

DEPARTMENT OF PUBLIC LAW  
COURSE SYLLABUS

| Course Details   |  |  |               |              |               |      |   |
|--|--|--|---------------|--------------|---------------|------|---|
| Code   |  |  | Academic Year |              | Semester      |      |   |
| KHD135   |  |  | 1             |              | Fall semester |      |   |
| Title  |  |  | T             | A            | L             | ECTS |   |
| Criminal Law within the Framework of the European Convention on Human Rights |  |  | 3             |              |               | 7,5  |   |
|  |  |  |               |              |               |      |   |
| Language   |  | Turkish  |               |              |               |      |   |
| Level  |  | Graduate   |               | Postgraduate | X             |      |   |
| Department / Program   |  | Postgraduate (Public Law)  |               |              |               |      |   |
| Forms of Teaching and Learning   |  | Face to face   |               |              |               |      |   |
| Course Type  |  | Compulsory   |               |              | Elective      |      | X |
| Objectives   |  | The main aim of this course is to evaluate the relevant articles of the European Convention on Human Rights within the framework of substantive criminal law, criminal procedure law and execution law and to examine the case law of the European Court of Human Rights and the Constitutional Court on issues related to criminal law. |               |              |               |      |   |
| Content  |  | Within the scope of the course, the prohibition of torture and ill-treatment in Article 3 and the right to a fair trial in Article 6 of the European Convention on Human Rights, as well as the issues related to criminal law in the additional protocols of the Convention will be discussed.  |               |              |               |      |   |
| Prerequisites  |  | Direct Instruction Method  |               |              |               |      |   |
| Coordinator  |  | None   |               |              |               |      |   |
| Lecturer(s)  |  | Prof. Dr. Ali Kemal YILDIZ   |               |              |               |      |   |
| Assistant(s)   |  | Dr. Oğuz BANDIR, Prof. Dr. Ali Kemal YILDIZ - Assoc. Prof. İsmail ÇINAR, Dr. Bilal OSMANOĞLU, Dr. Kazım Furkan AĞKUŞ   |               |              |               |      |   |
| Work Placement   |  | R.A. Aslı Ekin YILMAZ, R.A. Can Eralp ELİBOL, R.A. Rüveyda YAVUZ, R.A. Sabah Mine CANGİL   |               |              |               |      |   |
| Recommended or Required Reading  |  |  |               |              |               |      |   |
| Books / Lecture Notes  |  | Sibel İnceoğlu, İnsan Hakları Avrupa Sözleşmesi ve Anayasa<br>Fahri Gökçen Taner, Çelişme ve Silahların Eşitliği   |               |              |               |      |   |
| Other Sources  |  | European Convention on Human Rights, Turkish Penal Code, Code of Criminal Procedure, Law on the Execution of Criminal and Security Measures  |               |              |               |      |   |
| Additional Course Material   |  |  |               |              |               |      |   |
| Documents  |  |  |               |              |               |      |   |
| Assignments  |  |  |               |              |               |      |   |
| Exams  |  |  |               |              |               |      |   |
| Course Composition   |  |  |               |              |               |      |   |
| Social Sciences  |  |  |               |              | 100%          |      |   |
| Educational Sciences   |  |  |               |              | %             |      |   |
| Natural Sciences   |  |  |               |              | %             |      |   |

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|                                    |  |          |                   |
|------------------------------------|--|----------|-------------------|
| Health Sciences                    |  |          | %                 |
| Expert Knowledge                   |  |          | %                 |
| Assessment                         |  |          |                   |
| Activity                           | Count  |          | Percentage (%)    |
| Midterm Exam                       |  |          |                   |
| Quiz                               |  |          |                   |
| Assignments                        | 1  |          | 100               |
| Attendance                         |  |          |                   |
| Recitations                        |  |          |                   |
| Projects                           |  |          |                   |
| Final Exam                         |  |          |                   |
| Total                              |  |          | 100               |
| ECTS Points and Work Load          |  |          |                   |
| Activity                           | Count  | Duration | Work Load (Hours) |
| Lectures                           | 14   | 3        | 42                |
| Self-Study                         | 14   | 6        | 84                |
| Assignments                        | 0  | 0        | 0                 |
| Presentation / Seminar Preparation | 14   | 6        | 84                |
| Midterm Exam                       | 0  | 0        | 0                 |
| Recitations                        | 0  | 0        | 0                 |
| Laboratory                         | 0  | 0        | 0                 |
| Projects                           | 0  | 0        | 0                 |
| Final Exam                         | 0  | 0        | 0                 |
| Total Work Load                    |  |          | 210               |
| ECTS Points (Total Work Load / 28) |  |          | 7,5               |
| Learning Outcomes                  |  |          |                   |
| 1                                  | Students learn the reflection of the European Convention on Human Rights on criminal law.                        |          |                   |
| 2                                  | Students examine whether the criminal legislation is compatible with the European Convention on Human Rights.    |          |                   |
| 3                                  | Students learn the decisions of the European Court of Human Rights and the Constitutional Court on criminal law. |          |                   |
| Weekly Content                     |  |          |                   |
| 1                                  | The European Convention on Human Rights in General   |          |                   |
| 2                                  | ECHR - Article 2: Right to Life  |          |                   |
| 3                                  | ECHR - Article 3: Prohibition of Torture and Ill-Treatment in Respect of Criminal Sanctions and Execution        |          |                   |

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|    |  |
|----|--|
| 4  | ECHR - Article 3: Prohibition of Torture and Ill-Treatment in Proceedings for Crimes Committed by Public Officials |
| 5  | ECHR - Article 5: Right to liberty and security  |
| 6  | ECHR - Article 6: Right to an Independent and Impartial Trial  |
| 7  | ECHR Article 6: Right to a Fair Trial  |
| 8  | Self-Learning I  |
| 9  | Self-Learning II   |
| 10 | Self-Learning III  |
| 11 | Self-Learning IV   |
| 12 | Presentation I   |
| 13 | Presentation II  |
| 14 | Presentation III   |

**Contribution of Learning Outcomes to Program Objectives (1-5)**

|   | P1 | P2 | P3 | P4 | P5 | P6 | P7 |
|---|----|----|----|----|----|----|----|
| 1 | 5  | 5  | 2  | 4  | 2  | 5  | 2  |
| 2 | 4  | 4  | 4  | 5  | 5  | 4  | 4  |
| 3 | 5  | 4  | 4  | 5  | 4  | 5  | 5  |

**Contribution Level** 1: Low 2: Low-intermediate 3: Intermediate 4: High 5: Very High

<https://obs.tau.edu.tr/oibs/bologna/index.aspx?lang=en&curOp=showPac&curUnit=02&curSunit=198>

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