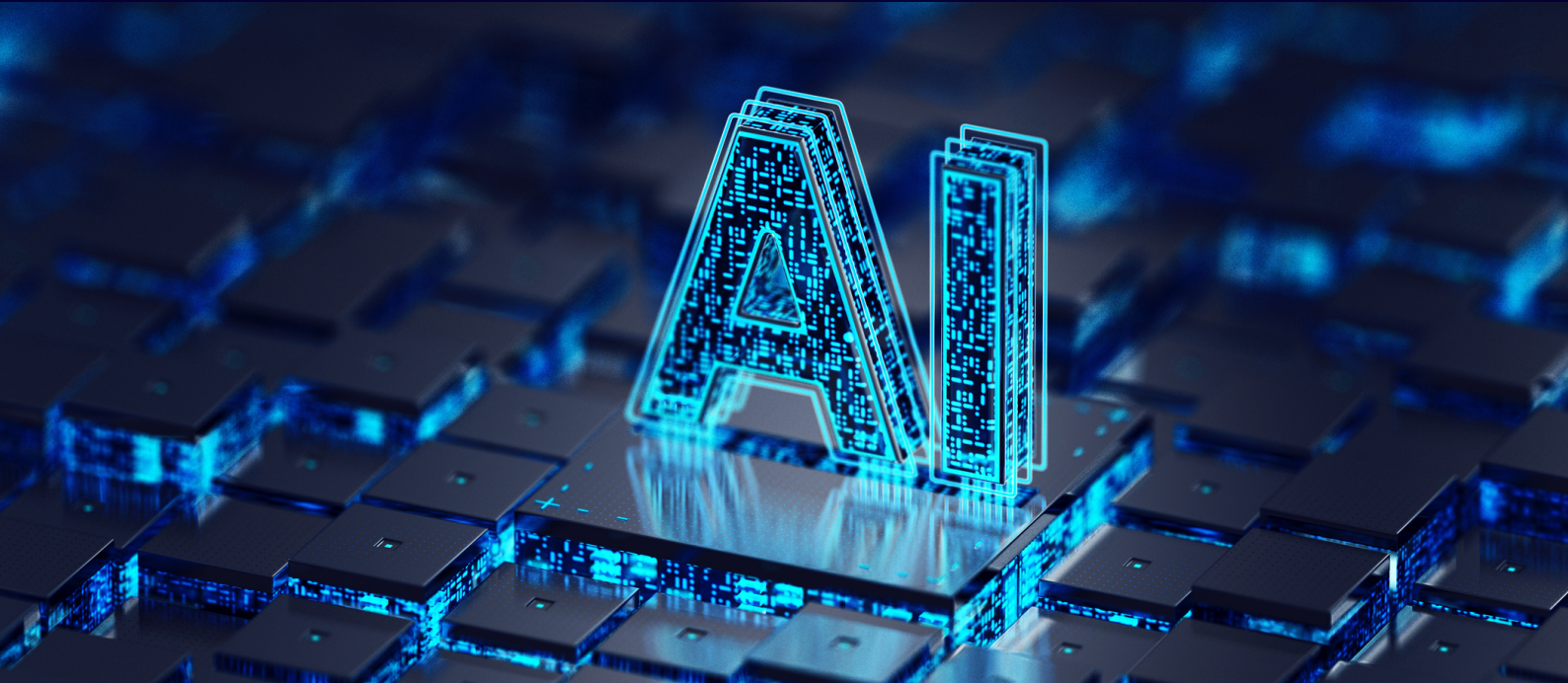


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# INFORMATION NOTE ON THE LAW PROPOSALS RELATED TO AI



## I. Introduction

A new law proposal ("**New Law Proposal**"), submitted to the Presidency of the Grand National Assembly of Türkiye on 9 December 2025, which envisages amendments to the Turkish Personal Data Protection Law No. 6698 ("**DP Law**"), aims to introduce administrative sanctions against social media providers and digital platforms that allow the sharing of audio, written, or visual content generated using artificial intelligence tools without the consent of the individuals concerned. Considering the adverse effects of deepfake content on individuals' private life, privacy, and digital reputation, the proposal seeks to impose clearer and more deterrent legal responsibilities on digital platforms. In this context, it aims to establish a protective mechanism for the identification and prevention of AI-generated content that infringes personality rights.

Within this scope, pursuant to the paragraph proposed to be added to Article 18 of the DP Law by the New Law Proposal, platforms that enable the sharing of non-consensual AI generated content are envisaged to be subject to an administrative fine of up to five percent of the turnover generated in the financial year preceding the year following the year in which the content was shared, with the regulation providing that such fine shall be imposed separately for each infringing item of content.

Previously, the Law Proposal on Amendments to Certain Laws, which envisages the introduction of amendments relating to artificial intelligence across various laws ("**Law Proposal**"), was also submitted to the Grand National Assembly of Türkiye on 7 November 2025.

The preamble of the Law Proposal, currently under review before the parliamentary committee emphasizes that, due to the rapid development of artificial intelligence technologies, risks emerging in digital environments have diversified, including violations of personal rights, threats to public order, and the proliferation of unethical content. It is stated that the increasing prevalence of hate speech, deepfake materials, and manipulation-oriented content produced through artificial intelligence has created significant security concerns, making it necessary to establish an adequate legal framework by amending existing fundamental laws without enacting a new standalone statute.

## II. Proposed Amendments

The Law Proposal introduces several additions and amendments to the Law on the Regulation of Broadcasts via Internet and Prevention of Crimes Committed through Such Broadcasts numbered 5651 ("**Law**").

- The Law Proposal introduces a definition of 'artificial intelligence system' into the article of the Law concerning definitions, describing it as "any software, model, algorithm or programming entity that processes data with no or limited human intervention to perform specific tasks and that generates outputs, makes decisions, provides recommendations, or takes actions autonomously or semi-autonomously through machine learning, deep learning, artificial neural networks, algorithms, or similar technological means."
- Under the proposed amendments, content generated by artificial intelligence systems that violates personal rights, threatens public security or is manipulated through deepfake technologies must be subject to removal and/or access blocking within six hours. Content providers and developers of artificial intelligence systems are held jointly responsible for compliance with this obligation.
- Artificially generated visual, audio, or textual materials produced through artificial intelligence systems (deepfake) must carry a clear, easily understandable, and non-removable label indicating that the content is "Generated by Artificial Intelligence". It is envisaged that content providers and/or developers who fail to comply with this obligation may be subject to an administrative fine ranging from TRY 500,000 to TRY 5,000,000 by the Information and Communication Technologies Authority ("**ICTA**"), depending on the nature of the content. The Law Proposal further provides that, where the violation is committed systematically and intentionally, access to the content provided by the content provider may be blocked.
- The amendment to Article 8 of the Law extends the existing framework for ordering the removal of content and/or the blocking of access - whenever there is sufficient suspicion that an offence has been committed online - to expressly include insult, threat, and crimes against humanity.
- Finally, the Law Proposal provides that the criminal sanctions prescribed for individuals who create and disseminate online content constituting a crime under the Law shall also apply to social network providers operating artificial intelligence systems.

The Law Proposal introduces an amendment to the provision of the Turkish Criminal Code No. 5237 (“TCC”) regulating the offense of insult, providing that users who direct artificial intelligence systems to commit conduct considered a criminal offense under the TCC shall be deemed perpetrators of the offense and punished accordingly. Moreover, where the design or training of an artificial intelligence system facilitates the commission of such crimes, the penalties applicable to the developer will be increased by fifty percent.

The Law Proposal also stipulates an amendment to Article 12 of the DP Law, which sets forth data security obligations, by introducing requirements that datasets used in artificial intelligence applications comply with principles of anonymity, non-discrimination, and legitimacy. Use of discriminatory datasets will be deemed a violation of data security according to the Law Proposal.

A new provision proposed for the Electronic Communications Law No. 5809 grants the ICTA the power to issue urgent access-blocking orders concerning artificial intelligence content that threatens public order or election security. Non-compliance may result in administrative fines of up to TRY 10 million.

Proposed amendments to the Cyber Security Law No. 7545 impose several obligations on service providers using artificial intelligence systems, including:

- Ensuring transparency and auditability of training datasets,
- Establishing content verification mechanisms to prevent inaccurate or manipulative outputs,
- Implementing algorithmic controls to reduce hallucination risk,
- Developing human-supervision mechanisms for high-risk applications,
- Conducting regular cyber-security vulnerability tests.

Service providers who fail to comply with these obligations may face administrative fines of up to TRY 5 million, while severe violations posing threats to public order may result in temporary suspension of activities.

### III. Conclusion

The Law Proposal seeks to establish a clearer and more actionable legal framework by updating fundamental laws in response to personal rights violations, manipulative content, and security risks arising from artificial intelligence technologies.

Although the provisions do not constitute a comprehensive, transformative regulatory overhaul, they represent an initial step toward building core protective mechanisms against AI-related risks. For effective implementation, detailed secondary legislation will be crucial, particularly regarding dataset oversight, mandatory disclosure of deepfake content, and human supervision in high-risk applications.

Nonetheless, given the relatively high minimum and maximum thresholds of the administrative fines envisaged under the Law Proposal, as well as the fact that the criteria to be taken into account when determining such fines (such as the nature and severity of the violation, the scale of the relevant actor, the degree of fault, and whether the violation is isolated or systemic) are articulated only to a limited extent in the text of the Law, certain concerns may arise in terms of the principles of legal certainty and foreseeability.

Furthermore, the imposition of comparatively heavy responsibilities on developers of artificial intelligence systems even in circumstances where they are not directly involved in the actual use of the system and the relatively broad scope of the access-blocking and other intervention powers granted to the Information and Communication Technologies Authority may be viewed as open to debate with respect to the principles of fault, proportionality, and freedom of expression. In this context, to ensure that the system operates in a balanced and predictable manner, it may be advisable to set out, in greater detail through secondary legislation, the procedural safeguards governing administrative fines, the liability regime, and the exercise of discretion by administrative authorities.

Considering both domestic and international developments, it is expected that legal and administrative regulations concerning artificial intelligence will remain a significant topic on Türkiye’s legislative and policy agenda in the coming period.

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*Our firm is widely recognized in prestigious legal directories. We are ranked by The Legal 500, one of the world's most reputable legal directory, for our expertise and client-focused approach. Also, our employment practice is distinguished in the International Employment Lawyer's Elite Guide and our Managing Partner, Burçak Kurt Bıçer, has been named among the 2025 IEL Women Leaders, a recognition of outstanding female leadership in employment law worldwide. Moreover, as a proud member of the International Association of Privacy Professionals (IAPP)—the world's leading information privacy community— we remain at the forefront of global data protection trends and compliance standards.*

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