

## Anti-Bribery and Anti-Corruption

With a sensitive global regulatory and enforcement climate, legislation with extraterritorial reach, business-stopping penalties, as well as a complicated local business and political environment, companies are wise to pro-actively address bribery and corruption issues in Turkey. The area represents an increasingly challenging legal compliance task for companies doing business in Turkey.

Moroğlu Arseven supports companies from across a variety of sectors to identify their high-risk activities, working directly with overseas-based head offices of multinationals, as well as entities and business partners located in Turkey. Support includes concentrated compliance efforts to pre-emptively identify red flags and mitigate possible violations of bribery or corruption laws, as well as reactive projects or voluntary disclosures to address a specific issue or whistleblowing incident.

The firm offers clear and pragmatic guidance, supporting clients through every phase of planning, executing and auditing compliance programs. Programs address a diverse range of issues such as corruption, bribery, integrity, fraud, embezzlement, hospitality and graft. Common elements of these programmes include preventative staff training, diagnostic audits or gap analyses, mock dawn raids, staff interviews and risk assessments, drafting policies and procedures, identifying insider trading risks, as well as advising C-suites and senior individuals about their obligations and personal liabilities. These tailored compliance programs draw together a wide range of practice areas to effectively mitigate risks, including dispute resolution, privacy, data protection, employment, corporate governance, administrative and criminal law elements.

The firm's support aims to strategically apply a multi-sided approach to deal with bribery and corruption issues quickly and effectively, mitigating the primary legal risks as far as possible. These include support to deal with collateral legal and practical risks or communication, to reduce reputational damage and operational difficulties which a company can experience if identified as being involved in bribery or corruption.

We regularly conduct third-party due diligence reviews, internal investigations and risk assessment programs for clients, helping companies to thoroughly vet and consider new business relationships, as well as review existing ones. Such exercises have focused on bribery and corruption issues related to distributors, agents and intermediaries, as well as these risk areas within the context of M&A or joint ventures transactions.

Bribery and corruption offences are primarily dealt with under the Turkish Criminal Code, which adopts a traditional approach to these crimes. Turkey has also ratified several major international treaties. In practice, multinational companies operating in Turkey also adhere to requirements under the U.S. Foreign Corrupt Practices Act (FCPA) and the UK Bribery Act.

## Related Practices

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