

## Debates on Protecting Children in the Digital Environment Have Made Their Way to the Turkish Grand National Assembly:

### Current Regulatory Trends in Turkiye and Around the World

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In recent years, it has become increasingly evident, both in Turkiye and around the world, that children are spending more and more time in digital environments, particularly on social media and gaming platforms. Especially in recent times, as the negative impact of these environments on children and young people have become more visible in the public eye, concerns have grown—and this has, in turn, prompted lawmakers across multiple jurisdictions to take action. In this regard, a number of European countries, led by Australia, have initiated legislative efforts aimed at keeping children below a certain age away from online environments, especially social media platforms.

Turkiye is following a similar trajectory in parallel with this global shift. In this context, the [Draft Law on the Protection of Children and Young People in the Digital Environment](#) was first submitted to the Turkish Grand National Assembly (“**Turkish Parliament**”) in January 2026. However, as the proposal failed to generate sufficient public interest or momentum toward enactment, it was not expected to pass into law. In March, a new legislative proposal, the [Draft Law on Amendments to the Social Services Law and Certain Other Laws](#) (the “**Draft Law**” or the “**Proposal**”), was submitted to the Turkish Parliament, introducing amendments to various regulations, including the Law No. 5651 on the Regulation of Publications on the Internet and Combating Crimes Committed through Such Publications (“**Law No. 5651**”). Notably, recent reports indicating that the Ministry of Family and Social Services would take the lead in amending Law No. 5651 aimed at strengthening child protection had already signaled the arrival of this Proposal.

The reverberations are, of course, not limited to the legislative sphere. On the regulatory side, the Turkish Data Protection Authority (“**Authority**”) has taken concrete actions by initiating *ex officio* investigations into companies operating social media platforms within the scope of child protection.

So, what do all these developments mean, and what kind of transformation lies ahead for Turkiye—and the world? To address these questions, we have compiled for you below: **(i)** the key highlights of the Draft Law, **(ii)** the Authority’s investigation, and **(iii)** how global trends and similar approaches in this field are evolving.

*(Although the Draft Law also envisages the introduction of certain additional obligations for social network providers as well as game providers and distributors, such provisions fall outside the scope of this note, which focuses solely on provisions concerning the protection of children, and are therefore not addressed herein.)*

## A. Key Highlights of the Draft Law

### 1. Introduction of a Social Media Ban for Children Under the Age of 15 and the Obligation to Develop Parental Control Tools

Without a doubt, the most striking provision of the Draft Law is the outright ban on access to social media platforms for children under the age of 15. To ensure the enforceability of this ban, the Draft Law imposes an obligation on social network providers to implement all necessary technical and organizational measures, including age verification. Moreover, social network providers are required to publish the measures they have taken on their own websites. The absence of any exceptions in the relevant provision, meaning that, similar to the legislation enacted in Australia, children under 15 are completely prohibited from accessing social media platforms even with parental consent, underscores the strict nature of this ban. However, given that access is entirely blocked even when parental consent is present, it is highly likely that criticisms will be raised regarding potential conflicts with the principle of proportionality.

One of the first questions that may come to mind regarding age verification processes is whether social network providers would be allowed to use biometric data or chip-enabled IDs for this purpose. While the Draft Law does not contain an explicit provision on this matter, it can be inferred that detailed rules on age verification will be issued by the Information and Communication Technologies Authority (“ICTA”), since Article 4 of the annex to Law No. 5651, which is set to be amended, stipulates that the procedures and principles for implementing this provision will be determined by the ICTA. However, it is worth noting that if social network providers process, for example, biometric data for age verification purposes, the existing data protection regulations must be strictly observed.

On the other hand, **the Draft Law envisions a different framework for children aged 15 to 18**. Under this framework, social network providers will be required to take the necessary measures to offer differentiated services tailored specifically to this age group, and these measures must also be published on their own websites. According to the explanatory memorandum of the Draft Law, the aim is to provide a separate, secure, and child-specific service environment for this age group, distinct from services offered to adults. In this context, social network providers would also be required to develop “parental control tools”.

Within this framework, the following measures are envisaged: **(i)** enabling parents to monitor and limit the time their children spend on social media platforms, **(ii)** allowing parents to supervise account settings, and **(iii)** requiring parental approval for transactions such as purchases, rentals, or paid subscriptions.

## 2. Obligation to Introduce Age-Appropriate Game Ratings and Parental Control Tools

Other significant obligations introduced by the Draft Law concerns **game providers** and **distributors**.

Accordingly:

- **Game providers** will be required to rate the games they produce according to predetermined age categories.
- **Game distributors**, on the other hand, will not be allowed to offer games to users that have not been properly rated, for example labeled according to age categories such as 6+, 12+, 16+, and 18+, and such games must be removed from the system. Games that have not been rated by the game providers can only be made available to users if they are classified under the highest age category.

In this context, while the Draft Law does not impose a direct age-based ban on children's access to gaming platforms, it can be said that the legislature aims to ensure that children can only access game content appropriate for their age. In other words, the objective appears to be the systematic restriction of children's access to games that are not suitable for their age group.

Another important obligation imposed on game distributors is the introduction of parental control tools. According to the Draft Law, these tools must be clear, understandable, and user-friendly. Mandatory mechanisms include enabling parents to supervise account settings and requiring approval for purchases, rentals, and paid subscriptions.

## 3. Requirement to Appoint a Representative for Foreign Game Distributors

For foreign game distributors, the Draft Law introduces the requirement "to appoint a representative". This obligation closely resembles the obligation previously imposed on social media companies to appoint a representative.

Accordingly, foreign-based game distributors with more than 100,000 daily accesses from Türkiye will be required to maintain a representative in Türkiye and notify details of the representative's information to the ICTA. Information regarding the representative will also be publicly accessible. In this context, it can be said that the purpose of the provision is to ensure that users, particularly parents, have a direct point of contact in cases such as account security issues, unfair charges, cyberbullying, or arbitrary account suspensions.

The procedures and principles regarding the obligations of game providers and distributors, as well as age-based rating requirements, are to be determined through regulations to be issued by the ICTA.

#### 4. Mandatory Risk Assessment and Notification Obligation to the ICTA

The Draft Law also imposes an obligation on social network providers and game distributors to conduct regular risk assessments and report the results to the ICTA. Accordingly, if the Draft Law is enacted, social network providers and game distributors will be required to assess and report to the ICTA the risks associated with the services they offer or will offer in Türkiye, in terms of their impact on constitutionally guaranteed fundamental rights, the protection of families and children, public order and public health, and the potential dissemination of unlawful content.

Following the submission of the notification, the ICTA may inform the relevant social network providers and game distributors of the necessary measures to be taken, including the suspension of some or all of the services offered or to be offered, or modifications to the manner in which the services are provided.

With this provision, it can be said that the activities of social network providers and game distributors are intended to be subjected to oversight through preventive risk analysis and regular reporting mechanisms. In this way, the aim appears to be the early identification of risks related to the protection of children, the prevention of the spread of harmful content, and the safeguarding of public order.

#### 5. Risk of Sanctions

Game providers and distributors that fail to comply with the obligations outlined above may face administrative fines ranging progressively from TRY 1.000.000 to TRY 30.000.000 (approx. from USD 22,430 to USD 672,885). If the violation persists, additional measures may be introduced, including the gradual restriction of internet bandwidth access.

#### B. Investigation Initiated by the Authority

On 20 February 2026, the Authority [announced](#) that it had initiated an *ex officio* investigation into the TikTok, Instagram, Facebook, YouTube, X, and Discord. The Authority cited the purpose of the investigation as ensuring the protection of children's personal data in social media use and monitoring the platforms' data processing practices and the security measures they have implemented, taking into account the best interests of children against potential risks in the digital environment.

#### C. Developments Around the World

In Europe and various other parts of the World, social media bans are either being placed on government agendas for implementation or have already been enacted. The most striking example is Australia. Last year, Australia amended its existing [Online Safety Act 2021](#), which aims to minimize cyberbullying, child abuse, and violent content online, to prohibit children under the age of 16 from using social media platforms, with the changes set to take effect from 10 December 2025. Following the enforcement of this ban, it was [reported](#) that Meta closed approximately 550,000 accounts to comply with the regulation. At the same time, Meta has

[reportedly](#) advocated for moving away from outright bans in favor of age-appropriate design measures to create a safer online environment.

So what other obligations were introduced alongside the ban that led Meta to close over half a million accounts? The regulation in Australia places a positive obligation on social media platforms to prevent children under the age of 16 who ordinarily reside in Australia from creating accounts on their platforms.

Unlike the Draft Law, the regulation in Australia explicitly sets out how social media platforms may comply with this obligation through age verification, including: **(i)** what types of data they may process, **(ii)** which data they are prohibited from processing or requesting, **(iii)** the legal grounds under which processed data may be handled within the framework of applicable data protection law, **(iv)** what types of processing would constitute a violation of data protection rules, and **(v)** the requirement to delete data processed for this purpose once the verification process is complete. In this respect, the regulation in Australia can be seen as going beyond merely introducing a ban. It also provides detailed guidance on how to comply with personal data protection rules during the implementation of the ban, thereby representing a more comprehensive and holistic regulatory approach.

## What is the situation in other countries?

This trend, which essentially began in Australia, is rapidly gaining momentum and spreading to other countries—growing, so to speak, like an avalanche. The countries that have joined this trend can be exemplified as follows:

- **France:** In France, the French Parliament has [passed](#) a draft law introducing a social media ban for children under the age of 15, as well as a ban on mobile phones in high schools. Following approval by the French Senate, the proposal is expected to become law. If enacted, France would be the first country to follow Australia in introducing such a ban.
- **Denmark:** The Danish Prime Minister has recently [called](#) for a ban on social media for children under the age of 15, citing the negative impact of social media on children's mental health and development, and proposed that social media be allowed from the age of 13 with parental consent.
- **Spain:** The Spanish Prime Minister has [announced](#) plans to introduce a social media ban for children under the age of 16 in order to protect them from harmful content.
- **Germany:** In Germany, one of the governing coalition parties has [proposed](#) a social media ban for children under the age of 14.
- **Austria:** The Austrian government has [announced](#) plans to introduce a social media ban for children under the age of 14 in order to better protect minors.
- **Czechia:** The Czech government has [reportedly](#) been considering a social media ban for children under the age of 15 due to concerns about the harm social media may cause to children.

## Is a ban really the solution?

While the global trend is to completely ban social media for children below a certain age, there are those who argue that this approach may create more problems than it solves. As an example, UNICEF (the United Nations Children’s Fund) holds the view that imposing an age limit alone is not sufficient to protect children.

In a [press statement](#), UNICEF emphasized that efforts to enhance children’s online safety are important, but social media bans carry their own risks and may even produce unintended consequences. According to UNICEF, for many children, especially those who are **isolated or disadvantaged, social media represents a crucial space for learning, communication, play, and self-expression**. It also noted that a ban will not completely prevent access, as children **may continue to reach social media through alternative means or less regulated platforms**, which could make protecting them even more challenging.

According to UNICEF, age-based bans should be part of a broader approach that protects children from online risks, respects their privacy and participation rights, and does not push them into less safe spaces.

In this context, the [guidance](#) prepared under the Digital Services Act ([Regulation \(EU\) 2022/2065](#)) in the European Union stands out as a regulatory framework aimed at ensuring a high level of privacy, safety and security for children online.

From the perspective of Turkish law, another possible regulatory approach could be for the legislator to introduce obligations ensuring that children can only access age-appropriate content on social media platforms—similar to the requirements already envisaged for games.

## What is the public opinion?

Although it is acknowledged that such bans may carry certain risks, public support for these regulations appears to be quite strong. According to the “[Education Monitor 2025](#)” study conducted by Ipsos, 71% of respondents worldwide [support](#) a social media ban for children under the age of 14. Support exceeds 80% in countries such as Indonesia, France, Spain, and Colombia, while in Turkiye, 76% of respondents are in favor of the ban. The study also indicates that 55% of respondents globally support banning smartphones in schools, with the corresponding figure in Turkiye at 53%.

## D. Conclusion

When the Draft Law is evaluated in broad terms, it can be said that the legislator is seeking to establish a regulatory framework similar to the recent global trend toward protecting children in digital environments. In this context, when age restrictions on social media platforms, the age-rating system for game content, the mandatory implementation of parental control tools, and the obligations related to risk assessment and notification are considered together, it becomes evident that the aim is to build a stricter oversight regime—supported by stronger

enforcement mechanisms—targeting social media providers and gaming platforms in order to protect children.

This approach parallels the recent trend in many countries, particularly Australia and across Europe, to restrict children below a certain age from accessing digital platforms. The practical implementation of such bans in Europe, however, remains a separate matter of debate, as any regulatory measures must comply with European Union law. Whether these bans will ultimately prove to be an effective solution, and whether completely restricting children from social media platforms will bring more benefit or harm will likely become clearer over time.

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