

Content

Course Code	Course Name	Semester	Theory	Practice	Lab	Credit	ECTS
HUK454	Extrajudicial Resolution of Administrative Disputes and the Ombudsperson	8	2	0	0	2	2

Prerequisites	
Admission Requirements	

Language of Instruction	Turkish
Course Type	Elective
Course Level	Bachelor Degree
Objective	<ul style="list-style-type: none">- Researching the reflections of non-judicial dispute resolution methods in administrative law- Ensuring the functionality of the ombudsman institution, which is a new authority in our law.- Comparison of procedures followed by independent administrative authorities with judicial law procedures
Content	<ul style="list-style-type: none">- Introducing Alternative Dispute Resolution Methods- Examining whether it is possible to apply alternative dispute resolution methods in administrative law- Examination of alternative dispute resolution methods in comparative law- Introducing the Ombudsman institution- Review of inspections carried out by independent administrative authorities
References	<ul style="list-style-type: none">- Akıncı M, Bağımsız İdari Otoriteler ve Ombudsman, (Beta 1999).- Cideciğiller A, İdarenin Taraf Olduğu Uyuşmazlıkların Sulh Yoluyla Çözümlemesi (Adalet 2015).- Günday M, 'İdari Yargının Görev Alanının Anayasal Dayanakları' (1997) 14, Anayasa Yargısı Dergisi ss. 347-358.- Balthasar A, 'Alternative Dispute Resolution in Administrative Law: A Major Step Forward to Enhance Citizens' Satisfaction or Rather a Trojan Horse for the Rule of Law' (2018) 1 Elite Law Journal ss. 9-18.- Bousta R and Sagar A, 'Alternative Dispute Resolution in French Administrative Proceedings' in Dacian C. Dragos and Bogdana Neamtu (eds), Alternative Dispute Resolution in European Administrative Law (Springer Verlag 2014).- Kağıtçıoğlu M, 'Kamu Denetçiliği Kurumunu (Türk Ombudsmanını) Yeniden Tasarlamak' (2018) 14 Anayasa Hukuku Dergisi ss. 457-512.- Öztürk K.B, Hak Arama Özgürlüğü Çerçevesinde Zorunlu İdari İtiraz (Yetkin 2015).- Saygın E, 'Improving Human Rights through Non-judicial National Institutions: The Effectiveness of the Ombudsman Institution in Turkey' (2009) 3 European Public Law Review ss. 403-428.- Tatal E, Dünyada ve Türkiye'de Ombudsmanlık (Adalet 2014).

Theory Topics

Week	Weekly Contents
1	Presentation of alternative dispute resolution methods
2	Characteristics of Turkish administrative procedure
3	Applicability of alternative dispute resolution methods in administrative disputes
4	Administrative appeals
5	Administrative appeals
6	Ombudsperson
7	Midterm exam

Week	Weekly Contents
8	Ombudsperson
9	Ombudsperson
10	Independent administrative authorities
11	Regulatory authority of independent administrative authorities
12	Audit authority of independent administrative authorities
13	Sanction authority of independent administrative authorities
14	General Evaluation