutions and organizations act in cooperation with the Ombudsman Institution, send the information and documents requested by the Institution on time, and have a positive approach towards amicable settlement in order for the Ombudsman Institution to produce easy and fast solutions to the problems of the citizens.

- ❖ Meetings with the Ministers and Deputy Ministers in numerous occasions to inform about our Institution and to exchange views on effective cooperation,

- ❖ Meetings held with the general managers and institution heads of public institutions and organizations to mutually consult on the auditing role of our Institution in the context of good administration principles,
- ❖ Meetings held with the governor, mayor, village headmen and institution managers of relevant province during provincial meetings,
- ❖ Recognition of the area of duty and authorities of our Institution by public institutions and organizations over time and the dialogue established by our Institution with public institutions and organizations all contributed to the fact that a large number of administrations fulfilled the demands for information and documents as requested by our Institution sufficiently and in a short period of time and displayed an attitude open to cooperation last year.

This situation is quite valuable, as it ensures that the investigation conducted by our Institution is based on more accurate data, ultimately leading to the truth in the final decision-making process.

Chapter IX

2023

ANNUAL REPORT

EXPANDING THE CULTURE OF SEEKING LEGAL REMEDIES AND RELATIONS WITH STAKEHOLDERS

ACTIVITIES AT NATIONAL LEVEL

Relations with the Press and Media
Institutional Publicity and Organizations
Activities Aimed at Promoting the Culture
of Seeking Legal Remedies for Children

Meetings with University Students
Relations with Public Institutions and
NGOs

Relations with Bar Associations
Other Activities

INTERNATIONAL ACTIVITIES

High-Level Contacts
Uzbekistan Elections
Meeting between Russian and Ukrainian
Ombudspersons under Mediation of

Türkiye
Israel's Occupation of Gaza
Project Activities

Participation in International Networks
Visit of Resident Diplomatic Mission
Representatives and Foreign Institutions in

Türkiye

Meetings and Study Visits Abroad
Other Activities

REPORTS AND PUBLICATIONS

CHAPTER 9: EXPANDING THE CULTURE OF SEEKING LEGAL REMEDIES AND RELATIONS WITH STAKEHOLDERS

9.1 ACTIVITIES AT NATIONAL LEVEL

9.1.1. RELATIONS WITH THE PRESS AND MEDIA

Importance is given to relations established with the press in order to increase the recognition and awareness of our institution and to increase the effectiveness of the institution by gaining public support.

- ❖ Accordingly, a breakfast press conference was organized with Ankara representatives of the national press, evaluating annual activities.
- ❖ In 2023, a total of 78 interviews were given to various national channels and agencies, and participation was ensured in live broadcasts on television.
- ❖ As part of the “Ombudsman Meets the Public” Program, meetings were held with national and local media representatives in the visited provinces. A total of 300 press representatives participated in these meetings.
- ❖ The importance of seeking legal remedies was explained to our citizens by participating in live broadcasts of televisions and radios, explaining about the general activities of the institution.
- ❖ Press releases were issued, and interviews were given on agendas and topics concerning sensitivity to human rights, justice and fairness.
- ❖ The applications received by our institution and the decisions made were covered in the news, and these news stories were shared across all media platforms.
- ❖ Local and national media representatives participated in the workshops, conferences and meetings organized by our Institution.
- ❖ Our institution was featured a total of **16,649** times in the media, with **1,818** mentions in print media, **735** mentions on television channels, and **14,096** mentions on online news websites.
- ❖ **International Media:**

As part of the programs conducted in several countries, including Italy, Kazakhstan, Kyrgyzstan, the Philippines, Tatarstan, Moldova, Hungary, Kosovo, Serbia, and Georgia, interviews were given both before and during the visits to the representatives of our country's news agencies, as well as to the television channels and newspapers of the visited countries.

Table 30: View Counts of Institutional Web Pages for the Year 2023

	Number of Views
Institutional Web Page (https://www.ombudsman.gov.tr)	254,827
Institutional Web Page for Children (https://kdkcocuk.gov.tr)	25,752
Institutional Web Page for Women (https://kadın.ombudsman.gov.tr)	3,366
Web Page for Ombudsman Club (https://topluluk.ombudsman.gov.tr)	6,482
Web Page for Databank of Decisions (https://kararlar.ombudsman.gov.tr/Arama)	57,079
E- Application Web Page (https://ebasvuru.ombudsman.gov.tr)	650,876
Academic Journal Web Page (https://dergi.ombudsman.gov.tr)	3,075
	1,001,457

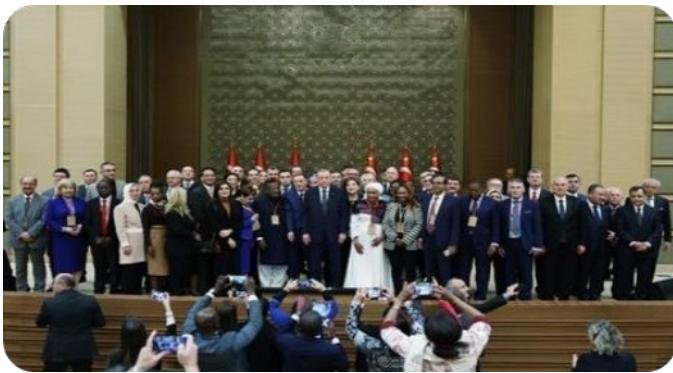
9.1.2. INSTITUTIONAL PUBLICITY AND ORGANIZATIONS

International Ombudsman Conference on “The Future of Human Rights in the 21st Century” (11 January)



The “International Ombudsman Conference” was organized at the Presidential Complex by the Ombudsman Institution and the European Union, with the participation of President Recep Tayyip Erdoğan. The conference was attended by the Speaker of the GNAT Mustafa

Şentop, the Minister of Justice Bekir Bozdağ, Chief Ombudsman Şeref Malkoç, the Head of the EU Delegation to Türkiye/Ambassador Nikolaus Meyer-Landrut, President of the Constitutional Court Zühtü Arslan, President of the Court of Cassation Mehmet Akarca and Ombudsmen Arif Dülger, Celile Özlem Tunçak, Fatma Benli Yalçın, Sadettin Kalkan and Yahya Akman, along with representatives from more than 70 Ombudsman and human rights institutions.



The conference, which was attended by nearly 70 Ombudsmen and human rights advocates from 41 countries, ranging from the Philippines to Peru, Asia to Africa, and the Turkic world to Europe, focused on the responsibilities and roles of national Ombudsmen and human rights representatives, as well as the contributions they could make in the protection and development of human

rights. On the second day of the conference, 4 sessions were held under the titles: “The Impact of Digitalization on Human Rights”, “Human Rights Issues in War, Conflict, and Migration Environments”, “Human Rights Issues During Pandemic Periods”, and “The Role of Ombudsmen in the Protection and Development of Human Rights in the 21st Century”.

Closing Conference for “Technical Assistance Project for Empowerment of the Role of Ombudsman in the Protection and Promotion of Human Rights” (May 4)



The Closing Conference of the “Technical Assistance Project for Empowerment of the Role of Ombudsman in the Protection and Promotion of Human Rights”, going on for four years and carried out by the Ombudsman Institution and the European Union, was held. The conference was attended by Chief Ombudsman Şeref Malkoç, Deputy Minister of Justice Yakup Moğul, Head of the Civil Society, Fundamental Rights, Judiciary and Home Affairs Department of the EU Delegation to Türkiye Alexander Fricke, Directorate for EU Affairs Director General for Relations with the European Union Elif Kurşunlu, Chairwoman of Board of Ethics for Civil Servants Zerrin Güngör, Ombudspersons Arif Dülger, Celile Özlem Tunçak, Fatma Benli Yalçın, Sadettin Kalkan, and Yahya Akman, staff of the Ombudsman Institution, academics, and university students.



The Chief Ombudsman Şeref Malkoç stated that the Ombudsman Institution is the authority for resolving disputes between the public and the administration and supervises the acts and actions of the administration with the power granted by the GNAT and the authority granted by the Constitution and the law. The Chief Ombudsman further noted that the Ombudsman Institution strives to contribute to improving the quality of services rendered by the administration, establishing the principles of good administration, advancing human rights, ensuring the rule of law, spreading the culture of seeking legal remedies, and promoting a transparent and people-oriented administration and also emphasized that, in a way, the Ombudsman Institution acts as a mediator, arbitrator and conciliator between the state and citizens.

“Ombudsman Meets the Public” Regional Meetings and Provincial Study Visits (January-December)

Our Institution, which serves as a bridge between citizens and the administrations, carries out activities to promote the Ombudsman Institution and to inform citizens about when and how they can apply to our Institution and about the functioning and activities of our Institution. The regional meetings themed “Ombudsman Meets with the Public” and provincial study visits, which were held with the aim of ensuring that the problems experienced in the provinces be listened to by administrators in the province under the arbitration of the Ombudsman and that actions be taken to find solutions to such problems by bringing together the administrators in the province and the people representing the public receiving services in the relevant province in the same hall, continued in 2023, as well.

In 2023, within the scope of the regional meetings under the theme “Ombudsman Meets the Public” and provincial study visits; citizens, NGOs, opinion leaders, village heads, and provincial administrators were brought together in the provinces of Çankırı, Kastamonu, Bolu, Karabük, İstanbul, Aksaray, İğdir, Ağrı, Erzurum, Eskişehir, Mardin, Bursa, Kırşehir and Kırıkkale.

Çankırı Regional Meeting (1 June)



In his speech during the regional meeting under the theme “Ombudsman Meets the Public” with the citizens of Çankırı, Chief Ombudsman Şeref Malkoç emphasized that our Institution serves as a bridge of peace between the administration and the citizens, while also providing information about the application methods.

Kastamonu Regional Meeting (1 June)



Meeting with citizens of Kastamonu within the scope of regional meetings under the theme “Ombudsman Meets the Public”, Chief Ombudsman Şeref Malkoç gave information about the general functioning of our Institution in his speech, touched upon the work carried out to spread the Institution’s culture of seeking legal remedies, and stated that they were in Kastamonu to hear the problems of the citizens from themselves.

Karabük Regional Meeting (14 June)



Addressing the citizens of Karabük within the scope of the regional meetings themed “Ombudsman Meets the Public”, Chief Ombudsman Şeref Malkoç said in his speech that our Institution acts as the free attorney of the public, guiding the administration with the decisions it makes, and heard the complaints and demands of the citizens who took the floor.

Bolu Regional Meeting (14 June)



During the regional meeting under the theme “Ombudsman Meets the Public” with the citizens of Bolu, Chief Ombudsman Şeref Malkoç explained the application procedures to our institution, emphasizing that submitting an application was easy and free of charge, and that applications were resolved within six months. He also personally listened to the complaints and requests of citizens who took the floor.

The President of the Turkish Republic of Northern Cyprus Ersin Tatar also attended the program and in his speech, he emphasized the importance of the existence of Institutions working on seeking legal remedies in Türkiye.



İstanbul Regional Meeting (14 July)



During the regional meeting under the theme “Ombudsman Meets the Public” with the citizens of Sancaktepe, Istanbul, Chief Ombudsman Şeref Malkoç stated that our Institution aims to resolve issues between public institutions and citizens without resorting to judicial measures. In this context, he listened to the demands, opinions, and suggestions of the citizens who spoke at the event.

Additionally, as part of these regional meetings, Ombudsman Şeref Malkoç also met with the citizens of Pendik, Istanbul, explaining that our Institution serves as a mediator in the relationship between institutions providing public services and citizens, while also overseeing the administrations. He listened to the complaints and requests raised by the citizens and took their views and suggestions.



İstanbul Regional Meeting (15 September)

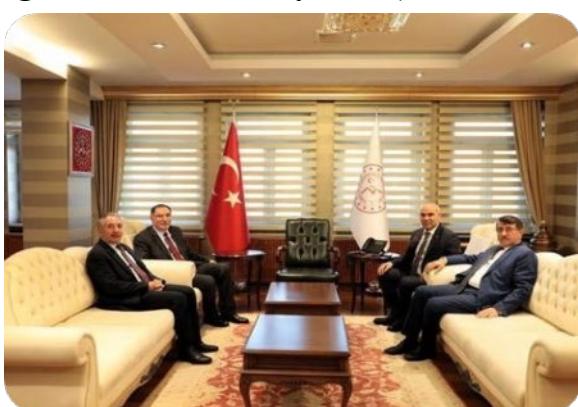


During the regional meetings under the theme “Ombudsman Meets the Public” with the citizens of Fatih, İstanbul, Chief Ombudsman Şeref Malkoç stated that applying to our institution is easy and free of charge, and that applications are resolved within six months. He listened to the complaints and requests expressed by the citizens and took their views and suggestions. Additionally, meetings were held with representatives of the Ombudsman Student Clubs in Universities participating in the program.

As part of these regional meetings, Chief Ombudsman Şeref Malkoç also met with the citizens of Gaziosmanpaşa, İstanbul, and emphasized that our institution is an institution for seeking legal remedies and serves as a bridge for citizens in their relationship with institutions providing public service. He listened to the complaints and requests of the citizens who spoke at the event.



Iğdır Provincial Study Visit (15 November)



The Chief Ombudsman Şeref Malkoç paid a study visit to Iğdır on 15 November 2023, to hold some meetings with Ombudsman Yahya Akman and deliver a conference at Iğdır University.

As part of the program, Chief Ombudsman Şeref Malkoç and his delegation visited Iğdır Governor Ercan Turan in his office.

Ağrı Provincial Study Visit (15 November)



Chief Ombudsman Şeref Malkoç paid a study visit to Ağrı on 15 November 2023, to hold some meetings with Ombudsman Yahya Akman and deliver a conference at Ağrı İbrahim Çeçen University.

As part of the program, Chief Ombudsman Şeref Malkoç and his delegation visited Ağrı Governor Mustafa Koç in his office.

Erzurum Provincial Study Visit (16 November)



Chief Ombudsman Şeref Malkoç paid a study visit to Erzurum on 16 November 2023 to hold some meetings.

As part of the program, Chief Ombudsman Şeref Malkoç and his delegation visited Erzurum Governor Mustafa Çiftçi in his office.

Eskişehir Provincial Study Visit (17 November)



Ombudsman Fatma Benli Yalçın paid a working visit to Eskişehir on 17 November 2023 to hold some meetings and participate in a panel at Anadolu University.

As part of the program, Ombudsman Fatma Benli Yalçın visited Eskişehir Governor Hüseyin Aksoy in his office.

Mardin Provincial Study Visit (22 November)



Chief Ombudsman Şeref Malkoç paid a study visit to Mardin on 22 November 2023 to hold some meetings with Ombudsman Sadettin Kalkan and deliver a conference at Mardin Artuklu University.

As part of the program, Chief Ombudsman Şeref Malkoç and his delegation visited Mardin Governor Tuncay Akkoyun in his office.

Aksaray Regional Meeting (28 November)



Within the scope of the regional meetings themed "Ombudsman Meets the Public", Chief Ombudsman Şeref Malkoç explained the activities of our Institution to the citizens of Aksaray, provided information about the application methods, and listened to the complaints and demands of the participants who took the floor.

Bursa Provincial Study Visit (15 December)

Chief Ombudsman Şeref Malkoç paid a study visit to Bursa on 15 December 2023 to hold some meetings with Ombudsman C. Özlem Tunçak and participate in conferences on the topic “Ombudsman and Universities in the Century of Türkiye”.

As part of the program, Chief Ombudsman Şeref Malkoç and his delegation visited Bursa Governor Mahmut Demirtaş and Metropolitan Mayor Alinur Aktaş in their offices.



Kırşehir Regional Meeting (19 December)



Within scope of regional meetings themed “Ombudsman Meets the Public”, Chief Ombudsman Şeref Malkoç explained the activities of our institution to the citizens of Kırşehir, provided information about the application methods, and listened to the complaints and demands of the participants who took the floor.

Kırıkkale Regional Meeting (19 December)



Within scope of regional meetings themed “Ombudsman Meets the Public”, Chief Ombudsman Şeref Malkoç explained to the citizens of Kırıkkale that our Institution is the advocate of the people and provides guidance to the administrations through its decisions, and listened to the complaints and requests of participants who spoke during the program.

9.1.3 ACTIVITIES AIMED AT PROMOTING THE CULTURE OF SEEKING LEGAL REMEDIES FOR CHILDREN

The Ombudsman Institution conveys the demands of children to public administrations and, when necessary, makes recommendations to the administrations within the framework of the child's best interests. Thus, in accordance with the United Nations Convention on Rights of a Child (UNCRC), it ensures that children's views are taken into account in matters that concern them and an important tool is developed for participation of children in decision-making processes through the Ombudsman Institution.

The Institution operates with the mission of advocating for, protecting, and implementing the rights of all children living in Türkiye, and aims to improve the system and establish the principles of good administration, rather than offering a solution limited to the request under review in the decisions made.

Activities are carried out to increase the recognition of our Institution for children and to mainstream the culture of seeking legal remedies.

As part of cooperation between our Institution and the Ministry of National Education, the topic of "Ombudsman", which is included in the curricula of fourth and ninth-grades, has also been incorporated into the seventh-grade curriculum to raise awareness about seeking legal remedies.

“Fundamental Rights Sector Coordination Platform Women's Rights” Thematic Meeting (13 January)



A judge-level representative from our Institution participated in the “Fundamental Rights Sector Coordination Platform Women's Rights” Thematic Meeting organized by the European Union Project on 13 January 2023.

At the meeting, representatives from public institutions, the Council of Europe, UN Women, and UNFPA, along with relevant NGOs, discussed policies

and activities related to women's rights, ongoing projects, and potential project ideas that could be developed under the IPA Fundamental Rights priority in the upcoming period to protect and develop women's rights more effectively, as well as opportunities for collaboration.

Visit of the Members of the 27th Term Children's Assembly of Ankara Metropolitan Municipality to Our Institution (19 January)



On 19 January 2023, children who are members of the 27th Term Children's Assembly of Ankara Metropolitan Municipality visited our Institution and met with Celile Özlem Tunçak, the Ombudsman responsible for children's rights.

Visit of Children Volunteers of Eksi 25 Association to Our Institution (19 January)



Children who were volunteers of Eksi 25 Association, based in Eskişehir, visited our Institution and shared their work in the field of children's rights with Celile Özlem Tunçak, the Ombudsman responsible for children's rights.

Visit to Özne Children's Life Center (27 January)



On 27 January 2023, Celile Özlem Tunçak, the Ombudsman responsible for children's rights, visited Özne Children's Life Center, which was first established in Bursa, Türkiye. Additionally, she participated in the Children's Rights Advisory Board Meeting chaired by Derya Yanık, the Minister of Family and Social Services.

“Fundamental Rights Sector Coordination Platform Children’s Rights” Thematic Meeting (3 February)



The “Fundamental Rights Sector Coordination Platform Children’s Rights” Thematic Meeting organized by the European Union Project was attended on 3 February 2023.

Visit to Children Under Treatment at Bilkent City Hospital (Children's Hospital) (14 February)



On 14 February 2023, Ombudsman Celile Özlem Tunçak, Ombudsman Yahya Akman and the accompanying delegation from the Ombudsman Institution visited children at Bilkent City Hospital (Children's Hospital) who were brought to Ankara from provinces affected by the earthquakes centered in Kahramanmaraş to receive treatment there.

The Chief Physician of the Children's Hospital, Deputy Chief Physicians and other responsible personnel gave information about the situation of the children affected by the earthquake and about the work and procedures carried out. The Ombudspersons stated that all necessary support would be provided for the children by the Ombudsman Institution at this stage and afterwards.

Online Participation in the Course on Children's Rights at Faculty of Law of Akdeniz University (13 April)



In line with our goal of “making progress in the field of children's rights in Türkiye”, one of our strategic priorities in the field of children's rights, the Department responsible for Children's Rights at the Ombudsman Institution met with law faculty students on 13 April 2023, to share our work in the field of children's rights and to introduce our child-friendly complaint mechanisms to ensure that children in our country can fully enjoy their rights.

Specifically, examples of decisions related to applications made by bar associations, civil society organizations and children were shared with the students.

Introduction Program for Türkiye Child Rights Strategy Document and Action Plan (2023-2028) (19 April)



On 19 April 2023, Celile Özlem Tunçak, the Ombudsman Responsible for Children's Rights, attended the Introduction Program for Türkiye Child Rights Strategy Document and Action Plan (2023-2028) prepared in coordination with the Ministry of Family and Social Services, with the aim of guiding studies to be performed in the field of children's rights in Türkiye.

Visit to Erman İlicak Science High School Students (23 April)



As part of the April 23 Program, Chief Ombudsman Şeref Malkoç and the Ombudsman Responsible for Children's Rights Celile Özlem Tunçak met with students at Erman İlicak Science High School on 23 April 2023. They also had a conversation with students who had come from the earthquake-affected region and were continuing their education there.

The Chief Ombudsman explained the work carried out by the Institution in order to mainstream the culture of seeking legal remedies among students in schools and answered the questions of the students in the conference he gave during the visit.

Participation in the 1st Children's Council with the Theme “Century of Children” (26-28 April)



Celile Özlem Tunçak, Ombudsman for Children's Rights, participated in the 1st Children's Council held in the Presidential Complex Exhibition Hall with the theme of “Century of Children” between 26-28 April 2023, to reveal the needs, problems and solution proposals for children for the first time in Türkiye.

“Children's Rights” Conference Organized in Collaboration with Istanbul University Faculty of Law and Istanbul Bilgi University Institute of Information and Technology Law (10 May)



On 10 May 2023, Ombudsman Responsible for Children's Rights Celile Özlem Tunçak delivered a presentation on "Children's Rights Issues in Light of Applications Filed with the Ombudsman Institution" at the "Children's Rights" conference organized in collaboration with Istanbul University Faculty of Law and Istanbul Bilgi University Institute of Information and Technology Law.

Participation in the 93rd Session of the United Nations Committee on the Rights of the Child (17-18 May)



Ombudsman Celile Özlem Tunçak, responsible for Children's and Women's Rights, participated in the 93rd Session of the United Nations Committee on the Rights of the Child, held in Geneva on 17-18 May 2023.

“Another Life is Possible” Project Meeting (24 August)



On 24 August 2023, we met with children to talk and learn about children's rights and our Institution within the scope of the “Another Life is Possible” Project carried out by Giresun University Children's Rights Department, which was focused on preventing child labor in agriculture and aimed at protecting children of families who did seasonal agricultural work in the hazelnut harvest from child labor and directing such children to education.

“Technical Assistance for the Support for Children's Rights in Türkiye” Project Meeting (1 November)



The 4th Steering Committee and 7th Quarterly Management Meeting of the “Technical Assistance for the Support of Children's Rights in Türkiye” Project, with contract number TR2017/RL/02/A3-01/001, which aimed to improve the standards and implementation of welfare, protection, and care services for children and families, combat child labor, ensure the protection of children's rights and the improvement of their well-being, prevent early marriages and combat this issue, and protect the rights and improve the well-being of children in vulnerable conditions such as disabled,

improvement of their well-being, prevent early marriages and combat this issue, and protect the rights and improve the well-being of children in vulnerable conditions such as disabled,

migrant, and refugee children, was held on 1 November 2023. Our Institution was represented in the meeting at the Expert level.

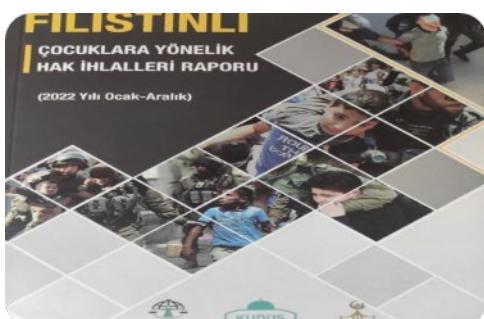
The “Workshop for Evaluation of Procedures for Child Delivery and Establishing Personal Relationships with Children” organized by the Ministry of Justice (7 November)



Chief Ombudsman Şeref Malkoç participated in the Workshop for “Evaluation of Procedures for Child Delivery and Establishing Personal Relationships with Children” organized by the Ministry of Justice on 7 November 2023.

In his speech during the closing program, Minister of Justice Yılmaz Tunç expressed his satisfaction with the work of Chief Ombudsman Şeref Malkoç and Ombudsman Responsible for Women and Children’s Rights Celile Özlem Tunçak in the field of children’s rights and extended his thanks. He also emphasized that the swift evaluation of applications in the field of children’s rights sheds light on the legislative and executive processes.

The Introduction Meeting of the Report on Human Rights Violations against Palestinian Children (20 November)



On 20 November 2023, Ombudsman Responsible for Women and Children’s Rights Celile Özlem Tunçak and Coordinator Expert Volkan Tufan attended the introduction meeting for Report on Human Rights Violations against Palestinian Children, which was prepared by Justice on Earth Platform Female Jurists and the Jerusalem and Law Group, at Ulucanlar Prison Museum. At the meeting, information was received about the report on the human tragedy in Palestine.

Our Institution will use all its resources to mobilize all human rights institutions in the world to put an end to the genocide and children's rights violations as soon as possible.

Opening and Closing Programs of the 24th International Children's Forum (19-20 November)



Ms. Celile Özlem Tunçak, Ombudsman for Children's Rights, attended the Opening Program of the 24th International Children's Forum, which was organized under the coordination of the Ministry of Family and Social Services and UNICEF and gained an international character this year with children coming from 15 different countries, together with Minister of Family and Social Services Mahinur Özdemir Göktaş and Deputy Representative of the United Nations

Children's Fund (UNICEF) in Türkiye Paolo Guiseppe Marchi.

In her opening speech, Tunçak, who provided information about the structure and operation of the institution as well as its activities for children and young people, in particular the works of the Ombudsman Institution in the field of children's rights, emphasized that, as one of the institutions responsible for protecting children's rights in Türkiye, the Ombudsman Institution is the first and only international independent human rights institution in our country that receives applications directly from children themselves over its website (www.kdkcocuk.gov.tr).

On the second day of the forum, the Final Declaration on Children's Rights prepared by the children participating in the Forum was presented, and this declaration will be taken into account in the work of the Ombudsman Institution as the most concrete example of child participation.



Child Rights Monitoring and Evaluation Board Meeting (19 December)



Ms. Celile Özlem Tunçak, the Ombudsman Responsible for Children's Rights, and Hande Karaaslan Ördek, one of the Experts at our Institution, attended the Child Rights Monitoring and Evaluation Board Meeting, which was re-established in accordance with the Presidential Circular no. 2023/7.

9.1.4 MEETINGS WITH UNIVERSITY STUDENTS

Visit of Ombudsman Club Students from TOBB University of Economics and Technology to our Institution (24 January)



As part of the institutional promotion and organizations performed by our Institution for university students, Ombudsman Club students from TOBB University of Economics and Technology visited our institution on 24 January 2023, and met with Chief Ombudsman Şeref Malkoç and Ombudsman Arif Dülger.

During the visit, ideas were exchanged on potential activities that our institution could organize for students and the ways to address the issues they encounter.

Visit of Dicle University Ombudsman Club Students to Our Institution (30 January)



The students of the Dicle University Ombudsman Club visited our institution on 30 January 2023.

Chief Ombudsman Şeref Malkoç and Ombudsman Sadettin Kalkan, who met with the students of Dicle University, stated that they had established Ombudsman Student Clubs to promote justice, fairness and seeking legal remedies among university students.

Visit of Students of Social Sciences University of Ankara Competition and Regulation Community to our Institution (30 March)



On 30 March 2023, Social Sciences University of Ankara Competition and Regulation Community visited our Institution. Ombudsman Fatma Benli Yalçın, who welcomed the students, explained the general functioning and work of our Institution.

Visit to Bilkent University within the scope of the “Ombudsman Meets with Youth” Program (24 April)



Chief Ombudsman Şeref Malkoç met with Bilkent University students on 24 April 2023 as part of the “Ombudsman Meets with Youth” Program. The Chief Ombudsman explained the work of the Ombudsman Institution, which is an institution for seeking legal remedies, and provided information about the applications filed with our Institution.

Heybeliada Camp under the Volunteer Cooperation Protocol between the Ombudsman Institution and the Turkish Red Crescent (1–7 October)



A cooperation protocol was signed between our Institution and the Turkish Red Crescent to spread the culture of Red Crescentism and volunteering among the students of Ombudsman Clubs of the Ombudsman Institution and the culture of Ombudsman and seeking legal remedies among the youth within the Red Crescent.

As part of the protocol, a workshop was held with the representatives of the Ombudsman Student Communities at the “Turkish Red Crescent Heybeliada Camp” on 1–7 October 2023.

“Ombudsman and Universities in the Century of Türkiye” Conferences at Universities

Our Institution is the implementer of a conciliatory and mediatory understanding of justice, which is inherent in the nature and essence of the ombudsman. Activities are carried out to spread this understanding of justice, which has roots in our history, across all units of our society, to promote the Institution, to encourage people to file their complaints with our Institution as a mechanism for seeking legal remedies, and to explain the details of the Institution's practices.

Within the scope of the provincial study visits in 2023 and the dissemination of the culture of seeking legal remedies among university students, Chief Ombudsman Şeref Malkoç held “Conferences on the Ombudsman and Universities in the Century of Türkiye” concerning the concept of ombudsman and the operation and activities of the Ombudsman Institution with the participation of university rectors, academicians and students in Kars Kafkas University on 14 November, İğdır University and Ağrı İbrahim Çeçen University on 15 November, Mardin Artuklu University on 22 November, Aksaray University on 28 November and Bursa Uludağ University and Bursa Technical University on 15 December.



Ankara Medipol University Students' Visit to Our Institution (13 October)



Students from Ankara Medipol University visited our Institution on 13 October 2023. Ombudsman Celile Özlem Tunçak and Secretary General Mehmet Sarı came together with the students and talked to them about the functioning of our Institution.

Volunteering Workshop within the Framework of Turkish Red Crescent Erasmus Program (20 November - 26 November)

A cooperation protocol was signed between our Institution and the Turkish Red Crescent in order to spread the culture of Red Crescentism and volunteering among the students of Ombudsman Clubs of the Ombudsman Institution and the culture of Ombudsman and seeking legal remedies among the youth within the Red Crescent.



The volunteering workshop within the Erasmus program was held on 20 November with Students of Dicle University Ombudsman Club and on 26 November with Students of Bursa Uludağ University Ombudsman Club, with the participation of Oya Demirel, Corporate

Communications Unit Manager, and Feyza Dere, Unit Coordinator, from our Institution.

Conference on “Palestine with its Historical and Legal Dimensions” organized by TOBB University of Economics and Technology (17 November)



Ombudsman Fatma Benli Yalçın participated as a speaker in the Conference on “Palestine with its Historical and Legal Dimensions” held at TOBB University of Economics and Technology on 17 November 2023.

Fatma Benli Yalçın, who provided information to the students about our Institution at the conference, also touched on Gaza and the issues of international law that have been violated in her speech.

Panel on “Civil Action against Violence and Social Mediation” organized by Anadolu University (17 November)



Ombudsman Fatma Benli Yalçın participated as a speaker in the panel on “Civil Action against Violence and Social Mediation” organized by Anadolu University on 17 November 2023.

Istanbul Medeniyet University Ombudsman Club Students’ Visit to our Institution (5 December)



Students of Istanbul Medeniyet University Ombudsman Club visited our Institution on 5 December 2023. During the visit, Secretary General Mehmet Sarı explained the works of our Institution and answered questions of the students.

Inauguration of the Northeast Anatolia Career Fair (18 December)



Chief Ombudsman Şeref Malkoç attended the inauguration of the Northeast Anatolia Career Fair coordinated by the Presidential Human Resources Office and hosted by Atatürk University, and visited our Institution's stand, thereby meeting with the Ombudsman Communities.

During the fair, Chief Ombudsman Şeref Malkoç visited the stands of universities, as well, where he met and had conversations with young people.

9.1.5 RELATIONS WITH PUBLIC INSTITUTIONS AND NGOs

Visit of Supreme Election Council President Muharrem Akkaya to our Institution (18 January)



Former President of the Supreme Election Council Muharrem Akkaya visited Chief Ombudsman Şeref Malkoç in his office on 18 January 2023.

A mutual exchange of views took place during the visit.

Visit of Turkish National Student Union Trabzon Branch High-School Organization Students to our Institution (27 January)



Students from High-School Organization of Trabzon Branch of Turkish National Student Union visited our Institution on 27 January 2023. The students, who were welcomed by Chief Ombudsman Şeref Malkoç and Ombudsman Sadettin Kalkan, were emphasized that the Institution was among of the young and dynamic institutions and students were informed about the ways to seek legal remedies.

Visit to the President of the Supreme Election Council (2 February)



On 2 February 2023, Chief Ombudsman Şeref Malkoç visited the President of the Supreme Election Council Ahmet Yener at his office.

During the visit, Malkoç wished the newly appointed Ahmet Yener good luck.

Sincan Juvenile Closed Penal Institution Director's Visit to Our Institution (14 March)



On 14 March 2023, Sincan Juvenile Closed Penal Institution Director Ferda Keskin and the accompanying delegation visited Chief Ombudsman Şeref Malkoç in his office. There was a mutual exchange of information during the meeting.

“Cooperation Protocol” Between Our Institution and Gazi University (16 March)



A technical cooperation protocol was signed between our Institution and Gazi University in order to strengthen the mechanism of seeking legal remedies in the Complaint Management System of the Ombudsman Institution, with support from TÜBİTAK. The cooperation protocol was signed by and between Chief Ombudsman Şeref Malkoç and Gazi University Rector Musa Yıldız on 16 March 2023.

Flying Broom Foundation “Women’s Access to Justice and Human Rights Mechanisms” Project Meeting (25-26 April)



As part of the “Women's Access to Justice and Human Rights Mechanisms” Project of the Flying Broom Foundation, Coordinator Expert Volkan Tufan from our Institution attended the event held in Ankara on 25-26 April 2023. On 26 April 2023, a presentation was made including the introduction of the Ombudsman Institution, the application procedure and application review process,

and the Institution's decisions (examples of decisions regarding applications by children and applications by women).

International Symposium on Vulnerable Groups in Disaster Times from the Point of Human Rights Law (3 May)



Human Rights and Equality Institution of Türkiye (HREIT) organized the “International Symposium on Vulnerable Groups in Disaster Times from the Point of Human Rights Law” on 3 May 2023 considering that it would be beneficial to conduct studies, at both national and international level, with regard to what kind of problems natural disasters cause in biological, psychological, social and economic life on the basis of human rights for women and vulnerable groups, how these

problems differ in the pre-disaster and post-disaster period, how crisis and risk management should be in the context of human rights in these periods, how should the topics of disaster preparedness, response, recovery and risk and harm reduction be evaluated in terms of human rights. Our Institution was represented at the Expert level in the symposium.

Opening Meeting of the Monitoring and Evaluation Board on the Rights of Persons with Disabilities (May 4)

The opening meeting of the Monitoring and Evaluation Board on the Rights of Persons with Disabilities organized by the General Directorate of Services for Persons with Disabilities and the Elderly of the Ministry of Family and Social Services was held on 4 May 2023. Our Institution was represented at the Expert level in the said meeting.

Visit of Muharrem Kılıç, President of Human Rights and Equality Institution of Türkiye, to Our Institution (7 June)



Chief Ombudsman Şeref Malkoç and Ombudsman Celile Özlem Tunçak met with the President of Human Rights and Equality Institution of Türkiye, Muharrem Kılıç, who visited our Institution on 7 June 2023 and, during the meeting, the possibilities of cooperation between the two institutions were discussed.

Information Meeting on the Web-Based Monitoring Module of the National Action Plan on the Rights of Persons with Disabilities (8 June)



The Ministry of Family and Social Services arranged an “Information Meeting on the Web-Based Monitoring Module of the National Action Plan on the Rights of Persons with Disabilities” on 8 June 2023. Our Institution was represented at the Expert level during the meeting.

Visit to the Minister of Labor and Social Security (5 July)



Chief Ombudsman Şeref Malkoç and Ombudsman Celile Özlem Tunçak visited Vedat Işıkhan, who was appointed as the Minister of Labor and Social Security, in his office on 5 July 2023, to extend their congratulations.

Visit to the Minister of Transport and Infrastructure (6 July)



On 6 July 2023, Chief Ombudsman Şeref Malkoç visited Abdulkadir Uraloğlu, who was appointed as the Minister of Transport and Infrastructure, in his office to wish him success in his new role.

Visit to the Minister of Justice (6 July)



On 6 July 2023, Chief Ombudsman Şeref Malkoç, together with Ombudsmen Fatma Benli Yalçın and Celile Özlem Tunçak, visited Yılmaz Tunç, who was appointed as the Minister of Justice, in his office to extend their congratulations.

“Mevlid-i Şerif” Program As Part of 15 July Democracy and National Unity Day Commemoration Events (14 July)



As part of the 15 July Democracy and National Unity Day commemoration events, Chief Ombudsman Şeref Malkoç participated in the Mevlid-i Şerif Program held on 14 July 2023 at Hz. Ebubekir Sıddık Mosque in Sancaktepe, organized to honor our martyrs.

Visit to the General Director of Security (18 July)



On 18 July 2023, Chief Ombudsman Şeref Malkoç and Ombudsman Sadettin Kalkan visited Erol Ayyıldız, who was appointed as the General Director of Security, in his office to extend their congratulations.

Visit to the General Director of Foundations (26 July)



On 26 July 2023, Chief Ombudsman Şeref Malkoç visited the General Director of Foundations Sinan Aksu in his office and wished him success in his duty.

Visit of General Director of State Hydraulic Works Mehmet Akif Balta to Our Institution (27 July)



On 27 July 2023, Chief Ombudsman Şeref Malkoç welcomed General Director of State Hydraulic Works Mehmet Akif Balta in his office. During the visit, an exchange of views took place between the two.

Visit to the Minister of Trade (27 July)



On 27 July 2023, Chief Ombudsman Şeref Malkoç and Ombudsman Arif Dülger visited Prof. Dr. Ömer Bolat, who was appointed as the Minister of Trade, in his office and wished him good luck.

Visit to the Minister of Interior (27 July)



Chief Ombudsman Şeref Malkoç, together with Ombudsmen Yahya Akman, Fatma Benli Yalçın and Sadettin Kalkan, visited Ali Yerlikaya, who was appointed as the Minister of Interior, on 27 July 2023 in his office and wished him good luck.

Visit to Deputy Ministers of Foreign Affairs (2 August)



On 2 August 2023, Chief Ombudsman Şeref Malkoç visited Deputy Ministers of Foreign Affairs Burak Akçapar, Ahmet Yıldız, Mehmet Kemal Bozay and Yasin Ekrem Serim in their offices and wished them success in their duties.



Visit to the Minister of Agriculture and Forestry (2 August)



On 2 August 2023, Chief Ombudsman Şeref Malkoç, along with Ombudsmen Yahya Akman and Fatma Benli Yalçın, visited İbrahim Yumaklı, who was appointed as the Minister of Agriculture and Forestry, to extend their congratulations.

Visit to the Minister of National Education (8 August)



On 8 August 2023, Chief Ombudsman Şeref Malkoç, together with Ombudsmen Fatma Benli Yalçın and Arif Dülger, visited Yusuf Tekin, who was appointed as the Minister of National Education, to congratulate him on his new role.

Visit to the Minister of Culture and Tourism (9 August)



On 9 August 2023, Chief Ombudsman Şeref Malkoç and Ombudsman Sadettin Kalkan paid a courtesy visit to Mehmet Nuri Ersoy, the Minister of Culture and Tourism.

Visit to the President of the Defense Industries (9 August)



On 9 August 2023, Chief Ombudsman Şeref Malkoç visited Prof. Dr. Haluk Görgün, who was appointed as the President of the Defense Industries, to extend his congratulations and wish him success in his new role.

Visit of the Authors of the Ombudsman Academic Journal to Our Institution (25 October)

On 25 October 2023, Chief Ombudsman Şeref Malkoç met with the authors, consultants, and referees from Ankara who contributed to the “Ombudsman Academic Journal”.



During the meeting, which was also attended by Ombudsmen Yahya Akman, Fatma Benli Yalçın, Arif Dülger and Celile Özlem Tunçak, Mr. Malkoç discussed the efforts of our Institution in universities to promote the culture of seeking legal remedies and provided information about the Institution’s activities.

Consultation and Evaluation Meeting with the Heads of Institutions for Seeking Legal Remedies (26 October)



On 26 October 2023, Chief Ombudsman Şeref Malkoç and Ombudsmen Yahya Akman, Sadettin Kalkan, Fatma Benli Yalçın and Celile Özlem Tunçak met with the institutions for seeking legal remedies at the Grand National Assembly of Türkiye (GNAT) Education and Social Facility for a consultation and evaluation meeting.

Participation in the 8th Family Council (26 October)



The 8th Family Council, organized by officials from the Ministry of Family and Social Services with the participation of President Recep Tayyip Erdoğan, was held at the Beştepe National Congress and Culture Center, during which Chief Ombudsman Şeref Malkoç and Ombudsman Celile Özlem Tunçak, responsible for Women, Children, Disability Rights and Family Affairs, provided information.

Consultation Visit to the Social Security Institution's General Directorate of Insurance Premiums (21 November)



On 21 November 2023, Ombudsman Celile Özlem Tunçak, accompanied by Coordinator Expert Volkan Tufan, paid a consultation visit to the Social Security Institution's General Directorate of Insurance Premiums. During the meetings with the General Director of Insurance Premiums, Savaş Aliç, and Deputy Director General, Mürsel Baki, an exchange of views was held regarding the continuation of cooperation between the two institutions.

Anti-Discrimination Advisory Committee Meeting held by the HREIT (24 November)



Ombudsman Fatma Benli Yalçın attended the “Anti-Discrimination Advisory Committee Meeting” held on 24 November 2023 by the Human Rights and Equality Institution of Türkiye to discuss problems and solution proposals on issues related to anti-discrimination and to exchange information and opinions on these issues as per Law no. 6701 on Human Rights and Equality Institution of Türkiye

Visit of Members of 28 February Volunteers Platform to our Institution (24 November)



Serife Kaya, President of the 28 February Volunteers Platform, and accompanying members visited Ombudsman Sadettin Kalkan. During the meeting, the delegation expressed their hopes for the necessary legal arrangements to be made for those deprived of their rights during the 28 February process and for their rights to be restored.

Ombudsman Sadettin Kalkan stated that applications related to the 28 February process had been thoroughly examined, and that recommendations had been made to the relevant ministries, institutions, and organizations by our Institution.

“International Day for the Elimination of Violence against Women” Program (25 November)



Chief Ombudsman Şeref Malkoç and Ombudsman Celile Özlem Tunçak attended the International Day for the Elimination of Violence against Women Program held on 25 November under the auspices of President Recep Tayyip Erdoğan.

10th Conference on Religious Services Abroad (27 November)



Ombudsman Şeref Malkoç participated as a speaker at the 10th Conference on Religious Services Abroad, titled “The Future of Religious Services Abroad in the Century of Türkiye”, held in Konya.

Program for “89th Anniversary of Enfranchisement of Turkish Women” (5 December)



Ombudsman Celile Özlem Tunçak, responsible for Women, Children, and Disability Rights, attended the program held at the Grand National Assembly of Türkiye (GNAT) under the auspices of GNAT Speaker Numan Kurtulmuş to mark the “89th Anniversary of Enfranchisement of Turkish Women”.

Visit to the Minister of Family and Social Services (6 December)



On 6 December 2023, Chief Ombudsman Şeref Malkoç and Ombudsman Celile Özlem Tunçak, responsible for Women, Children, Disability Rights and Family Affairs, visited Minister of Family and Social Services Mahinur Özdemir Göktaş in her office for consultations.

Visit of Prison Insider Staff to Our Institution (8 December)



On 8 December 2023, Ombudsman Yahya Akman welcomed staff members of "Prison Insider," an international information platform on prisons worldwide, at his office. During the meeting, he provided information about our Institution's works, observations, and findings related to prisons.

Uzbek Governor Delegation's Working Visit to Our Institution (21 December)



Visiting our country within the scope of the cooperation between the Presidential Human Resources Office and the Organization of Turkic States in the field of "Human Resources", the Uzbek Governor Delegation paid a working visit to our Institution on 21 December 2023.

Ombudsman Sadettin Kalkan made a presentation on the duties and activities of the Ombudsman Institution in the context of good administration principles and corruption; and Secretary General Mehmet Sarı made a presentation on the duties, powers and works of our Institution.

Judicial Reform Strategy and Human Rights Action Plan Meeting (28 December)



Ombudsman Fatma Benli Yalçın, together with our Institution's Experts, attended the "Judicial Reform Strategy and Human Rights Action Plan Meeting" organized by the Ministry of Justice and held with the participation of Minister of Justice Yılmaz Tunç.

Visit of Members of Kastamonu Solidarity Association for Individuals with Special Needs and their Families to our Institution (29 December)



Huriye Boyraz, President of Kastamonu Solidarity Association for Individuals with Special Needs and their Families, together with the project coordinator and the accompanying delegation, visited Ombudsman Fatma Benli Yalçın in her office on 29 December 2023, and provided information about the work related to individuals with special needs.

9.1.6 RELATIONS WITH BAR ASSOCIATIONS

Our institution has a strong cooperation with our Bar Associations, which are among our most important stakeholders in the scope of spreading the culture of seeking legal remedies, and in 2023, in order to increase this even more, regular meetings were held, trainings were organized in the bar associations of the provinces visited within the scope of regional meetings and provincial study visits, and opinions were exchanged.

- The Association of Lawyers Working in the Public Sector visited our Institution on 19 January 2023. The delegation, who came together at the meeting held at the office of the Chief Ombudsman Şeref Malkoç with the participation of Ombudsmen Sadettin Kalkan and Celile Özlem Tunçak, held mutual consultations on the Judicial Reform Strategy Document and the personal rights of lawyers.

- On 28 March 2023, the President of Ankara Bar Association No. 1 visited our Institution. During the meeting, which took place at the office of Chief Ombudsman Şeref Malkoç and was also attended by Ombudsman Celile Özlem Tunçak, the activities of the Ombudsman Institution and the decisions made were shared, and evaluations regarding inter-institutional cooperation were discussed.
- On 9 June 2023, our Institution was represented at the Expert level in the opening of the project titled "Improving the Capacity of Lawyers and Bar Associations on Promotion, Protection and Monitoring of Children's Rights."
- On 14 June 2023, a visit was paid to Bolu Bar Association. During the visit, a presentation on the operations and activities of our Institution was given to the lawyers who were members of the bar association.
- On 31 October 2023, members of the Women's Law Commission of the Turkish Bar Association visited our Institution. During the meeting with the Executive Board Members of the UTBA Women's Law Commission, established to work under the Union of Turkish Bar Associations within the provisions outlined in the guidelines, Ombudsman Celile Özlem Tunçak, Responsible for Women's and Children's Rights, provided information on the Ombudsman Institution's activities in the field of women's rights, the procedure for reviewing applications related to women's rights, decisions, and workshops.
- On 15 November 2023, a presentation on children's rights was made to Lawyers affiliated to the Bar Associations of Kars, İğdır and Ağrı as part of the "Ombudsman Institution and Children's Rights Training".
- On 24-25 November 2023, our Institution participated in the "Protecting Children from Exploitation and Abuse in the Digital World" Symposium.
- On 28 November 2023, a visit was paid to Aksaray Bar Association. During the visit, a presentation on the operations and activities of our Institution was made by Coordinator Expert Volkan Tufan for the lawyers that were members of the bar association.



9.1.7 OTHER ACTIVITIES

- On 20-21 January 2023, our Institution attended the First and Second Phase Meetings of the "Specialization Commission for Women's Role in Development" as part of the Twelfth Development Plan.
- On 10 March 2023, our Institution participated in a meeting titled "Access to Justice for Women and Girls in Crisis and Emergency Situations," organized under the European Union Project "Supporting Access to Justice for Women in Türkiye."

- On 5 April 2023, our Institution participated in the 3rd meeting of the "Technical Assistance Project for Promoting Children's Rights in Türkiye" (TR2017/RL2/A3-01/001) organized by the General Directorate of Child Services of the Ministry of Family and Social Services.
- On 26-28 April 2023, our Institution participated in the Commission meetings on the topic "Children in Disasters, Crises, and Emergency Situations".
- On 9 May 2023, our Institution participated in the "Introduction Program of the National Action Plan for Inclusive Education Practices through Integration" Program, organized by the General Directorate of Special Education and Guidance Services of the Ministry of National Education.
- On 8 June 2023, our Institution participated in the "Integrated Child Policy Document Development Meeting," organized by the Child Services Branch Directorate of the Women and Family Services Department of Ankara Metropolitan Municipality.
- On 9 June 2023, our Institution participated in the opening ceremony of the EU-funded "Improving the Capacity of Lawyers and Bar Associations on Promotion, Protection and Monitoring of Children's Rights (ÇABA)" Project.
- On 12 June 2023, our Institution participated in the Inter-sectoral Children's Board Meeting" organized by the Directorate General of Sectors and Public Investments of the Presidency.
- On 13 June 2023, the "Women's Empowerment Strategy Document and Action Plan" preparation meeting was held under the coordination of the General Directorate of the Status of Women, one of the main service units of the Ministry of Family and Social Services. Our Institution was represented in the meeting at the Expert level.
- On 15 June 2023, our Institution was represented at the Expert level in the Advisory Board Meeting, organized by the United Nations Women's Office in Türkiye, which was held in both online and in-person formats.
- On 19-20 June 2023, at the "Custody Arrangements Workshop" within the scope of the "Improving the Effectiveness of Family Courts: Better Protection of the Rights of Family Members" Project, Coordinator Expert Volkan Tufan made a presentation introducing the Ombudsman Institution, explaining the application procedure and application review process, the Institution's Decisions (examples of decisions on custody, child delivery and establishment of parent-child relationship), and the Institution's Special Reports.
- On 21 September 2023, our Institution was represented at Judge, Expert and Assistant Expert levels in the meeting titled "Policy Dialogue Series on Care Work and Care Economy in a Post-COVID-19 World" organized by United Nations Women Türkiye.
- On 25 September 2023, our institution was represented at the Expert level in the opening ceremony of the Project for "Strengthening the Foster Care System in Türkiye", organized by the General Directorate of Child Services of the Ministry of Family and Social Services.
- On 1 November 2023, our Institution was represented at the Judge level at the "Central Coordination Sub-Commission Meeting", organized under the coordination of the General Directorate of Child Services, with the aim of strengthening and disseminating institutional structures in the field of child protection.
- On 1-3 November 2023, our Institution was represented at the Judge and Assistant Expert level in the "International Family Law Symposium" held in cooperation with the Ministry of Justice, the Ministry of Family and Social Services, the Justice Academy of Türkiye and the Council of Europe.



9.2 INTERNATIONAL ACTIVITIES

In 2023, our Institution continued to maintain its relations with both representatives of ombudsman offices and national human rights institutions, as well as international institutions and organizations, with the aim of establishing communication channels regarding human rights violations occurring around the world. In addition to its domestic activities, our Institution places great importance on international relations and cooperation.

In this context, our Institution is an active member of 9 Ombudsman Associations. It currently holds the Presidency of the Board of the Organization of Islamic Cooperation Ombudsman Association, is a Board Member of the Asian Ombudsman Association, and serves on the Executive and Management Boards of the European Ombudsman Institute.

It is also a founding member of TURKOMB.

9.2.1 HIGH-LEVEL CONTACTS

Visit to Qatar (19-21 February)



During their visit to Qatar between 19-21 February 2023, Chief Ombudsman Şeref Malkoç and the accompanying delegation held meetings with Qatar's Minister of Justice Masoud bin Mohammed Al Ameri, President of the Court of Cassation Dr. Hassan Lahdan Saqr Al-Mohannadi, Attorney General Dr. Issa bin Saad Al Jafali Al Nuaimi, Chairman of the Board of Trustees of Lusail University, Member of the Shura Council and former Attorney General Dr. Ali bin Fetais Al Marri. In addition, Qatar Fund for Development was visited and bilateral meetings were held with Director General Khalifa Jassim Al-Kuwari, and in the aforementioned meetings, in addition to strengthening bilateral cooperation, our gratitude was expressed for their support during the earthquake disaster experienced by our country.



Visit to Hungary (16-19 May)



As part of their working visit to Hungary between 16–19 May 2023, Chief Ombudsman Şeref Malkoç, Ombudsman Sadettin Kalkan and the accompanying delegation met with President of the Constitutional Court Tamás Sulyok and State Secretary for Security Policy and Energy Security, Deputy Minister of the Ministry of Foreign Affairs and Trade Péter Sztáray.



Visit to Kosovo (24-26 May)

Chief Ombudsman Şeref Malkoç and the accompanying delegation of our Institution made important contacts within the framework of the 12th Conference and General Assembly of the Mediterranean Ombudsmen Association hosted by the Kosovo Ombudsman in Pristina on 24-26 May 2023. Şeref Malkoç met with the President of Kosovo, Dr. Vjosa Osmani-Sadriu, at the reception held at the Kosovo National Museum.



As part of the visit, Mr. Malkoç also visited the Chairman of the Kosovo Turkish Democratic Party and Minister of Regional Development of Kosovo Fikrim Damka, the Deputy Chairman of the Kosovo Parliamentary Commission for Rights and Interests of Communities and Return Hidajet Hyseni Kaloshi and the members of the commission, and the Chairman of the Kosovo Parliamentary Commission on Human Rights Duda Balje, and exchanged views on the relations between the two countries and human rights issues.

Visit to the Philippines (19-20 June)



Chief Ombudsman Şeref Malkoç and his delegation attended the 14th International Conference of Information Commissioners (ICIC) held in Manila, Philippines on 19-20 June 2023. Chief Ombudsman Şeref Malkoç had the opportunity to meet with the President of the Philippines, who attended the opening session of the conference.



As part of the visit, Mr. Malkoç also visited the Associate Justice of the Supreme Court of the Philippines, Mr. Alfredo Benjamin S. Caguloa and other members of the Court, during which they exchanged views on ombudsman-related work and discussed topics related to experience sharing.

In addition, Mr. Malkoç and his delegation met with the Advisor to the President of the Philippines on Muslim Affairs, Almarim Centi Tillah, and the Vice President of the National Commission of Filipino Muslims, Ronaldo T. Abo.



Visit to Kyrgyzstan (2-5 September)



Chief Ombudsman Şeref Malkoç and his delegation visited Ombudsman of the Kyrgyz Republic Camanbayeva Camilya Akmatbekovna between 2-5 September 2023, and within the framework of the visit, a memorandum of understanding was signed between the Ombudsman Institution of the Kyrgyz Republic and our Institution for bilateral cooperation.

As part of the visit, Mr. Malkoç was welcomed by the President of Kyrgyzstan Sadyr Japarov. Talking about relations with Türkiye during the meeting, President of Kyrgyzstan Japarov emphasized that the strategic cooperation and brotherly relations between Kyrgyzstan and Türkiye were strengthening day by day and appreciated the efforts to establish contacts and exchange experiences between the ombudsman institutions of the two countries. Mr. Malkoç noted that bilateral relations were developing dynamically on the basis of brotherhood and that the partnership in the field of human rights protection should be strengthened.



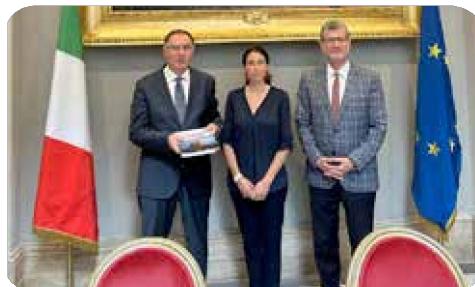
During the visit, Mr. Malkoç also held meetings with the Chairman of the Kyrgyz Parliament (Chairman of the Jogorku Kenesh) Nurlanbek Shakiev and the Rector of the Kyrgyz-Turkish Manas University Prof. Dr. Alpaslan Ceylan.

Visit to Kazakhstan (7-8 September)



During the visit to Kazakhstan by Chief Ombudsman Şeref Malkoç and the accompanying delegation on 7–8 September 2023, a bilateral meeting was held with the Minister of Justice of Kazakhstan, Yeskaraev Azamat Nesipbayevich.

Visit to Italy (20-23 September)



During the visit of Chief Ombudsman Şeref Malkoç, Ombudsman Sadettin Kalkan and the accompanying delegation to Italy on 20-23 September 2023, a meeting was held with the Co-Chair of the Italian side of the Türkiye-Italy Inter-Parliamentary Friendship Group, Giulia Pastorella.

Visit to Georgia (8-12 October)



On 8-12 October 2023, Chief Ombudsman Şeref Malkoç, Ombudsman Celile Özlem Tunçak and their accompanying delegation paid a working visit to Georgia. As part of their visit, Chief Ombudsman Şeref Malkoç held meetings with Prime Minister of Georgia Irakli Garibashvili, Chairman of the Human Rights and Civil Integration Committee of the Georgian Parliament Mikheil Sarjveladze, Minister of Reconciliation and Civil Equality Tea Akhvlediani, Minister of Labor, Health and Social Affairs Zurab Azarashvili, Head of the

Government of the Autonomous Republic of Georgia Adjara Tornike Rijvadze, Chairman of the Supreme Council of the Autonomous Republic of Georgia Adjara Davit Gabaidze, Former Minister of Justice and Former President of the Constitutional Court, Dean Prof. George Papuashvili, Deputy Minister of Internal Affairs Alexander Darakhvelidze and Mufti of Western Georgia Adam Shantadze.

Visit to Malta (31 October-1 November)



Within the scope of the Malta visit held between 31 October-1 November 2023, Ombudsman Şeref Malkoç and his accompanying delegation attended the Reception organized by our Embassy to celebrate the 100th Anniversary of the Republic of Türkiye and met with the President of Malta George Vella, who was the guest of honor at the event.

Malta's President George Vella emphasized the cooperation and strong relationship between our countries and expressed his satisfaction that our bilateral relations gained momentum following the support they showed during the earthquake disaster we experienced. Mr. Malkoç held brief meetings with both the Main Opposition Leader Bernard Grech and Prime Minister Robert Abela at the international Ombudsman conference, which was the reason for his visit to Malta, and expressed his satisfaction with the positive relations between the Ombudsman institutions of Türkiye and Malta, as well as the mutual solidarity between the two countries.



Visit to Kazakhstan (7-8 December)



On 7-8 December 2023, within the framework of his visit to Kazakhstan, the Chief Ombudsman of Türkiye, Mr. Şeref Malkoç, paid a visit to the Chairperson of the Constitutional Court of Kazakhstan, Ms. Elvira Azimova. They discussed about the future cooperation between both institutions. Mr. Malkoç, together with the Ambassador Mr. Mustafa Kapucu, also met with Turkish businesspeople in Kazakhstan, at the Embassy of

Türkiye in Astana.



9.2.2 UZBEKISTAN ELECTIONS



Chief Ombudsman Şeref Malkoç was invited as an international observer to the early Presidential Election held in Uzbekistan by the Central Election Commission of Uzbekistan. Upon invitation, Ombudsman Şeref Malkoç traveled to Uzbekistan between 7-10 July 2023 and participated as an observer in the election. During the early Presidential Election in Uzbekistan, Malkoç visited the polling stations and received information from the election officials.

During the visit, meetings were held with the Director of the National Human Rights Centre of the Republic of Uzbekistan Akmal Saidov, Ombudsman of Uzbekistan, Feruza Eshmatova, the Rector of Tashkent State University of Law Prof. Dr. Islambek Rustambekov, the Chairman of the Central Election Commission of Uzbekistan Zayniddin Nizamkhodjaev, the General Director of the Uzbekistan Banking Association Baxtiyor Sultanovich Xamidov, and the Minister of Justice of Uzbekistan Akbar Tashkulov. These discussions provided an opportunity to highlight the deep collaboration and joint efforts of our ombudsman institutions and also contributed to the strengthening of relations between Uzbekistan and Türkiye.

On the other hand, Mr. Malkoç, who made statements to the press, said, “We are both friends and brothers with Uzbekistan. That’s why we came here with great pleasure. I hope that this election will bring more peace and prosperity to the people of Uzbekistan. This election will be held under the shadow of democracy. The reason for that is this election, held after the constitutional amendment, will further grow Uzbekistan and increase the prosperity of the people.”



Chief Ombudsman Mr. Malkoç said that they came right after receiving the invitation to observe the elections in Uzbekistan, adding that “Uzbekistan has a special place in our heart”. Mr. Malkoç pointed out that the sincere friendship and brotherhood between the presidents of the two countries set an example for the relations between the institutions of the two countries and emphasized that they were closely following the changes made in the fields of law and constitution in Uzbekistan. Malkoç invited Saidov to Türkiye in order to explain in Türkiye the amendments to the Constitution of Uzbekistan, as well as the changes and innovations made in the fields of law and human rights. During the meeting, Mr. Malkoç stated that they were ready to sign memorandums of cooperation with the National Human Rights Centre of Uzbekistan and Uzbekistan Ombudsman.

9.2.3 MEETING BETWEEN RUSSIAN AND UKRAINIAN OMBUDSPERSONS UNDER MEDIATION OF TÜRKİYE

Chief Ombudsman Şeref Malkoç, upon the requests of Russian Ombudsman Tatiana Moskalkova and Ukrainian Ombudsman Dmytro Lubinets, conducted activities between the two Ombudsmen; within this scope, he met with them in online meetings on several occasions. The main goal of the mediation activity in question is to open a “humanitarian corridor” to ensure that vulnerable groups are not further negatively affected by the ongoing war between the two countries and to ensure the exchange of prisoners of war, especially women, children, the elderly and the disabled.

The Russian Ombudsman Tatiana Moskalkova and the Ukrainian Ombudsman Dmytro Lubinets had a face-to-face meeting, as well, at the International Ombudsman Conference on “The Future of Human Rights in the 21st Century” hosted by our Institution in Ankara on 11-12 January 2023. Following the trilateral meeting attended by Şeref Malkoç, both Ombudsmen met with our President Recep Tayyip Erdoğan as part of the official opening ceremony of the Conference. Mr. Malkoç informed our President Erdoğan about the current stage of mediation. Mr. Erdoğan, on the other hand, held meetings with the Heads of State of both Countries following the meeting.



9.2.4 ISRAEL’S OCCUPATION OF GAZA

In the large-scale attacks launched by Israel against the Palestinian people on 7 October 2023, which are still ongoing to this day, nearly twenty-five thousand civilians, including primarily women and children, have lost their lives. International sources report that approximately 70% of those who lost their lives were women and children. As of the time of writing, the number of children killed has shockingly surpassed 11,000.

The Gaza Strip has been under Israeli siege for 16 years. Within a 41-km strip, its sea and air space have been closed, blocking and entry and exit. For this reason, 2.2-2.5 million people, at least half of whom are under the age of 25, live in Gaza, which is considered one of the most densely populated places in the world. UN data shows that more than one million people receive daily aid in the Gaza Strip, where people have been unable to use 85% of the fishing resources due to the siege and access agricultural land to a significant extent because they cannot go outside. After October 2023, 2.2 million people have been left without electricity, water and fuel. At least 30 thousand tons of explosives were used in the bombing carried out by Israel. At least 70% of the population living in the Gaza Strip has been forced to migrate and displaced. Not only military targets in Palestine but also civilian settlements are being destroyed knowingly, deliberately and indiscriminately by the Israeli military forces.

Israel is a party to the 4th Geneva Convention. The Convention relative to the protection of civilian persons in time of war under all circumstances is being violated throughout Palestine. The Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War has confirmed that its provisions apply in times of armed conflict. The aforesaid Convention (and the additional protocol thereto) applies in cases of international armed conflict involving the struggle of people against foreign occupation and domination. The Convention becomes effective from the moment hostilities begin, regardless of whether the operations are declared

or recognized by one of the Contracting Parties. The provisions of the Fourth Geneva Convention also apply to the Palestinian Territories occupied in 1967, and the provisions of the Convention remain in force for as long as the occupation continues. At this point, after October 2023, the collective punishment and massacres carried out by the State of Israel and the "collective punishment of civilians" are war crimes.

As seen in the Israeli occupation of Gaza, the entire world's faith in fundamental values regarding human rights and the rule of law has been deeply shaken. Once again, it has become evident that it is our civilization that will meet humanity's expectations and needs in this regard. As the Ombudsman Institution, within the framework of our historical responsibility in this regard, we will continue our efforts by taking care to maintain close relations with ombudsman offices, national human rights institutions and the unions they form.

Chief Ombudsman Şeref Malkoç has voiced the suffering of all innocent people, especially children, women, youth and the elderly, who were subjected to disproportionate attacks during Israel's occupation of Gaza, on all international platforms he visited. As the President of the Organization of Islamic Cooperation Ombudsman Association, he issued a Declaration on the Conflicts in Palestine and Israel against the inhumane massacre in Gaza, and as a member of the Asian Ombudsman Union, he called for the publication of a Declaration on the Conflicts between Palestine and Israel. In addition, our institution participated in the Presentation Meeting of the Report on Rights Violations against Palestinian Children, initiated the work of the Ombudsman Academic "Gaza" Special Issue and continues its efforts on the special report on the atrocities committed by Israel. On the other hand, Chief Ombudsman Şeref Malkoç participated in radio and television programs, made statements and gave interviews about the massacre in Gaza. Again, in all the international conferences he attended, Mr. Malkoç drew the attention of the World Ombudsmen to the violations of international law and human rights carried out by Israel in his speech text and called on all Ombudsmen to take action in this regard by governments and international organizations.

Declaration of the Organization of Islamic Cooperation Ombudsman Association

Following a meeting with the Board of Directors, Şeref Malkoç, the President of the Organization of Islamic Cooperation Ombudsman Association, paved the way for issuance of a declaration on 18 October 2023 regarding the Conflicts in Palestine and Israel, which was sent to all ombudsmen around the world on behalf of the OIC Ombudsman Association. The declaration highlighted that international law was being violated in Gaza before the very eyes of the world and the incidents taking place there reflected the collapse of human dignity and conscience, noting that causing the death of civilians constituted a violation of international humanitarian law. It was also stated that the international community must not remain silent to prevent spreading of the bloodshed in the region, stressing the importance of ensuring the delivery of humanitarian aid to those in need.

Presentation Meeting of the Report on Rights Violations against Palestinian Children

Our Institution participated in the presentation meeting of the Report on Rights Violations against Palestinian Children prepared by the Justice on Earth Women Jurists Platform and the Jerusalem and Law group, which was held at Ulucanlar Prison Museum on 19 November 2023. Information was received about the report on the human tragedy experienced in Palestine, and the Ombudsman Institution is mobilizing all means at its disposal to urge all

human rights institutions in the world to take action to put an end to the ongoing genocide and violations of children's rights as soon as possible.

Ombudsman Academic Journal "Gaza" Special Issue and Special Report Studies on the Israeli Occupation of Gaza

The United Nations has announced that in Gaza, on average, a child is killed and two children are injured every ten minutes, emphasizing the urgent need for an immediate ceasefire. It was this grave violation of international law that necessitated an urgent and in-depth scientific analysis.

The "Gaza Special Issue of the Ombudsman Academic Journal" invited academics, researchers and experts to submit articles examining the tragic events in Gaza in order to raise awareness within national and international communities with the aim of concluding a ceasefire and ensuring its continuation, seek solutions for a lasting ceasefire and defend the human rights that are being blatantly ignored in the region.

Call for the Asian Ombudsman Association to Issue a Statement Regarding Israel's Occupation of Gaza

Chief Ombudsman Şeref Malkoç invited Ejaz Ahmad Qureshi, the Federal Ombudsman of Pakistan and the President of the Asian Ombudsman Association (AOA), to issue a statement condemning the human rights violations and unlawful actions carried out by Israel in Gaza on behalf of AOA during their online meeting as a Board Member of the AOA, and subsequently shared an example letter with him.

9.2.5 PROJECT ACTIVITIES

"Technical Assistance Project for Empowerment of the Role of Ombudsman in the Protection of Human Rights"

The contract of the EU-funded Technical Assistance Project for Empowerment of the Role of Ombudsman in the Protection of Human Rights, of which Ombudsman Institution is the beneficiary, was signed on 4 February 2019. The project's implementation period of 50 months and 10 days was completed as of 14 May 2023. While the activities in this project focused on enhancing the knowledge of the Ombudsman Institution's staff, some activities aimed raise public awareness about the Institution.

- **International Ombudsman Conference:** On 11-12 January 2023, within the scope of the project, the International Ombudsman Conference on "The Future of Human



Rights in the 21st Century" was held in Ankara. The conference brought together a total of 70, including approximately 40 Ombudsman and Human Rights representatives from nearly 40 different foreign institutions. Speaker of the Grand National Assembly of Türkiye Mr. Mustafa Şentop, Deputy Minister of

Foreign Affairs and Director for EU Affairs Mr. Faruk Kaymakçı and UNHCR Türkiye Representative Mr. Philippe Leclerc made speeches at the conference.



The opening of the conference was held at the Presidential Complex of Türkiye where the President of the Republic of Türkiye delivered the opening speech. Within the scope of the International Ombudsman Conference, High Commissioner for Human Rights in the Russian Federation Ms. Tatiana Moskalkova and Ukrainian Parliament Commissioner for Human Rights Mr. Dmytro Lubinets met with President of Türkiye, Mr. Recep Tayyip Erdoğan. Discussions were held on opening a "humanitarian corridor" for women, children and the injured, similar to the grain corridor.



Former Minister of Industry and Technology Mr. Mustafa Varank gave the opening speech of the first session on "The Effects of Digitalization on Human Rights" of the Conference, financed by the EU.



Ombudsman Mr. Sadettin Kalkan moderated the first session on "Effects of Digitalization on Human Rights". Commissioner for Human Rights in the Republic of Tatarstan (Russian Federation) Ms. Sariya Saburskaya, Commissioner for Human Rights of Kazakhstan Mr. Lastaev Artur ERMEKOVICH, Representative of the Institution of Human Rights

Ombudsman of Bosnia and Herzegovina Ms. Ivona Raznatovic, and Ombudsman of the Republic of Bulgaria Ms. Ana Dzumalieva were speakers in this panel.



The second session of the conference titled "Human Rights Issues in War, Conflict and Migration Environments" was moderated by Ombudsman Ms. Özlem Tunçak. Ukrainian Parliament Commissioner for Human Rights Dr. Dmytro Lubinets, High Commissioner for Human Rights of the Russian Federation Ms. Tatiana Moskalkova, Member of Bangladesh National Human Rights Commission Mr. Salim Reza, Commissioner General of the Independent Commission for Human Rights of Palestine Mr. Issam Aruri, Ombudsman of the Turkish Republic of Northern Cyprus Ms. İlkan Varol, and Commissioner or Human Rights (Ombudsman) of the Republic of Azerbaijan Ms. Sabina Aliyeva spoke in this panel.



The third session of the conference, titled "Human Rights Issues during Pandemic Period", was moderated by Ombudsman Mr. Arif Dülger. People's Advocate of the Republic of Moldova Mr. Ceslav Panico, Protector of Human Rights and Freedoms of Montenegro Ms. Siniša Bjeković, Acting Public Defender of Georgia Ms. Tamar Gvaramadze, Chief Commissioner of the National Human Rights Commission of Mongolia Mr. Khunan Jargalsaikhan, People's Advocate of Romania Ms. Renate WEBER, and Protector of Citizens of Serbia Mr. Zoran PASALIC attended as speakers.



The fourth and last session of the conference was moderated by Ombudsman Mr. Yahya Akman. Venice Commission of the Council of Europe Ms. Caroline Martin, Ombudsman of Kenya Ms. Florence Kajuju, Pakistan Federal Tax Ombudsman Dr. Asif Mahmood Jah,

Mediator of Burkina Faso Ms. Fatimata SANOU/TOURE, Parliamentary Commissioner for Administration of Sri Lanka Mr. Kankani Tantri Chitrasiri, Acting Ombudsman of South Africa Ms. Kholeka Gcaleka, Ombudsman of Uzbekistan Ms. Feruza Eshmatova, Ombudsman of Gambia Mr. Bakary K. Sanyang, Pakistan Federal Ombudsman on Harassment against Women at Work Ms. Kashmala TARIQ, and Vice Chairman of the State of Qatar National Human Rights Committee Dr. Mohammed Saif Al-Kuwari gave speeches at this session.



The Chief Ombudsman Mr. Şeref Malkoç made the closing speech of the Conference on "The Future of Human Rights in the 21st Century" held in the 10th anniversary of the Ombudsman Institution of Türkiye with the participation of ombudspersons and human rights representatives from around the world.



Other Activities

- 7th study visit was organized to Slovenia and Croatia within the scope of the EU project between 27 February and 3 March 2023.
- On 16 February 2023, the Ombudsman Institution held the 12th Executive Board and 21st Monthly Management Meetings.
- The Closing Conference of the Project was held on 4 May 2023.



9.2.6 PARTICIPATION IN INTERNATIONAL NETWORKS

At the General Assembly meeting of Organization of Islamic Cooperation Ombudsman Association (OICOA), which has 33 members, held in Istanbul on 19 November 2019, the election of the "Board of Directors" was held and the Chief Ombudsman of the Republic of Türkiye, Mr. Şeref Malkoç, was elected as the first President of the Association.

On 5-6 October 2023, in Istanbul, the Ombudsman Institution hosted the 9th Board of Directors and 3rd General Assembly meetings of OICOA. As a result of the meetings, the Chief Ombudsman Şeref Malkoç was unanimously re-elected as President of the Board of Directors.

Activities within the scope of OICOA activities;

- On 25 January 2023, Mr. Şeref Malkoç sent a letter to the Chief Parliamentary Ombudsman of Sweden, Mr. Erik Nymansson, and to the Members of OICOA, condemning the act of burning the Holy Quran.
- On 6 July 2023, President of OICOA, Mr. Şeref Malkoç, sent a letter to the World Ombudspersons and National Human Rights Institutions regarding the Burning of the Holy Quran in Sweden.
- On 18 July 2023, the 8th board meeting of OICOA was held online. Vice President of OICOA and President of the General Inspection Organization of the Islamic Republic of Iran Dr. Zabihullah Khodaeian, Secretary-General of OICOA and Federal Tax Ombudsman of Pakistan Dr. Asif Mahmood Jah, and other members, Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan Ms. Sabina Aliyeva and Mediator of Morocco, Mr. Mohammed Benalilou attended the meeting. At the meeting, consultation was held on the Association's activities for the upcoming period.



- On 01 August 2023, a training was organized by the OICOA Secretariat in Pakistan, to which a significant number of OICOA members participated online.
- On 5-6 October 2023, the 9th Board of Directors and 3rd General Assembly meetings of OICOA were held in Istanbul, hosted by the Ombudsman Institution of Türkiye. Ombudspersons of Türkiye, Azerbaijan, Morocco, Iran and Federal Tax Ombudsmen of Pakistan attended the 9th Board of Directors Meeting of OICOA.

50 participants from 20 countries participated in this meeting.

At the General Assembly, an election was held for the new board of directors and the Chief Ombudsman Şeref Malkoç was unanimously re-elected as the Chairman of the Board of Directors. President of the General Inspection Organization of the Islamic Republic of Iran elected as the Vice President, of OICOA and Federal Tax Ombudsman of Pakistan as

the Secretary-General, and Ombudspersons of Azerbaijan, Morocco, Bahrain and Indonesia were elected as members of the Board of Directors.

As a result of the General Assembly meeting, 4 more institutions has become members of the Association: Administrative Control Authority of Libya, Mediators of the Republic of Togo, Benin, and Ivory Coast.

In addition, within the scope of OICOA meetings, OICOA Experience Sharing Forum was held with the participation of 60 participants from 20 countries.



- The President of OICOA and the Chief Ombudsman of Türkiye, Mr. Şeref Malkoç, had a bilateral meeting with President of the General Inspection Organization of the Islamic Republic of Iran and Vice President of OICOA, Dr. Zabinullah Khodaeian, in Istanbul.
- On 18 October 2023, OICOA published a statement regarding the Conflicts in Palestine and Israel and sent it to all Ombudspersons around the world.
- Carrying out the Presidency of OICOA, the Ombudsman Institution of Türkiye organized an online training on “The Rise of Islamophobia in Europe and the Quest for Rights in These Conditions” for OICOA members on 28 November 2023. The training was moderated by OICOA Executive Secretary Mr. Ali Almas Jovindah and the opening speech was delivered by OICOA Secretary General Dr. Asif Mahmood Jah. Approximately 35 participants attended the training. Ombudsman Expert Ms. Başak Manav made a presentation on the definition of Islamophobia, its brief history, and the reasons for its emergence, the reasons for its rise in Europe, concrete examples from Europe, what can be done individually and institutionally (Ombudsman) to combat Islamophobia, and the activities carried out as the Ombudsman Institution of Türkiye.



Activities within the Framework of Asian Ombudsman Association (AOA);

Within the scope of educational activities, on 16 May 2023, AOA participated online in the training given by the Pakistan Federal Tax Ombudsman on Operations and Complaint Management Process.

- The Chief Ombudsman Mr. Şeref Malkoç, a member of the AOA Board of Directors, attended the AOA 24th Board of Directors and 17th General Assembly meetings held in Kazan, Tatarstan on 11 September 2023. At the General Assembly meeting, Mr. Malkoç was unanimously re-elected as a member of the AOA Board of Directors.

Activities within the Framework of European Ombudsman Institute (EOI);

- On 17-19 March 2023, the Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation visited Niš, Serbia, for the EOI Board of Directors Meeting, of which the Ombudsman Institution of Türkiye is also a member. At the meeting, Mr. Malkoç was unanimously elected a member of the Board of Directors and Executive Board.



- On 3 November 2023, Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation visited the United Arab Emirates to participate in the international conference on “The role of the ombudsman in protection against discrimination, with a special focus on religious rights” organized by EOI in Dubai. Mr. Malkoç gave a speech at the conference on “The Role of Ombudsman Institution of Türkiye against Discrimination and Marginalization”. He also attended the Board of Directors meeting of EOI, which was held on the same day.

Activities within the Framework of Association of Mediterranean Ombudsmen (AOM);



On 24-26 May 2023, the Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation attended the 12th Conference and General Assembly of the AOM, held in Pristina, hosted by the Ombudsman of Republic of Kosovo, Mr. Naim Qelaj. Şeref Malkoç gave a speech at the session of the conference titled “Independence as a fundamental element of an effective Ombudsman Institution”. In addition, within the framework of the visit, Mr. Şeref Malkoç met with the President of Kosovo, Dr. Vjosa Osmani-Sadriu.



Within the scope of his working visit to Kosovo, Chief Ombudsman also met with the First Vice-Chairman of the Kosovo Parliament Committee on Rights and Interests of Communities and Returns, Mr. Hidajet Hyseni Kaloshi, and members of the commission, and with the Chairperson of the Committee on Human Rights, Gender Equality, Victims of Sexual Violence during the War, Missing Persons and Petitions Ms. Duda Balje. As part of his Kosovo visit, together with Ambassador of Türkiye to Pristina, Mr. Sabri Tunç Angılı and Consul General of Türkiye to Prizren, Mr. Celal Doğan; the Chief Ombudsman visited Mortrat Qirazi Primary School in Prizren and met with teachers and students. In addition, the delegation visited the offices of TİKA, Yunus Emre Institute and Turkish Maarif Foundation in Pristina. The Chief Ombudsman Mr. Şeref Malkoç met with Kosovo Turkish Democratic Party (KDTP) and Minister of Regional Development of Kosovo, Mr. Fikrim Damka within the scope of his contacts in Kosovo.



- As an Ombudsman Expert from the Ombudsman Institution of Türkiye, Ms. Dilek Soykan participated in the AOMF and AOM joint training on "Protection of Whistleblowers and Fight against Corruption", which was held in Rabat, Morocco on 21-22 November 2023, hosted by the Mediator of the Kingdom of Morocco. Participants in the training exchanged knowledge and experience.

Activities within the Framework of European Network of Ombudsmen (ENO);

On 9-10 November 2023, the Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation, attended ENO 2023 conference held at the European Parliament in Brussels, hosted by European Ombudsman Ms. Emily O'Reilly.



Activities within the Framework of Association of Ombudsmen and National Human Rights Institutions of Turkic States (TURKOMB);

A TURKOMB meeting was held in Istanbul on 5 October 2023 with the participation of Ombudspersons and Representatives of Türkiye, Azerbaijan, Turkish Republic of Northern Cyprus (TRNC), Kyrgyzstan, Kazakhstan and Uzbekistan.

During the meeting, participants consulted about the activities to be carried out in the coming period within the framework of TURKOMB.

9.2.7 VISIT OF RESIDENT DIPLOMATIC MISSION REPRESENTATIVES AND FOREIGN INSTITUTIONS IN TÜRKİYE

- Ambassador of Italy to Türkiye Mr. Giorgio Marrapodi visited Chief Ombudsman Mr. Şeref Malkoç on 4 January 2023. Ombudsman of Türkiye, Ms. Özlem Tunçak was also present at the meeting, during which, the mutual relations between the two countries as well as between the Ombudsman Institutions of the two countries and the International Ombudsman Conference organized by the Ombudsman Institution of Türkiye were discussed.



- On 9 January 2023, the Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation attended the reception organized by the Ambassador of Morocco to Türkiye, Mr. Mohamed Ali Lazreq, in which the Mediator of Morocco, Mr. Mohammed Benalilou was also present.
- On 10 January 2023, Niger Ombudsman Assimiou Diabiri and Niger's Ambassador to Türkiye, Mr. Salou Adama Gazibo, visited the Ombudsman Institution of Türkiye.
- On 10 January 2023, Ukrainian Parliament Commissioner for Human Rights Mr. Dmytro Lubinets, who came to Türkiye to participate in the International Ombudsman Conference, visited Mr. Şeref Malkoç. At the end of the meeting, a joint press conference was held in the Ombudsman Institution of Türkiye.



- On 26 January 2023, the Chief Ombudsman Mr. Şeref Malkoç held an online meeting with the Ombudspersons of Russia and Ukraine.
- On 3 February 2023, the Chief Ombudsman Mr. Şeref Malkoç met with Ukrainian Parliament Commissioner for Human Rights Mr. Dmytro Lubinets in the Istanbul office of the Ombudsman Institution of Türkiye.



- On 19 April 2023, OSCE ODIHR Election Observation Delegation headed by Ambassador Mr. Jan Petersen paid a visit to the Chief Ombudsman Mr. Şeref Malkoç.



- On 19 April 2023, Ambassador of The Gambia to Türkiye, Mr. Alkali Fanka Conteh, paid a visit to the Chief Ombudsman Mr. Şeref Malkoç.



- On 3 May 2023, Ombudsman Ms. Özlem Tunçak, responsible for women's rights and child rights, held a meeting with the spouses and relatives of Ukrainian prisoners of war. During the meeting, issues regarding the importance of Türkiye's peaceful and mediating role in the war between Russia and Ukraine and the demands of the spouses and relatives of prisoners of war were discussed.



- On 4 May 2023, a delegation to monitor the rights of unaccompanied Ukrainian children, headed by Deputy Minister of Social Policy of Ukraine Mr. Tanasyshyn Nazar, visited the Ombudsman Institution of Türkiye.

- On 14 August 2023, Vice Chairman of the National Commission of Supervision of China (Minister level), Mr. Fu Kui, paid a visit to the Chief Ombudsman Mr. Şeref Malkoç.
- On 2 October 2023, the Ambassador of Peru to Türkiye, Mr. Cesar Augusto De Las Casas Diaz paid a courtesy visit to the Chief Ombudsman of Türkiye, Mr. Şeref Malkoç.

- On 6 October 2023, the President of OICOA and the Chief Ombudsman of Türkiye Mr. Şeref Malkoç met with the Head of the Administrative Control Authority of Libya, Mr. Abdullah Mohamed Qaderbouh, who attended the OICOA meeting in Istanbul. Activities regarding bilateral cooperation have been discussed.
- On 6 October 2023, within the framework of the OICOA meeting, President of OICOA and the Chief Ombudsman of Türkiye Mr. Şeref Malkoç had a bilateral meeting with the Chairman of the National Human Rights Institution in the UAE, Mr. Maqsoud Kruse.
- Upon the invitation of Head of the Council of Europe Programme Office in Ankara, Mr. William Massolin, on 18 October 2023, the Chief Ombudsman of Türkiye, Mr. Şeref Malkoç, attended the reception held in honor of Director of Programme Coordination at the Council of Europe, Mr. Claus Neukirch.
- On 20 December 2023, within the scope of the cooperation carried out in the field of "Human Resources" between the Human Resources Office of the Presidency of the Republic of Türkiye and the Organization of Turkic States, a high-level delegation from Uzbekistan, consisting of Governors and District Governors, came to Türkiye and visited the Ombudsman Institution of Türkiye to gain knowledge and experience. Secretary General Mr. Mehmet Sarı made a presentation about the scope of duty and activities of the Ombudsman Institution, and Ombudsman Mr. Sadettin Kalkan made a presentation about the principles of good administration, fight against corruption and the function of the Ombudsman Institution in this regard.



9.2.8 MEETINGS AND STUDY VISITS ABROAD

Ombudsman Institution of Türkiye participates in events such as meetings/seminars held abroad by international organizations and Ombudsman Institutions of other countries. Within this framework;



- On 19-21 February 2023, the Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation participated in the international conference on “Climate Change and Human Rights” Organized jointly by Qatar National Human Rights Committee, United Nations High Commissioner for Human Rights (OHCHR), United Nations Development Program (UNDP), League of Arab States, Global Network of National Human Rights Institutions (GANHRI). Mr. Malkoç gave a speech on “Climate change and human rights: impacts and obligations”. Within the scope of his visit to Qatar, Mr. Malkoç held bilateral meetings with Minister of Justice Mr. Masoud bin Mohammed Al Ameri, Chairman of the Supreme Judiciary Council and President of the Court of Cassation Dr. Hassan Lahdan Saqr Al-Mohannadi, Attorney General Dr. Issa bin Saad Al Jafali Al Nuaimi, and Chairman of the Board of Trustees of Lusail University, Member of the Shura Council, and Former Attorney General Dr. Ali bin Fetais Al Marri. Mr. Malkoç also visited Qatar Fund for Development and held bilateral meetings with Director General Mr. Khalifa Jassim Al-Kuwari. In addition, Mr. Malkoç visited Doha Embassy of Türkiye and Doha Representative Office Turkish Republic of Northern Cyprus (TRNC), Yunus Emre Institute Turkish Cultural Center in Doha and Qatari-Turkish Combined Joint Task Force Command.



- On 23-25 February 2023, the Chief Ombudsman Mr. Şeref Malkoç and his accompanying delegation participated in the international conference on “Interaction and Cooperation in the Field of Reliable Protection of Human Rights and Freedom”, dedicated to the 28th anniversary of the Foundation of the Institute of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman). Mr. Malkoç gave a speech at the session titled “National and International Mechanisms for the Protection of the Rights of Women and Youth.”



- Upon the invitation of the Mediator of the Kingdom of Morocco Mr. Mohamed Benalilou, on 27 February – 2 March 2023, the Chief Ombudsman Mr. Şeref Malkoç, Ombudsman Ms. Celile Özlem Tunçak and the accompanying delegation participated in the conference held in Rabat on the occasion of the 20th anniversary of the establishment of the Mediator Institution of the Kingdom of Morocco, and Mr. Malkoç gave a speech at the conference.

- On 16-19 May 2023, Ombudsman Ms. Celile Özlem Tunçak participated as an observer in the 93rd Session of the United Nations Committee on the Rights of the Child in Geneva/Switzerland, where the 4th and 5th Türkiye Reports were discussed.
- Upon the invitation of the Commissioner for Fundamental Rights of Hungary Mr. Ákos Kozma, on 16–19 May 2023, the Chief Ombudsman Mr. Şeref Malkoç, Ombudsman Mr. Sadettin Kalkan and the accompanying delegation paid an official visit to Hungary. Within the scope of the working visit organized in line with the aim of increasing cooperation between Hungary and Association of Ombudsmen and National Human Rights Institutions of Turkic States (TURKOMB) members, Mr. Malkoç gave a speech at the international conference where mutual knowledge and experience sharing was aimed. Within the scope of the visit, meetings were held with the President of the Constitutional Court, Mr. Tamás Sulyok, and the State Secretary for Security Policy and Energy Security of the Ministry of Foreign Affairs and Foreign Trade, Deputy Minister Mr. Péter Sztáray. The delegation met with the Police Chief of the Szabolcs-Szatmár-Bereg County in the border region between Hungary and Ukraine and received information about the work carried out for Ukrainian refugees. The delegation also visited the Beregsurány border crossing assistance point and the temporary office of the Commissioner for Fundamental Rights of Hungary to inspect the border crossing and the activities carried out in the region. Within the framework of the visit to Hungary, the Chief Ombudsman met with the National Commander of the Hungarian Prison Service and visited the Veszprém County Prison, received information from the authorities and inspected the prison. Mr. Malkoç also visited the Galicia Turkish Martyrs' Cemetery as part of the visit.



- On 19-20 June 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation participated in the 14th edition of the International Conference of Information Commissioners (ICIC) held in Manila/Philippines. The main theme of the 14th edition of the ICIC, which was held in Asia for the first time dedicated for the 20th anniversary of ICIC, was “Bridging Information Across Nations: Concretizing the Global Role of Access to Information for Democratic Preservation, Inclusivity, and Development”. The Chief Ombudsman Mr. Şeref Malkoç met with the President of Republic of the Philippines, H.E. Mr. Bongbong Marcos, who also attended the opening conference. 80 participants from 50 different institutions from America, Africa, Australia, Asia, Europe and the Pacific attended the conference. Mr. Şeref Malkoç was the speaker at the concurrent session number 2 of the Conference. The



topic of the panel was “Reflecting Access to Information Mechanisms against the Background of Culture, Society, and Human Psychology” and was moderated by Mr. Marius Lukosiunas, Adviser in the Division of Freedom of Expression of UNESCO (France). The Chief Ombudsman participated as a speaker and his speech and presentation about the earthquake and actions of Türkiye afterwards drew the participants’ interest. At the conference, a moment of silence was held in memory of those who lost their lives due to the earthquake.



Within the scope of the visit, the Chief Ombudsman Mr. Şeref Malkoç met with the Acting Chief of the National Commission on Muslim Filipinos (NCMF) Mr. Ronaldo T. Abo, Coordinator of TİKA (Turkish Cooperation and Coordination Agency) Mr. Fahri Burak Aydoğdu, Philippines Presidential Adviser on Muslim Affairs, Mr. Almarim Centi Tillah, Acting Chief Justice of the Supreme Court of the Philippines Mr. Alfredo Benjamin S. Caguioa and Deputy Ombudspersons of Philippines.

- Upon the invitation of the Central Election Commission of Uzbekistan, on 7-10 July 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to Uzbekistan as an international observer in the Presidential elections. Within the scope of the visit to Uzbekistan, the Chief Ombudsman met with the Director of the National Centre of the Republic of Uzbekistan for Human Rights Mr. Akmal Saidov, Ombudsman of Uzbekistan Ms. Feruza Eshmatova, Rector of Tashkent State University of Law Prof. Dr. Islambek Rustambekov, Chairman of the Central Election Commission of Uzbekistan Mr. Zayniddin Nizamkhodjayev, General Director of Uzbekistan Mr. Baxtiyor Sultanovich Xamidov, and Minister of Justice of Uzbekistan Mr. Akbar Tashkulov.



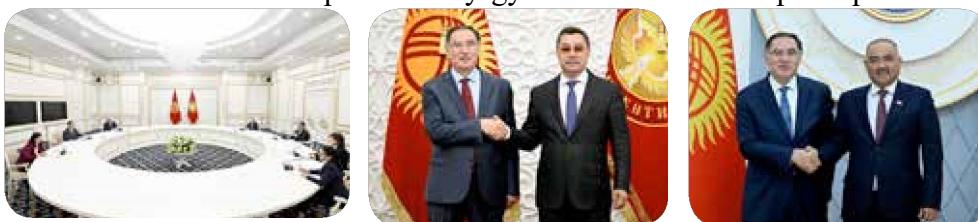
- On 2-5 September 2023, the Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to Kyrgyzstan Upon the invitation of

Ombudsman of the Kyrgyz Republic, Ms. Jamilya Jamanbayeva. Within the scope of the visit, a bilateral memorandum of understanding was signed to strengthen cooperation between Institutions. In addition, the Chief Ombudsman paid a visit to the President of Kyrgyzstan, Mr. Sadyr Japarov. Mr. Malkoç also met with Speaker of the Supreme Council of the Kyrgyz Republic Mr. Nurlanbek Shakiev, and Rector of Kyrgyzstan-



Council of the Kyrgyz Republic Mr. Nurlanbek Shakiev, and Rector of Kyrgyzstan-

Türkiye Manas University Prof. Dr. Alpaslan Ceylan. Additionally, Maarif Educational Complex and Kyrgyz-Turkish Friendship Hospital were visited.



- On 7-8 September 2023, the Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation attended the international conference on "Constitutional Justice: Dignity, Freedom and Justice for All", organized by the Constitutional Court of Kazakhstan and dedicated to the Constitution Day of the Republic of Kazakhstan. Mr. Malkoç gave a speech at the session titled "Constitutional control as one of the main indicators of the rule of law in promoting the values of human rights and freedoms protection". Within the scope of the visit, a bilateral meeting was held with the Minister of Justice of the Republic of Kazakhstan, Mr. Yeskaraev Azamat Nesipbayevich. In addition, Members of Association of Ombudsmen and National Human Rights Institutions of Turkic States (TURKOMB) came together and held a meeting hosted by Human Rights Commissioner in the Republic of Kazakhstan, Mr. Artur Lastayev.



- On 11-12 September 2023, Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to Tatarstan to attend the 24th Board of Directors and 17th General Assembly Meetings of Asian Ombudsman Association (AOA), of which the Ombudsman Institution of Türkiye is a member of the Board of Directors, and the International Scientific and Practical Conference on "Effective Practices of Ombudsmen: National Features and



Universal Approaches", held in Kazan and hosted by Human Rights Commissioner (Ombudsman) of Tatarstan, Ms. Sariya Saburskaya.

With the voting at the AOA General Assembly meeting, the Chief Ombudsman Mr. Şeref Malkoç was once again elected as a member of the AOA Board of Directors. In addition, at the conference, Mr. Malkoç gave a speech about "Digitalization and Human Rights" and explained the activities of Türkiye and the Ombudsman Institution of Türkiye in this field.





On 20-23 September 2023, the Chief Ombudsman Mr. Şeref Malkoç, Ombudsman Mr. Sadettin Kalkan and the accompanying delegation paid a visit to Italy to participate in the International Ombudsman Conference held in Rome, hosted by Ombudsman of Lazio and President of the National Coordination of the Italian Ombudsmen, Mr. Marino Fardelli.

Mr. Malkoç gave a speech on migration and refugees in the session titled “Human Rights in Global Crises”. As part of the visit, the delegation of the Ombudsman Institution of Türkiye met with President of Türkiye-Italy Interparliamentary Friendship Group, Ms. Giulia Pastorella. They also participated in the event titled “Mariupol. (Un)lost hope”, hosted by the Ombudsman of Ukraine, Mr. Dmytro Lubinets, and jointly organized with the Ombudsman of Lazio, Mr. Marino Fardelli.



- Upon the invitation of People's Advocate (Ombudsman) of the Republic of Moldova, Mr. Ceslav Panico, on 27 September 2023, the Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation attended the international conference held on the 25th anniversary of the Office of the People's Advocate of Moldova. The Chief Ombudsman gave a speech on “Human Rights in the New Digital Realities”. Mr. Malkoç also attended the "Remembrance Day", which is the beginning of the liberation struggle of Karabakh and the occupied Azerbaijani lands at the Embassy of Azerbaijan in Chisinau.



- On 8-12 October 2023, the Chief Ombudsman Mr. Şeref Malkoç, Ombudsman Ms. Celile Özlem Tunçak and the accompanying delegation paid a visit to Georgia. Within the scope of the visit, experiences were shared on monitoring children's rights with the Vice-Chair of the UN Committee on the Rights of the Child, Ms. Sophie Kiladze, and her team. The Chief Ombudsman Şeref Malkoç had a meeting with Prime Minister of Georgia Mr. Irakli Garibashvili, Chairman of the Chair of the Human Rights and Civil Integration Committee of the Parliament of Georgia Mr. Mikheil Sarjveladze, Minister of Labor, Health and Social Affairs of Georgia Mr. Zurab Azarashvili, Minister for Reconciliation and Civil Equality of Georgia Ms. Tea Akhvlediani, Deputy Minister of Internal Affairs of Georgia Mr. Alexander Darakhvelidze, Chairman of the Supreme Council of Autonomous Republic of Adjara Mr. Davit Gabaidze, Chairman of the Government of the Autonomous Republic of Ajara Mr. Tornike Rijvadze, and Dean of the School of Law of Ilia State University Prof. George Papuashvili.



- On 17-18 October 2023, upon the invitation of the High Commissioner for Human Rights in the Russian Federation, Ombudsman Ms. Celile Özlem Tunçak and the accompanying delegation paid a visit to Russia to attend the Eurasian Ombudsman Alliance (EOA) meeting and the 8th International Scientific and Practical Conference themed “Issues of Human Rights Protection: Exchange of Best Practices of Ombudspersons”, organized in Moscow. Ombudsman Celile Özlem Tunçak made a presentation at the conference about good practice examples in the Ombudsman Institution of Türkiye and mentioned the human tragedy in Gaza.



- On 31 October – 1 November 2023, upon the invitation of Parliamentary Ombudsman of Malta Judge Emeritus Joseph Zammit McKeon, the Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to Malta to attend the International Conference on “The Right to Good Administration: Myth, Aspiration or Reality?”. Mr. Malkoç made a speech at the Conference on “Good Administration Principles and the Ombudsman Institution”, and he gave information about the activities of the Ombudsman Institution on this issue and emphasized the war crime committed by Israel in Gaza. Within the scope of the visit, the Chief Ombudsman attended the Reception of the Embassy of Türkiye in Valletta for 29 October/the 100th anniversary of the foundation of the Republic of Türkiye and met with the President of Malta, Mr. George Vella, who was the guest of honor at the event. The Chief Ombudsman met with Prime Minister of Malta, Mr. Robert, visited Turkish Martyrs' Cemetery, and met with the search and rescue team of Civil Protection Department of Malta, which came to help after the earthquake in Türkiye.



- In November 2023, the Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to the United Arab Emirates to attend the international conference on “The role of the ombudsman in protection against discrimination, with a special focus on religious rights” organized by European Ombudsman Institute (EOI) in Dubai. At the conference, Mr. Malkoç gave a speech on “The Role of

Ombudsman Institution of Türkiye against Discrimination and Marginalization" and emphasized the importance of defending the right to life, which is the most fundamental right of all people, regardless of any discrimination such as language, religion or ethnicity. The Chief Ombudsman attended the Board of Directors meeting of EOI held on the same day. In addition, Mr. Malkoç visited, Chairperson of the National Human Rights Institution in the U.A.E, Mr. Maqsoud Kruse. During the meeting, Mr. Kruse gave information about the structure, functioning and powers of the Institution he is the Chair of, and views were exchanged on improving cooperation between the two institutions in the field of human rights.



- On 9-10 November 2023, the Chief Ombudsman Mr. Şeref Malkoç and the accompanying delegation paid a visit to attend ENO 2023 conference, hosted by European Ombudsman Emily O'Reilly, at the European Parliament in Brussels. Conference sessions focused on migration and fundamental rights, Use of Artificial Intelligence in administrations and ethical standards in public institutions. Within the scope of visit to Brussels, Mr. Malkoç visited Permanent Delegate of Türkiye to the EU, Mr. Faruk Kaymakçı, and Permanent Representative of Türkiye to NATO, Mr. Zeki Levent Gümrükçü. Mr. Malkoç met with Turkish NGO representatives and citizens in Belgium at the Embassy of Türkiye in Brussels within the framework of disseminating the culture of seeking legal remedies. During the meeting, Mr. Malkoç gave information about the Ombudsman Institution of Türkiye and the ways to seek legal remedies and listened to the problems of the participants.



- Upon the invitation of Commissioner for Human Rights of Kazakhstan, Mr. Artur Lastayev, on 23-24 November 2023, Ombudsman of Türkiye, Mr. Yahya Akman and Ombudsman Expert Ms. Seçil Gülcüt participated in the International Scientific-Practical Conference titled "Countering Domestic Violence: Problems and Solutions" held in Astana, the capital of Kazakhstan. Ombudsman Yahya Akman was the speaker

at the conference and explained the experience of Türkiye and the Ombudsman Institution of Türkiye on the subject.

- Chief Ombudsman Şeref Malkoç participated in the International Conference “Freedom or Fear”, which was held in Kiev on 7-8 December 2023 by the Ukrainian Parliament Commissioner for Human Rights and dedicated to the 75th anniversary of the Universal Declaration of Human Rights, by video message and delivered a speech.
- On 7-8 December 2023, Chief Ombudsman Şeref Malkoç participated in the international conference titled “Incorporation of International Legal Norms Ensuring Human Rights into National Legislation” held in Astana upon the invitation of Ombudsman of Kazakhstan Artur Lastayev. Speaking at the first session of the conference, Chief Ombudsman Şeref Malkoç spoke about Türkiye’s experiences in incorporating international human rights standards into national legislation and the role of the Ombudsman Institution of Türkiye in this regard. Chief Ombudsman Şeref Malkoç visited the Chairman of the Constitutional Court of Kazakhstan, Elvira Azimova, and discussed possible future cooperation between the two institutions. He also met with Turkish businesspeople operating in Kazakhstan at the meeting held in our Astana Embassy, accompanied by Ambassador Mustafa Kapucu.



- On 21 December 2023, Chief Ombudsman Şeref Malkoç paid a visit to Azerbaijan to attend the Azerbaijan-Türkiye Investment Forum held in Baku, organized in cooperation with TUIB (Social Union of Businessmen and Industrialists of Türkiye and Azerbaijan) and AZPROMO (Azerbaijan Export and Investment Promotion Agency).

9.2.9 OTHER ACTIVITIES

- On 20 September 2023, Ombudsman Celile Özlem Tunçak participated in the 26th SİYAK Meeting, held under the auspices of Deputy Minister of Foreign Affairs Ambassador Mehmet Kemal Bozay, as part of the preparations for the 7th Meeting of the Reform Action Group.

- On 21 December 2023, Ombudsman Sadettin Kalkan attended the 4th Board Meeting of Public Diplomacy held at the Presidential Complex.

9.3 REPORTS AND PUBLICATIONS

Publications in 2023 within the scope of activities to introduce the Ombudsman Institution and to increase its recognition of are as follows:

- 2022 Annual Report of the Ombudsman Institution,
- 2022 Annual Report of the Ombudsman Institution (in English),
- 2022 Activity Report of the Ombudsman Institution
- 2023 Performance Report of the Ombudsman Institution
- Ombudsman Academic (Refereed) Journal No 17, 18
- Bulletin Ombudsman (e-bulletin) No: 26 and 27
- 2023 International Ombudsman Conference on “The Future of Human Rights in the 21st Century”
- Ombudsman Institution Application and Good Administration Guide (Turkish-English-Arabic)



Chapter X

2023

ANNUAL REPORT

RELATIONS WITH THE GRAND NATIONAL ASSEMBLY OF TÜRKİYE

Submission of Our 2022
Annual Report to the Grand
National Assembly of
TÜRKİYE and Its Submission
to the Joint Committee

Discussion of our 2022 and
2021 Annual Reports at the
General Assembly of the
GNAT

Visit to Numan Kurtulmuş,
the Speaker of the GNAT
Visit to Sunay Karamık, the
Chairperson of the Petition

Commission

Other Activities

Budget Discussions

CHAPTER 10: RELATIONS WITH THE GRAND NATIONAL ASSEMBLY OF TÜRKİYE

The Ombudsman Institution carries out its services as a public legal entity with a special budget affiliated to the Grand National Assembly of Türkiye, with the aim of examining, investigating and making recommendations on all kinds of acts, actions, attitudes and behaviors of the administration in terms of compliance with law and fairness, within the understanding of justice based on human rights, by establishing an independent and effective complaint mechanism in the rendering of public services.

10.1 Submission of Our 2022 Annual Report to the Grand National Assembly of Türkiye and Its Submission to the Joint Committee (8 March)



The Annual Report, which includes the activities and recommendations carried out by our Institution within a calendar year, is submitted at the end of each calendar year to the Joint Commission, which consists of the members of the Petition Commission and the Human Rights Inquiry Commission of the Grand National Assembly of Türkiye, in accordance with Article 22 of Law No. 6328.

The 2022 Annual Report, which describes the working methods of our Institution, the activities carried out, the qualifications and statistics of applications, the relations with citizens, public institutions and organizations and the GNAT, the examples and evaluations regarding applications, and the contributions made by our Institution to our administrative system during the year, was presented to the Joint Commission chaired by Mihrimah Belma Satır and consisting of members of the Petition Commission and the Human Rights Investigation Commission, by the delegation of the Ombudsman Institution consisting of Chief Ombudsman Şeref Malkoç, Ombudsmen Yahya Akman, Arif Dülger, Sadettin Kalkan and Celile Özlem Tunçak, as well as the Secretary General Mehmet Sarı, on 8 March 2023.



Chief Ombudsman Şeref Malkoç began his presentation to the commission by expressing his well wishes to our country and nation due to the earthquake that occurred on 6 February 2023, which directly affected 11 provinces and 14 million people and was described as the “disaster of the century,” then proceeded to provide information about the institution's activities, stating that they received a total of 207,403 applications over a 10-year period, including the 17,816 applications in 2022, and that they guided and provided legal support to

nearly 1 million people who contacted the institution via phone, email, or other means. Mr. Malkoç noted that the average resolution time for applications was 54 days and the average time for amicable settlements was 75 days, saying “We have made efforts to shorten these durations as much as possible in favor of the citizens.”

Stating that activities continued in 2022 as well, Mr. Malkoç said, “Under the leadership of Chairman of Council of Elders of Turkic States Binali Yıldırım, Association of Ombudsmen of Turkic States was established in Bursa, and the association’s training activities are ongoing.” Referring to the Special Report on Pushbacks in the Aegean Sea and Rights of Drowned Humans, the On-Site Investigation Report on Human Rights in Karabakh, the Report on the Study Visit Conducted to Hungary Related to Ukrainian Refugees by the Ombudsman Institution of Türkiye, Mr. Malkoç also mentioned efforts aimed at promoting a culture of seeking legal remedies, explaining that Ombudsman student clubs were established in 150 universities and online training were ongoing, adding that the Ombudsman Institution also provided critical education on children’s rights, particularly in peer education, in cooperation with bar associations, and that joint training was conducted with the bar associations in the visited provinces; he also noted that, in coordination with the Ministry of National Education, the Ombudsman Institution had been included in primary school textbooks, particularly in the newly revised 7th and 9th grade textbooks.

Mr. Malkoç also mentioned the compliance rates with the Institution’s decisions, stating that the compliance rate reached 80 percent in 2022, on which the support of the Grand National Assembly of Türkiye (GNAT) and the summoning of administrators who did not comply with the aforesaid decisions to the GNAT had a great impact, and that they observed very positive outcomes from rewarding administrations that complied with the decisions by summoning them as well, and thanked them for their support and contribution in this regard.



At the meeting, commission members also shared their views on the annual report. In the final part of the meeting, following the discussions, the 2022 Annual Report of the Ombudsman Institution was accepted by the Joint Commission of the GNAT, and the acceptance of our Institution’s Annual Reports for 2022 and 2021 and their submission to the General Assembly was decided upon through a vote.

10.2 Discussion of our 2022 and 2021 Annual Reports at the General Assembly of the GNAT (17 March)



The report prepared by the Joint Commission, composed of members from the Petition Commission and the Human Rights Inquiry Commission, regarding our Institution's Annual Reports for 2022 and 2021, was discussed in the General Assembly of the Grand National Assembly of Türkiye on 17 March 2023.

10.3 Visit to Numan Kurtulmuş, the Speaker of the GNAT (7 August)



Chief Ombudsman Şeref Malkoç, along with Ombudsmen Yahya Akman, Fatma Benli Yalçın, Arif Dülger, Sadettin Kalkan and Celile Özlem Tunçak, visited Numan Kurtulmuş, who was elected as the Speaker of the Grand National Assembly of Türkiye, in his office on 7 August 2023, to extend their congratulations and best wishes.

10.4 Visit to Sunay Karamık, the Chairperson of the Petition Commission (10 August)



Chief Ombudsman Şeref Malkoç, along with Ombudsmen Yahya Akman, Fatma Benli Yalçın, Arif Dülger and Sadettin Kalkan, visited Sunay Karamık, who was elected as the Chairperson of the Petition Commission of the GNAT, in her office on 10 August 2023, to extend their congratulations and best wishes on her new appointment.

10.5 Other Activities

Opening Meeting of the Conference on “the Future of Human Rights in the 21st Century” (11 January)

At the Opening Meeting of the Conference on “The Future of Human Rights in the 21st Century” organized by our Institution and the European Union at the Presidential Complex on 11 January 2023, the Speaker of the GNAT, Prof. Dr. Mustafa Şentop, delivered a speech.

In his speech, Mr. Şentop provided information about the establishment process of the Ombudsman Institution, explaining that the establishment of the institution was regulated in the section titled “right to petition” in Article 74 of the Constitution. The Speaker of the GNAT, who stated that the Ombudsman Institution came into existence within the Parliament as a kind of special way of using the right to petition in Türkiye, said that the Ombudsman Institution had been carrying out effective and result-oriented work in the protection of human rights since its establishment. In addition, Mr. Şentop, the Speaker of the Parliament, met with



the ombudsman and human rights representatives who were in our country to attend the International Conference and hosted a dinner in their honor.

The Speaker of the GNAT, who stated that the administrations' efforts to comply with the decisions at a very high rate despite the fact that the decisions of the Institution are not legally binding were a sign that it is responding to a great need, noted that the issue of human rights still remained as one of the most problematic areas of the world despite the institutionalization at national and international arena, and highlighted the human rights violations that have recently taken place before the very eyes of the world.

International Ombudsman Conference Evaluation Visit (17 January)



Institution and expressed his congratulations on the highly productive program.

Speaker of the GNAT Prof. Dr. Mustafa Şentop received the Chief Ombudsman Şeref Malkoç and the accompanying Ombudsmen Yahya Akman, Fatma Benli Yalçın, Arif Dülger, Celile Özlem Tunçak and Sadettin Kalkan in his office on 17 January 2023 to evaluate the International Ombudsman Conference titled “The Future of Human Rights in the 21st Century” organized by our

International Symposium on Forced Migration and Its Socio-Psychological Effects, Especially on Women (26 December)



Chief Ombudsman Şeref Malkoç participated as a speaker in the “International Symposium on Forced Migration and Its Socio-Psychological Effects, Especially on Women” organized by the Committee on Equal Opportunities for Women and Men of the GNAT and Türkiye Azerbaijan Friendship Cooperation and Solidarity Foundation (TADIV)

on 26.12.2023, with the participation of TADIV President and Member of Presidential Security and Foreign Policies Council Prof. Dr. Aygün Attar, Deputy Minister of Family and Social Services Leman Yenigün, President of Committee on Equal Opportunities for Women and Men of the GNAT and AK Party Sakarya Deputy Çiğdem Erdoğan Atabek, Head of Türkiye-Azerbaijan Inter-Parliamentary Friendship Group and AK Party Istanbul Deputy Şamil Ayrim, Ombudsman of Azerbaijan Sabina Aliyeva, members of parliament, representatives of diplomatic missions serving in Ankara, representatives of NGOs and a number of academics.

10.6 Budget Discussions

Discussion of Our 2024 Budget Proposal in the Planning and Budget Commission (27 October)



Chief Ombudsman Mr. Şeref Malkoç gave information about the activities of the Ombudsman Institution in 2023 and the planned activities for 2024 by making a presentation on the 2022 Final Account of the Ombudsman Institution and the Budget Proposal for 2023 at the Planning and Budget Commission meeting of the GNAT on 27 October 2023.

During the commission discussions, members of parliament gave positive feedback on the Institution's work.

Discussion of Our 2024 Budget Proposal in the General Assembly of the GNAT (12-21 December)



2024 Budget Proposal of the Ombudsman Institution and the Final Account for 2023, accepted by the Planning and Budget Commission, were discussed and accepted by the General Assembly of the GNAT during the sessions on 12 and 21 December 2023.

Chapter XI

2023

ANNUAL REPORT

**“DISASTER OF THE
CENTURY” -
EARTHQUAKE ON
FEBRUARY 6**

Visits to Earthquake Zones
and On-Site Inspections
Visits to Provinces Affected
by the Earthquake Disaster
and On-Site Inspections-I
Visits to Provinces Affected
by the Earthquake Disaster
and On-Site Inspections-II
Visits to Provinces Affected
by the Earthquake Disaster
and On-Site Inspections-III
Voluntary Work of Our
Institution’s Personnel in the
Disaster Zone
Meetings with Earthquake
Victims
Applications Regarding the
Elimination of Grievances
Caused by the Earthquake

CHAPTER 11: “DISASTER OF THE CENTURY”-EARTHQUAKE ON FEBRUARY 6

Our country was deeply wounded by the earthquakes that occurred on 6 February 2023, which were described as the Earthquake of the Century due to their differences from other earthquakes and whose epicenters were in Pazarcık and Elbistan districts of Kahramanmaraş, respectively, causing devastating damage in 11 provinces. In these earthquakes, a total of 50,783 people lost their lives, approximately 115,353 people were injured, and tens of thousands of buildings collapsed. According to the data published by AFAD; 4,323 aftershocks occurred after the earthquakes as of February 16. In terms of magnitude, affected area, the length of the ruptured fault, and the impacted population, this earthquake is among the rare and extraordinary seismic events globally. The ratio of the 11 provinces affected by the earthquake (Adana, Adiyaman, Diyarbakır, Elazığ, Gaziantep, Hatay, Kahramanmaraş, Kilis, Malatya, Osmaniye and Şanlıurfa) to the population of Türkiye is 15.74%, and when we compare it to our population in 2022, it turns out that 13,423,001 people were affected by this great destruction. The fact that the earthquake primarily affected eleven provinces at once prevented search and rescue teams and aid from reaching everyone on the day of the earthquake. The size of the surface area of the provinces destroyed by the February 6 earthquakes is also a stark indicator of the scale of destruction. The total surface area of the 11 provinces is 99,035 km², which constitutes 12.64% of the surface area of Türkiye. It is reported that the earthquake was three times more powerful than the one in 1999 and released energy equivalent to 500 atomic bombs. This highlights the immense difficulties that would be faced in search and rescue efforts if a similar quake were to strike provinces with even denser populations - blocked roads and damaged infrastructure would severely hinder the timely delivery of aid.

Considering the scale of loss of lives and destruction caused by the earthquakes, it is significant in terms of the effectiveness displayed by central and local public institutions and organizations and non-governmental organizations that the Presidential elections were held in due time without any postponement despite the fact that those whose houses were destroyed and damaged went to different provinces after the earthquake, following which houses were quickly built and delivered to their respective owners, that the victims of the earthquake were identified and provided with necessary financial aid, and that, while the demolishing of heavily-damaged buildings and debris removal works were ongoing in the cities impacted by the earthquake, both permanent houses and 393 village-type houses were built for those living in rural areas.

Considering that the total area of the 11 affected provinces is larger than that of many countries, and that the population impacted by the earthquake exceeds that of numerous nations, Türkiye has demonstrated significant capability in healing wounds. However, the fact that a significant proportion of the collapsed buildings were built after the earthquake regulation that came into force in 2000, shows that urgent action should be taken against possible earthquakes and that this process and urban transformation in private buildings should be accelerated much more. The possibility that an earthquake of the same destructiveness and magnitude occurs in Istanbul, where the population density is much higher, shows that earthquake preparedness must always be a central consideration in policy-making.

Indeed, the fact that the 133,759 housing units built by TOKI (the Housing Development Administration of Türkiye) in the 11 provinces affected by the earthquake centered in

Kahramanmaraş did not collapse thanks to being constructed on earthquake-resistant raft foundations and the precautions taken is a clear indication that there are important lessons to be learned in this regard.

11.1 Visits to Earthquake Zones and On-Site Inspections

Visit to AFAD Headquarters (9 February)



On 9 February 2023, Chief Ombudsman Şeref Malkoç visited the AFAD Headquarters and took part in the earthquake coordination efforts conducted under the supervision of Vice President Fuat Oktay. He received information regarding the ongoing relief efforts and aid distribution.



In addition, an aid campaign was launched by our Institution under the chairmanship of the Chief Ombudsman in order to heal the wounds of the citizens affected by the earthquake, and the in-kind and cash aid provided by the personnel was sent to the disaster area.

11.1.1 Visits to Provinces Affected by the Earthquake Disaster and On-Site Inspections-I (12-15 February)

Chief Ombudsman Şeref Malkoç, together with an accompanying delegation, conducted on-site inspections between 12–15 February 2023, in the provinces of Adana, Osmaniye, Hatay, Gaziantep, Adıyaman and Kahramanmaraş, which were heavily affected by the earthquake disaster.

Chief Ombudsman received briefings from local authorities on the ongoing efforts in the region, offered condolences to the families of those who lost their lives, extended get-well wishes to the injured, and personally thanked and encouraged all those working tirelessly in the field.

Starting with inspections in Adana and Osmaniye, Chief Ombudsman Şeref Malkoç and the delegation of the Ombudsman Institution observed the recovery efforts on-site and received updates from officials regarding the operations being carried out in the earthquake zone.



Following their visits to Adana and Osmaniye, Chief Ombudsman Şeref Malkoç and the accompanying delegation of the Ombudsman Institution proceeded to Hatay, where they conducted inspections in the earthquake-affected areas alongside Hatay Deputy Abdulkadir Özel, Kırklareli Governor Birol Ekici and İskenderun Mayor Fatih Tosyalı. Continuing their inspections in Samandağ district of Hatay, the Chief Ombudsman and the delegation of the Ombudsman Institution visited the Disaster Coordination Center together with İğdır Governor Hüseyin Engin Sarıibrahim, where they received detailed information about the relief efforts and operations being carried out in the district.



Chief Ombudsman Şeref Malkoç and the delegation of the Ombudsman Institution also carried out inspections in central Hatay, where they participated in a coordination meeting at the AFAD Headquarters together with Minister of Interior Süleyman Soylu, Minister of



National Defense Hulusi Akar and Minister of Health Dr. Fahrettin Koca.

During their examinations in the earthquake zones in Hatay Province, Chief Ombudsman Şeref Malkoç and the delegation of the Ombudsman Institution received information at the crisis center in Kırıkhan about the effects of the earthquake and the work carried out under the coordination of Mersin Governor Ali Hamza Pehlivan and also visited the AFAD Headquarters.



Continuing their inspections in the earthquake region with Gaziantep, the Chief Ombudsman Şeref Malkoç and the delegation of the Ombudsman Institution conducted on-site investigations and received information from the authorities about the work carried out in the region. They were briefed about the work carried out in Nurdağı crisis center under the coordination of Mardin Governor Mahmut Demirtaş and extended their well wishes. They also visited AFAD Headquarters in Gaziantep and met with the Minister of Environment, Urbanization and Climate Change Murat Kurum.



After their visit to Gaziantep, Chief Ombudsman Şeref Malkoç and the delegation of the Ombudsman Institution went to Adıyaman. Conducting inspections in the earthquake areas in Adıyaman, Chief Ombudsman Şeref Malkoç received information about the efforts carried out under the coordination of Ordu Governor Tuncay Sonel at the crisis center, and extended his well wishes. Furthermore, the Chief Ombudsman met with Deputy Ahmet Aydin and the Minister of Trade Mehmet Muş, following which he went on to see the works carried out on-site.



Mr. Şeref Malkoç and the delegation of the Ombudsman Institution conducted examinations in the earthquake zones in Kahramanmaraş province and received information about the work carried out at the crisis center under the coordination of Kahramanmaraş Governor Ömer Faruk Coşkun. The Chief Ombudsman personally examined the work carried out on site.



Stating that the earthquake far exceeded the magnitude experts had anticipated up to that point, Mr. Şeref Malkoç remarked in his speech: "Mountains moved, highways split. A 400-kilometer fault rupture occurred. It started in Pazarcık, Kahramanmaraş and ended in Hatay. The most severe destruction was in Hatay. That's why there is heavy damage at the starting and ending points." He emphasized how the Turkish people united as one in the aftermath of the disaster, with people from all corners of the country rushing to help and support rescue efforts, and added that "As the survivors of the earthquake put it themselves, the Turkish people were a godsend - they reached the earthquake zone and delivered emergency food and supplies."



The Chief Ombudsman continued his speech by saying, "As the Chief Ombudsman and the Ombudsman, he could not stay in Ankara, he wanted to be with our people in the earthquake zone, to touch our people, to boost the morale of those working there, that all NGOs, be it AFAD, the Red Crescent, the miners, were in the area, there was a magnificent sacrifice to which he wanted to contribute, that the destroyed places would be rebuilt, but our sadness was due to the loss of lives. In addition, remarking that over 100 countries had applied to Türkiye saying they were "ready to help", Mr. Şeref Malkoç said: "This is extraordinary. Almost all of the ombudsmen in the world have written us letters, called us, sent us e-mails, and some of them even collected money with their employees in the institution as Ombudsmen in their own countries and sent money or materials to our embassies."

11.1.2 Visits to Provinces Affected by the Earthquake Disaster and On-Site Inspections - II (21 March)



Chief Ombudsman Şeref Malkoç visited Kahramanmaraş, Adıyaman, Nurdağı and İslahiye districts of Gaziantep, Hatay center and İskenderun and Kırıkhan districts, which were affected by the earthquakes centered in Kahramanmaraş on 6 February 2023, which caused the death of 50,096 people and injured 107,204 people, for the second time and made

inspections. Chief Ombudsman Mr. Malkoç and his delegation also inspected the efforts in the flood disaster area in Şanlıurfa that occurred on 15 March 2023.

During his visit to the region, Chief Ombudsman Şeref Malkoç was accompanied by Ombudsmen Arif Dülger, Sadettin Kalkan and Yahya Akman.

On 21 March 2023, Chief Ombudsman Şeref Malkoç and the Ombudsmen visited the earthquake zones for the second time, within the scope of which they firstly visited the center and İskenderun district of Hatay province and Nurdağı district of Gaziantep province to receive information from the authorities about the latest situation in the region, and met with our citizens in the container city area established for our earthquake-stricken citizens and listened to their problems and demands.



Later, the Chief Ombudsman Şeref Malkoç and the delegation of the Ombudsman Institution went to Şanlıurfa, where they visited Şanlıurfa Governor Salih Ayhan, conveyed their wishes for a speedy recovery due to the disasters experienced in the province, received information about the work carried out, and observed on-site the works carried out in the damaged area by performing inspections in the flood-stricken area.

Chief Ombudsman Şeref Malkoç received information from the authorities about the work carried out in the earthquake region, offered his condolences and prayers for those who lost their lives in the earthquake, extended sympathies to their families, and stated that their pain was great, but that the Turkish Nation would overcome this difficulty.

Continuing his speech, Şeref Malkoç said that in the inspections conducted, all public institution personnel, volunteers, and civil society organizations worked selflessly in such a short period of time, demonstrating the strength of our state, that our President Recep Tayyip Erdoğan also announced that the collapsed buildings would be rebuilt and returned to their owners within a year, that 17,902 foundations would be laid in 11 cities in the first stage with the participation of our President, and that the State and the nation would remain united in their efforts to heal the wounds.

The Chief Ombudsman, who informed that the debris removal works were carried out rapidly, said, "People have started to return to the cities and we have seen that the mobility in the city

has increased. Our state is working with great effort and devotion to meet the needs of our earthquake-stricken citizens.”

Şeref Malkoç and his delegation visited the tent and container cities set up for the earthquake victims, met with the citizens and listened to their problems and demands one by one.

11.1.3 Visits to Provinces Affected by the Earthquake Disaster and On-Site Inspections-III (6-8 May)

On 6-8 May 2023, Chief Ombudsman Şeref Malkoç and Ombudsmen visited the earthquake zones for the third time, within the scope of which they went to Kahramanmaraş, Gaziantep, Şanlıurfa, Diyarbakır, Adıyaman and Malatya and observed the ongoing efforts on site.



Chief Ombudsman Malkoç and his accompanying delegation visited crisis centers and held meetings with representatives of public institutions, organizations and NGOs, offering support for the ongoing efforts in the region. Listening to the complaints and demands of citizens in the earthquake region, Mr. Malkoç identified that heating materials (due to winter conditions), cleaning products, products such as baby food, diapers and baby bottles for children, portable toilets, food supplies and portable generators for communication were needed, and stated that our Institution contacted the relevant administrations by phone regarding the demands of citizens for tents, containers, cleaning materials and earthquake relief fund and was working to help provide these items.

products such as baby food, diapers and baby bottles for children, portable toilets, food supplies and portable generators for communication were needed, and stated that our Institution contacted the relevant administrations by phone regarding the demands of citizens for tents, containers, cleaning materials and earthquake relief fund and was working to help provide these items.

11.1.4 Voluntary Work of Our Institution's Personnel in the Disaster Zone

3 of our staff members were deployed to the region immediately after the earthquake and participated in the relief efforts as AFAD volunteers.

11.1.5 Meetings with Earthquake Victims

Visit to Children Receiving Treatment at Bilkent City Hospital (Children's Hospital) (14 February)



On 14 February 2023, Ombudspersons Celile Özlem Tunçak and Yahya Akman, along with the accompanying delegation of the Ombudsman Institution, visited children who had been brought to Ankara from provinces affected by the Kahramanmaraş-centered earthquakes and were receiving treatment at Bilkent City Hospital (Children's Hospital).

Information was received from the Chief Physician of the Children's Hospital, the Deputy Chief Physicians and other responsible staff about the condition of the children affected by the earthquake and the procedures being carried out. The Ombudspersons stated that the children would be provided by the Ombudsman Institution with any and all support required both at this stage and afterwards.

Visit to Erman İlçak Science High School Students (23 April)



As part of the April 23 program, Chief Ombudsman Şeref Malkoç and Ombudsperson for Children's Rights Celile Özlem Tunçak visited Erman İlçak Science High School, where they met with students who had come from the earthquake-affected region and were continuing their education at the school.

11.2 Applications Regarding the Elimination of Grievances Caused by the Earthquake

A total of 2,045 complaints were submitted to our Institution by individuals from the earthquake zone or those affected by the earthquake, regarding the elimination of grievances resulting from the disaster.

When these applications were evaluated on a subject-by-subject basis; the highest number of applications was in the field of "Public personnel regime" with 22.44%, followed by "Justice, national defense and security" with 15.40%, "Economy, finance and tax" with 12.91%, "Education-training, youth and sports" with 10.95%, "Labor and social security" with 6.21%, "Forestry, water, environment and urbanization" with 5.97% and "Social services" with 5.23%.

Applications made under the heading of "Public personnel regime" were mostly related to requests by earthquake-affected personnel for appointments or changes in assignments and relocations, while under the heading of "Justice, national defense and security" they included requests for prison transfers, under the heading of "Economy, finance and tax" they included requests for social support for disaster victims, re-inspection of damage assessments or objections to payments as a result of the current inspection, and under the heading of "Education, training, youth and sports" they included requests regarding tuition and fees of

educational institutions, transfers to educational institutions in other provinces, cancellation and refund of dormitory fees, diploma and internship, etc.

The subject-based distribution of the applications submitted to our Institution is presented in the table below.

Table 31: Distribution of Complaint Applications by Subject in 2023

Topic/Area	Number	Percentage %
Public personnel regime	459	22.44%
Justice, national defense and security	315	15.40%
Economy, finance and tax	264	12.91%
Education, training, youth and sports	224	10.95%
Labor and social security	127	6.21%
Forestry, water, environment and urbanization	122	5.97%
Social services	107	5.23%
Services provided by local administrations	73	3.57%
Transportation, media and communication	54	2.64%
Energy, industry, customs and trade	49	2.40%
Property right	47	2.30%
Public personnel regime -1 (Sub-topics related to the rights of employees with worker status in the administration arising from the Labor Law and employment contracts)	42	2.05%
Disability rights	39	1.91%
Civil registration, citizenship, refugee and asylum seeker rights	35	1.71%
Health	31	1.52%
Children's rights	20	0.98%
Human rights	18	0.88%
Food, agriculture and livestock	9	0.44%
Protection of family	6	0.29%
Other topics and areas	3	0.15%
Women's rights	1	0.05%
Science, art, culture and tourism	-	
TOTAL	2,045	

Within the scope of the earthquake disaster that struck 11 provinces with its epicenter in Kahramanmaraş on 6 February 2023, a special examination method was created within our Institution regarding the complaints lodged from the earthquake region or by the earthquake victims, and the relevant applications were color-coded and included among the priority files to be examined with urgency in order to provide timely solutions.

Within this framework, the majority of the applications were resolved amicably by our Institution, and all 2,045 applications were concluded.

Chapter

XII

2023

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INSTITUTIONAL INFORMATION

General Information
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Human Resources
Budget of the Institution

CHAPTER 12: INSTITUTIONAL INFORMATION

12.1 GENERAL INFORMATION

In accordance with Law No. 6328,

The Ombudsman Institution is responsible for examining, investigating and making recommendations to the administration concerning all sorts of acts, actions, attitudes and behaviors of the administration in terms of compliance with law and fairness within an understanding of justice based on human rights, upon complaints concerning the functioning of the administration.

However, the following shall be outside the jurisdiction of our Institution:

- a) the actions concerning the exercise of the legislative power,
- b) the decisions concerning the exercise of the judicial power,
- c) the activities of the Turkish Armed Forces that are purely of military nature.

In addition, in accordance with Law No. 6328, disputes that are being heard by the judicial bodies or have been decided by the judicial bodies, and complaints that have the same reasons, subject matter and parties and that have been concluded before shall not be subject to examination. Complaints that do not include a specific subject shall also be outside the scope of our Institution's examination.

12.1.1. Organizational Structure

The Ombudsman Institution, which is affiliated with the GNAT and functions as an independent body overseeing the administration upon complaints, is composed of the Chief Ombudsman and the General Secretariat.

Our Institution shall be managed and represented by the Chief Ombudsman.

The Office of the Chief Ombudsman

The Office of the Chief Ombudsman shall consist of the Chief Ombudsman and 5 Ombudspersons.

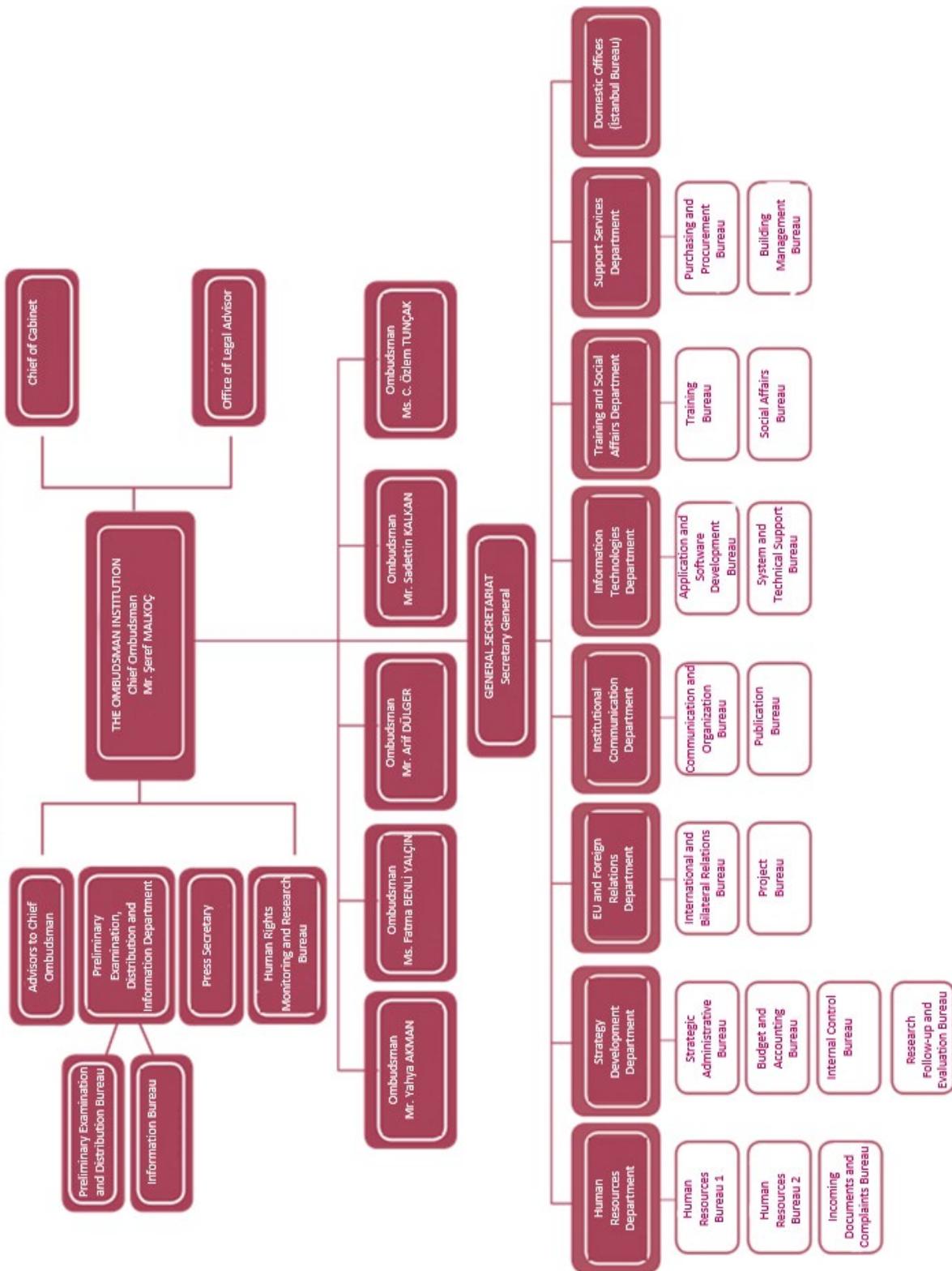
The Office of the Secretary General

The Office of the Secretary General shall perform administrative and financial services and secretariat services of the Institution. The Secretary General and other administrative personnel shall work under the Office of the Secretary General.

In the Ombudsman Law No. 6328, other departments that will provide auxiliary and advisory activities in performing the main services of the Ombudsman Institution are not defined in detail. In this context, service departments affiliated to the Office of the Chief Ombudsman and the Office of the Secretary General have been established with the "Directive on the Establishment of the Organizational Structure of the Ombudsman Institution and the Working Procedures and Principles of the Personnel", which was put into effect to ensure deliverance of more effective and efficient service by ensuring institutionalization in the realization of the founding purpose of the Ombudsman Institution, and for the departments to work in cooperation and harmony and was last updated with the Consent of the Chief Ombudsman no 192 and dated 29.01.2022.

Accordingly, our organizational chart is shown below:

ORGANIZATIONAL CHART OF THE OMBUDSMAN INSTITUTION



12.1.2 Human Resources

As of 31 December 2023, the Ombudsman Institution comprises 298 staff including 181 permanent staff, 76 permanent workers, 5 contractual staff, 23 temporary staff, 10 staff members working under scope of Social Benefit Program and 3 temporary workers.

12.1.3 Budget of the Institution

The total appropriation of our Institution for the year 2023 is 160,225,160.00 TL.

The 2023 appropriations were mainly focused on personnel expenses and procurements of goods and services. These appropriations were used throughout the year in order to continue our activities under the roof of the institution and to maintain our operations.

Additionally, in accordance with Law No. 5018 on Public Financial Management and Control, the 2022 Activity Report which was prepared within the framework of accountability by the top managers and the expenditure authorities to whom appropriations were allocated by the budget, was submitted to the Presidency of Strategy and Budget and the Court of Accounts, and announced to the public through its publication on our website. The report includes information about activities such as the resources used, budget targets and realizations, assets and liabilities, etc. along with general information about our Institution.

The distribution of the 2023 budget according to the types of expenditure is as follows:

❖ Personnel Expenditures	71%
❖ Social Security Premium Expenditures	9%
❖ Expenditures for Procurement of Goods and Services	13%
❖ Current Transfers	2%
❖ Capital Expenditures	5%

Chapter

XIII

2023

ANNUAL REPORT

**TARGETS AND
EXPECTATIONS**

Targets for 2024
Our Expectations

CHAPTER 13: TARGETS AND EXPECTATIONS

13.1 TARGETS FOR 2024

We believe that the second century of our Republic will rise on human rights, democracy, the rule of law, justice and fairness. As the Ombudsman Institution, we will continue our activities in 2024 with determination, as we do every year, to strengthen the management approach that effectively and efficiently fights against violations of rights, raise our standards of democracy and the rule of law, ensure easy and rapid access to justice, reach a sufficient level of awareness on human rights among all segments of society and make the century of Türkiye the century of justice.

In this context, our Institution will carry out the following in 2024:

A- Within the Scope of Protection of Individual Rights and Contribution to the Functioning of the Administration:

- ❖ Applications submitted to our Institution will be evaluated within the framework of law, fairness, human rights, and the principles of good administration, and will be resolved primarily through amicable settlement methods without exceeding the six-month examination and investigation period specified in Law No. 6328 on the Ombudsman Institution.
- ❖ In order to ensure more effective examination of complaints and to efficiently and swiftly finalize the increasing number of applications, training programs for staff will continue. Among our plans for 2024 is to carry out at least 23 training activities.
- ❖ Again, for this purpose, internships and training activities will be carried out to increase the knowledge and experience of personnel in international equivalent institutions and ombudsman institutions.
- ❖ A periodic special report will be prepared on penal institutions.
- ❖ The Manual on Good Administration Principles will be updated, a version will be prepared for citizens and translated into foreign languages.
- ❖ A Human Rights Guide Handbook will be prepared and made accessible to international users, as well.
- ❖ Training sessions on principles of good administration and human rights will be organized for public personnel.

B-Towards the Dissemination of the Culture of Seeking Legal Remedies and the Development of the Complaint Mechanism by our Institution:

- ❖ Promotional activities and events will be organized to increase institutional awareness among individuals, NGOs, media, and external stakeholders, and to promote a culture of seeking legal remedies. In this context, provincial meetings will be organized for groups consisting of provincial administrators, media representatives, NGOs, and members of the public.
- ❖ Conferences will be held at 20 universities, and active support will be provided to university ombudsman clubs through the sharing of knowledge and experience.

Special emphasis will be placed on clinical studies for university students, especially those in law faculties.

- ❖ Activities abroad will continue to promote the culture of seeking legal remedies among our citizens living abroad. In this scope, we plan to carry out activities in 10 countries. Cooperation with international ombudsman organizations will continue, and 2 international conferences will be held.
- ❖ Cooperation with NGOs will continue, and relations with public institutions will be strengthened to encourage the amicable resolution of issues.
- ❖ To enhance institutional promotion and awareness, the printing and distribution of our institutional publications such as academic journals, bulletins, application guides, posters, and brochures will continue.
- ❖ Greater emphasis will be placed on activities aimed at raising awareness for children, women, persons with disabilities, and those deprived of their liberty, as well as expanding their access to mechanisms for seeking legal remedies. Prison visits will be conducted to observe issues on-site. Two workshops will be held on these topics, and the outcomes and proposed solutions will be compiled into a report.
- ❖ All information requests made by citizens regarding the complaint process, either before or after lodging a complaint, will be fully addressed.
- ❖ It is planned to enhance the complaint application and management system through artificial intelligence applications. This will enable the system to guide applicants in submitting more qualified applications.
- ❖ Relations with international human rights organizations and ombudsman institutions will be maintained, and training sessions will be organized through information sharing.
- ❖ Field studies on human rights will be conducted within the scope of activities of the Organization of Islamic Cooperation Ombudsman Association.

13.2 OUR EXPECTATIONS

- ❖ In 2019, regarding ombudsman institutions, the Venice Commission adopted the "Principles on the Protection and Promotion of the Ombudsman Institution." These principles were also approved by the Committee of Ministers of the Council of Europe on 2 May 2019. The most important emphasis of the Venice Principles is on establishing an ombudsman mechanism that is independent, impartial, transparent, fair, and based on fairness. When reviewing the Constitution, Law No. 6328 on the Ombudsman Institution and other relevant legislation, it is evident that the Ombudsman Institution of Türkiye complies with a large portion of the aforementioned Venice Principles. However, as stated in Article 16 of the Venice Principles, it is important that ombudsmen have the authority to conduct investigations and inquiries *ex officio*. When we look at global practices, it is observed that in approximately 80% of countries, ombudsman institutions possess the power to act *ex officio* and that, in this context, they regularly carry out visits to places such as prisons, child detention centers, psychiatric institutions, refugee camps, and similar

administrative facilities regardless of complaints. Within this scope, it is believed that granting the Institution the authority to conduct *ex officio* investigations would significantly contribute to the establishment of a human rights culture and help address the issues faced by vulnerable groups in society such as persons with disabilities, children, and women.

- ❖ In many countries, ombudsman institutions are granted the authority to act as national preventive mechanisms, participate in legal proceedings and file cases before the Constitutional Court. In this context, it is considered appropriate to grant the Institution the authority to serve as a national preventive mechanism, to take part in legal cases, and to file cases before the Constitutional Court, as is an expectation reflected not only in the Venice Principles, the Paris Principles, and the EU Progress Reports, but also in public opinion.
- ❖ Although public auditors have the authority to audit the entire public and collect information and documents, the fact that their status is equated to an administrative unit is perceived by administrators as a superior-subordinate relationship. In this context, it is considered that aligning their status with that of senior officials of high judicial bodies will increase the auditing effectiveness of the Institution in practice and that strengthening the status of the Institution's personnel will also have a positive impact on its overall functioning.

The implementation of these matters will further strengthen the Institution and enhance its contribution to the advancement of human rights and a people-oriented administration.

Sincerely yours



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