

CONGRESS ON THE CRIMINAL LAW REFORMS IN THE WORLD AND IN TURKEY

May 25, 2010, Tuesday

Opening Cocktail
19:00-21:00

SECTION I- CRIMINAL PROCEDURE LAW SESSIONS

May 26-27, 2010, Kultur University, Faculty of Law / Istanbul
Önder Öztunalı Conference Hall

May 26, 2010, Wednesday

08:30-10:00 Opening Speeches

Session 1 THE JUDICIARY AND THE MEDIA 10:00-12:30

Moderator Prof. Dr. Cumhuri Şahin (Turkey)
10:00-11:00 Presentations

Duty of the Media About Penal Accuses and Limitations of the Publicity Principle Within
the Context of Law Cases of ECHR

-Prof. Dr. Dr. hc.c mult. Hans Heiner Kühne (Germany)

Crimes Related With Publications at the Stage of Investigation and Trial Phases

-Prof. Dr. Dr. h.c. Urs Kindhaeuser (Germany)

11:00-11:30 Coffee Break

11:30-12:30 Discussion

Moderator Prof. Dr. İzzet Özgenç (Turkey)

Participants :

-Prof. Dr. Dr. hc.c mult. Hans Heiner Kühne (Germany)

-Prof. Dr. Dr. h.c. Urs Kindhaeuser (Germany)

-Prof. Dr. Włodzimierz Wróbel (Poland)

-Prof. Dr. Adem Sözüer (Turkey)

12:30-14:00 Lunch

Session 2

RELATIONSHIP BETWEEN THE PUBLIC PROSECUTOR AND THE JUDICIAL LAW ENFORCEMENT AGENCIES -CONDITIONS OF INITIATION OF PUBLIC PROSECUTION
14:00-17:30

Moderator Prof. Dr. Bahri Öztürk (Turkey)

14:00-15:00 Presentations

Initiation of Public Prosecution

-Prof. Dr. Thomas Weigend (Germany)

The beginning of investigation and prefield researches in Criminal Procedure Law

-Prof. Dr. Feridun Yenisey (Turkey)

15:00-15:15 Coffee Break

15:15-16:15 Presentations

Conditions of Initiation of Public Prosecution

-Prof. Dr. Manuel Cancio (Spain)

Relationship between the public prosecutor and the judicial law enforcement agencies

-Asso. Prof. Dr. Pınar Ölçer (Holland)

16:15-16:30 Coffee Break

16:30-17:30 Discussion

Moderator: Prof. Dr. Cumhuri Şahin (Turkey)

Participants

-Prof. Dr. Thomas Weigend (Germany)

-Prof. Dr. Feridun Yenisey (Turkey)

-Prof. Dr. Manuel Cancio (Spain)

-Prof. Dr. Renzo Orlandi (Italy)

-Asso. Prof. Dr. Pınar Ölçer (Holland)

19:00 Dinner

May 27, 2010, Thursday

Session 1

**THE RIGHT OF PRIVACY AND IN THE CONTEXT OF FREEDOM OF COMMUNICATION;
JUDICIAL AND PREVENTIVE INTERCEPTION OF COMMUNICATION**

08:30-12:00

Moderator: Prof. Dr. Faruk Turhan (Turkey)

08:00-10:00 Presentations

Preventive Interception of Correspondence through telecommunication and Wiretapping

-Prof. Dr. Renzo Orlandi (Italy)

Issues of recording and using of telecommunication information in Criminal Procedure

-Prof. Dr. Mark Zöller (Germany)

Judicial and preventive interception of communication in Turkey

-Fethi Şimşek (Telecommunication Communication Directorate-Turkey)

10:00-10:30 Coffee Break

10:30-12:00 Discussion

Moderator Prof. Dr. Adem Sözüer (Turkey)

Participants :

-Prof. Dr. Renzo Orlandi (Italy)

-Prof. Dr. Mark Zöller (Germany)

-Prof. Dr. Stephen Thaman (USA)

-Asso. Prof. Dr. Asuman İnceoğlu (Turkey)

-Dr. Gottfried Plagemann (Turkey)

-Fethi Şimşek (Telecommunication Communication Directorate-Turkey)

12:00-13:30 Lunch

Session 2

THE PROTECTION OF OFFICIAL SECRETS IN CRIMINAL LAW

13:30-16:30

Moderator Prof. Dr. Uğur Alacakaptan (Turkey)

13:30-15:00 Presentations

What is an official secret?/Can official secrets be used as an evidence in criminal courts?/ The crime of the disclosure of official secrets

-Prof. Dr. Wolfgang Frisch (Germany)

-Prof. Dr. Eli Lederman (Israel)

-Prof. Dr. İzzet Özgenç (Turkey)

15:00-15:30 Coffee Break

15:30-16:30 Discussion

Moderator Prof. Dr. Bahri Öztürk (Turkey)

Participants

-Prof. Dr. Wolfgang Frisch (Germany)

-Prof. Dr. Eli Lederman (Israel)

-Prof. Dr. İzzet Özgenç (Turkey)

-Prof. Dr. Kurt Heinrich Schmoller (Austria)

Dinner

SECTION II-COUNTRY REPORTS

May 28–29–30–31, 2010 Istanbul University Faculty of Law / Istanbul
Istanbul University Doctorate Hall

May 28, 2010, Friday

08:45-09:00 Opening Speeches

Session 1

09:00-10:30

Moderator Prof Dr. Fatih Selami Mahmutoğlu (Turkey)

09:00-10:00 Presentations

Germany - Country Report - 20 mins.

-Prof. Dr. Detlef Krauss

Poland - Country Report - (The Principle of Legality) 20 mins.

-Prof. Dr. Włodzimierz Wróbel

Slovenia - Country Report - (The Provisions Regarding to Justification grounds) 20 mins.

-Prof. Dr. Damjan Korošec

10:00-10:30 Discussion

10:30-10:50 Coffee Break

Session 2

10:50-12:20

Moderator Prof. Dr. Timur Demirbaş (Turkey)

10:50-11:50 Presentations

South Africa - Country Report - (Organized Crimes) 20 mins.

-Prof. Dr. Gerhard Kemp

Norway - Country Report - (The Provisions Regarding to the Special Appearance Forms of Crime) 20 mins.

-Prof. Dr. Erling Johannes Husabö

France - Country Report - (Organized Crimes) -20 mins.

-Prof. Dr. Sylvie Cimamonti

11:50-12:20 Discussion

12:20-14:00 Lunch

Session 3

14:00-15:30

Moderator Prof. Dr. Mustafa Ruhan Erdem (Turkey)

14:00-15:00 Presentations

Austria – 20 mins.

-Prof. Dr. Kurt Heinrich Schmoller
South Korea - Country Report - 20 mins.

-Prof. Dr. Tae Young Ha
Croatia - Country Report - 20 mins.

15:00-15:30 Discussion

15.30-15:50: Coffee Break

Session 4

15:50-17:20

Moderator Prof. Dr. Ahmet Gökçen (Turkey)

15:50-16:50 Presentations

Chile - Country Report - 20 mins.

-Prof. Dr. Hector Hernandez

People's Republic of China - Country Report - 20 mins.

-Prof. Dr. Shizhou Wang

Serbia - Country Report - 20 mins.

-Prof. Dr. Stanko Bejatovic

16:50-17:20 Discussion

Bosporus tour by boat -Dinner

May 29, 2010, Saturday

Session 1

08:30-10:00

Moderator Prof. Dr. Hakan Hakeri (Turkey)

08:30-09:30 Presentation

Switzerland - Country Report - (Conditions for punishment) 20 mins.

-Prof. Dr. Günter Heine

Spain - Country Report - 20 mins.

-Prof. Dr. Francisco Munoz Conde

Egypt - Country Report - 20 mins.

-Prof. Dr. Muhammed Samy el Shawa

09:30-10:00 Discussion

10:00-10:20 Coffee Break

Session 2

10:20-11:50

Moderator Asso. Prof Dr. Serap Keskin Kizirođlu (Turkey)

10:20-11:20 Presentations

United States of America - Country Report - 20 mins.

-Prof. Dr. Stephen Thaman

England - Country Report - 20 mins.

-Prof. Dr. Susan Nash

Hungary - Country Report - 20 mins.

-Prof. Dr. Klara Kerezsi

11:20-11:50: Discussion

12:00-13:30: Lunch

Session 3

13:30-14:30

Moderator Prof. Dr. Füsün Sokullu-Akıncı (Turkey)

13:30-14:15 Presentations

Criminological Studies and Criminal Law Reform Processes

-Prof. Dr. Klara Kerezsi (Hungary)

-Prof. Dr. Lawrence Sherman (USA)

-Prof. Dr. Heather Strang (Australia)

14:15-14:30 Discussions

14:30-14:45 Coffee Break

Session 4

14:45-15:45

Moderator Prof. Dr. Lawrence Sherman (USA)

14:45-15:30 Presentations

Criminological studies on Juvenile criminality and juvenile law reforms

-Prof. Dr. Füsün Sokullu-Akıncı (Turkey)

-Prof. Dr. Frieder Dünkel (Germany)

-Dr. Ineke Pruin (Germany)

15:30-15-45 Discussions

15:45-16:00 Coffee Break

Conference

16:00-16:30

Subject: Stalking

Moderator Prof. Dr. Mehmet Emin Artuk (Turkey)

Lecturer

Prof. Dr. Kristian Kühl (Germany) 20 mins.

17:00-19:00 Bosphorus tour by boat

19:00-21:30 Dinner

May 30, 2010, Sunday

Session 1

08:30-10:00

Moderator Prof. Dr. Doğan Soyaslan (Turkey)

08:30-09:30 Presentations

Israel - Country Report - 20 mins.

-Prof. Dr. Shlomo Shoham

Holland - Country Report - 20 mins.

-Prof. Dr. mr. Nico Keijzer

Iran - Country Report - 20 mins.

-Prof. Dr. Parviz Saney

09:30-10:00 Discussion

10:00-10:20 Coffee Break

Session 2

10:20-11:50

Moderator Prof Dr. Veli Özer Özbek (Turkey)

10:20-11:20 Presentations

Georgia - Country Report - 20 mins.

-Prof. Dr. Edisher Phutkaradze

Greece - Country Report - 20 mins.

-Asso. Prof. Dr. Angelika Pitsela

Italy - Country Report - 20 mins.

-Prof. Dr. Luigi Foffani

11:20-11:50 Discussion

12:00-13:00 Lunch

13:00 City Sightseeing (Sultanahmet Region and Hagia Sophia)

13:30-15:30 Turkish Criminal Law Reform Forum (Only for participants from Turkey.)

The academic forum is creation recommended as regards the Turkish Criminal Law Reform. In this section of the Congress, the forum is concerned with the reformation process, monitoring and evaluating the reforms with the academic methods, and debating the academic activities which will be organized in future.

Moderator Prof. Dr. Adem SÖZÜER

Participants

All Congress Participants from Turkey. *

19:00-21:30 Dinner

May 31 2010, Monday

Session 1

08.30 – 10.00

Moderator Prof. Dr. Durmuş TEZCAN (Turkey)

08:30-09:30 Presentations

Japan - Country Report - (The Types of Criminal Punishment and Security Measures) 20 mins.

-Prof. Dr. Dr. h.c. Makoto IDA

Czech Republic - Country Report - (The Types of Criminal Punishment and Security Measures) 20 mins.

-Prof. Dr. Helena VALKOVÁ

Russia - Country Report - (Abolition of Death Penalty and Influence of the Supreme Court and Jury)-20 min.

-Prof. Dr. Aleksandr SMIRNOV

09.30 – 10.00 : Discussion

10.00 – 10.20 : Coffee Break

Session 2

10.20 – 11.50

Moderator: Prof. Dr. Vahit BIÇAK (Turkey)

10.20 – 11.20 : Presentations

Kazakhstan - Country Report - 20 min.

-Prof. Dr. Nurlan DULATBEKOV

Kyrgyzstan - Country Report - 20 min.

-Prof. Dr. Venera TABALDIEVA

Bulgaria - Country Report - 20 min.

-Prof. Dr. Lasar GRUEV

11.20 – 11.50 : Discussion

12.00 – 13.30 : Lunch

Session 3

IN THE CONTEXT OF FUTURE OF CRIMINAL LAW REFORMS: DISCUSSIONS ABOUT FREEDOM - AND SECURITY

13:30-15:00

Moderator: Prof. Dr. Walter GROPP (Germany)

13:30-14:30 Presentations

Back to the Death Penalty and/or the toleration of Torture! Are the Libertarian Criminal Law Reforms in Danger?

-Prof. Dr. Walter PERRON (Germany)

-Prof. Dr. Henning ROSENAU (Germany)

14:30-15:00 Discussion

Moderator: Prof. Dr. Adem SÖZÜER

Participants

-Prof. Dr. Walter PERRON (Germany)

-Prof. Dr. Henning ROSENAU (Germany)

-Prof. Dr. Francisco Munoz CONDE (Spain)

-Prof. Dr. Sylvie CIMAMONTI (France)

15:00-15.30 Coffee Break

Session 4

INTERNATIONAL COOPERATIONS FOR THE TURKISH CRIMINAL LAW REFORMS

15:30-16:30

Moderator: Prof. Dr. Nur CENTEL (Turkey)

15:30-16:30 Cooperative Criminal Law Projects between Turkey and Germany

Alexander von Humboldt Institutspartnerschaftsprogramm Project

(Istanbul University/ Justus-Liebig-Universität, Gießen / İstanbul Kultur University)

-Prof. Dr. Walter GROPP (Germany)

-Dr. Liane WÖRNER (Germany)

Cooperation with Max-Planck-Institut für ausländisches und internationales Strafrecht

-Dr. Silvia TELLENBACH (Germany)

17.00 – 18.30: Boat Tour – Dinner

SECTION III-5th ANNIVERSARY OF TURKISH CRIMINAL LAW REFORM

June 1 2010, Tuesday

08:30-10:30 Codification Process of Recent Criminal Codes

The Ministry of Justice Process

Turkish Grand National Assembly Process

-Köksal TOPTAN

President of TGNA Justice Commission of the 22nd Session

-Hakkı KÖYLÜ

President of TGNA Justice Sub Commission of the 22nd Session

-Feridun AYVAZOĞLU

Member of TGNA Justice Commission of the 22nd Session

Muharrem KILIÇ

Member of TGNA Justice Commission of the 22nd Session

Contribution of the NGO's

Contribution of the Universities

10:30-10:45 : Coffee Break

10.45-11.45 International Collaboration for Criminal Law Reforms

Participants

-Prof. Dr. Dr. h.c. Hans-Jörg ALBRECHT

Max-Planck-Institut für ausländisches und internationales Strafrecht

-Prof. Dr. John VERVAELE

AIDP-Association Internationale de Droit penal

11:45-12:00 Coffee Break

12:00-13:00 Criminal Law Reforms in Commonwealth of Independent States after USSR

Moderator:

Participants

Phaim Bayazitovich MUKHAMETSHIN (Bashkortostan)

Azamjan Rejapovich RAKHMANOV (Uzbekistan)

Igor Valerevich KORZUN (Kazakhstan)

Vladimir Alekseevich PLESHAKOV (Russia)

Nikifor Semenovich KARPOV (Ukraine)

13:00-14:30 Cocktail

14:30-15:30 Forum for Reviewing Turkish Criminal Law Reform

Moderator: Hasan Tahsin GÖKCAN (Court of Cassation, 4th Criminal Chamber)

Participants

Kemalettin EREL-Court of Cassation General Assembly
Mustafa ARTUÇ-Court of Cassation 4th Criminal Chamber
Hasan YALÇIN-Court of Cassation 11th Criminal Chamber
Gürsel YALVAÇ-Court of Cassation Criminal General Council
Ahmet TOKER-Court of Cassation 9th Criminal Chamber
Muharrem KARAYOL-Court of Cassation 6th Criminal Chamber

15:30-15:45 Coffee Break

15:45-16:45 Forum for Reviewing Turkish Criminal Law Reform
Moderator: Necati MERAN Court of Cassation 4th Criminal Bureau

Participants

Cengiz OTACI Court of Cassation 4th Criminal Chamber
Levent ÜNSAL Court of Cassation 8th Criminal Chamber
Hüsamettin UĞUR Court of Cassation 7th Criminal Chamber
Mustafa ALBAYRAK Court of Cassation 3rd Criminal Chamber
Teoman GÖKÇE Court of Cassation 10th Criminal Chamber
Murat AYDIN (Karşıyaka/İzmir Judge)
Vuslat DİRİM (Attorney General of Eyüp)

17:30 Departure for Ankara

**CLASSICAL SANCTIONS AND ALTERNATIVE RESOLUTIONS IN CRIMINAL LAW AND
CRIMINAL PROCEDURE LAW -I**

2 -3 June, 2010 : Gazi University Faculty of Law / ANKARA

Mimar Kemalettin Conference Hall

June 2 2010, Wednesday

08:30-09:00 Opening Speeches

-Prof. Dr. Rıza AYHAN

President of Gazi University

-Prof. Dr. İhsan ERDOĞAN

Dean of Gazi University Law School

Session 1

PROBATION INSTITUTION AND PRACTICE

09.00 – 12.00

Moderator: Asso. Prof. Mustafa Tören YÜCEL (Turkey)

09:00-10:30 Presentations

Turkey

-Nizamettin KALAMAN (General Director of Prisons and Detention)

Probation Institution

-Prof. Dr. Zhang SHAOQIAN (China)

Probation Institution

-Prof. Dr. Tamara LALIAHVILI (Georgia)

10.30–11.00 Coffee Break

11.00-12:00 Discussion

Moderator: Prof. Dr. Hakan HAKERİ (Turkey)

Participants

-Prof. Dr. Zhang SHAOQIAN (People's Republic of China)

-Nizamettin KALAMAN (General Director of Prisons And Detention)

-Hüseyin KULAÇ (Assistant Director of Prisons And Detention)

-İsmail KANTAŞ (Ministry of Justice, Head of Department of Probation)

-İbrahim USTA (Supreme Court Reporter Judge)

-Burhan ALICI (Supreme Court Reporter Judge)

-Necati NURSAL (Judge of Ankara 3rd High Criminal Court)

12.00 – 13.30 : Lunch

Session 2

THE ALTERNATIVE SANCTIONS AND THE INSTITUTIONS WHICH AIM TO OVERCOME DISADVANTAGES OF JAIL SENTENCE'S

(Postponement – Provisory Release –Prison Labor – Judicial Fine –Security Measures –
Compensation of Damage, Obligatory Community Service etc.)

13.30 – 17.15

Moderator: Prof. Dr. Doğan SOYASLAN (Turkey)

13.30 – 14.30 : Presentations

Compensation the victim's damages

-Prof. Dr. Mansour RAHMDEL (Iran)

Compensation for the Damage and the Practices in Some Latin Countries

-Prof. Dr. Kurt MADLENER

14.30 – 14.45 : Coffee Break

14.45 – 15.45 : Discussion -1

Moderator: Prof. Dr. İzzet ÖZGENÇ (Turkey)

Discussion:

-Prof. Dr. Mansour RAHMDEL (Iran)

-Prof. Dr. Kurt MADLENER (Germany)

-Prof. Dr. Aleksandr SMIRNOV (Russia)

-Prof. Dr. Helena VALKOVÁ (Czech Republic)

-Asso. Prof. Ali Rıza ÇINAR (Member of Court of Cassation 2nd Criminal Chamber)

-Asso. Prof. Ali KARAGÜLMEZ (Reporter of the Constitutional Court)

-Asso. Prof. İlhan ÜZÜLMEZ (Turkey)

15:45-16:15 : Coffee Break

16:15-17:15 Discussion

Moderator: Prof. Dr. İzzet ÖZGENÇ (Turkey)

Participants:

-Asso. Prof. Ahmet Caner YENİDÜNYA (Turkey)

-Ass. Prof. Dr. Ali İhsan ERDAĞ (Turkey)

-Ass. Prof. Dr. Berrin AKBULUT (Turkey)

-Ass. Prof. Dr. Neslihan Coşkun GÖKTÜRK (Turkey)

-Ass. Prof. Dr. Hakan KARAKEHYA (Turkey)

-Ass. Prof. Dr. Polat İŞOĞLU (Turkey)

June 3 2010, Thursday

Session 1

ALTERNATIVE DISPUTE RESOLUTIONS METHODS AT CRIMINAL PROCEDURE LAW (Mediation - The Postponement of the filing of public prosecution - The Postponement of the pronouncement of the judgment etc.)

09.00 – 12.00

Moderator: Hasan GERÇEKER (President of the Court of Cassation)

09.30 -10.30 : Presentations

The New Developments of Diversion in Taiwan Criminal Procedure Law

-Prof. Dr. Juan-Yih WU (Taiwan)

Order of Punishment by the Public Prosecutor; mediation in Dutch law

-Prof. Dr. mr. Nico KEIJZER (Holland)

10:30-11:00 Coffee Break

11:00-11.30 Presentations

-Prof. Dr. Dr. Dr. Dieter G. KINDEL (Austria)

12:00-13:30 Lunch

13:30-15:00 Discussion

Moderator: Prof. Dr. Cumhur ŞAHİN (Turkey)

Participants

-Prof. Dr. Juan-Yih WU (Taiwan)

-Prof. Dr. mr. Nico KEIJZER (Holland)

-Prof. Dr. Tamara LALIAHVILI (Georgia)

-Prof. Dr. Dr. Dr. Dieter G. KINDEL (Austria)

-Prof. Dr. Vahit BIÇAK (Turkey)

-Prof. Dr. Mesut Bedri ERYILMAZ (Turkey)

-Hasan Tahsin GÖKCAN (Turkey)

-Necati MERAN (Turkey)

-Mustafa ARTUÇ (Turkey)

- Dr. Ekrem ÇETİNTÜRK (Turkey)
- Ass. Prof. Dr. Mustafa ÖZBEK (Turkey)

Session 2

EVALUATION FORUM OF THE TURKISH CRIMINAL LAW REFORMS - III

15.00 – 17.00

Moderator: Prof. Dr. Bahri ÖZTÜRK (Turkey)

Presentation

The De Facto Impressions of the Turkish Criminal Policy -20 mins.

- Asso. Prof. Dr. Mustafa Tören YÜCEL (Turkey)

Participants

- Prof. Dr. Mustafa Ruhan ERDEM (Turkey)
- Asso. Prof. Mahmut KOCA (Turkey)
- Asso. Prof. Recep GÜLŞEN (Turkey)
- Asso. Prof. İbrahim DÜLGER (Turkey)
- Ass. Prof. Dr. Zeynel KANGAL (Turkey)
- Ass. Prof. Dr. Timuçin KÖPRÜLÜ (Turkey)
- Ass. Asso. Prof. Behiye Eker KAZANCI (Turkey)
- Ass. Prof. Dr. Burcu DÖNMEZ (Turkey)
- Ass. Prof. Dr. Nihat Kanbur (Turkey)
- Ass. Prof. Dr. Timuçin KÖPRÜLÜ (Turkey)
- Ass. Prof. Dr. Sesim Soyer GÜLEÇ (Turkey)
- Ass. Prof. Dr. Mustafa ÖZEN (Turkey)
- Ass. Prof. Dr. Murat BALCI (Turkey)
- Dr. Selman DURSUN (Turkey)