

## Curriculum Vitae

Dr. iur. Öznur Sevdiren  
Istanbul Bilgi University/Faculty of Law  
Criminal and Criminal Procedure Law  
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### I. Education

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|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4/2005-4/2010      | Ph.D.<br>University of Cologne,<br>Faculty of Law (Germany)<br>Thesis Title: Alternatives to Imprisonment in England and<br>Wales, Germany and in Turkey<br>Supervisor: Prof. Dr. Thomas Weigend. |
| 9/2002 – 10/2003   | M.A.<br>University of Sheffield,<br>Faculty of Law (England)<br>Dissertation Title: Juvenile Courts in England and Wales,<br>and<br>Turkey<br>Supervisor: Prof. Dr. Jim Dignan.                   |
| 11/1998 – 12/ 1999 | Legal Clerkship at the Istanbul Bar.                                                                                                                                                              |
| 1994 – 1998        | B.A. in Law<br>Istanbul University,<br>Faculty of Law.                                                                                                                                            |
| 1988 – 1994        | Haydarpaşa Lycee (Istanbul)                                                                                                                                                                       |

### II. Professional Experience

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|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5/2015- | Istanbul Bilgi University<br>Instructed Undergraduate Courses: Criminal Law Special Provisions,<br>International Criminal Law.                                              |
| 9/2014  | University of Salamanca (within the Framework of Erasmus Staff<br>Exchange).<br>'Principle of Legality in International Criminal Law and the Problem<br>of 'Desaparecidos'. |
| 9/2014  | Summer School, the Centre of Human Rights<br>Ankara University, Faculty of Political Sciences,                                                                              |

Instructed Courses: Impunity (General Issues), Investigation and Trial Phase Problems Leading to Grave Breaches of Human Rights.

9/2011-2015

Uludag University, Faculty of Law (full-time),  
Instructed Undergraduate Courses: Criminal Law General Provisions, Criminal Law Special Provisions, Criminal Procedure Law and Criminology.

Instructed Postgraduate Courses: International Criminal Law, Comparative Criminal Procedure Law (Master).

Instructed Doctorate Courses: International Humanitarian Law.

2/2013-2015

Istanbul Bilgi University, Faculty of Law (part-time).  
Instructed Graduate Course: International Criminal Law.

9/2011-6/2012

Bogazici University Faculty of Economics and Administrative Sciences (part-time)  
International Criminal Law Fall 2011, Spring 2012.

1/2011-4/2011

Member of the Curriculum Commission of the Faculty of Law of the Turkish-German University.

6/2004-10/2005

Research Assistant at the International and Foreign Law University of Cologne.

1/2000 – 3/2001

Member of the Istanbul Bar.

11/1998-3/2001

Member of the Centre for Human Rights at the Istanbul Bar.

### **III. Fellowship/Research Grants**

1/2012

Visiting Scholar at the International and Foreign Law, Cologne.

12/2006-6/2010

Doctorate Scholarship of the Friedrich-Ebert-Stiftung.

7/2006

Doctorate Grant of the German Academic Exchange Service at the University of Cologne.

10/2005-6/2006

Research Grant of the German Academic Exchange Service (DAAD).

#### **IV. Organised Conferences**

|         |                                                                                                                                                                                      |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/2013 | Law Enforcement and Constitutional Rights Symposium (Uludag University).                                                                                                             |
| 11/2012 | Criminal Justice and Human Rights (Uludag University).                                                                                                                               |
| 5/2012  | Hate Crimes Symposium (Uludag University).                                                                                                                                           |
| 5/2010  | Criminal Law Reforms Congress (Istanbul University, Kultur University and Gazi University).                                                                                          |
| 9/2009  | “European Criminal Law on the Honour of Prof. Dr. Hans--Heinrich Jescheck Europäisches Strafrecht – Symposium zu Ehren von Prof. Dr. Hans--Heinrich Jescheck” (Istanbul University). |

#### **V. Foreign Languages**

English and German (advanced), French (basic--A3).

#### **VI. Publications**

##### **Books**

Kamu Barışına Karşı Suçlar Bağlamında Tehlike Unsuru, Oniki Levha, İstanbul, 2024.  
<https://www.onikilevha.com.tr/yayin/3140/kamu-barisina-karsi-suclar-baglaminda-tehlike-unsuru>

Alternatives to Imprisonment in England and Wales, Germany and Turkey, Springer, Berlin, 2011.  
E--book version: <http://www.springer.com/law/criminal/book/978--3--642--17350--9>. Book review: Tiffany Bergin, Alternatives to imprisonment in England and Wales, Germany and Turkey: a comparative study, by Öznur Sevdiren, *International Journal of Comparative and Applied Criminal Justice*, c. 36, sy.1, s. 75-76.

##### **Chapter in Edited Books**

Eine wirksame strafrechtliche Reaktion auf Hassrede? Art. 216 des türkischen StGB unter besonderer Berücksichtigung des Tatbestandsmerkmals der Gefahr in Hilgendorf, Eric ve Oğlakçıoğlu, Mustafa Temmuz (ed.) Verrohung der Kommunikation? Verrohung des Strafrechts?, Duncker & Humblot (forthcoming).

Confidentiality of Correspondence with Counsel as a Requirement of a Fair Trial: Turkey-Quo Vadis? in Bachmaier, Lorena et al (ed.) The Right to Counsel and the Protection of Attorney-Client Privilege in

Criminal Proceedings, *Ius Comparatum- Global Studies in Comparative Law* 44, 2020, [https://doi.org/10.1007/978-3-030-43123-5\\_12](https://doi.org/10.1007/978-3-030-43123-5_12).

‘Turkey: the Move to Categorical Exclusion of Illegally Gathered Evidence’ (with Adem Sözüer) prepared for XVIII. International Congress of Comparative Law in Stephen Thaman (ed.) *Exclusionary Rules in Comparative Law*, Springer, Dordrecht, 2013, pp. 287--308.

### **Articles Published in International Peer Reviewed Journals**

Gesetzliche Grundlagen zu Hasskriminalität und Hassrede in der Türkei: Kritische Reflexionen, *ZStW* 2020; 132(2), S. 616-643.

Disseminating Terrorism Related Propaganda in Turkey: An ‘Exceptional’ Case for Concrete Endangerment, *Criminal Law Forum* (forthcoming).

### **Articles in Peer Reviewed Journals**

Yargıtay 12. Ceza Dairesi’nin Makul Sürede Serbest Bırakılma Hakkının İhlali Nedeniyle Açılan Tazminat Davaları ile İlgili İçtihadının Değerlendirilmesi (An Analysis of the Case Law of the Court of Cassation in Relation to Compensation Claim Pursuant to Art. 141/1(d) for the Breach of the Right to Be Released Within a Reasonable Time), *Suç ve Ceza Dergisi*, 2021, pp. 865-910.

Yargıtay Kararları Işığında Suçüstü Halinde Şüphelinin Yakalanmasını Sağlamak Amacıyla Silah Kullanma Yetkisi (PVSK m. 16/7) [The Power to the Use of Firearms for the Purpose of Arresting a Suspect in Case of Flagrant Offence in the Light of the Court of Cassation Judgements]. *TBB Dergisi* 153, 2021, s. 65-106.

Adil Yargılanma Hakkı Bağlamında Seri Muhakeme Usulü Üzerine Eleştirel Değerlendirmeler (Critical Thoughts on the Abbreviated Procedure In the Context of the Right to Fair Trial), *Bahçeşehir Üniversitesi Hukuk Fakültesi Dergisi (Journal of Law Faculty of Bahcesehir University)* 5 (189-190), 2020, S.573-616.

Anayasa Mahkemesi’nin Tutuklama Kararının Maddi Şartları İçtihadına Eleştirel Bir Yaklaşım, (*A Critical Approach to the Case Law of the Constitutional Court in Relation to the Substantive Requirements of Remand in Custody Decision*), *Anayasa Hukuku Dergisi (Journal of Constitutional Law)* v. 8, no. 16, 2019, pp. 295-358.

İşkence Suçunda Tipik Fiil Yönünden ‘Acı ve Ezanın Ağırlığı’ ile Suçun ‘Sistematik ve Belli Bir Süreç İçinde İşlenmesi’ Ölçütlerinin Değerlendirilmesi (An Assesment of the Criteria of ‘the Severity of Pain and Suffering’ and ‘Systematic and Lasting Nature’ as to the Actus Reus Element of the Crime of Torture’, *Ceza Hukuku Dergisi (Journal of Criminal Law)*, v. 14, no. 40, 2019, pp. 335-378.

Çelişmeli Yargılama ve Silahların Eşitliği İlkeleri Bağlamında Teşhis İşlemi ve Bu İşlemden Müdafinin Hazır bulunma Yetkisi (Identification Parade and the Right of the Defence Counsel to Participate to this Procedure under the Principles of Adversarial Trial and Equality of Arms) no. 1, *GSÜ Hukuk Fakültesi Dergisi (Journal of Law Faculty of Galatasaray University)*, 2019, pp. 15-55.

Olağanüstü Hal Hukukunda Müebbet Kamu Görevinden İhraç Yaptırımının Cezai Niteliği, Suç ve Ceza, sy. 2, 2018, s. 93-137.

Anakronik Bir Tartışma: Mülga Ölüm Cezasına İade--i İtibar (An Anachronical Discussion: Reviving the Abolished Death Penalty) *Ceza Hukuku Dergisi (Journal of Criminal Law)*, v. 7, no 20, pp. 59--86.

Anayasa Mahkemesi Kararları Işığında ‘Konutta İnfaz’da Pozitif Ayrımcılık Paradoksu (The Positive Discrimination Paradox of Home Detention in Light of Recent Constitutional Court Decisions), *Ceza Hukuku Dergisi (Journal of Criminal Law)*, v. 6, no 16, pp. 2011.

Cezalandırmada Bir Paradigma Değişikliği Olarak Onarıcı Adalet Felsefesi: Bir Sentez Denemesi (Restorative Justice as a paradigm shift in criminal law?), *Ceza Hukuku Dergisi (Journal of Criminal Law)*, v. 6, no 15, pp. 103--129, 2011.

Türk--Alman Ceza Muhakemesi Hukuku’nda Çocuk Suçluluğu Bakımından “Diversiyon” Düşüncesinin Gelişimi, (Diversion of Juvenile Offenders in Turkish and German Criminal Procedure Law), *Türkiye Adalet Akademisi Dergisi (Journal of Turkish Academy of Justice)* v. 2, n. 5, pp. 257--284, 2011.

## Selected Papers

‘Uluslararası Ceza Hukuku Kapsamında İŞİD Yargılamaları’ (ISIS Trials in the Context of International Criminal Law), ‘İŞİD Katliamları ve İnsanlığa Karşı Suçlar Sempozyumu’ ( ISIS Massacres and Crimes Against Humanity), Ankara Bar, 28/9/2018.

‘Yargının Bağımsızlığı ve Bağımlılığı’ (Independence and Dependence of Judiciary) Türkiye’de Hukuk Düzeninin Dönüşümü (The Transformation of Turkish judicial system)’, Ankara Bar, 28/9/2018.

‘Criminal Responsibility from Workplace Accidents’, Istanbul Bar Foreign Relations Centre, Association of Bahçeşehir Graduates, Barış TV, ‘with International Dimensions Problems and Proceedings as to Work Place Accidents’, 16.03.2015 and 20.04.2015, Istanbul.

‘An Assesment of Substantive and Procedural Aspects of Turkey’s Anti--Terror Legislation’, Çağdaş Hukukçular Derneği (Progressive Lawyers Association), 10.11.2014, Istanbul.

Bir İşkence Yöntemi Olarak ‘Çıplak Arama’ (‘Strip Search’ as a Method of Torture, Panel for Solidarity for Onur Yaser Can and Hatice Can), 19.10.2014, Istanbul.

‘Life Imprisonment’: Quo Vadis?, Annual Conference of the European Society of Criminology, 12.9.2014, Prague.

Bir Suç ve Ceza Politikası Olarak ‘Düşman Ceza Hukuku’-- Türkiye Yargısının Adalet Pratiği (As a Criminal and Penal Policy ‘Feindstrafrecht (‘Enemy Criminal Law’) – The Justice Practice of Courts in Turkey) in Turkey, Karaburun Science Congress (Session on Türkiye’nin ‘Hukuk Devleti’ Miti ve Geleneksel Cezasızlık Alanları: Aktörler ve Mağdurlar--Turkey’s Myth of ‘the Rule of Law’ and Conventional Areas of Impunity), 6.9.2014, Karaburun/Izmir.

Freedom of Assembly, Unlawful Use of Force and Culture of Impunity in Turkey’ ‘Human Rights and Democracy in the Context of EU Enlargement’-- Western Balkan Perspectives, European Association of Lawyers for Democracy and Human Rights (ELDH), Lawyers for Democracy and Human Rights (LawDem), 6 Haziran 2014, Belgrade.

‘Uluslararası İnsan Hakları Hukukunda Uzun Süreli Mahkumiyet Sorunu, Vinter ve Diğerleri v. Birleşik Krallık Kararı Örneği’, (‘The Problem of Long--Term Imprisonment in International Human Rights Law with a Particular Emphasis to Vinter and Others v. United Kingdom), ‘İşkence ve Kötü Muamele Yasağının İhlali Bakımından Uzun Süreli Mahkumiyet’ (Long Term Imprisonment from the perspective of the Prohibition on Torture and Ill--Treatment) TOHAV (Foundation for Society and Legal Studies), 24.5.2014, İstanbul.

‘Cezasızlık Kavramı’-- Bir Çerçeve Denemesi (‘The Concept of Impunity’-- An Attempt for a Framework) in Yargıyı Yargılamak: Cezasızlık ve Siyasi Davalar Paneli (Judging the Judiciary: Impunity and Political Cases), Ankara University Faculty of Political Sciences, Human Rights Centre, 26.4.2014, Ankara.

‘Polisin Ceza Yargılamasındaki Rolü’ (‘The Role of Police in Criminal Proceedings’), Türk Ceza Hukuku Derneği Pazartesi Forumları (Association of Turkish Criminal Monday Forums), 7.4.2014, İstanbul.

İşveren Vekilleri ve İş Güvenliği Uzmanlarının İş Kazasından Doğan Cezai Sorumluluğu’ (‘The Criminal Responsibility of Employer’s Representative and Experts of Work Safety from Workplace Accidents’), İşveren Vekilleri ve İş Güvenliği Uzmanlarının İş Kazasından Doğan Hukuki ve Cezai Sorumluluğu (The Criminal and Civil Responsibility of Employer’s Representative and Experts of Work Safety from Workplace Accidents’), Mavi Akademi--Bursa Chamber of Commerce and Industry, 11.12.2014, Bursa.

‘Hukuk Devleti, Kolluk Güçleri ile İlgili Mevzuat ve Cezasızlık Döngüsü (‘The Rule of Legislation Related to Law Enforcement Officials and Vicious Circle of Impunity’), Conference of Human Rights Issues, 20.12.2013, İstanbul.

Olağanlaştırmış Olağanüstü Mahkemeler ve İstisna Muhakeme Hükümleri: Karşılaştırmalı Hukukta ‘Modeller’ ve Uygulama (‘Normalised Emergency Courts and Exceptional Procedural Rules: ‘Models’ and Practice in Comparative Law’), Ceza Adaleti ve İnsan Hakları Konferansı (Criminal Justice and Human Rights Conference), 2.11.2013, Bursa.

‘Between Legal Positivism and Forensic Sciences: A Comparative Perspective of the Development and Non--Development of Academic Criminology in Turkey’, *Annual Meeting of European Society of Criminology*, 15.9.2012, Bilbao, Spain.

‘A Shadowy Existence? : Victim--Offender Mediation Programmes in Turkey’, *Annual Meeting of European Society of Restorative Justice*, 14.6.2012, Helsinki, Finland.

‘Diversion in Turkish Law and Practice: Destined to Fail?’, *Stockholm Symposium of Criminology*, 12.6.2012, Stockholm, Sweden.

‘Karşılaştırmalı Hukukta Nefret Suçları: Alman Hukukunda Nefret Suçlarına İlişkin Yaklaşımlar’ (Hate Crimes in Comparative Law: Perspectives from German Law), Nefret Suçları Sempozyumu (*Hate Crimes Symposium*), 11.05.2012, Bursa, Turkey.

Yakalama, Arama ve El Koyma (Arrest, Search and Seizure in Turkish Law), (as discussant), ‘Kolluğun İdari ve Adli Yetkilerinin Etkin ve Hukuka Uygun Kullanımı’ Konferansı (‘Effective and Lawful Use of Preventive and Judicial Powers’), Bursa Police and Bahçeşehir University, 2.5.2012, Bursa, Turkey.

Juvenile Justice Systems in England and Wales, Germany and in Turkey, 28.7.2003, *Doctoral Colloquium, Institute of Foreign and International Law, Cologne, Germany.*

## **VII. Varia**

### **Reports**

**For University of Cologne, Institute of International and Foreign Criminal Law (Prof. Dr. Thomas Weigend):**

The General Part of the Turkish Penal Code (Türk Ceza Kanunu Genel Hükümler Raporu (6/2005) Hans-Heinrich Jescheck/Thomas Weigend Ceza Hukuku Genel Hükümler (*Lehrbuch des Strafrechts Allgemeiner Teil*, Berlin, Duncker & Humblot, 1996)

### **Expert Reports for NGOs:**

Türkiye'nin Cezasızlık Mevzuatı, Hafıza Merkezi, 2016, İstanbul.  
(*Turkey's Impunity Legislation*) Hafıza Hakikat Adalet Merkezi, 2016, İstanbul.

Bir Uluslararası Ceza Hukuku Problematiği Olarak Zorla Kaybetme Suçunun Ulusal Hukukta Tanınması ve Zamanaşımı Meselesi' in Hafıza Merkezi, 'Zorla Kaybetmeler ve Yargının Tutumu', 2013, s. 62-99. 'The Recognition of Enforced Disappearance as a Crime Under Domestic Law and the Statute of Limitations: A Problematic of International Criminal in Enforced Disappearances and the Conduct of the Judiciary (translated by Fethi Keles into English), Hafıza Hakikat Adalet Merkezi, 2013, İstanbul, also available at the following link: [http://www.hakikatadalethafiza.org/images/UserFiles/Documents/Editor/Yay%C4%B1mlar/Zorla--Kaybetmeler--Yargi\\_ENG.pdf](http://www.hakikatadalethafiza.org/images/UserFiles/Documents/Editor/Yay%C4%B1mlar/Zorla--Kaybetmeler--Yargi_ENG.pdf)

### **Translations**

Thomas Weigend, A Judge by Another Name? Comparative Perspectives on the Role of the Public Prosecutor *Farklı Bir Ad Altında Hâkimlik mi? Savcının Rolüne İlişkin Karşılaştırmalı Yaklaşımlar* in *Dünyada ve Türkiye'de Ceza Hukuku Reformları Kongresi* (Congress of Criminal Law in Turkey and in World), c.2, On İki Levha Yayınları, 2013, İstanbul, s.73--90.

Henning Rosenau, Methodik und Aufgabe der Rechtsvergleichung: Das Beispiel der Absprachen im Strafverfahren Henning Rosenau, *Karşılaştırmalı Hukukun Yöntem ve Görevleri: İddia Pazarlığı Örneği, Küresel Bakış*, vol. 1, no. 2, pp. 88--101, 2011

### **Journal and Newspaper Articles**

Düşman Ceza Hukuku Meri Hukuk Diyaletktigi (Dialectic of law in force and und ,Feindstrafrecht'), *Ayrıntı* 35, 2020, s. 36-48.

Zorla Kaybetme Suçları ve Cezasızlık Olgusu (Enforced Disappearance and Impunity), *Hukuk DeFTERleri*, no. 24, 2020, s. 31-34.

Dismissal from Public Service Can Have Effect of Lifelong Measure, Kamudan İhraçlar Müebbet Yasaklılık Etkisi Doğurabilir mi? , 12.1.2018,

<https://www.gazeteduvar.com.tr/forum/2018/01/12/kamudan-ihraclar-muebbet-yasaklilik-etkisi-dogurabilir-mi/>.

İnfial ve İnkâr Sarkacında Ensest Tartışması (On the Pendulum of Denial and Indignation: The Debate on Incest) Güncel Hukuk Dergisi, Ekim 2017, s. 166 vd.

Türk Ceza Kanunu’nda Ensest Boşluğu, The Incest ‘Gap’ in Turkish Criminal Law, 10.9.2017, <https://www.gazeteduvar.com.tr/forum/2017/09/10/turk-ceza-kanununda-ensest-boslugu/>.