

Fundamental rights and duties of the person in the second part of the Constitution are held. Confidentiality of private life is also a fundamental one of their rights. This right is enshrined in Article 20 of the Constitution. has been guaranteed. The fundamentals of technological developments make it easy to interfere with rights and freedoms and this situation as a legal problem. legal regulations in this regard made it necessary.

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Constitution made in 2010 with Law No. 5982  
With the amendment to the 20th article of the Constitution, an additional  
By adding a clause, personal data means “*privacy of private life and the right to protection* ” within the scope of the constitutional guarantee has achieved. In the mentioned paragraph; “*Everyone with has the right to request the protection of the relevant personal data. This right; about personal data relating to the person himself information, accessing, correcting these data or to request its deletion and for its purposes It also includes learning whether it is used or not. Personal data only in cases stipulated by law or may be processed with express consent. Protection of personal data The principles and procedures regarding the issue shall be regulated by law.*” place for judgment given.

According to the aforementioned Constitutional provision;

- Everyone has the right to protect their personal data. has the right to demand.
- In this sense, individuals are basically relevant personal data into the hands of unrelated third parties. take the necessary measures to prevent they have the right to demand.

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- This right; personal data about the person himself being informed about, accessing these data, their request its correction or deletion and its purposes to find out whether it is used in accordance with also covers. In this sense, individuals the right to learn about the use of personal data as well as the personal data in question In case of any mistake, this request correction or deletion of data they also have the right.

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- Personal data only in cases stipulated by law. or with the explicit consent of the person, a legal lack of regulation or the individual a clear will to process personal data belonging to personal data in the absence of a declaration cannot be processed.

In the justification of the amendment proposal regarding this article;  
“*Indirect protection of personal data in the Constitution Although there are provisions, they are not sufficient, comparative in law and in international documents to which we are a party. The protection of personal data is emphasized. With the article, everyone's personal data related to him as a constitutional right are insured. In this context, individuals on the personal data that concerns them rights and authorities and which personal data While it is decided that it can be processed in certain cases, personal the principles and procedures regarding the protection of data by law. is anticipated to take place.*” is included.

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In the 3rd paragraph of Article 20 of the Constitution, personal data protection is envisaged. In addition, personal data illegally processed, Article 17 of the Constitution Immunity of the person guaranteed by the with the right to protect and develop their material and moral existence. Special provisions regulated in Articles 20 and 22 of the Constitution violation of the right to privacy and protection of life. is coming.

In paragraph 3 of Article 20 of the Constitution, personal data only with the express consent of the individual or in cases prescribed by law. on how to protect personal data It is stated that the principles and procedures will be regulated by law. Under the Constitution, in cases stipulated by law, personal Although it is stated that the data can be processed, private It is seen that the reasons for the limitation are not included.

In accordance with the provision stipulated in the Constitution, 26 December 2014  
“Personal Data Protection Law Draft” on  
It was submitted to the Speaker of the Parliament. Draft, 24 March 2016  
Personal Data No. 6698 enacted on

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Protection Law dated 7 April 2016 and numbered 29677  
It entered into force by being published in the Official Gazette, thus  
Legal infrastructure necessary for the protection of personal data completed.

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