

## CURRICULUM VITAE

Ash TOPUKCU

### Personal Information:

**Date of Birth and Place:** 17.09.1987 / Ankara

**Address:** Kadir Has University, Faculty of Law, Kadir Has Caddesi, 34083, Cibali, Fatih / ISTANBUL – TURKEY

**E-Mail:** aslitopukcu@gmail.com; atopukcu@khas.edu.tr

### Education:

- 2011-2019: Ph.D., Department of Public Law, Social Sciences Institute, University of Istanbul (Dissertation Subject: “*Interaction Between Constitutional Courts and Judicial Dialogue*”, Advisor: Assoc. Prof. Dr. H. Burak Gemalmaz (University of Istanbul))

- 2013-2015: Intensive International Master of Laws in European Public Law (I.I. LL.M), Academy of European Public Law, Athens/Greece. (Dissertation Subject: “*A Study on the Case-Law of Turkish Constitutional Court in the Light of the Interaction Between Political and Judicial Reasoning*”, Advisor: Prof. Dr. Yiannis Z. Drossos (National and Kapodistrian University of Athens))

- 2008-2011: LL.M., Department of Public Law, Social Sciences Institute, University of Istanbul (Dissertation Subject: “*Theoretical and Legal Aspects of Direct Democracy*”, Advisor: Prof. Dr. Aydın Gülan (University of Istanbul))

- 2004-2008: LL.B., Faculty of Law, University of Istanbul

- 1997-2004: Lycée Tevfik Fikret Ankara

### Others with Diploma or Certificate and Research Visits:

- Summer Course on the Constitutional Law of the EU, Academy of European Law, Trier/Germany, June 2012.

- Max Planck Institute of Comparative Public Law and International Law, Heidelberg/Germany, August 2013.

- Université Montesquieu Bordeaux IV., Centre d'Etudes et de Recherches Comparatives sur les Constitutions, les Libertés et l'Etat (CERCCLE), Bordeaux/France, October 2014 - February 2015.

### Membership in Professional Organizations:

- Public Lawyers Organization

- Academic Network on the European Social Charter and Social Rights

**Work Experience:**

- September 2009 – December 2020: Research and Teaching Assistant, Kadir Has University Faculty of Law, Department of Constitutional Law

- December 2020 - ....: Assistant Professor Dr., Kadir Has University Faculty of Law, Department of Constitutional Law

**Administrative Duties:**

- Kadir Has University Center for Research and Practice in Human Rights, Board Member, October 2, 2020 - ....

- Kadir Has University Faculty of Law, Vice-Dean, December 22, 2020 – February 1, 2022

- Kadir Has University Faculty of Law Board Member, November 22, 2021 - ....

**Research Areas:**

- Constitutional Law

- Human Rights Law

- Comparative Constitutional Adjudication

**Grants/Awards:**

- TÜBİTAK (The Scientific and Technological Research Council of Turkey), Ph.D. Candidate's Research Fellowship, Université Montesquieu Bordeaux IV., Centre d'Etudes et de Recherches Comparatives sur les Constitutions, les Libertés et l'Etat (CERCLLE), Bordeaux/France, 2014.

- The Raoul Wallenberg Institute of Human Rights and Humanitarian Law Prize for Excellence in Human Rights Research in Turkey-2012 (PhD Candidates Category) with an article on "*Artistic Freedom of Expression in Supranational Human Rights Law*".

- Peter Caesar Scholarship, Summer Course on Constitutional Law of the EU, Academy of European Law, Trier/Germany, June 2012.

- The first prize in Human Rights Essay Competition 2009 of the Aybay Foundation for Legal Studies

**Language Skills:**

- French: Fluent (Diplôme Approfondi de la Langue Française (DALF) C1)

- English: Advanced

## **Publications:**

### **1) Publications in International Refereed Journals:**

- "*General Assessment Regarding the Relations of National and International Judges -Turkey*", European Review of Public Law, Vol. 24, No: 1, Esperia Publications, London, 2012, p. 503-518. (co-author Dr. Nilay Arat)
- "*Freedom of Religion in Turkey and Its Constitutional and Administrative Consequences: Is There a Need to Develop a New Understanding?*", Proposte Per Un Diritto Del Terzo Millenio Atti Del Convegno "Visioni Del Giuridico" 2014, Vol. II., UNIVALI, Perugia, 2015, pp. 20-33. (co-author Dr. Nilay Arat)
- "*The Processes and The Principles of Turkish Constitutional Design in Turkey Historical and Legal Perspective*", Central and Eastern European Legal Studies, 1/2015, pp. 57-85.
- "*Interaction Between Judiciary and Politics in Turkey: The Role of the Turkish Constitutional Court*", European Review of Public Law, Vol. 28\_3/2016, pp. 1091-1121.

### **2) Publications in National Refereed Journals:**

- "*Ulusalüstü İnsan Hakları Hukuku Açısından Bireysel Şikayet Başvurusu Usulünde Başvurucu Kavramı (The Concept of Applicant in Individual Complaints Procedure in Terms of Supranational Human Rights Law)*" Essays in Honor of Prof. Dr. Ali Guzel, Volume: II., Beta Publishing, Istanbul, 2010, pp. 1677-1709.
- "*İmam Hatip Liseleri'nde Başörtüsü Sorunu Üzerine Bir Karar İncelemesi: Avrupa İnsan Hakları Mahkemesi'nin Köse ve Diğer 93 Başvurucu Kararı (Headscarf Issue in İmam-Hatip Schools: An Analysis of Köse and 93 Others Case of ECtHR)*", Maltepe University, Journal of the Faculty of Law, 2011/1-2, Seçkin Publishing, İstanbul, 2011, pp. 171-182.
- "*Venedik Komisyonu Kriterlerine Göre 2010 Anayasa Değişikliği Referandumunun Değerlendirilmesi (Venice Commission's Code of Good Practice on Referendums and Analyses of 2010 Referendum on Constitutional Amendments)*", Essays in Honor of Prof. Dr. Mehmet Akad, Der Publishing, Istanbul, 2012, pp. 847-865.
- "*Condorcet'nin Doğrudan Demokrasi Anlayışı ve 1793 Jirondin Anayasası Projesi'ne Yansımaları (Condorcet's View of Direct Democracy and Its Reflections on 1793 Girondin Constitutional Project)*", Journal of Yeditepe University Faculty of Law, Vol. X, No. 2, 2013, pp. 240-263.
- "*Ulusalüstü İnsan Hakları Hukukunda Sanatsal İfade Özgürlüğü (Artistic Freedom of Expression in Supranational Human Rights Law)*", Journal of Galatasaray University Faculty of Law, Essays in Memory of Assoc. Prof. Dr. Melike Batur Yamaner, 2014/2, Vol. 2, pp. 561-591.

### **3) Translations:**

- Friedrich Ratzel, "*Le Sol, La Société et L'Etat (1900) – Toprak, Toplum ve Devlet (1900) (The Land, The Society and The State)*", Hukuk Felsefesi ve Sosyolojisi Arkivi, Vol: XXII., Published by Istanbul Bar Association, Istanbul, 2010, p. 241-249.

- Translation of *Kose and 93 Others* Case of ECtHR, Journal of Maltepe University Faculty of Law, 2010/2, Istanbul, 2010, p. 201-220.

#### **4) Other Publications:**

- “*An Assessment on the Potential Approach of the European Court of Human Rights on “Climate Crisis”*”, Kadir Has Üniversitesi Hukuk Bülteni 2020-2021 Akademik Yılı Derlemesi, Ed. Başak Baysal-Nilay Arat, On İki Levha, İstanbul, 2021, pp. 325-332.

- “*“The Turkish Constitution of 1921: An Assessment of the “Double Constitution Period”*” IACL - AIDC Blog, March 9, 2021 (online, with Assoc. Prof. Dr. Nilay Arat).

- “*Centenary of 1921 Constitution*”, Kadir Has Üniversitesi Hukuk Bülteni 2020-2021 Akademik Yılı Derlemesi, Ed. Başak Baysal-Nilay Arat, On İki Levha, İstanbul, 2021, pp. 31-36. (with Assoc. Prof. Dr. Nilay Arat).

#### **Presentations:**

##### **1) International Presentations:**

- “*Improvement of Fundamental Rights in Turkey in the Light of Turkey's Accession Process to European Union*”, International Workshop on National Administrative Law As a Tool for The Implementation of European Law, Petru Maior University, December 5, 2013, Tirgu Mureş/Romania.

- “*What Does It Mean “Participation”? Placement From the Point of View of Theory of Democracy*”, Importance of Participation for the Protection of Environment, 2nd Turkish-German Joint Seminar Between Istanbul University and Kassel University, Istanbul Congress Center, 16-18 April 2014, Beyazıt, Istanbul/Turkey.

- “*The Processes and The Principles of Constitutional Design in Turkey: Historical and Legal Perspective*”, World Congress of Constitutional Law 2014, 16-20 June 2014, Oslo/Norway. (Accepted paper for the Workshop No: 11 “The New Spring of Constitution-Making”)

- “*Freedom of Religion in Turkey and Its Constitutional and Administrative Consequences: Is There a Need to Develop a New Understanding?*” (with Dr. Nilay Arat), Legal Imaginations: Memos for Law in the Third Millenium, Perugia University, July 10, 2014, Perugia/Italy.

- “*The Principle of Laicism in Turkey: How to Re-Constitutionalize It?*”, Constitutional Challenges and Constitution-Making, Ilia State University, June, 12 2015, Tbilisi/Georgia.

- “*Procedural Suggestions for Constitution-Making Process in Turkey Taking a Lesson from the Past*”, 3rd International Academic Conference on Social Sciences (IACSS 2015), The International Institute for Academic Development, Elite World Hotel, July 25, 2015, İstanbul/Turkey.

- “*The Relation Between the Election Law and Right to a Fair Trial: The Case of the Supreme Electoral Council of Turkey*”, Rule of Law As Promoter of Human Rights and Economic

Growth, Ministry of Foreign Affairs- Titu Maiorescu University– European Public Law Organization, October 9-10, 2019, Bucharest/Romania.

- “*The Improvement of the Use of Foreign Precedents by Constitutional Courts After the Cold War Era*”, Transition of Legal Systems, 30 Years After the Fall of Berlin Wall, International Annual Conference, Iustinianus Primus Faculty of Law Ss. Cyril and Methodius University, November 8-9, 2019, Skopje/North Macedonia.

- “*Legal and Procedural Measures During COVID-19 Pandemic - Country Specific Analysis, Turkey*”, Online Expert Workshop on the State of Emergency and COVID-19 in the MENA Region, July 16-17, 2020. (with Assoc. Prof. Dr. Nilay Arat)

- “*A General Assessment on the Advisory Opinion Procedure of the European Court of Human Rights*”, 2020 Annual International Conference 70 Years of the European Convention on Human Rights (*online*), Iustinianus Primus Faculty of Law Ss. Cyril and Methodius University, November 6-7, 2020.

## **2) National Presentations:**

- “*Kadınların İnsan Hakları: Temel Kavramlar, Ulusal ve Uluslararası Koruma, Türkiye’nin Sorunları (Women’s Human Rights: Basic Concepts, National and International Protection, Turkey’s Troubles)*”, St. George’s Austrian High School Democracy and Human Rights Society Women’s Day Conference, March 13, 2014, Istanbul/Turkey.

- “*Türkiye Cumhuriyeti Anayasası’nda Temel Hak ve Özgürlükler (The Fundamental Rights and Freedoms in the Constitution of Republic of Turkey)*”, Kadir Has University, Postgraduate Winter School Programme on Human Rights, January 16, 2020, Istanbul/Turkey.

- “*Yargısal Diyalog – Anayasa Mahkemeleri Odaklı Bir Değerlendirme (Judicial Dialogue – A Constitutional Courts-Oriented Assessment)*”, Kadir Has University Faculty of Law Wednesday Seminars, January 13, 2020, Istanbul (*online*).

- “*1921 Anayasası Döneminde Temel Hak ve Özgürlükler Rejiminin Hukuki Güvenceleri (Legal Protection of Fundamental Rights and Freedoms in 1921 Constitution Era)*”, 1921 Anayasası’nın 100. Yılı Toplantıları I. (Centenary of 1921 Constitution Conferences I.), April 23, 2021, Bilkent University-Galatasaray University-Kadir Has University, (*online, with Assoc. Prof. Dr. Nilay Arat*)

- “*Kadın Haklarına Hukuki Bakış Açısı (Women’s Rights from the Legal Perspective)*”, Dünya Kadın Hakları Günü Zirvesi, Kadir Has Üniversitesi, Sosyal Destek ve Dayanışma Kulübü Konferansı, December 6, 2021, Istanbul.

- “*Avrupa İnsan Hakları Mahkemesi Kararlarının İcrası ve İhlal Prosedürü (Execution of the Judgments of the European Court of Human Rights)*”, Evrensel İnsan Hakları Bildirisi’nin 73. Yılında İnsan Hakları, İstanbul Üniversitesi İnsan Hakları Hukuku Uygulama ve Araştırma Merkezi, December 13, 2021, Istanbul.

## **Courses Taught in the Last Three Years:**

### **Undergraduate Level:**

- 2019-2020 Spring Semester: LW 140-Turkish Constitutional Law, LW 148-Protection of Fundamental Rights and Freedoms, LW 350-Introduction to Administrative Law
- 2019-2020 Summer School: LW 135-General Principles of Constitutional Law
- 2020-2021 Fall Semester: LW 243-Right to Political Participation, LW 241-Health Law, LW 337-Constitutional Law
- 2020-2021 Spring Semester: LW 148-Protection of Fundamental Rights and Freedoms, KHAS 190-Law, Democracy and Environment
- 2020-2021 Summer School: LW 328-Human Rights Law
- 2021-2022 Fall Semester: LW 243-Right to Political Participation, LW 337-Constitutional Law, LW 445-European Union Law

### **Graduate Level:**

- 2020-2021 Spring Semester: KH 523-European Convention on Human Rights and the Constitution

### **Projects:**

European Council, “Improving the Effectiveness of the Administrative Judiciary and Strengthening the Institutional Capacity of the Council of State in Turkey” Project, International Consultant, September 2020-....

### **Blind Reviewed Journals:**

Annales de la Faculté de Droit d’Istanbul, Journal of Kadir Has University Faculty of Law, Journal of Yeditepe University Faculty of Law, Selçuk University Journal of the Faculty of Law, İstanbul Aydın University Journal of the Faculty of Law, İstanbul Law Review, Journal of Constitutional Law.

### **Conference/Symposium/Congress Organizing Committee Memberships:**

- 2020 Annual International Conference 70 Years of the European Convention on Human Rights (*online*), Iustinianus Primus Faculty of Law Ss. Cyril and Methodius University, 6-7 December 2020.

### **Other Academic Activities:**

- European Public Law Organization (EPLO) Academy of European Law, Intensive International Master of Law (I.I.L.L.M), 2020 Academic Year, "*The Right to Private and Family Life Under the Case-Law of ECtHR*" (with Assoc. Prof. Dr. Nilay Arat)

- European School of Law and Governance (ELGS), 2020-2021 Academic Year, International Faculty Member

- Russian Presidential Academy of National Economy and Public Administration (RANEPA)-European School of Law and Governance (ELGS), “Law in Global Integration Double Degree Programme”, “Comparative Law” Undergraduate Course, 2020-2021 Academic Year Spring Semester