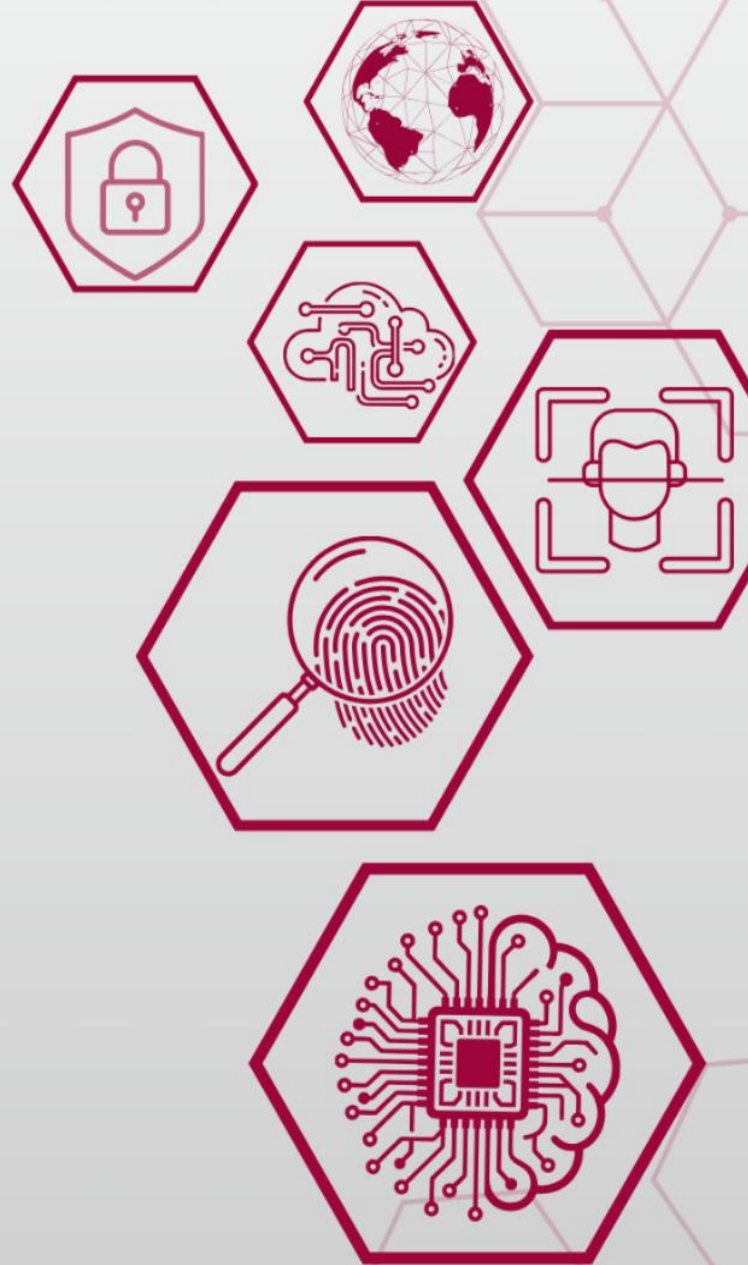


DATA PROTECTION BULLETIN

July 2026



JUDICIAL
DECISIONS



DEVELOPMENTS
in TÜRKİYE



GLOBAL
DEVELOPMENTS

— BULLETIN OVERVIEW

During July 2026, data protection law witnessed significant developments centred on the use of artificial intelligence systems, personal data breaches, targeted advertising, personal data processing activities of public authorities, and the privacy risks arising from emerging technologies. This bulletin covers the key regulatory developments, principle decisions, and guidance published in Türkiye, together with notable judicial decisions and regulatory developments in the European Union and other jurisdictions concerning artificial intelligence, anonymisation, web scraping, blockchain, digital platforms, and international data transfers.

JUDICIAL DECISIONS

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-  CJEU Decision on the GDPR Implications of the Publication of Anti-Doping Data
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-  U.S. Court Decision on the Disclosure of Artificial Intelligence Prompts Used by an Expert Witness
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GLOBAL DEVELOPMENTS

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-  European Commission Decisions Concerning Google and AliExpress
-  Updates to the AI Act Implementation Timeline
-  Review of South Korea's Adequacy Decision
-  New Guidance on Smart Glasses, Generative Artificial Intelligence, and Automated Decision-Making

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— JUDICIAL DECISIONS

1 Constitutional Court Decision on the Offence of the Unlawful Disclosure or Acquisition of Personal Data

DECISION DATE: 16.04.2026

PUBLICATION DATE: 14.07.2026



By its decision dated 16 April 2026 (Merits No. 2026/34, Decision No. 2026/81), the Constitutional Court unanimously rejected the request to annul the provision of Article 139 of the Turkish Criminal Code No. 5237 ("**TCC**") insofar as it excludes the offence of the unlawful disclosure or acquisition of personal data from the category of complaint-based offences. Accordingly, the offence set out in Article 136 of the TCC will continue to be investigated and prosecuted ex officio, without requiring a complaint from the victim.



The Constitutional Court held that the offence in question concerns not only the individual interests of the victim but also the collective security of personal data and the protection of public order.

In its assessment, the Court stated that the procedural rules governing the prosecution of criminal offences may legitimately differ depending on the legal interest protected and considerations of public interest. It therefore concluded that the provision is not contrary to Articles 2 and 10 of the Constitution and further held that the rule does not fall within the scope of Article 20 of the Constitution.

The full text of the decision is available [here](#).

2 Court of Justice of the European Union (CJEU) Decision on the Publication of Personal Data Relating to Anti-Doping Rule Violations

PUBLICATION DATE: 14.07.2026



In its judgment in Case C-474/24, NADA Austria and Others, the Court of Justice of the European Union ("**CJEU**") held that the publication on the internet of the names of professional athletes who have committed anti-doping rule violations, together with the duration of their suspension and the grounds for the sanction, may, under certain circumstances, be compatible with the General Data Protection Regulation ("**GDPR**"). To that end, the control-

ler responsible for the publication must be afforded the opportunity to carry out a case-specific balancing exercise between the public interest and the athlete's fundamental rights.

The CJEU further held that such information does not, as a rule, constitute data concerning health or personal data relating to criminal convictions and offences within the meaning of the GDPR. However, information concerning a prohibited substance or method may qualify as data concerning health where it enables conclusions to be drawn regarding the athlete's health status. The Court also found that retaining the publication beyond the duration of the sanction would be disproportionate. In addition, it stated that athletes for whom there are concrete indications that such publication is imminent should be entitled to lodge a preventive complaint with the competent supervisory authority.

The CJEU's press release on the judgment is available [here](#).

3 xAI Sued User over Alleged Misuse of Grok

DATE FILED: 14.07.2026



xAI filed a lawsuit against Terry Wayne Harwood before the United States District Court for the Northern District of Texas, alleging that its generative artificial intelligence tool, Grok, had been used in breach of its terms of service and acceptable use policy. According to the complaint, the defendant created multiple accounts using false identities, attempted to circumvent security safeguards, and used Grok to transform photographs of real individuals into non-consensual sexual imagery.

xAI further alleged that the defendant created, possessed, or distributed child sexual abuse material and non-consensual intimate imagery. The company seeks, among other remedies, a declaration that its terms of service were breached, enforcement of the contractual indemnification obligation, an injunction preventing the defendant from opening new accounts or using Grok, and compensation for the losses it allegedly sustained. The allegations set out in the complaint have not yet been adjudicated by the court.

The complaint is available [here](#).

4 U.S. Court Orders Disclosure of an Expert Witness's Artificial Intelligence Prompts

PUBLICATION DATE: 17.07.2026

In an interim order dated **18 May 2026**, a federal magistrate judge sitting in the **United States District Court for the District of Connecticut** ordered, in *Conservation Law Foundation v. Shell Oil*, the disclosure to the opposing party of the generative artificial intelligence prompts used by an expert witness in preparing an expert report. The expert and a research assistant had used a commercial artificial intelligence tool to identify relevant documents within a large document set.



The Court found that the prompts had influenced the set of documents reviewed by the expert and, consequently, the body of information on which the expert's opinion was based. It therefore regarded the prompts as a discoverable component of the expert's methodology. However, the order was stayed pending resolution of the claimant's objection, and the Court did not make a general determination as to whether such prompts are protected by attorney-client privilege or the work-product doctrine.

The Reuters analysis of the matter is available [here](#).

5 Court Approved Anthropic's USD 1.5 Billion Copyright Settlement

DECISION DATE: 21.07.2026



A federal court in the United States granted final approval to the USD 1.5 billion class action settlement reached between Anthropic and a group of authors and publishers. The settlement, covering approximately 500,000 works, provides for payments of around USD 3,000 per work to eligible right holders.



At an earlier stage of the proceedings, the Court had found that the use of lawfully acquired books to train an artificial intelligence model could fall within the scope of fair use, while holding that the retention of books obtained from pirated sources in a centralised digital repository could constitute copyright infringement.

Although approval of the settlement brings the dispute to an end, it does not establish a general and binding precedent concerning the use of copyright-protected works in artificial intelligence training.

The related news report is available [here](#).

— DEVELOPMENTS in TÜRKİYE

1 Ministry of National Education Announced New Measures for the Protection of Personal Data

PUBLICATION DATE: 29.06.2026



The Ministry of National Education ("MoNE") announced the measures to be taken to protect the personal data of students, parents, teachers, staff members, and other individuals processed by its central and provincial organisations and educational institutions. MoNE reiterated that personal data must be processed only where necessary for the performance of duties and services, for specified and legitimate purposes, and in a manner that is relevant, limited, and proportionate to those purposes. It also emphasised that personal data must be kept accurate and up to date and must not be retained for longer than necessary.



The announcement stressed that access credentials must not be shared with third parties; unauthorised software, bots, automation tools, or data transfer tools must not be used within the Ministry's systems; and content containing personal data must not be made publicly available on websites or social media accounts.

It was further requested that previously published content be reviewed and, where necessary, removed from public access. In relation to the sharing of photographs and videos, due consideration should be given to the purpose of the processing, the platform on which the content is shared, the applicable retention period, compliance with the obligation to inform, and, where required, the process for obtaining explicit consent.

The full text of the announcement is available [here](#).

2 Personal Data Breach Notification Concerning Wowoo Dijital Hizmetler Limited Şirketi

PUBLICATION DATE: 01.07.2026

The Personal Data Protection Board ("Board") published a personal data breach notification submitted by Wowoo Dijital Hizmetler Limited Şirketi, a company operating in the field of AI-powered content generation and analysis.

According to the notification, the breach occurred after the password of an account used to access the database was compromised by

unauthorised persons, who subsequently gained access to users' data stored in the primary database by using administrator account credentials.

It was stated that users' personal data had been extracted from the database on 20 June 2026, while the assessment of the number of affected data subjects and the categories of personal data involved remains ongoing.

The full text of the announcement is available [here](#).

3 Personal Data Breach Notification Concerning Nobel İlaç Sanayii ve Ticaret A.Ş.

PUBLICATION DATE: 01.07.2026



The Personal Data Protection Board published a personal data breach notification submitted by Nobel İlaç Sanayii ve Ticaret A.Ş. The breach reportedly occurred when an external actor exploited a security vulnerability in the web application of a processor providing assessment, personality inventory, and aptitude testing services used by the company in its recruitment and placement processes.

According to the initial assessment, the breach may have affected identity, contact, personnel, and professional experience data relating to employees and job applicants. While the investigation into the scope of the files accessed and the number of affected data subjects remains ongoing, the Board decided, by its decision dated 1 July 2026 and numbered 2026/1347, that the notification should be published on its website.

The full text of the announcement is available [here](#).

4 Personal Data Breach Notification Concerning OT Technology Spain SL

PUBLICATION DATE: 01.07.2026



The Personal Data Protection Board published a personal data breach notification submitted by the controller, OT Technology Spain SL. According to the notification, the breach occurred when a threat actor used valid access credentials associated with an integration service provided by a processor and, through that access, queried data from connected Salesforce environments and obtained certain information.

The breach affected **1,419 individuals**, comprising customers and prospective customers. The affected data consisted of business contact information, sales and contract records, and limited business communications stored in the customer relationship management system. It was further stated that the dates and times at which the breach commenced, ended, and was detected have not yet been determined.

The full text of the announcement is available [here](#).

5 Amendment to the Regulation on Commercial Advertising and Unfair Commercial Practices

PUBLICATION DATE: 01.07.2026



The Regulation Amending the Regulation on Commercial Advertising and Unfair Commercial Practices, issued by the Ministry of Trade ("**Ministry**"), introduces new rules governing advertisements generated using artificial intelligence and targeted advertising activities based on personal data.



Under the amendment, consumers must be provided with direct and easily accessible information on the criteria used to determine which targeted advertisements are displayed to them and how those criteria may be modified. Targeted advertisements based on profiling using children's personal data will be prohibited. Advertisements featuring AI-generated digital characters that are indistinguishable from human beings must clearly disclose that fact. In addition, the use of AI-generated digital replicas of real individuals in a manner that creates the impression that the individual has used, experienced, or endorsed a product or service will be prohibited.

The amendment also introduces new obligations in areas including advertising by social media influencers, discounted sales, environmental claims, consumer reviews, and complaint platforms. The amendments, published on **1 July 2026**, will enter into force on **1 August 2026**.

The Regulation and the Ministry's announcement on the matter are available [here](#).

6 Regulation on the Reassessment of Personal Health Data

EFFECTIVE DATE: 04.07.2026

An amendment made by the Ministry of Health to the Regulation on Personal Health Data ("**Regulation**") allows individuals to request



the reassessment of previously recorded diagnoses in light of their current health status. Diagnoses made by a single physician will be reassessed by a three-physician medical board, while diagnoses made by a medical board will be reassessed by a fully constituted medical board. Following the reassessment, a medical board report confirming the individual's current health status will be issued.



Where an up-to-date report establishes that the individual no longer has the relevant diagnosis, the previous diagnosis may not, without prejudice to the provisions of specific legislation, be taken into account in procedures concerning that individual, including recruitment processes.

The amendment further provides that corrections made to personal health data must also be reflected in the database of the relevant healthcare provider.

The relevant regulation is available [here](#).

7 New Rules on Molecular Genetic Examination Results Introduced by the 12th Judicial Reform Package

ANNOUNCEMENT DATE: 17.07.2026

The 12th Judicial Reform Package, adopted by the Grand National Assembly of Türkiye ("**GNAT**"), introduced new safeguards under the Code of Criminal Procedure ("**CCP**") concerning the recording, retention, and destruction of molecular genetic examination results.

The examination results will be recorded in a dedicated system after being stripped of identifying information. They will be destroyed immediately once a decision not to prosecute, an acquittal, or a decision not to impose a sentence becomes final; in all other cases, they will be destroyed twenty years after the relevant decision becomes final. Data subjects will also be entitled to request the erasure of their data where the purpose of retention no longer exists or where there is a justified reason.

The announcement of the Ministry of Justice is available [here](#).

8 Use of Contact Information Obtained from Third Parties for Advertising and Marketing Purposes

ANNOUNCEMENT DATE: 22.07.2026



The Personal Data Protection Authority ("**Authority**") published a public announcement concerning the

use, for advertising and marketing purposes, of contact information obtained from third parties through referrals, recommendations, or customer leads.



The announcement states that the mere fact that contact information has been obtained from a third party does not, in itself, constitute a lawful basis for processing. Where personal data is not obtained directly from the data subject, the obligation to inform must be fulfilled before the first communication with the data subject or before any further transfer of the data. Continuing the conversation, asking questions about a campaign, or failing to object cannot be regarded as explicit consent. Where processing is based on explicit consent, the information and explicit consent processes must be conducted separately.

The relevant announcement is available [here](#).

9 Principle Decision on Online Disclosures by Controllers Having Public Legal Personality

PUBLICATION DATE: 28.07.2026



By its Principle Decision dated 1 July 2026 and numbered 2026/1301, the Personal Data Protection Board ("**Board**") set out the principles to be followed by controllers having public legal personality when disclosing personal data online.



The Board emphasised that such disclosures must be based on a valid lawful ground for processing, be relevant, limited, and proportionate to

the stated purpose, and include only the personal data necessary for that purpose.

It further stated that content for which the legal basis or purpose of publication has ceased to exist must be removed or masked. Examination and lottery results should be disclosed only through secure methods accessible exclusively to the relevant data subjects.

The relevant Principle Decision is available [here](#).

10 Personal Data Protection Authority Published Compliance Guide for Public Institutions

PUBLICATION DATE: 28.07.2026



The Personal Data Protection Authority ("**Authority**") published a compliance guide to assist public institutions and organisations in complying with Personal Data Protection Law No. 6698 ("**Law**").

The guide addresses the legal grounds for processing personal data, the obligation to inform, data security, retention and destruction, data subject rights, and the obligations applicable to domestic and international data transfers. It also outlines the exceptional circumstances in which the Law does not apply, either wholly or partially, to public institutions.

The relevant guide is available [here](#).

— GLOBAL DEVELOPMENTS

1 New York Banned Smart Glasses in Courthouses

EFFECTIVE DATE: 20.07.2026



The New York State Office of Court Administration prohibited smart glasses equipped with recording capabilities, as well as similar wearable devices, from being brought into any courthouse. With this measure, New York became the first U.S. state to impose a comprehensive courthouse ban on smart glasses.

! The prohibition applies to all persons, including parties to proceedings, lawyers, witnesses, visitors, and court personnel. It was announced that the rule would apply across more than 1,240 courthouses throughout the state.

The relevant measure is available [here](#).

2 European Data Protection Board Published Final Guidelines on Blockchain

PUBLICATION DATE: 07.07.2026

The European Data Protection Board ("EDPB") published its final guidelines on the use of blockchain technologies in compliance with the General Data Protection Regulation ("GDPR"). The guidelines state that, before deploying blockchain technology, organisations should assess whether the same purpose could be achieved through less intrusive means.

! The EDPB also recommends that personal data be kept off-chain wherever possible, that the principle of data minimisation be observed, and that systems be designed to enable the exercise of the rights to erasure, rectification, and objection. Where the use of blockchain is necessary, the guidelines emphasise that data protection risks should be assessed in advance and the technical architecture designed accordingly.

The guidelines are available [here](#).

3 Controversy over Muse Image and Meta AI on Instagram



Meta announced its "Muse Image" feature, which allowed Meta AI users to tag public Instagram accounts and use photographs from those accounts as references when generating new AI images.

The feature drew criticism from a privacy and personal data protection perspective because account holders were neither asked to provide

separate consent nor notified that their photographs could be used in this manner. Following the backlash, Meta removed the feature on 10 July 2026.

The related news report is available [here](#).

4 European Data Protection Board Drafted Guidelines on Web Scraping

PUBLICATION DATE: 07.07.2026



The European Data Protection Board ("EDPB") opened its draft guidelines on the collection of personal data through web scraping for the training and fine-tuning of generative artificial intelligence models to public consultation.

! The draft guidelines emphasise the need to correctly determine the roles of controllers and processors, ensure transparency towards data subjects, and collect only the personal data necessary for the relevant purpose. They also recommend refraining from collecting data from websites that indicate, through mechanisms such as **robots.txt** and **ai.txt**, that they do not wish their data to be used by artificial intelligence systems.

The draft guidelines are available [here](#).

5 European Union Action Plan on Cybersecurity and Artificial Intelligence

PUBLICATION DATE: 07.07.2026



The European Commission published the EU Action Plan on Cybersecurity and Artificial Intelligence to address the risks that advanced artificial intelligence models may pose in the field of cybersecurity and to harness the opportunities offered by these technologies.

! The Action Plan focuses on areas including preventing the misuse of artificial intelligence systems in cyberattacks, protecting critical infrastructure, and developing AI-powered security solutions. It also seeks to strengthen cooperation among public authorities, the private sector, and research institutions.

The Action Plan is available [here](#).

6 European Data Protection Board Drafted Guidelines on Anonymisation

PUBLICATION DATE: 08.07.2026

The European Data Protection Board ("EDPB") published its draft guidelines on the

anonymisation of personal data and opened them for public consultation. The draft states that whether a dataset is anonymous should be assessed not solely by reference to the technical methods applied, but also in light of the circumstances of the specific case and the means available to the parties capable of accessing the data.

! The EDPB noted that the same dataset may be considered anonymous in relation to one party while remaining personal data in relation to another party that is capable of re-identifying the individuals concerned. Accordingly, anonymisation assessments should consider the risk of re-identification, the availability of additional information, and the techniques applied as a whole.

The draft guidelines, which are open for consultation until 30 October 2026, are available [here](#).

7 Spanish Data Protection Authority Published Guidance on Smart Sunglasses

PUBLICATION DATE: 13.07.2026



The Spanish Data Protection Authority ("AEPD") published informational guidance on the privacy and data protection considerations associated with the use of smart sunglasses during the summer period.

! The AEPD recommends that users act transparently towards individuals in their surroundings when recording images or audio, provide clear information wherever possible, and limit recordings to what is strictly necessary.

It also noted that additional data, such as location, date, time, and usage patterns, may be collected. Accordingly, privacy and security settings should be configured appropriately, applicable legal restrictions should be observed, and recordings that are no longer needed should be deleted.

The relevant guidance is available [here](#).

8 Dutch Data Protection Authority Published Guidelines on Generative Artificial Intelligence

PUBLICATION DATE: 13.07.2026



The Dutch Data Protection Authority ("AP") published two new guidelines to support organisations in the responsible development and deployment of generative artificial intelligence systems.



The guidelines address compliance with the General Data Protection Regulation ("GDPR") in generative AI projects, the need to assess personal data processing activities in advance, and the proper allocation of responsibilities between developers and organisations deploying such systems.

The guidelines are intended to assist organisations in managing data protection risks that may arise during the development and implementation of artificial intelligence systems.

The guidelines are available [here](#).

9 European Data Protection Supervisor Published Checklist on Human Intervention in Automated Decision-Making

PUBLICATION DATE: 13.07.2026



The European Data Protection Supervisor ("EDPS") published a checklist on human intervention in automated decision-making processes. The checklist is intended, in particular, to assist **European Union ("EU") institutions** in assessing, through self-evaluation, the human oversight mechanisms they apply in automated decision-making systems.



The document emphasises that human intervention must not be merely formalistic, but must be meaningful, effective, and capable of influencing the outcome of the decision. It also sets out criteria to help institutions assess the maturity of their practices in this area.

The checklist is available [here](#).

10 French Competition Authority Issued Competition Recommendations for Artificial Intelligence Platforms

OPINION DATE: 17.07.2026

The French Competition Authority published an opinion on competition risks in this area, noting that artificial intelligence agents are increasingly assuming a gatekeeper role between users and service providers in the digital economy. The opinion states that the market is largely concentrated around a small number of companies, including OpenAI, Google, and Anthropic, while developers face difficulties in scaling due to constraints relating to user access, data, interoperability, and infrastructure costs.



The Authority emphasised that artificial intelligence agents may give rise to competition law concerns where they are designed to favour their

own services or place competing services at a disadvantage. In this context, it recommended greater transparency regarding the operation of algorithms, enhanced interoperability, stronger data portability, and close monitoring of potential competition concerns through the existing tools of competition law.

The opinion is available [here](#).

11 European Commission Imposed Record Fine on AliExpress under the DSA

DECISION DATE: 20.07.2026



The European Commission imposed a fine of EUR 550 million on AliExpress under the Digital Services Act ("DSA") for failing to adequately manage risks relating to illegal products. The investigation found that counterfeit and unsafe products remained available for sale, that certain sellers were able to circumvent controls, and that illegal products were promoted to users through advertising systems.

AliExpress is required to submit an action plan by 20 October 2026, while the company has announced that it intends to challenge the decision.

Further details concerning the decision are available [here](#).

12 European Commission Confirmed South Korea's Continued Data Protection Adequacy

PUBLICATION DATE: 23.07.2026

In its first review of the **2021 adequacy decision**, the **European Commission** confirmed that South Korea continues to ensure an adequate level of protection for personal data transferred from the European Union.



The report highlights legislative developments that have strengthened data subjects' rights, while also setting out recommendations concerning onward transfers to third countries and supervisory and enforcement mechanisms. The confirmation is significant for the continued free and secure flow of personal data between the EU and South Korea.

The relevant announcement is available [here](#).

13 European Commission Fined Google EUR 890 Million under the DMA

PUBLICATION DATE: 23.07.2026



The European Commission found that Google Search and Google Play had infringed the Digital Markets Act ("DMA") and imposed fines totalling EUR 890 million on Google. The two separate decisions, imposing fines of EUR 460 million and EUR 430 million, respectively, mark the first fines imposed on Google under the DMA.

With regard to Google Search, the Commission found that Google had favoured its own services over competing services in search results. As regards Google Play, the infringement concerned practices restricting app developers from directing users to alternative offers.



The Commission further stated that the same principles would apply to AI-powered search services, including **AI Overviews** and **AI Mode**, and noted that compliance discussions with Google in this area are ongoing. Google was given **60 days** to comply with the decisions and announced that it intends to challenge them before the courts.

The relevant announcement is available [here](#).

14 European Union Updated the AI Act Implementation Timeline

PUBLICATION DATE: 24.07.2026

The **European Union ("EU")** amended the application dates of certain obligations under the **Artificial Intelligence Act ("AI Act")** through the **Digital Omnibus** package.



The requirements relating to the labelling of AI-generated content, together with the prohibitions applicable to systems that generate non-consensual intimate or sexual content, will begin to apply on **2 December 2026**.

Certain obligations concerning high-risk AI systems have been postponed until **2027** and **2028**. The package also introduces amendments relating to simplified requirements for small and medium-sized enterprises, regulatory sandboxes, and the processing of personal data.

The relevant regulation is available [here](#).

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