



Third Party Opinion Submitted to the Application of the Applicant M.C.Y.

1. The applicant M.C.Y. holds a PhD degree in human rights law and is serving pre-trial detention in an F-Type High Security Closed Institution for the Execution of Sentences (“Institution”). M.C.Y. requested access to the databases of the European Court of Human Rights (“ECtHR”) and the Constitutional Court from the Institution to draft applications to the ECtHR to use in his academic studies.
2. His request was rejected by the Institution. M.C.Y. appealed against this decision. His appeal was accepted by Ankara Batı 1st Judgeship of Execution. However, the Public Prosecutor’s Office appealed against the decision of the Ankara Batı 1st Judgeship of Execution on the grounds that “... *in the Institution, computers with an Internet connection cannot be installed in the area where the convicts and detainees are sheltered because there is no infrastructure to establish an internet connection*”. The appeal of the Public Prosecutor’s Office was accepted by the Ankara Batı 1st Assize Court, the decision to provide the applicant Internet access was revoked and M.C.Y.’s request was rejected. M.C.Y. lodged an individual application with the Constitutional Court against the final decision.
3. İFÖD submitted a 16-page Third Party Opinion in this pending application on 30.09.2022. The application is important in terms of the prisoners' right to access information and the Internet. In the submission, İFÖD presented its assessments on freedom of expression and right to fair trial. In this framework, İFÖD’s opinion mainly focused on access to Internet within the scope of freedom of expression.