

Public Announcement on the Fulfillment of the Obligation to Inform in the Scope of Mediation Activities

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On 13 January 2024, the Personal Data Protection Authority published a public announcement (**'Public Announcement'**) on its official website regarding the "Fulfillment of the Obligation to Inform in the Scope of Mediation Activities". The Public Announcement provides explanations on the application of the Personal Data Protection Law numbered 6698 ("**DP Law**") in relation to mediation activities carried out under the Law on Mediation in Civil Disputes No. 6325 ("**Law No. 6325**").

The key points highlighted in the Public Announcement are as follows:

- The definition of a mediator and the procedures and principles of mediation activities are regulated under Law No. 6325. According to Article 11 of Law No. 6325, titled "Informing the Parties," it is stipulated that: *"At the beginning of the mediation process, the mediator is obliged to appropriately inform the parties about the principles, process, and consequences of mediation."*
- Under the DP Law, fulfilling the obligation to inform is essential for the lawful processing of personal data. Article 10 of the DP Law addresses this obligation and specifies that, at a minimum, *the following information must be provided to the data subject: the identity of the data controller and, if applicable, its representative; the purpose of data processing; the recipients and purposes for which the data may be shared; the method and legal basis for data collection; and the rights of the data subject as outlined in Article 11 of the DP Law.*
- Mediators are considered data controllers and are therefore subject to the obligations of data controllers. However, the obligation to inform as set forth in Article 11 of Law No. 6325 differs from the obligations under Article 10 of the DP Law.
- In conclusion, the obligation to inform the parties as stipulated under Law No. 6325 cannot be interpreted as fulfilling the obligation to inform under the DP Law. Therefore, mediators must separately fulfill the obligation to inform regarding personal data processed in the scope of mediation activities in accordance with Article 10 of the DP Law, providing the necessary details.

You can access the Public Announcement via this [link](#).

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