

## DataGuidance – Whistleblowing: Turkey Chapter

2 Jun 2021

### 1. LEGISLATION | NOTABLE CASE LAW

#### 1.1. List any specific whistleblowing legislation

No specific whistleblowing legislation exists in Turkey. However, certain provisions in various laws and sub-legislation applies to whistleblowing including those listed below in 1.3. European Union's adoption of the the directive for the protection of whistleblowers in 2019 may lead Turkey to adopt specific whistleblowing legislation in upcoming years for purposes of compliance with *Acquis Communautaire*

#### 1.2. List any sector-specific whistleblowing legislation

There are no sector-specific requirements for whistleblowing schemes.

#### 1.3. List any additional applicable legislation

The following legislation includes provisions related to whistleblower protection:

- [The Constitution of the Republic of Turkey](#) ('the Constitution')
- Civil Code, Law No. 4721 (as amended) ('the Civil Code') (only available in Turkish [here](#))
- [Criminal Code, Law No. 5237](#) ('the Criminal Code')
- Turkish Code of Obligations No. 6098 ('the Code of Obligations') (only available in Turkish [here](#))
- [Labour Law No. 4857](#) ('the Labour Law')
- [Law on Protection of Personal Data No. 6698](#) ('the Data Protection Law')
- Witness Protection Law No. 5726 ('the Witness Protection Law') (only available in Turkish [here](#))
- Regulation on Deletion, Destruction and Anonymisation of Personal Data No. 30224 (only available in Turkish [here](#))
- Code of Criminal Procedure, Law No. 5271 ('the Code of Criminal Procedure') (only available in Turkish [here](#))

Turkey has also entered and ratified several international instruments and obligations, regarding whistleblowing into local law, including:

- [Convention Concerning Termination at the Initiative of the Employer No.158](#) ('the Employee Termination Convention')
- [United Nations Convention Against Corruption](#)
- [The OECD Guidelines for Multinational Enterprises](#)

In the absence of a specific framework, general legislative provisions and principles apply to employers when investigating and reporting corruption allegations as well as related employment and data protection issues. However, without a coherent and centralised approach, Turkish whistleblowing requirements may appear insufficient and confusing for employers.

\*Full content available on [DataGuidance](#).

## Related Practices

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