



# Current Research on Turkish Law

Monday, 12 June 2023 – 2:00 p.m. (CEST)

Virtual lecture via Zoom

## “Discussing a Turkish Trust Law: Potential Advantages and Drawbacks”

*Asst. Prof. Dr. Gökçe Kurtulan Güner*

*İstanbul Bilgi University*

The virtual lecture will be held as a video conference via Zoom.

Please register for the lecture no later than Friday, 9 June 2023 using this

[LINK](#). You will receive the login details on Friday afternoon.

*Biset Sena Güneş*

(Max Planck Institute for Comparative and International Private Law, Hamburg)



### About the Speaker:

*Gökçe Kurtulan-Güner* is an assistant professor of civil law and the law of obligations at İstanbul Bilgi University. She holds an LLM degree in corporate and commercial law from the London School of Economics (2014) and a doctorate from İstanbul Bilgi University (2019). Dr. Kurtulan-Güner conducted a significant portion of her doctoral research on comparative trust law from 2018 to 2019 as a Konrad Zweigert scholar at the Hamburg Max Planck Institute. She is the author of the book *Trust and Its Evaluation under Turkish Law* (2020) and of the article "Rethinking the Need for Commercial Trusts in Civil Law Jurisdictions" (*European Review of Private Law*, 2021). In addition to trust law, her research interests also include contract law, tort law, consumer protection law and the law of online platforms. She is currently a member of the European Law Institute and the Society of European Contract Law among other associations.

### About the Topic:

The trust has been an element of English law since the Middle Ages and was described by Maitland as "the greatest and most distinctive achievement" of the English legal system. Today, it has myriad functions, including gratuitous transfers, wealth management, collateralization and even cryptocurrency trading. Towards the middle of twentieth century, the multifunctionality of trusts and their extensive use in commercial life led to the emergence of a debate about adopting them in civil law countries (which unsurprisingly coincided with the development of comparative legal research methodology). Despite initial skepticism about the suitability of civilian jurisdictions for implementing trust-like legal instruments, recent developments have demonstrated that the prejudice against trusts has begun to wane. This presentation will concentrate firstly on the distinguishing elements of both traditional and modern (non-equity-based) trust structures. Then, areas where trusts might be an added-value proposition for Turkish law will be discussed. Finally, the compatibility of trusts with fundamental principles of Turkish private law will be examined.

### About the Seminar Series:

The seminar series "Current Research on Turkish Law" regularly invites outstanding scholars and practitioners working on different topics of Turkish private law to present and discuss their findings. The seminar series particularly aims to create a platform where both international researchers interested in Turkish law and Turkish researchers working on comparative law can come together and exchange scholarly ideas. Participation is open to all interested students and researchers.