

SYLLABUS

		lı	nstitute of Social	Sciences			
Cou	rse Code	Course Title	Credits	ECTS Value			
Law 516.1		The Examination of Human Rights in the Context of Private International Law		3 (3-5-8)	8		
Prere Cours	quisite ses:	None					
Course Language:		Turkish	Course Delivery Mode:			Face to Face	
Course Type and Level:		Compulsory/ Master's Degree/ Fall Semester					
Instructor's Title		e, Name, and Surname	Course Hours	Office Hours	Conta	Contact	
Asst. Prof. Dr. Özge Demirdelen			Monday 17.30-20.30	Monday 16.30-17.20	ozgedemirdelen@cag.ed u.tr		
Cour	se dinator:	Asst. Prof. Dr. Özge Demirde	elen				
Cour	se Objectiv	/es					
					Relations		
semo	Upon suc	uccessful completion of this course, the student will be able to;				Program Outcomes	Net Contribution
Outco	1	conduct research and critically evaluate academic sources, and produce scholarly written work.				PO1, PO6, PO7	5, 4, 5
ning (2	define key concepts related to human rights and private international law.				PO1, PO2	5, 4
Course Learning Outcomes	3	analyze the interrelations between human rights and private international law, assessing the underlying factors that shape these connections.				PO2, PO4, PO8	5, 4, 4
Cour	4	examine and compare universal and regional regulatory frameworks and oversight mechanisms.				PO3, PO4, PO5	5, 4, 4
	5	investigate contemporary significant human rights issues and articulate			PO2, PO4,	5, 4, 4	

Course Content:

their historical evolution.

The course encompasses the definition of fundamental concepts related to human rights and private international law; the analysis of the connections between human rights and private international law and the factors influencing these connections; the evaluation of universal and regional regulations and oversight systems; and the examination of some current significant rights alongside their historical development.

PO5

Course Schedule (Weekly Plan)

Week	Торіс	Preparation	Teaching Methods and Techniques
1	Course Introduction -Providing information about the course procedure -Explanation of resource usage -Explanation of the connection between human rights and private international law	Review of Academic Studies and Legal Regulations	Lectures, discussions (CLO1, CLO2)
2	Conceptual and Legislative/Legal Document Evaluations in Establishing the Connection Between Human Rights and Private International Law	Review of Academic Studies and Legal Regulations	Lectures, discussions (CLO1, CLO2)
3	-The Impact of Human Rights on the United Nations Sustainable Development Goals -The Impact of Human Rights on Personal Data Law (Including Review of Student Presentations)	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations (CLO1, CLO2, CLO3)
4	-Factors Influencing the Establishment of the Connection Between Human Rights and	Review of Academic Studies and Legal	Lectures, discussions, case analysis and problem-



	Private International Law -The Impact of Human Rights on Foreigners Law (Case Study) (Including Review of Student Presentations)	Regulations	solving, group work, presentations (CLO1, CLO2, CLO3)
5	-The Impact of Human Rights on Foreigners Law (Case Study) -Article 6 of the ECHR: Issue of Subject-Matter Jurisdiction and the Right to a Fair Trial (Including Review of Student Presentations)	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations (CLO1, CLO2, CLO3)
6	-The Impact of Human Rights on Citizenship Law -The Right to Be Forgotten (Within the Framework of the ECtHR Decision) (Including Review of Student Presentations)	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations (CLO1, CLO2, CLO3)
7	-Protection of Human Rights within the Framework of the United Nations and Examination of Private International Law Regulations -Examination of the Connection Between Human Rights Conventions and Private International Law at the Level of Regional Systems -Evaluation of Monitoring Systems (Including Review of Student Presentations)	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations (CLO1, CLO2, CLO3)
8	Midterm Exam	-	-
9	Midterm Exam	-	-
10	-Factors Influencing the Establishment of the Connection Between Human Rights and Private International Law -Protection of Human Rights within the Framework of the United Nations and Examination of Private International Law Regulations -Examination of the Connection Between Human Rights Conventions and Private International Law at the Level of Regional Systems -Evaluation of Monitoring Systems (Including Review of Student Presentations)	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations (CLO1, CLO2, CLO3)
11	-Factors Influencing the Establishment of the Connection Between Human Rights and Private International Law -Protection of Human Rights within the Framework of the United Nations and Examination of Private International Law Regulations -Examination of the Connection Between Human Rights Conventions and Private International Law at the Level of Regional Systems -Evaluation of Monitoring Systems (continued) (Including Review of Student Presentations)	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations (CLO1, CLO2, CLO3)
12	-Balancing Freedom of Expression and the Protection of Personal Rights -Press and Freedom of Expression -Forum Non Conveniens and the Issue of Providing Security -Evaluation of the Provisions of the Brussels I Regulation and the Lugano Convention (Including Review of Student Presentations)	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations (CLO1, CLO2, CLO3)
13	-The Impact of Human Rights on the European Green Deal Process -The Impact of Human Rights on Private International Procedural Law	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations



	(Including Review of Student Presentations)		(CLO1, CLO2, CLO3)
14	-The Impact of Human Rights on Citizenship Law -The Impact of Human Rights on the Applicable Substantive Law (Including Review of Student Presentations)	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations (CLO1, CLO2, CLO3)
15	-The Impact of Human Rights on Foreigners Law (Case Study) -The Impact of Human Rights on Artificial Intelligence Law	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations (CLO1, CLO2, CLO3)
16	-The Impact of Human Rights on Foreigners Law (Case Study) -The Impact of Human Rights on Artificial Intelligence Law	Review of Academic Studies and Legal Regulations	Lectures, discussions, case analysis and problem- solving, group work, presentations (CLO1, CLO2, CLO3)
17	Final Exam	-	-
18	Final Exam	-	-

Course Resources

- -https://www.idi-iil.org/app/uploads/2021/05/Report-4th-commission-human-rightsandprivateinternational-law-vol-81-yearbook-online-session.pdf.
- -https://academic.oup.com/pages/about-oxford-academic/law-books-migration.
- -https://doi.org/10.4337/9781800375536.00009.
- -https://dergipark.org.tr/en/pub/ppil/issue/77192/1181972.
- -https://sciencespo.hal.science/hal-03470588/file/2013-muir-watt-fundamental-rightsandrecognitionin-private-international-law.pdf.
- -https://journals.law.harvard.edu/ilj/wpcontent/uploads/sites/84/HILJ 601 5 Hirschboeck.pdf.
- -https://www.elgaronline.com/display/book/9781782547235/b-9781782547235-H_3.xml.
- -https://www.kvkk.gov.tr/lcerik/4184/Anayasal-Bir-Hak-Olarak-Kisisel-VerilerinKorunmasini-

IstemeHakki#:~:text=2010%20y%C4%B1I%C4%B1nda%205982%20say%C4%B1l%C4%B1%20

Kanunla, verilerin%20korunmas%C4%B1n%C4%B1%20isteme%20hakk%C4%B1 na%20s ahiptir. -https://www.jurix.com.tr/article/2195?u=0&c=0.

https://ticaret.gov.tr/dis-iliskiler/yesil-mutabakat/avrupa-yesilmutabakati#:~: text=Avrupa%20Birli%C4%9Fi%20(AB)%2C%2011,de%C4%9Fi%C5%9Fikli%C4%9Fi%20ekseninde%20yeniden%20%C5%9Fekillendirece%C4%9Fini%20a%C3%A7%C4%B1klam%C4%B1%C5%9Ft%C4%B1r...

- -https://www.eeas.europa.eu/delegations/t%C3%BCrkiye/avrupa-ye%C5%9Filmutabakat% C4%B1 tr?s=230.
- -https://www.tuba.gov.tr/tr/yayinlar/suresiz-yayinlar/raporlar/temiz-uretim-yesil-mutabakatvesurdurulebilir-atik-yonetimi/surdurulebilir-kalkinma-amaclaricercevesinde-avrupayesilmutabakative-turkiyenin-durumu.
- -https://dergipark.org.tr/en/download/article-file/2219780.
- -https://www.tihek.gov.tr/teknolojilerin-ve-yapay-zekanin-gelistirilmesinde-insan-haklarietkidegerlendirmesihria-kapasite-gelistirme-egitimi.
- -https://www.istanbulbarosu.org.tr/files/komisyonlar/yzcg/yzcg_avrupakonseyi.pdf. https://sdgs.un.org/goals.
- -https://www.un.org/sustainabledevelopment/sustainable-development-goals/.
- -https://www.undp.org/sustainable-development-goals.
- -https://www.globalgoals.org/.
- -https://unfoundation.org/what-we-do/issues/sustainable-development-goals/. https://en.unesco.org/sustainabledevelopmentgoals.
- -https://www.unicef.org/sustainable-development-goals.
- -https://unglobalcompact.org/sdgs/about. https://turkiye.un.org/en/sdgs.
- -https://commission.europa.eu/strategy-and-policy/sustainable-development-goals_en. https://www.who.int/europe/about-us/our-work/sustainable-development-goals

chromeextension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.echr.coe.int/documents/d/echr/c onvention_tur.

Textbook:



- -lşık S. Tekdoğan Bahçıvan; Milletlerarası Özel Hukukun İnsan Hakları ile Dönüşümü (Kanunlar İhtilafı ve Milletlerarası Usul Hukuku Bağlamında), Yetkin Yayınları, 1. Baskı, Ekim 2023.
- -Kemal Gözler, İnsan Hakları Hukukuna Giriş, Ekin, 2023 Ağustos.
- -Elif Çağla Yıldız; "Postcolonial Approaches to International Human Rights Law: The TWAIL Case", Public and Private International Law Bulletin, C.: 43, S.:1, 2023, 353-369.
- -Mehmet Şükrü Gündüz; Uluslararası İnsan Hakları Açısından Kişisel Veri Güvenliği, Adalet Yayınları, 1. Baskı, 2022.
- -David Harris, Michael O'Boyle, Ed Bates ve Carla Buckley, Avrupa İnsan Hakları Sözleşmesi Hukuku, On İki Levha Yayıncılık, 2022.
- -Nesrin Singil; "Yapay Zekâ ve İnsan Hakları", Public and Private International Law Bulletin, C.: 42, S.: 1, 2022, 121-158.
- -Dilara Yüzer Eltimur; "İnsan Haklarının Korunması Bağlamında Yapay Zekâ Uygulamaları", Akdeniz Üniversitesi Hukuk Fakültesi Dergisi, C.: 12, S.: 2, 2022, 559-594.
- -Cansu Koç Başar, Ulusalüstü İnsan Hakları Hukukunda Kadınların Siyasal Hakları, On İki Levha Yayıncılık, 2021 Temmuz.
- -H. G. Wells, İnsan Hakları, Can, 2021 Ağustos.
- -İlyas Arslan; Avrupa İnsan Hakları Sözleşmesinin Milletlerarası Özel Hukuka Etkisi, Adalet Yayınları, 1. Baskı, 2020.
- -Ayşenur Ocak; "İnsan Hakları Açısından Devlet Tarafından İşlenen Kişisel Verilerin Açıklanması", Ankara Barosu Dergisi, C.: 4, 2020, 39-74.
- -Johan Galtung, İnsan Hakları, Metis, 2018 Eylül.
- -Mark Hirschboeck; "Conceptualizing the Relationship between International Human Rights Law and Private International Law", Harvard International Law Journal, C.: 60, S.: 1, 2019, 181-199.
- -Murat Volkan Dülger; "İnsan Hakları ve Temel Hak ve Özgürlükler Bağlamında Kişisel Verilerin Korunması", İstanbul Medipol Üniversitesi Hukuk Fakültesi Dergisi, C.: 5, S.: 1, 2018, 71-144.
- -Işıl Özkan; "Adil Yargılanma Hakkı'nın Uluslararası Özel Hukuka Etkisi", Dokuz Eylül Üniversitesi Hukuk Fakültesi Dergisi, Prof. Dr. Şeref Ertaş'a Armağan, C.: 19, Özel Sayı, 2017, 1767-1834.
- -Meltem Sarıbeyoğlu Skalar, Uluslararası Hukuk ve Sürdürülebilir Kalkınma, Beta, 2015.
- -James J. Fawcett, Máire Ní Shúilleabháin ve Sangeeta Shah; Human Rights and Private International Law, Oxford, 2016.
- -Steven Stuij; "Some Aspects of the Application and Ascertainment of Foreign Law in the Light of Article 6 of the ECHR", Fundamental Rights in International and European Law, The Hague, 2016.
- -Osman Doğru ve Atilla Nalbant; İnsan Hakları Avrupa Sözleşmesi Açıklama ve Önemli Kararlar, Legal, 2. Baskı, 2016.
- -Jan Oster; "Public Policy and Human Right", JPIL, C.: 11, S.: 3, 2015, 542-567.
- -Orla Lynskey; The Foundations of EU Data Protection Law, Oxford, 2015.
- -Martina Závodná; The European Convention on Human Rights and Arbitration, Masaryk University, 2013/2014.
- -Gloria Gonzalez Fuster; The Emergence of Personal Data Protection as a Fundamental Right of the EU, Springer Science & Business, 2014.
- -Deniz Ergene; "İnsan Hakları Hukukundaki Gelişmeler Işığında Türk Hukukunda Kadının ve Çocuğun Soyadı Meselesi ve Medenî Kanun'da Değişiklik Önerisi", Public and Private International Law Bulletin, Cilt: 31, Sayı: 2, 2011, 123-176.
- -Güney Dinç; Avrupa İnsan Hakları Sözleşmesi'ne Göre Çevre ve İnsan, Türkiye Barolar Birliği, 2008.
- -Sébastien Besson; "Arbitration and Human Rights", ASA Bulletin, C.: 24, S.: 3, 2006, 395-416.
- -Durmuş Tezcan, Mustafa Ruhan Erdem ve Oğuz Sancakdar; Avrupa İnsan Hakları Sözleşmesi Işığında Türkiye'nin İnsan Hakları Sorunu, Seçkin Yayıncılık, 2. Baskı, 2004.
- -Hakan Pekcanıtez; "Medeni Yargıda Adil Yargılama", İzmir Barosu Dergisi, S.: 2, 1997, 35-55.
- -Ziya Akıncı; "Hakemlerin Esasa Uyguladıkları Hukukun Devlet Yargısınca Denetlenmesi", Banka ve Ticaret Hukuku Dergisi, C.: 17, S.:3, Haziran 1994, 119-147.
- -Fundamental works written in the field of Private International Law, Human Rights, and the topics covered.

Recommended References:



Course Assessment and Evaluation						
Activities Number		Percentile		Notes		
Midterm Exam 1		%40	the Course Basic theore CLO2). (Mi	ssessment of Knowledge Gained Throughoune Course: asic theoretical knowledge and analysis (CLO1:LO2). (Midterm Exam Score × 0.40) + Clastarticipation/Quiz Score.		
Quiz 2		Max 10 points	Application	ment of Research and Practical Skills: on and problem-solving (CLO3). Midterm exam scores are added to the total score.		
Assignment 1		%50	Understandi (CLO1). Mic	Individual Study and Reinforcement: Inderstanding and evaluation of knowledge CLO1). Midterm and final exam scores are added to the total score.		
Performance in Discussions and Presentations		%10	Communication and Presentation Skills: Communication and presentation abilities, expression skills, research (CLO3). Midterm and final exam scores are added to the total score.			
Class Participation/Portfolio 1		Max 10 points	Compilation of Student's Work Throughout the Term: Continuous assessment and self-evaluation. The final exam score is added to the total score. (CLO1, CLO3).			
Final -		-	Comprehensive End-of-Term Assessment: General knowledge and analysis (All CLOs). There is no final exam in this course. Students' success during the term is evaluated over a total of 60%, with assignments contributing 50% and discussion/presentation performance contributing 10%. Class participation and portfolio are added as 10 points to the overall grade average.			
		ECTS Table				
Content		Number	Hours	Total		
Course Duration		14	3	42		
Out-of-Class Study		14	7	98		
Quiz		2	2	4		
Assignment	1	20	20			
Performance in Discussions and Presentations	1	20	20			
Midterm Exam (Midterm Exam Dura Midterm Exam Preparation)	1	20	20			
Class Participation/Portfolio	1	40	40			
			Total: 244			
Total / 30: 244 / 30				244 / 30		
	ECTS Credit: 8,13= 8					
Past Term Achievements						



