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Ceza Hukuku ve Kriminoloji Araştırma ve Uygulama Merkezi
34116 Beyazıt, Fatih - İstanbul, Türkiye
Telefon / Phone: +90 (212) 440 01 05
Faks / Fax: +90 (212) 512 41 35
E-mail: jplc@istanbul.edu.tr
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İÇİNDEKİLER / CONTENTS

New Technologies through a Human Rights Lens: Reflecting on Personal Autonomy and Non-Discrimination <i>Yeni Teknolojilere İnsan Hakları Bakış Açısıyla Yaklaşmak: Kişisel Özerklik ve Ayrımcılık Yasağı</i>	
Saadet YÜKSEL	281-305
İHAM İçtihadı Açısından Türkiye’de Vergi ve Ceza Yargılamalarının Etkileşimi Sorunu <i>The Question of Interaction between Tax and Criminal Proceedings in Turkey in Terms of ECtHR Jurisprudence</i>	
Barış BAHÇECİ	307-338
İklim Değişikliğiyle Mücadelede Bir Araç Olarak Uluslararası İnsan Hakları Hukuku <i>International Human Rights Law as a Mechanism for Coping with Climate Change</i>	
Cüneyt YÜKSEL	339-366
Bilgisayarlarda, Bilgisayar Programlarında ve Kütüklerinde Arama, Kopyalama ve Elkoyma <i>Searching, Copying and Seizing of Computers, Computer Programs and Files</i>	
Neslihan ATEŞ BENEK	367-411
Alman ve Avusturya Hukuku ile Karşılaştırmalı Olarak Yağma Suçunda Manevi Unsurun Belirlenmesine Yönelik Tartışmalar <i>Discussions on the Subjective Element of the Crime of Plunder in Comparison with German and Austrian Law</i>	
H. Sefa ERYILDIZ, Ali BOYRACI	413-457
Suç Aktarımı: Ceza İnfaz Kurumları Suç Üniversiteleri mi? <i>Crime Transference: Are Prisons “Universities of Crime”?</i>	
Efe Can KARABULAT, Hüseyin NERGİZ	459-490
II. Meşrutiyet’in İlk Günlerinde Uygulanan Afların Mahiyet ve Etkileri (1908-1909) <i>The Nature, Scope, and Effects of the Amnesty Laws That Were Applied in the Early Days of the Second Constitutional Revolution (1908-1909)</i>	
Aydın YETKİN	491-536
Anayasa ve Avrupa İnsan Hakları Sözleşmesi Çerçevesinde İsnadı (Suçlamayı) Öğrenme Hakkı <i>The Right to be Informed of Accusation under the Constitution and the European Convention on Human Rights</i>	
Akif YILDIRIM	537-579

Dear Readers,

We are delighted to present the new issue of the Journal of Criminal Law and Criminology, a publication from the Criminal Law and Criminology Research and Application Center at Istanbul University Faculty of Law. In the last 6 months, our Center held scientific gatherings and carried out national and international research.

The Center actively hosts academic activities and continually develops discourse in criminal law and criminology, both at the national and international levels. The Center's most recent academic event was the 12th edition of the *International Crime and Punishment Film Festival* which has a unique place among the thematic film festivals that took place between November 18th and 24th, 2022. This year's academic program's theme was "*We Are Equal*". The academic program with 80 academic participants lasted 7 days. At the same time, feature films, short films, and documentaries on the theme of justice that competed in this year's film festival were screened at Kadıköy Cinema and Atlas 1948 Cinema. Student clubs contributed significantly to the discussion of equality by actively participating in it.

"*Three Countries Seminar Program*" was held between October 8th and 15th, 2022 again in Göcek. This year the theme of "Criminal Investigation, Prosecution & Proceedings go digital!" was discussed by academics and students. The seminar consisted of two main parts. The first part discussed specific questions regarding criminal investigation proceedings when applying digital means and when challenged by the use of digital means when committing crimes. Certain digitization concerns that came up during the main criminal case hearings were explored in this second main part of the seminar.

The Center's other important international academic activity is "*Law on the Bosphorus Summer School*". The 10th edition of the International Human Rights Law on the Bosphorus Summer was held between the 10th and 18th of September 2022. This year's academic theme was "*International Criminal Law with the Perspective of Human Rights*". Daily lectures, team projects, and team presentations were all part of the summer school, which ended with team presentations. 16 lectures were presented by 14 academics from 7 different countries about the 10th Law on the Bosphorus. Summer school students, who attended from 11 different countries, carried out teamwork with great devotion every day in addition to these lectures.

Known for uniting varying viewpoints from the worlds of science and art on the axis of justice, we publish the whole texts of the papers in the academic program of the International Crime and Punishment Film Festival. In the academic program of the 7th ICAPFF held during 3 - 9 November 2017, the full texts of the papers presented under the theme "Protection of the Rule of Law against Terrorism and the Coups" were published in March 2022. The full texts of the papers presented under the theme of "Drug Problem from the Perspective of Criminal Law and Health" in the 8th ICAPFF academic program held during 9-16 November 2018 were published in September 2022. Lastly, the full texts of the papers presented under the theme of "Justice in the Virtual World" in the 9th ICAPFF academic program held during 22-28 November 2019 were published in December 2022. We hope that our publications will contribute to theoreticians and practitioners.

Saadet YÜKSEL, with the article titled, "New Technologies through a Human Rights Lens: Reflecting on Personal Autonomy and Non-Discrimination" aims to put new technologies under a human rights

lens. The Author examines firstly the perspective of the European Convention of Human Rights, the relationship between new technologies, freedom of expression and online content moderation and then the challenges posed by the internet to the principle of non discrimination. According to the Author, the internet and online communication pose acute challenges for the protection of personal autonomy and non-discrimination under human rights law. But the Author suggest that The European Court of Human Rights is already in the process of developing a substantial body of case law.

In the article titled *"The Question of Interaction between Tax and Criminal Proceedings in Turkiye in Terms of ECtHR Jurisprudence"* prepared by Barış BAHÇEÇİ, the question of harmonization between tax and criminal proceedings in Turkish law resulting from the condition of "sufficiently close in substance and in time" as applied within the scope of Article 4 of Protocol No. 7 (P7-4) of the European Convention on Human Rights (ECHR) is examined. The author evaluated this approach according to the jurisprudence of ECtHR. According to the author's opinion, the jurisprudence of ECtHR and Turkish law are incompatible with each other. Because there is no legal regulation exist in Turkish law about ensuring the interaction between tax and criminal courts. He suggests a possible solution, which does not need new regulation, to this problem in his article.

In the article titled *"International Human Rights Law as a Mechanism for Coping with Climate Change"*, Cüneyt Yüksel analyzed the approach adopted in the new challenge in climate changes encountered by international law through an analysis of the developments observed through the decisions made by the European Court of Human Rights, the policy-making processes of the Parliamentary Assembly of the Council of Europe, the Committee of Ministers of the Council of Europe, and the United Nations.

In her article titled *"Searching, Copying and Seizing of Computers, Computer Programs and Files"* prepared by Neslihan Ateş Benek, the author aims to examine the search, copy, and seizure measures in the information systems according to Article 134 of the Turkish Criminal Procedure Code. The author provides extremely thorough descriptions of digital evidence, computers, and software. Within the context of discussions in doctrine and jurisprudence, she analyses the measure's legal status, its conditions, and its implementation.

Hüsnü Sefa Eryıldız and Ali Boyracı contributed to our current issue with the article titled *"Discussions on the Subjective Element of the Crime of Plunder in Compare with German and Austrian Law"*. According to Article 148 of the Turkish Criminal Code, there is no specifically mentioned of the aim of benefit. But the crime of plunder is considered a combined crime that consists of theft and coercion or threat in Turkish Criminal Law. Therefore in this article, the authors evaluate discussions about the subjective element of the crime of plunder and its scope according to Turkish criminal law doctrine. And they also compare that topic with German and Austrian legislation.

Convicts in penal institutions face negative consequences that contradict the purpose of punishment, such as learning new crimes and criminal methods, meeting other convicts and deciding to commit crimes together, joining criminal organizations, or committing new crimes within the institution. Efe Can Karabulut and Hüseyin Nergiz examine the predictions of the differential association theory, which is essentially an all-encompassing theory of learning in all social environments, in terms of penal institutions in their article titled *"Crime Transference: Are Prisons Universities of Crime?"* The authors also discuss what types of education and culture transfer penal institutions may be prone to due to their characteristics and what consequences this will have.

Aydin Yetkin, with the article titled "*The Nature, Scope, and Effects of the Amnesty Laws Applied in the Early Days of the Second Constitutional Revolution (1908-1909)*" aims to examine the amnesty laws, which were applied in the Ottoman Empire, especially in the year of the proclamation of the Second Constitutional Revolution, according to different reasons and purposes. According to the author, the impact of amnesty laws legislated in the first year of the Second Constitutional Revolution on prisons, society, and public order is the most controversial issue of that time. The author examines the reasons for these conditions in his very detailed article.

In the article titled "The right to be informed of accusation under the Constitution and the European Convention on Human Rights", Akif Yıldırım discusses the right to be informed of the accusation within the framework of the guarantees provided by the Constitution and the Convention in the light of the decisions of the Turkish Constitutional Court and the ECtHR. Author underlines that the proper implementation of the Turkish Criminal Procedure Code, which stipulates regulations far beyond the standards set by the Constitutional Court and the ECtHR regarding the right to know the accusation, is an important stage in this regard.

We hope that this issue provides a valuable contribution and benefits our readers and researchers. We would like to thank the respective authors who have honored our journal with their articles, our respectable reviewers who contributed with their valuable opinions, and everyone who contributed to the preparation of this issue.

Prof. Dr. Adem SÖZÜER
Istanbul University Faculty of Law
Director of Criminal Law and Criminology Research and Application Center
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