



PROF. DR. FERİDUN YENİSEY

Prof. Dr. Feridun Yenisey (born 17 September 1944) studied Law at the University of Istanbul and worked there from 1971 to 1990, where he received his Ph.D., with a thesis on ‘Appeals in Criminal Law’, in 1978. He was appointed Professor in 1989. In 1990, he became Professor at Marmara University in the Faculty of Law. He was the founder (1991) and head of the ‘Research and Learning Centre for Criminal Law and Criminology’ at Marmara University and member of the Istanbul University’s Institute of Legal Medicine and of the Legal Medicine Branch of the Ministry of Justice. He was the Dean of the Faculty of Mass Media of Marmara University (1991-1993).

In May 2002, he received a call from Bahçeşehir University School of Law, where he was Dean in 2009 and is serving now as Professor of criminal law and criminal procedure law. He has established the *Institute for Global Understanding of the Rule of Law* (IGUL) which has been dissolved in 2013. He was the Director of the *Joint Research Group of Bahçeşehir University and Max Planck Institute for Foreign and International Criminal Law on European Criminal Law*.

He conducted research in Austria (*Institut für Strafrecht und Kriminologie der Universität Wien*) and in Germany, taught courses on comparative criminal law in the USA (Syracuse University, College of Law; South Texas College of Law; William Mitchell College of Law; Kansas University School of Law; Atlanta’s John Marshall Law School). He visited Georgia State University School of Law in 2014, Würzburg University in 2015 and 2016 for giving courses and conferences.

He has been teaching many courses in various fields, such as Criminal and Criminal Procedure Law, International Criminal Law, Human Rights Law, Comparative Criminal Law and Police Law.

For the last two years he gave the following courses;

- Kansas University Istanbul Program-Criminal Procedure in Europe (May-June 2015)
- Bahcesehir University Berlin Campus-General Provisions of Criminal Law (October 2016)
- Würzburg University-Aktuelle Probleme des türkischen Strafrechts-eine kulturvergleichende Perspektive (November-December 2016)
- Bahcesehir University Beşiktaş Campus-Criminal Procedure Law (July-August 2016)
- Bahcesehir University Beşiktaş Campus-PhD Courses and LLM Courses (2015-2016)

He worked on several national and international projects, wrote lots of books and articles in Turkish, English and also German. He continues his academic works at full speed.

Administrative Duties:

- Founder and Director (1991-1997 and Dec. 1999 - Feb. 2000) of the "Research Centre for Human Rights, Criminal Law and Criminology at the Marmara University, Istanbul".

- Member of the Marmara University Executive Council (1991 - 1997).
Dean of the Faculty of Journalism and Mass-Media of the Marmara University, Istanbul (1991-1992).

- Member of the State Institute for Legal Medicine (1989 - 1995).

- Founder and Director of "Institute for Global Understanding of Rule of Law" (IGUL) at Bahcesehir University (2004-2010).

- Dean of the Bahcesehir University School of Law (in 2009)

Research in Foreign Countries:

- Stipend by the Austrian Government, research (1979 - 1980) on "International Validity of Criminal Judgements" at the University of Vienna, Institute for Criminal Law under Professor Burgstaller.

- Stipend by Max-Planck-Gesellschaft, research on "International Criminal Law" at Max-Planck-Institute for International Criminal Law in Freiburg i. Br., Germany (1980, 1982, 1983, 1993, 1997 and 2011 each year several months). He made his last visit in October 2016.
- Stipend by DAAD, research on police powers at Freiburg University for two months in January 2009.
- Visiting Research Associate at Syracuse University, College of Law, NY (Dec. 1993 – Aug. 1994); Ohio State University, College of Law (July 1994); Kansas University, School of Law (July-August 1995; July-August 1996; and August 1998-May 1999 as Distinguished Rice Professor, subjects taught: 'Comparative Criminal Law', 'History of Criminal Law' and 'Research Workshop on Islamic Criminal Law', August and September 2004, January and February 2005, January 2008, November 2010, February 2012); William Mitchell College of Law (August 2003), Consultant for Foreign Relationships at South Texas College of Law and taught 'Comparative Criminal Law' several times, last course in September.
- Government consultant for Turkey at the European Court of Human Rights between 1998 and 2004.

Publications in English:

Yenisey F. 'Criminal Law in Turkey', Monograph for International Encyclopaedia of Laws, Kluwer Law and Taxation Publishers, Deventer, Boston (Fifth updated edition has published in 2016).

Yenisey/Sieber (eds); Criminal Law in the Global Risk Society, Series of the Max-Planck Institute for Foreign and international Criminal Law and Bahcesehir University Joint Research Group, Volume T-1, Istanbul 2011.

Yenisey/Sieber/Nuhoğlu (eds); Sanktionen gegen juristische personen, Series of the Max-Planck Institute for Foreign and international Criminal Law and Bahcesehir University Joint Research Group, Volume T-2, Istanbul 2013.

Yenisey/Sieber (eds); Aktuelle Probleme im deutschen und türkischen Strafrecht, Series of the Max-Planck Institute for Foreign and international Criminal Law and Bahcesehir University Joint Research Group, Volume T-3, Ankara 2016.

Yenisey F. 'Turkish Criminal Procedure Code', Beta, Istanbul 2009.

Yenisey F. 'Combating terror', Kansas 2006.

Yenisey F. "Extraterritorial Jurisdiction and the "New Turkish Criminal Code", Published in Memoriam Prof. Dr. Aslan Gündüz, by Marmara University, 2005.

Yenisey F. "Efficiency of the Turkish Criminal Justice System Before 1991", in: Ceza Hukuku Reformu, Umut Vakfı Yayınları, İstanbul 2001, p. 807.

Yenisey F. and others 'Conference on Comparative Law - Recent Developments in European, American and Turkish Law: "Team Kansas" Goes to Turkey', The University of Kansas Law Review, Volume 45, No. 3, May 1997.

Yenisey F. 'Fight with Organized Crime and Terrorism', in: 'Hukuk Devletinde Terör ve Organize Suçla Mücadele', Umut Vakfı, İstanbul 1996 (This book which has been published by Umut Foundation in 1996 consists of the Symposium held by the University of Marmara on 16-18 June 1995 in Sultanahmet and is a result of joint works of Marmara University School of Law and The British Council.)

Yenisey F. 'Juvenile Delinquency in Turkey', Publisher: Messmer/Otto, Restorative Justice on Trial, Kluwer Academic Publishers, Dordrecht, Boston, London 1992, S. 409.

Yenisey F. 'The Relation Between the Organisation of the Judicature and Criminal Procedure' AIDP Turkey's National Report on Topic III, 1987.

Some Publications in German:

Yenisey F. ,Zum türkischen Geldwäschegesetz', Festschrift für Klaus Tiedemann, 2008.

Yenisey F. 'Fair Trial im türkischen Strafverfahren', Festschrift für Friedrich-Christian Schroeder, 2006.

Yenisey F., Geldwäschegesetz im türkischen Strafrecht', Festschrift für Hans-Joachim Hirsch, 1999.

Yenisey F. 'Organisierte Kriminalität in der Türkei' (Organized Crime in Turkey); in Rechtsstaat in der Bewährung, Band 33, C. F. Muller 1998, p. 139.

Yenisey F. 'Zum türkischen Straf- und Strafprozess: Entwicklungen zwischen 1983 und 1995' (Developments in Turkish criminal law between 1983 and 1995), Zeitschrift für die gesamte Strafrechtswissenschaft Band 109 (1997) Heft 1.

Yenisey F. 'Vorläufige Festnahme und Untersuchungshaft im türkischen Strafrecht' (Arrest and Pre-Trial Detention in the Turkish Criminal Procedure Law); Report submitted to the Symposium held 24-28.9.1990, in Polen: Human Rights and Pre-Trial Detention; Published in: Dünkel/Vagg, Untersuchungshaft und Untersuchungshaftvollzug-Waiting for Trial, Freiburg i. Br. 1994, p. 729.

Yenisey F./Cihan E. 'Menschenrechte im Strafverfahren' (Human Rights and the Criminal Procedure), AIDP Turkey's National Report, Spain 1993.

Yenisey F. 'Zur strafrechtlichen Entwicklung in der Türkei' (Recent Developments in the field of Criminal Law in Turkey) Juristenzeitung 1985, p. 378.

Yenisey F. 'Die Entwicklung im türkischen Strafrecht von 1960 bis 1983' (Developments in the Turkish Criminal Law from 1960 till 1983), Zeitschrift für die gesamte Strafrechtswissenschaft 96 (1984) Heft 1, p. 212).

Yenisey F. 'die Rechtliche Stellung des im Ausland straffällig gewordenen Türken in der Türkei' (Legal position of a Turkish Citizen in Turkey, who had been convicted abroad); Informationsbrief Ausländerrecht, Heft 4, April 1988, p.125.

Main Publications in Turkish:

Kunter N./Yenisey F./Nuhođlu A. 'Muhakeme Hukuku Dalı Olarak Ceza Muhakemesi Hukuku' (Criminal Procedure Law as a Branch of Procedure Law), 18th Edition, Beta, Istanbul 2010. (Book)

Yenisey F. 'Kolluk Hukuku' (Security Law), Beta, 2nd edition, Istanbul 2015. (Book)

Yenisey F./Plagemann G. 'Strafgesetzbuch; Alman Ceza Kanunu', Beta, 2nd edition, İstanbul 2015.

Yenisey F./Oktar S. "Strafprozessordnung; Alman Ceza Muhakemesi Kanunu", Beta, 2nd edition, İstanbul 2015.

Yenisey F. 'Yeni Ceza Adalet Sistemi', Ulus Yayınevi, İstanbul 2006. (Book)

Yenisey F. 'Polis ve Hukuku', Ulus Yayınevi, İstanbul 2006. (Book)

Yenisey F./Nuhođlu A. 'Ceza Hukuku Külliyyatı', Arıkan Yayınevi, İstanbul 2005. (Book)

Yenisey F./Nuhođlu A. "Yeni Ceza Hukuku", Beta İstanbul 2005. (Book)

Yenisey F. 'İnfaz Hukukunun İnsan Hakları Yönü', İnfaz Hukukunun Sorunları Sempozyumu, 24-25.11.2000, Ankara 2001.

Donmezer S./Yenisey F. 'Karşılaştırmalı Türk Ceza Muhakemesi Kanunu ve 1999 Tasarısı, Gerekçeler' (Turkish Criminal Procedure Code and the Draft of 1999), Alkım Yayınları, İstanbul 1999. (Book)

Schroeder F.-C. / Yenisey F. / Peukert W 'Dürüst Yargılanma Hakkı' (Fair Trial), Alkım Yayınevi, Second Edition, İstanbul 1999., Third Edition; Beta İstanbul 2002 (Book)

Donmezer S./Yenisey F. 'Karşılaştırmalı Türk Ceza Kanunu ve 1997 Tasarısı, Gerekçeler' (Turkish Criminal Code and the Draft of 1997), Alkım Yayınları, İstanbul 1998. (Book)

Donmezer S./Yenisey F./Centel N. 'Ceza Hukuku ve Ceza Muhakemesi Hukuku Pratik Çalışma Kitabı' (Casebook on Criminal Law and Criminal Procedure Law), Beta, İstanbul 1998. (Book)

Icel K./Yenisey F. 'Ceza Kanunları Kompendium' (Compendium of Turkish Criminal Legislation), Two Volumes, 9. Edition, Beta, İstanbul 1998. (Book)

Yenisey F. (Ed) 'Adli Kolluk Kuruluş ve Görevleri' (Crime-Investigating Branch of Police), Antalya Barosu, Antalya 1998. (Book)

Cihan E./Yenisey F. 'Ceza Muhakemesi Hukuku' (Criminal Procedure Law) Beta, Second Edition İstanbul 1997. (Book)

Yenisey F., 'İnsan Hakları Açısından Arama, Elkoyma, Yakalama ve İfade Alma' (Search and Seizure, Arrest and Police Hearing in Respect of Human Rights), AÜSBF İnsan Hakları Merkezi Yayını No. 12, Ankara 1995. (Book)

İçel K./Yenisey F. 'Karşılaştırmalı ve Uygulamalı Ceza Kanunları', (Comparative Criminal Law Statutes), Fourth Edition, İstanbul 1994. (Book)

Yenisey F. 'Uygulanan ve Olması Gereken Ceza Muhakemesi Hukuku, Hazırlık Soruşturması ve Polis' (Criminal Procedure, Preliminary Investigation and Police), Third Edition, İstanbul 1993. (Book)

Yenisey F. 'Avrupa İnsan Hakları Sözleşmesindeki Sanık Hakları', (Rights of the Accused and the European Convention on Human Rights) Published in: 'Polisle İlgili Mevzuat', Beta Yayınevi, Second Edition, İstanbul 1992.

Yenisey F. 'Uygulanan ve Olması Gereken Ceza Muhakemesi Hukuku, Duruşma ve Kanun Yolları' (Criminal Procedure; Trial and Legal Remedies), Second Edition, İstanbul 1990. (Book).

Yenisey F. 'Cezada Kanunyolu Reformu' (Reform of the Legal Remedies in Criminal Matters), YD. Özel Sayı, c.15, Ocak Ekim 1989/1-4, s.94-116.

Yenisey F. 'Milletlerarası Ceza Hukuku, Ceza Yargılarının Milletlerarası Değeri ve Mevzuatı' (International Validity of Criminal Judgments), İstanbul 1988. (Book)

Yenisey F. 'Ceza Muhakemesi Hukukunda İstinaf ve Tekrar Kabulü Sorunu' (Appeals in Criminal Procedure), İstanbul 1979. (Book)

Yenisey F./Nuhođlu A., Ceza Muhakemesi Hukuku, 4th edition, İstanbul 2016 (Book).

Selected Other Professional Activities:

He has been active in several endeavors seeking improvement in criminal justice administration:

1. He has been a member of the Committee on Organised Crime of Prime Ministers' Office. As member of this Committee, he made research on the legislation and their application of different countries related to terrorism and organised crime and arranged an international meeting on this subject in June 1995 in İstanbul. The draft prepared by this committee has been enacted in August 1999.
2. He has been a member of the Subcommittee on Controlled Delivery and Money Laundering of the Parliament. This Draft became Law in 1996.
3. He has been during 2001-2003 Vice-President of the Committee at the Ministry of Justice on "Criminal Law and Criminal Procedure" which prepared the Draft Criminal Procedure Code. This Draft has been enacted in 2004 by the Parliament.
4. He has been 2001-2003 a member of the Committee for Draft Criminal Code and Draft Code for Enforcement of Punishments and Measures. This Drafts have been enacted in 2004 by the Parliament.
5. He is co-organiser of Summer Schools by STCL, WMCL, KU in Turkey. This study abroad program is now under the leadership of University of Kansas School of Law.
6. In December 2000, he was a member of the Committee at the Ministry of Justice on Corrections.
7. In January 2002; he was a member of the Committee on Police Powers.

8. He has organized training seminars on Human Rights, Police Powers and the Duties of the State for Lawyers, Judges, Public Prosecutors and High ranked Police Officials within my 'Institute for Global Understanding of Rule of Law' (IGUL) at Bahçeşehir University, Istanbul. The yearly number of these seminars is about 30. (2002-2011)
9. OECD Bribery in Private Sector Convention Working Group (He was the head of Turkish delegation in 2004 and 2005).
10. He was the head of the Committee at National Police Headquarters, drafting a new Police Bill (2005-2007).
11. Research on Comparative Juvenile Criminal Law as Consultant of Unicef (2009).
12. Scientific Research on Application of the Pre-Trial Detention Institution and the Role of the Defense in 2013 with Harvard Kennedy School and Max Planck Institute.
13. Senior expert for legislative framework on the project "Improvement of Civilian Oversight of Internal Security Sector Project" which was organized by UNDP and the Republic of Turkey Ministry of Interior during 2013-2015.
14. The consultant of the project on the analysis of the legislation for children which is carried out by the Republic of Turkey Ministry of Justice- Department of Victims' Rights (this project has started in 2016 and has not been completed yet).