

Course Code	Course Name	Semester	Theory	Practice	Lab	Credit	ECTS
HUK452	Individual application to the constitutional court	8	2	0	0	2	2
Prerequisites							
Admission Requirements							
Language of Instruction	Turkish						
Course Type	Elective						
Course Level	Bachelor Degree						
Objective	Examining individual application to the Turkish Constitutional Court in the light of the case law of the Constitutional Court and the European Court of Human Rights.						
Content	<p>1- The function of the individual application</p> <p>2- Capacity to apply</p> <p>3- The scope of the right to apply</p> <p>4- The subject of the individual application</p> <p>5- Conditions of application</p> <p>6- The review of the complaint by the Constitutional Court</p> <p>7- Decisions of the Constitutional Court concerning the application</p> <p>8- Mid-term exam</p> <p>9- Case law of the Constitutional Court and the European Court of Human Rights concerning fundamental rights in the scope of the individual application</p> <p>10- Case law of the Constitutional Court and the European Court of Human Rights concerning fundamental rights in the scope of the individual application</p> <p>11- Case law of the Constitutional Court and the European Court of Human Rights concerning fundamental rights in the scope of the individual application</p> <p>12- Case law of the Constitutional Court and the European Court of Human Rights concerning fundamental rights in the scope of the individual application</p> <p>13- Case law of the Constitutional Court and the European Court of Human Rights concerning fundamental rights in the scope of the individual application</p> <p>14- Case law of the Constitutional Court and the European Court of Human Rights concerning fundamental rights in the scope of the individual application</p> <p>Relevant case law of the Turkish Constitutional Court and the European Court of Human Rights</p> <p>ALTIPARMAK, Kerem/CENGİZ, Serkan/GÖZTEPE, Ece/ÖZDOĞAN, Sedef/SAĞLAM, Fazıl, Anayasa Mahkemesinin Kuruluş ve Yargılama Usulleri Hakkında Kanun Tasarısına İlişkin Çalışma Grubu Raporu, İzmir Barosu İçin Hazırlanan Rapor, 2011.</p> <p>Anayasa Mahkemesine Bireysel Başvuru, Ankara: TBB, 2011.</p> <p>Anayasa Yargısı, S. 21, Ankara: AYM, 2004.</p> <p>Anayasa Yargısı, S. 26, Ankara: AYM, 2009.</p> <p>Anayasa Şikâyeti-Vervassungsbeschwerde, Ankara: AÜHF, 2009.</p> <p>ARNWINE, Selin ESEN, “İspanya’da Bireysel Başvuru Yolu, AÜSBFD, 52(4), 2003, s. 249-271.</p> <p>AYDIN, Öykü Didem, “Anayasa Mahkemesine Bireysel Başvuru Yolu”, Gazi Üniversitesi Hukuk Fakültesi Dergisi, C. XV (2011), S.4, s. 121-174.</p> <p>ÇELİK, Burak/ESEN, Selin/GÖZTEPE, Ece/Mumcu, Ahmet/SABUNCU, Yavuz/SAĞLAM, Fazıl/ŞENOL, Talay, Anayasa Şikâyetinin Türkiye’de Yüksek Yargı Organlarıncı Benimsenmesini ve Sağlıklı Bir Biçimde Uygulanmasını Sağlayacak Adımların Atılması Konusunda Görüşler, TBB İnsan hakları Merkezi İçin Hazırlanan Rapor, 2007.</p> <p>DOĞRU, Osman, Anayasa Mahkemesine Bireysel Başvuru Rehberi, İstanbul: Legal, 2012.</p> <p>European Commission for Democracy Through Law (Venice Commission), Study on Individual Access to Constitutional Justice, CDL-AD (2010)039.</p> <p>European Commission for Democracy Through Law (Venice Commission), Opinion on the Law on the</p>						

European Commission for Democracy through Law ( Venice Commission), Opinion on the Law on the Establishment and Rules of Procedure on the Constitutional Court of Turkey, CDL-AD (2011)040.

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#### References

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#### Theory Topics

Week	Weekly Contents
1	The function of the individual application
2	Capacity to apply
3	The scope of the right to apply
4	The subject of the individual application
5	Conditions of application
6	The review of the complaint by the Constitutional Court
7	Decisions of the Constitutional Court concerning the application
8	Mid-term exam

**Week****Weekly Contents**

- 9 Case law of the Constitutional Court and the European Court of Human Rights concerning fundamental rights in the scope of the individual application
- 10 Case law of the Constitutional Court and the European Court of Human Rights concerning fundamental rights in the scope of the individual application
- 11 Case law of the Constitutional Court and the European Court of Human Rights concerning fundamental rights in the scope of the individual application
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