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DRONE: THE BIG BROTHER OF THE ERA

Highlights of this issue

Altered Carbon: The record breaker dystopia

ALTERED CARBON: THE RECORD BREAKER DYSTOPIA

“Altered Carbon”, 2002 science fiction novel by Richard K. Morgan, is quite popular in these days. Altered Carbon is the first in the Takeshi Kovacs trilogy, which continues with, Broken Angels and Woken. The trilogy is known as “Takeshi Kovacs Novels”. The reason why Altered Carbon has become so popular is that it premiered on one of the most favored Internet-TV platforms in February 2018 as an adapted series with budget of \$6-7 million per episode. The fiction was inspired by cyberpunk movement. The movement focuses on the societies dominated by computer technology that had to the changes due to the rapid development of the information technologies. We observe that TV series, which takes place in a dystopian universe, is also under the influence of cyberpunk movement.



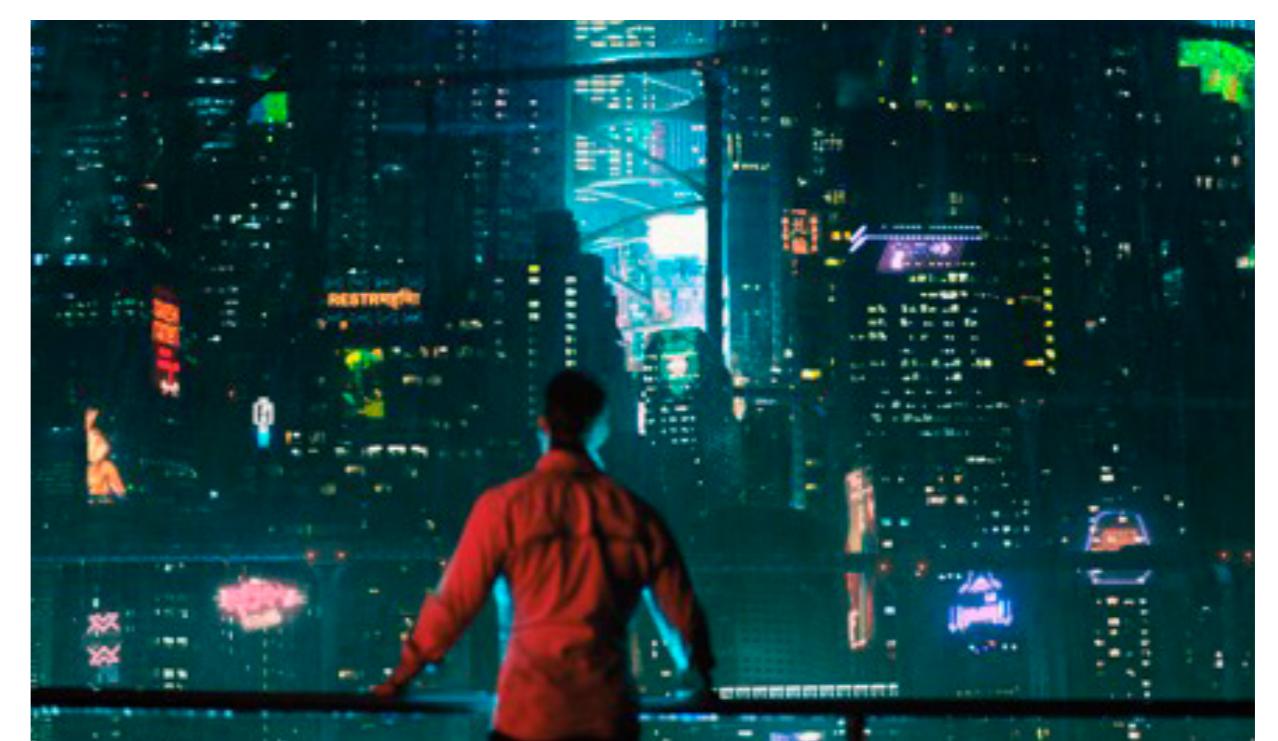
Why this TV series drew so much attention? The main reason is the setting of the series is a new world for us where human consciousness can be stored digitally and transferred into different bodies at any time. Altered Carbon gets a great deal of attention among other TV series with its subject: “immortality”; and thanks to its distinguished subject, it became a conversation subject between the fans and the highlight of such kind of articles.

The series takes place in 2384. Human’s memories can be installed on a stacks (metal discs) even if the body dies and the consciousness can be placed into a new bodies. It allows the humans to travel between bodies. As long as the stack is not damaged, the humans can be born again and again in a different body.

The main character of the series, Takeshi Kovacs, is revived and put into a new body after he spends 250 years in an ice. Kovacs is an envoy, who lost his family and wants to destroy the stacks. At this stage, a deep discussion comes out. Over the years, even if technology develops and the mystery of the immortality is solved, earthly ambitions and unjustness continue.

Another remarkable point of the series is its theme which emphasizes the value of the money the excessively. For example, rich people can back up their stacks in the satellites in the sky and produce their clones; while poor people cannot buy a body in which they can revive.

It seems that the series will continue to make its name among the audiences with its story.

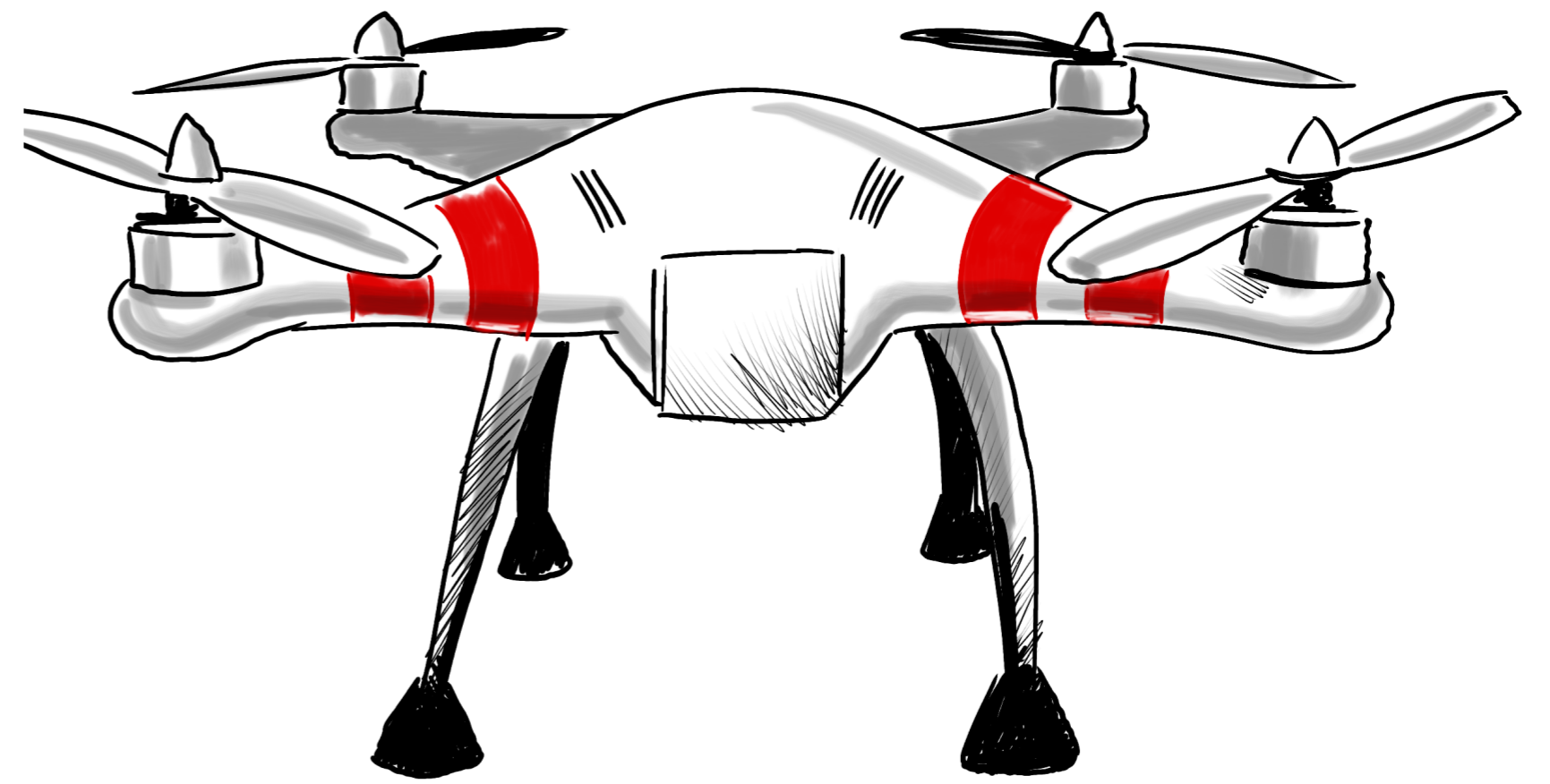


DRONE: THE BIG BROTHER OF THE ERA

“Like it or not, the sky above is about to become far busier.” (Alex Fitzpatrick/Time Magazine)

“Time”, American weekly news and politics magazine, was issued with an interesting cover last week. The magazine’s iconic red stripes and unforgettable logo were recreated again by 958 flying drones in the sky. The impressive cover of the Time magazine and the special issue called “drone” made the subject appeared on the media once again. (See the special issue of the Time Magazine: <http://time.com/collection/drones/>)

Etymologically, “the drone” is a male honeybee who has obligation to be spouse to queen bee, in old English. It is also known as “unmanned aerial vehicle” (UAV) in Turkey. Technically; the drones might be defined as “an aircraft without a human pilot on board, whose flight is controlled either autonomously or under the remote control of a pilot on the ground or in another vehicle.” In these days, such aircrafts are not only used for security intelligence, observation and defense; and also they are used for transportation, cargo/courier operations, photo or video shoots, film industry, observation on natural life, agriculture, firefighting, medical help etc.



The Need for the Regulations on UAV

If you remember, the civil UAVs became a very hot issue in 2015, after a young man shared a 12 min. video on YouTube, which was recorded by a drone above Atatürk Airport in Turkey. The judicial process was initiated against this young man for on jeopardizing traffic safety upon the complaints of both State Airports Administration and General Directorate of Civil Aviation.

Nowadays, the world is preoccupied with the integration of UAVs and artificial intelligence. Technology is progressing at a speed humanity has never seen before and transforming the life of human race at an unprecedented pace. It is out of topic for law to be uninterested in such changes. In order to respond such necessity, UAVs are regulated legally under “Turkish Civil Aviation Act” (Code) and “Instruction of Unmanned Air Vehicles System” (Instruction) published by General Directorate of Civil Aviation.

Accordingly; “State UAVs, UAVs and systems that are only used in closed areas, unmanned balloons and such kinds of systems connected to the ground or any platforms, and UAVs whose maximum take-off weight are less than 500 gr” are excluded from the Instruction. Moreover; Instructions sets forth certain provisions related registering obligation of the drones that weigh at a specific range and the liability for damages of drones.

Possible UAV Violations

Although they lead to significant developments to make the live of individuals easier, drones might be also used to restrict or dissolve the fundamental rights and freedoms. Especially, UCAVs (Unmanned Combat Aerial Vehicles) are too often used by the terrorists. The fundamental right and freedoms of human kind, “right to live”, might be violated by UAVs due to their remote control mechanism, and their specific features such as camouflage and easy access.



In addition, main criticisms raised against UAVs are arising from the privacy. It is clear how the violation takes place considering UAVs are easily accessible for everyone and can be controlled remotely. A short time ago, an incident occurred in Turkey; a flying drone with camera was recognized near a sorority and then, the owner of the drone was identified and an investigation was initiated.

So, what can be done in case of a threat coming from UAVs on the private property and the right of privacy? It is crucial to state that the main purpose of the regulations above is to minimize the damages on human life caused by wide spreading use of drones. The main goal of the obligations, such as registering the drones, insurance, flight clearance and user/manager education, is to keep the above activities of the drones under control.



However, at this stage, the regulations can be insufficient to prevent the violations stated above. In such circumstances, the general law regulations can be applicable.

To conclude, even though UAVs provide undeniable advantages, they can be used to violate human rights, particularly the fundamental rights and freedoms. Although a detailed regulation is regulated by the Instruction, it does not impose adequate sanctions on the drones which violate the human rights. Therefore, solutions for such insufficiency should be included to the regulations without completely blocking the use of drones considering the rapidly developing technology.

Answers. Not theories.

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About our firm

Gokce Attorney Partnership is an Istanbul-based law firm offering legal services across a broad range of practice areas including mergers and acquisitions, joint ventures, private equity and venture capital transactions, banking and finance, capital markets, insurance, technology, media, telecoms and internet, e-commerce, data protection, intellectual property, regulatory, debt recovery, real property, and commercial litigation. Please visit our web site at www.gokce.av.tr for further information on our legal staff and expertise.

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