

# Dr. Orhan Emre KONURALP

## *Curriculum Vitae*

### **Personal Information:**

**Name:** Orhan Emre  
**Surname:** Konuralp  
**Place of Birth:** Çankaya/Ankara/Turkey  
**Military Service:** Completed

### **Education Information:**

Feb 2013-Jan 2018      Doctoral Degree-Ph.D.  
Bilkent University  
Graduate School of Economics and Social Sciences  
Ph.D. in Private Law-Dissertation Topic: Civil Liability of Arbitrators

Sep 2011-Jan 2013      Master Degree-LL.M.  
Bilkent University  
Graduate School of Economics and Social Sciences  
Law and Economics

Sep 2006-Jul 2011      Bachelor's Degree- LL.B.  
Ankara University  
Faculty of Law  
Law

Sep 2003-Jun 2006      High School  
Çankaya Milli Piyango Anadolu Lisesi

Sep 1995-Jun 2003      Elementary School  
Ankara Özel Bilim İlköğretim Okulu

### **Work Experience and Appointments:**

Sep 2020-Ongoing      Assistant Professor  
İstanbul Aydın University Faculty of Law

Sep 2016-Ongoing	Member of Board of Law Turkish Fencing Federation
Sep 2016-Ongoing	Substitute Member of Board of Discipline Turkish Fencing Federation
Oct 2019-Mar 2020	Post-Doc Researcher Swiss Institute of Comparative Law Turkish Fencing Federation
Feb 2012-Jul 2020	Research Assistant Bilkent University Faculty of Law Department of Civil Procedure and Enforcement-Bankruptcy Law (Feb 2012-Mar 2017 a.k.a. Teaching Assistant)
Apr 2020	Arbitrator 27 <sup>th</sup> Willem C. Vis International Commercial Arbitration Moot-Vienna <i>(Held virtually due to Coronavirus Crisis)</i>
Nov 2019	Arbitrator Foreign Direct Investment (FDI) Moot 2019-Miami
Aug 2018-July 2019	Post-Doc Researcher Universität Regensburg Juristische Fakultät
Apr 2019	Arbitrator 26 <sup>th</sup> Willem C. Vis International Commercial Arbitration Moot-Vienna
Nov 2018	Arbitrator Foreign Direct Investment (FDI) Moot 2018-Stockholm
Mar 2018	Arbitrator 25 <sup>th</sup> Willem C. Vis International Commercial Arbitration Moot-Vienna
Feb 2015-Feb 2016	Doctoral Researcher Justus Liebig Universitaet Gießen Rechtswissenschaftliche Fakultät
Aug 2014	Tagesgaeste Max-Planck-Institut für ausländisches und internationales Privatrecht

## **Language and Skills:**

Language:	English-Advanced
	German-Intermediate
	French-Intermediate
Skills&Hobbies:	Microsoft Office-Advanced
	Violin
	Photography-Semi Professional
	Wikipedia Contributor

## **Publications:**

### ***Ph.D. Dissertation:***

-Hakemlerin Hukuki Sorumluluđu [Civil Liability of Arbitrators], Advisor: Prof. Dr. Murat Atalı, Bilkent University Institute of Economics and Social Sciences, 2018.

### ***Submitted Articles (Peer-reviewed):***

1. Kişilerden Kan ve Doku Örneđi Alınmasına İlişkin olarak Hukuk Muhakemeleri Kanunu'nun 292'nci Maddesi Karşısında Türk Medenî Kanunu'nun 284'üncü Maddesinin Durumu [The Status of the 284th Article of the Turkish Civil Code against the 292nd Article of the Code of Civil Procedure Regarding the Collection of Blood and Body Tissue Samples from Individuals], Ankara Üniversitesi Hukuk Fakültesi Dergisi. (To be published after peer-review)
2. Constitutionality of the Mandatory Mediation under Turkish Law [Türk Hukukunda Zorunlu Arbuluculuğun Anayasaya Uygunluđu], CI Arb Journal. (To be published after peer-review)

### ***Published Articles (Peer-reviewed):***

1. Avukatın Yargılamadaki Rolü Açısından Hukuk Muhakemeleri Kanunu'nun Dürüstlük Kuralı ve Doğruyu Söyleme Yükümlülüđüne İlişkin 29'uncu Maddesinin Avukatlar Açısından Uygulanabilirliđi [Applicability of the Good Faith Rule and Obligation to Tell the Truth (29th Article) of the Code of Civil Procedure to the Attorneys in terms of Role of Attorney in the Trial], Ar. Gör. Ceren Damar Şenel Armađanı, Çankaya Üniversitesi Hukuk Fakültesi Dergisi Özel Sayısı, p. 2091-2114.
2. Hâkimlerin ve Bilirkişilerin Hukukî Sorumluluđuna İlişkin Verilen Mahkeme Kararları İçin Uygulanacak Kanun Yoluna Başvuru Sınırı Üzerine Bir Hukuk Genel Kurulu Kararının Düşündürdükleri [The Considerations of a Decision of the General Civil Chamber about the Determining the Limit for the Right to Apply to the Judicial Remedy for the Decisions on Liability of the Judges and Experts], Hacettepe Law Review, Issue: December 2019 (Publication Year: 2019), p. 533-552.

3. Anayasa Mahkemesi'nin Kısmi İptal Kararı Işığında İcra ve İflâs Kanunu'nun 278'inci Maddesine Yönelik Bir Çözüm Önerisi [A Solution Suggestion for the Article 278 of the Code of Enforcement and Bankruptcy in Light of the Partial Annulment Decision of the Constitutional Court], *Medenî Usûl ve İcra-İflâs Hukuku Dergisi*, Vol. 15, Issue 43, 2019/2 (Publication Year: 2019), p. 497-518.

4. Hukuk Muhakemeleri Kanununa Göre Ortak Yetkili Mahkeme ile Münhasır Yetki Sözleşmesiyle Belirlenen Mahkemenin Yetkisinin Niteliği [Legal Character of Territorial Jurisdiction of the Court with the Common Jurisdiction and the Court Designated by the Exclusive Jurisdiction Agreement According to Code of Civil Procedure], *Türkiye Barolar Birliği Dergisi*, Issue 142, 2019 (Publication Year: 2019), p. 211-230.

5. Hakemlerin Sır Saklama Yükümlülüğünün Suçu Bildirmeme Suçu ile İlişkisi [Relationship between the Arbitrators' Duty of Confidentiality and the Felony of Failure to Notify an Offense], *Medenî Usûl ve İcra-İflâs Hukuku Dergisi*, Vol. 13, Issue 38, 2017/3 (Publication Year: 2018), p. 759-782.

6. Alacaklıya Rehni Özel Yoldan Paraya Çevirme Yetkisi Verilmesi [Granting Right to the Creditor for Liquidation of Real Securities], *Dokuz Eylül Üniversitesi Hukuk Fakültesi Dergisi*, Vol. 16, Özel Sayı 2014 (Publication Year: 2015), Prof. Dr. Hakan Pekcanitez'e Armağan, p. 2855-2880.

#### ***Conference Papers:***

1. (Peer-Reviewed) A Contradiction Arising from an Annulment Decision of Turkish Constitutional Court: The Unique Problem of an Unique Modification of the Swiss Code of Obligations [Türk Anayasa Mahkemesi Kararından Kaynaklanan Bir Çelişki: İsviçre Borçlar Kanunu'nun Özgün Bir Şekilde Değiştirilmesinin Neden Olduğu Özgün Bir Problem], Zagreb International Conference on the Law of Obligations, Book Two: The Law of Obligations in the Central and Southeast Europe', Publisher: Routledge | Taylor & Francis. (Forthcoming)

2. Role of Mandatory Arbitration in Monetary Claims Against Consumers Under Turkish Law [Türk Hukukunda Tüketicilerden Olan Parasal Taleplerde Zorunlu Tahkimin Rolü], Innovation and the Transformation of Consumer Law, National and International Perspectives. Publisher: Springer. (Forthcoming)

3. (Peer-Reviewed) Uyumlu Eylem Karinesi ve İspat Hakkı Kapsamında Değerlendirilmesi [Presumption of Concerted Practice and it's Assessment in terms of Right of Proof], Koç Üniversitesi Hukuk Fakültesi Ticaret Hukuku Genç Akademisyenler Sempozyumu. (To be submitted)

#### ***Book Sections:***

1. Medeni Usul Hukuku (in: İşletme Hukuku [Business Law]), Co-author, Editors: Kamil Mutluer, Talya Şans Uçaryılmaz, Turhan Yayınları, Ankara, 2014.

***Published Abstracts of Conference Presentations:***

1. To Bankrupt or not to Bankrupt: The Turkish Answer, The University of Liverpool Interdisciplinary Conference on Bankruptcy & Insolvency Theory 2020 (ULBIC), Booklet of Abstracts.
2. A Problem of Mandatory Arbitration: Is Public Hearing Evidable?, Dublin Law and Politics Research Conference Abstracts.
3. Tahkimde Adil Yargılanma Hakkı [Right to Due Process in Arbitration], Çarşamba Seminerleri, Yıldırım Beyazıt Üniversitesi Hukuk Fakültesi Yayını.
4. Are Online Dispute Resolution Systems Efficient Enough to Provide Justice? Example from Turkey: Consumer Tribunals, Lancaster University Law Conference 2020: Law and Justice, Book of Abstracts.
5. A Contradiction Arising from an Annulment Decision: The Unique Problem of a Unique Modification of the Swiss Code of Obligations, Zagreb International Conference on the Law of Obligations, Book of Abstracts.
6. Role of Mandatory Arbitration in Monetary Claims Against Consumers Under Turkish Law, 17<sup>th</sup> Conference of the International Association of Consumer Law, Abstracts of Presenters.
7. Mandatory Mediation under Turkish Law, SLSA 2019, Book of Abstracts.

***Others:***

1. Report on Turkey: Turkish Court of Cassation Decided that Attorney Contracts Are Defined as Consumer Transaction under Certain Circumstances, IACL November 2019 Newsletter, 2019.
2. ELSA Ankara 2<sup>nd</sup> Prof. Dr. Ejder Yılmaz Moot, Sole Drafter of the Problem, Ankara 2018.
3. ELSA Ankara 1<sup>st</sup> Prof. Dr. Ejder Yılmaz Moot, Sole Drafter of the Problem, Ankara 2017.

**Conferences:**

***Accepted Papers:***

1. Hayvanların Türk Hukuku Tarafından Korun(ma)ması [The (Un)Protection of Animals Under Turkish Law], Ceren Damar Şenel I. Genç Bilim İnsanları Toplantısı. (In Turkish) (Will be held virtually due to Coronavirus Crisis)
2. Borçlunun Ödeme Emri Tebliğ Edilmeden Evvel Yapacağı İtirazın Geçerli Olmadığına Dair Bir Yargıtay Kararının Düşündürdükleri [Thoughts on a Decision of the Turkish High Court of Appeals About the Invalidity of the Objection of the Debtor Before the Payment Order is Notified], Ceren Damar Şenel I. Genç Bilim İnsanları Toplantısı. (In Turkish) (Will be held virtually due to Coronavirus Crisis)

3. To Bankrupt or not to Bankrupt: The Turkish Answer, 3<sup>rd</sup> International & Comparative Insolvency Symposium, Phoenix/Arizona/United States-November 2020. *(In English) (Will be held virtually due to Coronavirus Crisis)*

3.1. To Bankrupt or not to Bankrupt: The Turkish Answer, The University of Liverpool Interdisciplinary Conference on Bankruptcy & Insolvency Theory 2020 (ULBIC), Liverpool/United Kingdom. *(In English) (Postponed to April 2022 due to Coronavirus Crisis) (This paper is latterly submitted to another conference and will be reassessed before presenting)*

**Presented Papers:**

1. Uyumlu Eylem Karinesi ve İspat Hakkı Kapsamında Değerlendirilmesi [Presumption of Concerted Practice and it's Assessment in terms of Right of Proof], Koç Üniversitesi Hukuk Fakültesi Ticaret Hukuku Genç Akademisyenler Sempozyumu. *(In Turkish) (Held virtually due to Coronavirus Crisis)*

2. Is Turkish Procedural Law Against Technology?, Free Speech in the 21<sup>st</sup> Century, Ljubljana/Slovenia-July 2020. *(In English) (Held virtually due to Coronavirus Crisis)*

3. A Problem of Mandatory Arbitration: Is Public Hearing Evidable?, Dublin Law and Politics Research Conference, Dublin/Ireland-March 2020. *(In English) (Held virtually due to Coronavirus Crisis)*

4. Are Online Dispute Resolution Systems Efficient Enough to Provide Justice? Example from Turkey: Consumer Tribunals, Lancaster University Law Conference 2020: Law and Justice, Lancaster/United Kingdom-March 2020. *(In English)*

5. A Contradiction Arising from an Annulment Decision: The Unique Problem of an Unique Modification of the Swiss Code of Obligations, Zagreb International Conference on the Law of Obligations, Zagreb/Croatia, December 2019. *(In English)*

6. EU Regulation on Insolvency Proceedings from a Turkish Perspective, 2<sup>nd</sup> International Comparative Insolvency Symposium, Miami/Florida/United States-November 2019. *(In English)*

6. Role of Mandatory Arbitration in Monetary Claims Against Consumers Under Turkish Law, 17<sup>th</sup> Conference of the International Association of Consumer Law, Indianapolis/Indiana/United States-June 2019. *(In English)*

7. Mandatory Mediation under Turkish Law, Socio Legal Studies Association Conference 2019, Leeds/United Kingdom-March 2019. *(In English)*

8. Tahkimde Adil Yargılanma Hakkı [Right to Due Process in Arbitration], 106. Çarşamba Semineri, Yıldırım Beyazıt Üniversitesi Hukuk Fakültesi, Ankara/Turkey-May 2016. *(In Turkish)*

### **Awards and Grants:**

Oct 2019-Jul 2020	Bilkent University Post-Doc Research Scholarship Swiss Institute of Comparative Law-Switzerland
Nov 2019	Travel&Lodging Reimbursement 2 <sup>nd</sup> International Comparative Insolvency Symposium, University of Miami, Miami/Florida/United States
Aug 2018-Jul 2019	Bilkent University Post-Doc Research Scholarship Universitaet Regensburg-Germany
Apr 2017-Jan 2018	Bilkent University Ph.D. Scholarship Tuition waiver
Feb 2013-Mar 2017	Bilkent University Ph.D. Scholarship Tuition waiver and monthly stipend
Feb 2015-Feb 2016	TÜBİTAK 2214-A International Research Fellowship Program Justus-Liebig Universitaet Gießen-Germany
Feb 2012-Jan 2013	Bilkent University Master Scholarship Tuition waiver and monthly stipend
Sep 2011-Jan 2012	Bilkent University Master Scholarship Tuition waiver

### **Memberships:**

2012-Ongoing	Bar of Ankara
2016-Ongoing	ICC Young Arbitrators Forum
2016-Ongoing	ISTAC Young
2018-Ongoing	DIS 40 (Deutsche Institution für Schiedsgerichtsbarkeit)
2018-Ongoing	Young ICCA (The International Council for Commercial Arbitration)
2018-Ongoing	YIAG (Young International Arbitration Group)
2018-Ongoing	ASA Below 40
2019-Ongoing	Young ICSID
2019-Ongoing	International Association of Consumer Law

### **Certificates:**

-6. Medeni Usul ve İcra-İflas Hukukçuları Toplantısı [6<sup>th</sup> Meeting of Civil Procedure and Enforcement-Bankruptcy Lawyers-Discussion Topic: Appeal Procedure Under the Turkish Civil Procedure Code]- Certificate of Participation-İzmir/Cesme-2007.

-7. Medeni Usul ve İcra-İflas Hukukçuları Toplantısı [7<sup>th</sup> Meeting of Civil Procedure and Enforcement-Bankruptcy Lawyers -Discussion Topic: Enforcement Proceedings Without Judgment]- Certificate of Participation-İzmir/Cesme-2008.

-8. Medeni Usul ve İcra-İflas Hukukçuları Toplantısı [8<sup>th</sup> Meeting of Civil Procedure and Enforcement-Bankruptcy Lawyers -Discussion Topic: Postponement of Bankruptcy and Current Issues in Turkish Notary Law]- Certificate of Participation-Bolu/Abant-2009.

-9. Medeni Usul ve İcra-İflas Hukukçuları Toplantısı [9<sup>th</sup> Meeting of Civil Procedure and Enforcement-Bankruptcy Lawyers -Discussion Topic: Alternate Dispute Resolution]- Certificate of Participation-Ankara-2010.

-3. Mahmut Esat Bozkurt Kurgusal Duruşma Yarışması [Moot Court]- Member of the Organization Committee –Ankara-2011.

-Foreign Direct Investment (FDI) Moot- Member of the Ankara University&Ankara Bar Association Team-Team Rank: 15/34-London-2011.

-Board of Capital Markets of Turkey- Training Program- Certificate of Participation –Ankara-2012.

-10. Medeni Usul ve İcra-İflas Hukukçuları Toplantısı [10<sup>th</sup> Meeting of Civil Procedure and Enforcement-Bankruptcy Lawyers -Discussion Topic: Enforcement of the New Turkish Civil Procedure Code]- Certificate of Participation-İzmir-2012.

-11. Medeni Usul ve İcra-İflas Hukukçuları Toplantısı [11<sup>th</sup> meeting of Civil Procedure and Enforcement-Bankruptcy Lawyers -Discussion Topic: Case Studies about Application of the New Turkish Civil Procedure Code]- Certificate of Participation-Gaziantep-2013.

-12. Medeni Usul ve İcra-İflas Hukukçuları Toplantısı [12<sup>th</sup> meeting of Civil Procedure and Enforcement-Bankruptcy Lawyers -Discussion Topic: General Principles of the Civil Procedure under the Turkish Civil Procedure Code]- Certificate of Participation-Isparta-2014.

-15<sup>th</sup> World Congress of Procedural Law: Effective Judicial Relief and Remedies in Age of Austerity -Certificate of Participation-İstanbul-2015.

-14. Medeni Usul ve İcra-İflas Hukukçuları Toplantısı [14<sup>th</sup> meeting of Civil Procedure and Enforcement-Bankruptcy Lawyers -Discussion Topic: Enforcement Proceeding with Judgement]- Certificate of Participation-Bolu/Abant-2016.

-Dispute Resolution International Summer Law School, 19-27 July 2016, Certificate of Participation-Poiana Brasov/Romania-2016.



-15. Medeni Usul ve İcra-İflas Hukukçuları Toplantısı [15<sup>th</sup> meeting of Civil Procedure and Enforcement-Bankruptcy Lawyers -Discussion Topic: Appeal]- Certificate of Participation-Antalya-2017.