



## COURSE INFORMATION FORM

| Course Name               | Course Code |
|---------------------------|-------------|
| Private International Law | 191118006   |

| Year            | Number of Course Hours per Week |          | Credit | ECTS |
|-----------------|---------------------------------|----------|--------|------|
|                 | Theory                          | Practice |        |      |
| 4 <sup>th</sup> | 3                               | 0        | 6      | 8    |

| Course Category (Credit) |                      |        |                   |                 |
|--------------------------|----------------------|--------|-------------------|-----------------|
| Basic Sciences           | Engineering Sciences | Design | General Education | Social Sciences |
|                          |                      |        |                   | X               |

| Course Language | Course Level  | Course Type |
|-----------------|---------------|-------------|
| Turkish         | Undergraduate | Compulsory  |

|                                 |   |
|---------------------------------|---|
| <b>Prerequisite(s) if any</b>   | -   |
| <b>Objectives of the Course</b> | To provide theoretical information on the law to be applied in private law relations with a foreign element, Turkish citizenship law, the international jurisdiction of Turkish courts, international arbitration, and the legal status of a foreigner in Turkey within the framework of the relevant legislation and to gain skills in applying the acquired knowledge in concrete disputes.   |
| <b>Short Course Content</b>     | In addition to the general introduction, the subject of the course is citizenship law, foreigners' law, conflict of laws and international procedural law, which constitute the four main areas of Private International Law. In this context, acquisition and loss of Turkish citizenship within the framework of Turkish Citizenship Law No. 5901; Status and rights of foreigners in Turkey within the scope of the Constitution and relevant legislation; The law applicable to private law relations with foreign elements within the scope of the Law on International Private Law and Procedural Law No. 5718; International jurisdiction of Turkish courts, international procedural law, recognition and enforcement of foreign court decisions and international arbitration. |

| Learning Outcomes of the Course  | Contributed PO(s) | Teaching Methods * | Measuring Methods ** |
|--|-------------------|--------------------|----------------------|
| 1 To have knowledge about the basic concepts and issues of Turkish citizenship law.  | 1,2,3,4           | 1,2,5              | A,B,D                |
| 2 To have knowledge about the institutions of acquisition and loss of Turkish citizenship.   | 1,2,3,4           | 1,2,5              | A,B,D                |
| 3 To have knowledge about the proof of Turkish citizenship, judicial remedies and to have the ability to analyze judicial decisions. | 1,2,3,4           | 1,2,5              | A,B,D                |
| 4 To have knowledge about the basic concepts and issues of foreigners law  | 1,2,3,4           | 1,2,5              | A,B,D                |
| 5 To have knowledge about the rights of foreigners in Turkey   | 1,2,3,4           | 1,2,5              | A,B,D                |
| 6 To have knowledge about the basic institutions of international protection law   | 1,2,3,4           | 1,2,5,8            | A,B,D                |
| 7 To have knowledge about the general problems of Conflict of Laws law   | 1,2,3,8,9,10      | 1,2,5,8            | A,B,D                |
| 8 To be able to determine the law applicable to family, personal and inheritance law issues with foreign elements                    | 1,2,3,8,9,10      | 1,2,5,8            | A,B,D                |
| 9 To be able to determine the law applicable to contract and tort law issues with foreign elements                                   | 1,2,3,8,9,10      | 1,2,5,8            | A,B,D                |

\***Teaching Methods** 1:Expression, 2:Discussion, 3:Experiment, 4:Simulation, 5:Question-Answer, 6:Tutorial, 7:Observation, 8:Case Study, 9:Technical Visit, 10:Trouble/Problem Solving, 11:Individual Work, 12:Team/Group Work, 13:Brain Storm, 14:Project Design / Management, 15:Report Preparation and/or Presentation

\*\***Measuring Methods** A:Exam, B:Quiz, C:Oral Exam, D:Homework, E:Report, F:Article Examination, G:Presentation, I:Experimental Skill, J:Project Observation, K:Class Attendance; L:Jury Exam

|    |  |              |         |       |
|----|--|--------------|---------|-------|
| 10 | To have knowledge about the basic issues of international procedural law | 1,2,3,8,9,10 | 1,2,5,8 | A,B,D |
|----|--|--------------|---------|-------|

\***Teaching Methods** 1:Expression, 2:Discussion, 3:Experiment, 4:Simulation, 5:Question-Answer, 6:Tutorial, 7:Observation, 8:Case Study, 9:Technical Visit, 10:Trouble/Problem Solving, 11:Individual Work, 12:Team/Group Work, 13:Brain Storm, 14:Project Design / Management, 15:Report Preparation and/or Presentation

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|                                  |   |
|----------------------------------|---|
| <b>Main Textbook</b>             | NOMER, Ergin. Devletler Hususi Hukuku, Beta Basım, 23. Bası, İstanbul, 2021.<br>NOMER, Ergin. Türk Vatandaşlık Hukuku, Beta Basım, 29. Bası, İstanbul, 2021.<br>ÇELİKEL, Aysel; ERDEM, Bahadır. Milletlerarası Özel Hukuk, Beta Basım, 17. Bası, İstanbul, 2022.<br>GÜNGÖR, Gülin. Tabiiyet Hukuku–Gerçek Kişiler–Tüzel Kişiler–Şeyler, Yetkin Yayınları, 10. Bası, Ankara, 2022.<br>GÜNGÖR, Gülin. Türk Milletlerarası Özel Hukuku, Yetkin Yayınları, 3. Bası, Ankara, 2022.<br>DOĞAN, Vahit. Türk Vatandaşlık Hukuku. Savaş Yayınevi, 17. Bası, Ankara, 2021. |
| <b>Supporting References</b>     | DOĞAN, Vahit. Türk yabancılar Hukuku. Savaş Yayınevi, 6. Bası, Ankara, 2021.<br>DOĞAN, Vahit. Milletlerarası Özel Hukuk. Savaş Yayınevi, 8. Bası, Ankara, 2022.<br>ERDEM, B. Bahadır. Türk Vatandaşlık Hukuku. Beta Basım, 9. Bası, 2022.<br>ÇELİKEL, Aysel; ÖZTEKİN GELGEL, Günseli. Yabancılar Hukuku, 27. Baskı, İstanbul, 2021.<br>TEKINALP, Gülören. Yabancılar Hukuku, Beta Basım, 8. Bası, İstanbul, 2003.<br>AYBAY, Rona; ÖZBEK, Nimet; ERSEN PERÇİN, Gizem. Vatandaşlık Hukuku. Siyasal Kitabevi, 1.Bası, 2019.  |
| <b>Necessary Course Material</b> | International conventions, recommendations etc.<br>Relevant international and national judicial decisions   |

| <b>Course Schedule</b> |   |
|------------------------|---|
| 1                      | The concept of private international law, its historical development, scope, and resources  |
| 2                      | The concept of citizenship, the subject and nature of citizenship law, general principles   |
| 3                      | International aspect of citizenship law, citizenship disputes   |
| 4                      | Constitutional principles, sources, and types of Turkish citizenship law  |
| 5                      | Ways of acquiring Turkish citizenship, acquisition by birth   |
| 6                      | Acquisition of Turkish citizenship by the decision of the competent authority, acquisition of Turkish citizenship by the exercise of the right to choose. |
| 7                      | Loss of Turkish citizenship, proof of Turkish citizenship, nationality of juridical persons   |
| 8                      | Introduction to Turkish foreigners' law, sources, constitutional and legal principles   |
| 9                      | Accepted principles on the rights to be granted to foreigners, entry of foreigners in Turkish law   |
| 10                     | Residence of foreigners in Türkiye, deportation, extradition  |
| 11                     | International Protection and the scope of the protection  |
| 12                     | Right of foreigners to work and social security in Turkish law  |
| 13                     | Freedom of education and the right to education of foreigners, freedom of the press, freedom of association   |
| 14                     | Real estate acquisition by foreigners in Turkish law, foreign investment  |
| 15,16                  | Mid-Term Exam   |
| 17                     | Conflict of laws: introduction, sources and types; Conflict of laws law method and binding rules  |
| 18                     | General problems of conflict of laws, application of foreign law, qualification, status changes and renvoi  |
| 19                     | Public order intervention and directly applicable rules   |
| 20                     | The law to be applied to the form of legal proceedings, prescription, and jurisdictional competence   |
| 21                     | The law to be applied to family law matters   |
| 22                     | The law to be applied to succession matters, the law to be applied to real rights   |
| 23                     | The law to be applied to contracts  |
| 24                     | The law to be applied to wrongful acts, inhibition of competition, unjust enrichment  |
| 25                     | Introduction to international procedural law  |
| 26                     | Jurisdiction, and immunity of Turkish courts  |
| 27                     | International jurisdiction of the Turkish Courts  |
| 28                     | Authorization agreements, assurance, foreign jurisdiction exemption, notification   |
| 29                     | Recognition and enforcement   |
| 30                     | International Arbitration   |
| 31,32                  | Final Exam  |

| Calculation of Course Workload                              |                            |             |                       |
|---|----------------------------|-------------|-----------------------|
| Activities  | Number                     | Time (Hour) | Total Workload (Hour) |
| Course Time (number of course hours per week)               | 28                         | 3           | 84                    |
| Classroom Studying Time (review, reinforcing, prestudy,...) | 28                         | 5           | 140                   |
| Homework  |                            |             |                       |
| Quiz Exam   |                            |             |                       |
| Studying for Quiz Exam                                      |                            |             |                       |
| Oral exam   |                            |             |                       |
| Studying for Oral Exam                                      |                            |             |                       |
| Report (Preparation and presentation time included)         |                            |             |                       |
| Project (Preparation and presentation time included)        |                            |             |                       |
| Presentation (Preparation time included)                    |                            |             |                       |
|   |                            |             |                       |
|   |                            |             |                       |
| Mid-Term Exam   | 1                          | 4           | 4                     |
| Studying for Mid-Term Exam                                  | 1                          | 4           | 4                     |
| Final Exam  | 1                          | 4           | 4                     |
| Studying for Final Exam                                     | 1                          | 4           | 4                     |
|   | <b>Total workload</b>      |             | <b>240</b>            |
|   | <b>Total workload / 30</b> |             | <b>8</b>              |
|   | <b>Course ECTS Credit</b>  |             | <b>8</b>              |

| Evaluation        |     |
|-------------------|-----|
| Activity Type     | %   |
| Mid-term          | 40  |
| Quiz              | -   |
| Homework          | -   |
| Bir öge seçin.    |     |
| Bir öge seçin.    |     |
| <b>Final Exam</b> | 60  |
| <b>Total</b>      | 100 |

| <b>RELATIONSHIP BETWEEN THE COURSE LEARNING OUTCOMES AND THE PROGRAM OUTCOMES (PO) (5: Very high, 4: High, 3: Middle, 2: Low, 1: Very low)</b> |  |                     |
|--|--|---------------------|
| <b>NO</b>  | <b>PROGRAM OUTCOME</b>   | <b>Contribution</b> |
| 1  | To understand, analyze and comment on legal problems, to be able to discuss these issues, to offer opinions and solutions, to relate these processes to real life.                         | 5                   |
| 2  | To have judgment skills and abilities in the field of law, open to cooperation with others, able to work in harmony with them, keen on research and examination, and having knowledge at a | 5                   |
| 3  | To have the knowledge to determine the provisions to be applied to legal disputes, to have the ability to analyze, discuss and evaluate the court decisions in the relevant field.         | 5                   |
| 4  | To have skills to assimilate and carry the rules of ethics and profession.   | 4                   |
| 5  | To have skills to approach critically and creatively on the legal and social problems in terms of rule of law and ideal of justice.  | 3                   |
| 6  | To have skills to understand the differences between the theory and practice of private and public law.  | 5                   |
| 7  | To be able to comprehend the importance of lifelong learning and to analyze legal, social, cultural and similar events and developments in the world, country, region and local and to be  | 3                   |
| 8  | To have the skills to conduct disciplinary and interdisciplinary research and study.   | 5                   |
| 9  | To grow up with the moral and ethical rules required by business life and to be able to use them effectively in the future.  | 2                   |
| 10   | To have skills to use vocational information technologies efficiently in solving legal problems.   | 2                   |

| <b>LECTUTER(S)</b>  |  |  |  |  |
|---------------------|--|--|--|--|
| <b>Prepared by</b>  |  |  |  |  |
| <b>Signature(s)</b> |  |  |  |  |

**Date:06.06.2024**