

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	715
Land:	Tyrkiet
Kilde:	Freedom House
Titel:	Freedom on the Net 2024 – Turkey
Udgivet:	16. oktober 2024
Optaget på baggrundsmaterialet:	7. november 2024



FREEDOM ON THE NET 2024

Turkey

NOT FREE

31
/100

A. <u>Obstacles to Access</u>	14 /25
B. <u>Limits on Content</u>	10 /35
C. <u>Violations of User Rights</u>	7 /40

LAST YEAR'S SCORE & STATUS

30 /100 **Not Free**

Scores are based on a scale of 0 (least free) to 100 (most free). See the research methodology and report acknowledgements.



Key Developments, June 1, 2023 – May 31, 2024

Despite an increase in mobile speeds and fewer instances of throttling, internet freedom continues to suffer in Turkey, with lengthy prison sentences issued for social media posts, scores of access blocks and content removal orders issued, and the spread of misinformation. The ruling Justice and Development Party (AKP) enacted several laws that increase censorship and surveillance and criminalize online speech. Online troll networks continue to amplify progovernment disinformation, and journalists, activists, and social media users continue to face legal charges for their online content.

- Authorities imposed an advertisement ban on social network operator X in July 2023. The ban ended in May 2024, after X opened a local office and appointed a local representative in Turkey (see B1).
- In January 2024, the Constitutional Court annulled a clause of a law, which was often used to issue blocking and content removal orders due to “violation of personal rights.” The ruling did not take effect before the end of the current coverage period, and authorities continued to impose significant access blocks and remove content (see B1, B2, and B3).
- Some 17 virtual private network (VPN) services were blocked in December 2023 without a court order, further narrowing the online media landscape (see B7).
- In May 2024, 20 Kurdish politicians were sentenced to prison terms between 9 and 42 years, including former Peoples’ Democratic Party (HDP) cochair Selahattin Demirtaş and Figen Yüksekdağ, largely for social media posts dating back to 2014 (see C3).

Political Overview

President Recep Tayyip Erdoğan and the AKP, which have ruled Turkey since 2002, have become increasingly authoritarian in recent years, consolidating significant power through constitutional changes and by imprisoning opponents and critics. A deepening economic crisis, devastating earthquake, and elections held in May

gave the government new incentives to suppress dissent and limit public discourse in 2023.

A. Obstacles to Access

A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?

5/6

Score change: The score increased due to an increase in mobile internet speeds.

While internet quality and speeds are considered reliable in most of the country, infrastructural failures impede access. Infrastructural damage caused by natural disasters, unauthorized service interruptions, and theft of infrastructure caused disruptions to service during the coverage period.

Internet access and speeds have increased in recent years. The percentage of individuals using the internet stood at 86.5 percent in early 2024, and the mobile penetration rate stood at 93.8 percent. **1** The share of households with internet access reached 95.5 percent in 2023. **2**

According to Ookla's Speedtest, as of April 2024, the median mobile download and upload speeds were 40.42 megabits per second (Mbps) and 14.19 Mbps, respectively, an improvement over 2023 figures. The median fixed-line broadband download and upload speeds were 41.51 Mbps and 12.84 Mbps, respectively. **3**

The Ministry of Transport and Infrastructure (UAB) announced that Turkey's 5G infrastructure was successfully used for the first time in June 2021. **4** The UAB also shared plans to provide 100 Mb internet connections to every household by 2023. **5** The UAB reported 91.6 million broadband internet users in the second quarter of 2024 **6** and 93.1 million in the third quarter. **7** Starting in 2021, multiple municipalities, including Istanbul **8** and İzmir, **9** introduced free internet access on public transit. Additionally, free internet services were provided in rural areas of Bursa's Nilüfer, which helped close the digital gap (see A2). **10** In June 2022, the Türksat 5B satellite, which facilitates television and internet services, began operating. **11**

In early February 2023, two earthquakes caused catastrophic infrastructural damage in southern Turkey. The damage caused widespread internet outages affecting customers nationwide. **12** Damage from the earthquake persists. For example, residents of Malatya continue to face connectivity issues following destroyed infrastructure from the earthquake and, more recently, stolen internet cables. **13**

Poor telecommunications infrastructure and frequent power shortages negatively impact connectivity, particularly in the southeast. In November 2022, a press outlet reported that residents of the town of Osmançık have lacked reliable internet access since 2020 for want of sufficient infrastructure. **14** Two districts in Adana were affected by the theft of internet infrastructure cables in January 2024.

15 Additionally, in November 2023, internet service was disrupted in the district of Akyürek for over a month due to infrastructure maintenance, delaying e-learning for students. **16**

A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons?	1/3
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Internet pricing in Turkey remains very high due to the market concentration in broadband services that have led to high costs, low wages, high inflation, and widespread unemployment. According to the Turkish Statistical Institute, inflation reached 68.5 percent in March 2024. **17** The ENA Group, a research organization, reported an inflation rate of 124.6 percent as of March 2024. **18** According to the 2022 *Digital Transformation Index Report*, released by the Informatics Industry Association, Turkey's ranking was negatively affected by poor telecommunications-sector funding and high taxes. **19**

According to the 2023 edition of the Economist's Inclusive Internet Index, Turkey had Europe's lowest affordability score and ranked 43rd in that criterion globally.

20 According to UK-based Cable's 2024 report, a monthly fixed-line broadband package cost an average of \$10.95, **21** whereas the average price for 1 gigabyte (GB) of mobile data was 7 cents in 2024. **22** The average monthly income in Turkey stood at \$525 as of March 2024. **23** Rural areas have poorer access than urban areas. **24** According to European Union (EU) data reported by Euronews in

December 2023, the basic digital skills rate in Turkey stood at 33 percent, well below the EU's average of 56 percent. **25**

In 2022, the government increased the price of electricity by 130 percent. While internet price hikes have been postponed since the 2023 elections, high inflation has led people to choose between vital needs and secondary services like internet access. **26** In July 2023, Türk Telekom raised tariffs for fixed-line customers by 38 percent. **27** Also in July 2023, Türk Telekom raised port fees by 70 percent. **28** In December 2023, an individual told *Cumhuriyet* that their existing home-internet plan price increased by 300 percent. **29**

Value-added tax (VAT) on internet service was increased from 18 percent to 20 percent as of July 2023, increasing the cost of access. **30** Previously in May 2022, a temporary Special Communication Tax on electronic communications services (including devices) increased from 10 percent to 12 percent for smartphones and from 2 percent to 4 percent for computers and tablets. **31** More people in Turkey access the internet via mobile phones than via fixed-line broadband and were especially impacted by this change. **32**

Following the February 2023 earthquakes, the government announced that universities will continue classes online, raising concerns that students from impacted areas would be unable to participate due to damaged infrastructure (see A1). **33**

As of October 2023, Turkish university students below the age of 26 could access a 10 GB data package free of charge for one year through registration with the Ministry of Sports and Youth. Students were also to be given a one-time opportunity to purchase devices costing less than 9,500 lira (\$300) tax-free. **34**

In October 2023, an agency of the Ministry of Employment and Social Security formed a new council with the ultimate goal of “increas[ing] the certified and qualified workforce in the field of digital transformation and artificial intelligence” and modernizing existing professional competencies. **35**

A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?

4/6

Score change: The score improved from 3 to 4 because restrictions on connectivity were less frequent during the coverage period.

While restrictions on connectivity have been relatively infrequent, communications platforms were throttled in previous years following terror attacks or natural disasters. There was no throttling during this coverage period. The centralization of the internet infrastructure under the government enables authorities to deliberately restrict access. Additionally, a broadcast ban was imposed during the current coverage period.

Following a terror attack against an Istanbul police post in February 2024, the Radio and Television Supreme Council (RTÜK) issued a ban on broadcasting related to that incident. **36** Following a terrorist attack in Istanbul in November 2022, access to social media platforms was throttled, affecting millions of users; a media blackout was also imposed (see B5). **37** In February 2023, the government blocked what was then known as Twitter for eight hours after two earthquakes devastated southern Turkey (see B1). **38** Users in Turkey had been using that social platform to contact emergency services; the blocking hindered rescue efforts. It was also revealed that the government blocked attempts by mobile service operators to provide emergency connectivity in affected areas because internet traffic from those connections could not be logged or monitored by the Information and Communication Technologies Authority (BTK). **39**

In February 2020, social media users reported connectivity issues when Turkish troops conducted an air strike in northern Syria. **40** The government intermittently blocked social media platforms and messaging applications during that time. Similar restrictions had also been experienced in previous years during Turkish military operations in the north of Syria. **41** In the past, internet disruptions targeted the restive southeast, where ethnic Kurds comprise a majority of the population. **42** In September and October 2016, internet services were shut down in 10 cities for 6 hours, coinciding with the removal of 28 Kurdish mayors from their posts. **43**

There are at least four internet exchange points (IXPs) owned by private companies. Turkey's internet backbone is run by TTNET, a subsidiary of Türk Telekom—the country's largest internet service provider (ISP). Türk Telekom,

which is partly state-owned, **44** owns the majority of the country's fiber-optic cable infrastructure. **45**

A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?	3/6
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Several regulatory and economic obstacles limit the diversity of service providers. Though all legal entities are allowed to operate an ISP, there are some requirements to apply for authorization. Informal obstacles may also prevent newly founded companies without political ties or economic clout from entering the market.

By law, ISPs must apply for an activity certificate from the BTK before they can offer services. Those operating without an activity certificate may face fines of 10,000 to 100,000 liras (\$346 to \$3,460). Mobile service providers must obtain licensing through the BTK. Moreover, the BTK has the authority to request written notifications from ISPs. **46**

According to the BTK's third-quarter 2023 report, 471 operators were providing information and communications technology (ICT) services in the Turkish market.

47 TTNET, founded in 2006 by Türk Telekom, is the dominant player, with a market share of 56.5 percent according to that report. **48** After Türk Telekom's privatization in 2005, the company and its executives have maintained a close relationship with the government (see A5). **49**

Turkey has one of the most concentrated mobile markets in Europe. **50** Turkcell is the leading mobile service provider, with over 40 percent share of the market, **51** followed by the British multinational company Vodafone and TT Mobil. **52** Netgsm has become Turkey's fourth mobile service provider, serving subscribers beginning in February 2024. **53**

A5 0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?	1/4
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The independence of the regulatory bodies that oversee service providers is sometimes compromised. Policymaking, regulation, and operations are separated under the basic laws of the telecommunications sector. The UAB is responsible for policymaking, while the BTK oversees regulation. **54**

Even though the BTK has its own dedicated budget, its board members are appointed by the government and its decision-making process is not transparent. **55**

After the 2016 coup attempt, the Directorate of Telecommunication and Communication (TİB), which implemented the country's website blocking law (see B1), was shut down under an emergency decree due to its involvement in wiretapping members of the government. Its authority was transferred to the BTK. **56**

The BTK oversees and establishes the domain-name operation policy and its bylaws. The Computer Center of the Middle East Technical University (METU) had been responsible for managing domain names since 1991. In December 2019, the management of the .tr domain name was transferred from METU to the BTK. **57** As of the first quarter of 2023, there are close to one million .tr domain names registered and managed by the BTK. **58**

B. Limits on Content

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights standards?	1/6
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Blocking of online content, particularly news and citizen journalism, has increased in recent years. The Freedom of Expression Association (İFÖD) found that more than 953,000 domains and 260,000 URLs were blocked as of December 2023. **59**

In April 2024, Meta shut down Threads in Turkey, in order to comply with a Turkish Competition Authority order which prohibited data sharing between Threads and Instagram. **60** In August 2024, after the coverage period, the BTK issued an access

ban affecting Instagram, without a judicial order. The ban came after Instagram allegedly removed a post which offered condolences following the killing of a Hamas leader. The Instagram block was lifted several days later. **61**

Following the February 2023 earthquakes, the government blocked what was then known as Twitter for eight hours, ostensibly to combat disinformation about those incidents. Authorities met with the social platform's policy team and later announced that the company had agreed to cooperate with authorities to remove disinformation from the platform. **62** The blocking hindered emergency rescue efforts as people had been using Twitter to call for help following the disaster (see A3). Also in February 2023, access to a domestic social media platform, Ekşi Sözlük, was blocked for similar reasons, **63** with the service vowing to appeal the decision in court. **64** Ekşi Sözlük was again blocked twice, on its alternative domain names, in December 2023 "to protect public order and national security," with Ekşi Sözlük saying it received no court order or explanation justifying the blocks. Ekşi Sözlük was ultimately blocked seven times in 2023. **65** In January 2024, Ekşi Sözlük's app was removed from Apple and Google's app stores after a ministry requested it, citing national security. **66** The Constitutional Court lifted the ban later that month. **67**

Blocked websites include those that publish content about Turkey's military operations, Kurdish news, and critiques of the government. Some blocked news sites are accused of "propagating terrorism" for covering stories largely omitted by mainstream media. **68** Websites can be blocked for "obscenity," or if they are deemed defamatory to Islam, which includes content that promotes atheism (see B2). **69** In March 2024, access to the website of Mezopotamya Agency, a Kurdish news platform, was blocked by a court order citing "protection of national security and public order." **70** In March 2023, the Rize Court of Peace issued a blocking order against EngelliWeb, the platform where the İFÖD compiles access-blocking orders in Turkey. **71**

Independent news outlets were blocked during the coverage period. Access to Yeni Yaşam's website was blocked five times since 2020, including in a July 2023 incident with no clear justification. **72** In August 2023, the RTÜK banned the internet domain of Voice of America (VOA) for want of a relevant license. **73** Previously in February 2023, blocking orders were issued against 340 URLs and websites, mainly belonging to Kurdish media outlets and literary publishers. **74**

The Etkin News Agency received its 50th blocking order in March 2023. **75** Prominent news sites that remained blocked during the coverage period include Özgürüz (blocked since 2017), Ahval News (blocked since 2018) and Haberdar (blocked since 2016).

In July 2023, BTK issued an advertisement ban on X for its failure to appoint a local representative in Turkey. **76** The ban was lifted in May 2024, after X opened local offices in Turkey and appointed a local representative. **77** In March 2022, following the Russian regime's full-scale invasion of Ukraine, Turkish internet users reported issues accessing Russian news portal Sputnik after the United States and EU both imposed bans on that outlet. **78**

In January 2024, X disclosed that it was not in full compliance with a recent court order requesting access blocking to over 210 social media posts, including on YouTube, X, Instagram, and Facebook. In the post, X stated that, to avoid the platform being blocked, it had taken action on 12 accounts and 15 posts identified by the order. **79**

Over the past few years, lawmakers in Turkey have passed legislation that further tightens the government's grip over the online space (see B3). In August 2019, a law was passed that requires online streaming companies to register with the RTÜK or risk blocking. **80**

Under rules established by the BTK in 2011, ISPs offer "child" and "family" filtering options, though the filtering criteria have been criticized as arbitrary and discriminatory. **81** The child filter obstructs access to Facebook, YouTube, Yasam Radyo (Life Radio), the Armenian-minority newspaper Agos, and several websites advocating the theory of evolution. **82**

Gambling is illegal in Turkey, and online betting platforms have received blocking orders. In April 2022, the Ankara Gendarme Command announced that 387 gambling websites had been blocked for "acting illegally." **83** Adult content platform OnlyFans was blocked in Turkey in June 2023 following a campaign for mass reporting of the platform to the Presidential Communications Directorate with allegations of violating public morality and damage to Turkish family structure. **84**

Service websites like Uber, PayPal, and Booking.com have been blocked in Turkey.

85 A court imposed a blocking order against Uber in January 2023, citing “unfair competition.” **86** The scooter-rental app and website Martı was blocked in March 2023 following a complaint from the Taxi Drivers Chamber of Istanbul. **87**

In November 2023, the BTK ordered ISPs to block access to 17 VPN services. **88** Previously in 2016, the BTK ordered ISPs to ban more than 10 VPN services, as well as the circumvention tool Tor. On February 8, 2023, Top10VPN reported a 491 percent increase in VPN demand over the national average, amid reports that Twitter had been blocked that day. **89**

B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content, particularly material that is protected by international human rights standards?

0 / 4

In addition to widespread blocking, state authorities are proactive in requesting the deletion or removal of content.

Social media platforms comply with administrative decisions and court orders to avoid monetary fines, advertisement bans, access blocks, and bandwidth throttling. **90** Popular Turkish websites are also subject to content removal orders.

In June 2023, a news report regarding a probe into President Erdoğan’s son received an access blocking order by the Istanbul Anatolian Criminal Court of Peace, targeting Reuters, VOA, Euronews, MSN, and almost all independent news outlets in Turkey. **91** In March 2024, a court in Istanbul issued access blocking orders against 67 news articles which discussed the previously issued access blocking orders concerning President Erdoğan’s son’s alleged involvement in corruption and business relations. **92** Journalist Metin Cihan received a court order to delete his posts on X regarding the son of former prime minister Binali Yildirim continuing trade with Israel, despite the AKP calling for a partial boycott on Israeli products. In December 2023, Cihan said he had refused to delete his posts. **93**

In August 2023, independent news outlets Sol Haber, *Birgün*, *Cumhuriyet*, and Halk TV had their online news stories blocked for revealing that children residing in children's homes under the protection of the Istanbul provincial government were sent to a 40-day training camp operated by a religious sect. **94** In March 2024, news articles regarding an AKP politician's connections with the outlawed Gülen network were blocked by court order due to "violation of personal rights." **95**

Following the inclusion of the HÜDA-PAR (Free Cause) political party into the governing People's Alliance coalition ahead of the May 2023 local elections, 47 news articles concerning HÜDA-PAR's connections to Kurdish Hezbollah (a militant group which is not linked to the similarly named Lebanese organization) were subjected to blocking and content removal orders at the request of an Istanbul court and HÜDA-PAR. **96**

In August 2023, journalist Murat Ağirel's article documenting the State Audit Court's censoring of reports was itself blocked. **97** In October 2023, *Birgün* journalist Timur Soykan's news article revealing a corruption scandal within the judiciary was blocked and a content removal order was issued, allegedly for violating the personal rights of the people involved in the article. Some 10 separate content removal orders, all ordered by the same judge, targeted 161 news organizations for 741 news articles regarding Soykan's story. **98**

In January 2024, Istanbul's Tenth Peace Court blocked access to news articles from the archives of Sabah, NTV, and *Hürriyet* that were published in 1998. **99** In October 2023, lawmaker Utku Çakırözer of the opposition CHP stated that over 6,500 news articles about corruption were blocked and over 5,000 were removed in 2022. **100** In November 2023, *Censorship*, a Sol TV program, was blocked for discussing news articles that faced access blocking and content removal orders. **101** President Erdoğan's former lawyer, Mustafa Doğan İnal, persuaded a court to issue content blocks on 117 news articles and posts about himself in December 2023; he had successfully called for content blocks of large numbers of news articles and other content in 2022 and 2023. **102** The website of Kurdish-language newspaper *Xwebûn* was blocked in January 2024, although the reason for the block was not stated. **103**

Trendyol, a Turkish e-commerce platform primarily owned by Alibaba, requested a censorship order against Media Ombudsman Faruk Bildirici after he published an

article online documenting allegations that *Cumhuriyet* was being paid to publish manipulative content against a January 2023 e-commerce law. The article named Trendyol as one of the entities paying the news site. **104**

The YouTube channels of several exiled journalists have been periodically blocked in Turkey, although users accessed these channels by changing their location settings. However, in January 2023, YouTube removed the option to change location-based settings, making it compulsory for viewers to use VPNs in order to access exiled journalists' YouTube channels. **105**

The government makes content-removal requests of social media companies. As of December 2022, more than 55,000 X posts had been blocked in Turkey. **106** In March 2023, X started country-based content blocking and removed access to posts about the inadequacy of post-earthquake relief efforts from online news platforms Diken and *Birgün*. **107** Yeşil Gazete's X posts discussing the content blocking of Diken and *Birgün* articles were blocked in August 2023, after X received court orders to block access to their posts. **108**

The Press Advertisement Agency (BRA) issued a directive on "Press Moral Principles," which came into force in July 2022. **109** The directive contains vague language concerning morality and national values could lead to the removal of content from rights groups, women's movements, and the LGBT+ community. According to the directive, any content that is "not verified by authorities" can be considered disinformation, subject to content removal orders.

In July 2020, the right to be forgotten was recognized by Turkish authorities, allowing citizens to have content removed from search results. However, authorities have manipulated this practice to remove negative press reports regarding prominent politicians. **110**

Content on streaming sites is censored at times. **111** In July 2023, the RTÜK issued monetary fines against online streaming platforms Bein, Blu TV, Disney+, Mubi, Netflix, and Amazon Prime Video for violation of "Turkish family structure and social and cultural values." The RTÜK cited the presence of LGBT+ scenes in multiple productions, obscenity, as well as "scenes that violate public morality." **112**

In October 2023, the National Lottery Directorate issued an access blocking order against Linktree, an online platform that allows combining all links that a social

media user wishes to promote, allegedly due to illegal gambling and financing of terrorist activities. **113**

Hornet, an LGBT+ dating application, was removed from Apple's app store in Turkey in August 2021 after the Ankara Gendarmerie Command requested its removal via court order. **114** In February 2024, the Constitutional Court ruled that a 2020 ban on Hornet was unconstitutional and lifted it, allowing the app to be restored on Apple and Google app stores for users in Turkey. **115**

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?	1/4
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Many online restrictions on digital content lack proportionality and transparency.

The blocking and removal of online content is regulated under Law No. 5651, **116** initially enacted in 2007 to protect children and prevent access to illegal and harmful content, including child sexual abuse, drug use, the provision of dangerous substances, prostitution, obscenity, gambling, suicide promotion, and crimes against Mustafa Kemal Atatürk, the republic's founder. **117** The responsibilities of content providers, hosting companies, and ISPs are delineated in this law. Domestically hosted websites with proscribed content can be taken down, while websites based abroad can be blocked and filtered through ISPs. The law has been amended in recent years to broaden the circumstances in which censorship is legally permissible. **118**

In January 2024, the Constitutional Court found that Article 9 of Law No. 5651, regulating online publications and allowing access blocking and content orders for violation of "personal rights," was unconstitutional; however, this decision does not take effect until October. Between 2014 and 2022, Article 9 was used as the basis to block over 35,000 news articles. **119** Despite a 2021 Constitutional Court ruling, which stated that access blocking orders are unconstitutional, hundreds of thousands of orders continued to be implemented. **120** In August 2023, the Ministry of Transportation and Infrastructure, while advocating for regular scans across all internet protocol (IP) addresses, announced that 108 million access blocking orders targeted almost 253,000 allegedly malicious websites since 2014,

when the National Centre for Combating Online Riots (USOM) was founded in Turkey. **121**

Turkish authorities have several tools to censor online content. The BTK can fine ISPs up to 300,000 liras (\$10,380) for failing to comply with blocking orders within four hours of their issuance. Failure to take measures to block all alternative means of accessing the targeted site, such as proxy sites, may result in a fine of 50,000 liras (\$1,730). **122** A 2019 bylaw also allows the RTÜK to regulate online content, including audio and video streaming services (see B2 and B6). **123** The law compels streaming services to apply for a license, which Netflix and Amazon Prime Video did in 2020. **124**

In July 2020, Turkish lawmakers passed the Social Media Regulations Law, which provides authorities with more power to censor online content. **125** Specifically, the law requires social media companies to respond to content removal requests within 48 hours; noncompliance could result in significant fines (see B6). **126**

The October 2022 Disinformation Law introduces new sanctions and content removal requirements for digital platforms (see C2). Platforms that do not comply with content removal requests could be banned from receiving advertisements for up to six months and have bandwidth reduced by 50 percent. **127**

Ahead of the May 2023 general elections, Twitter blocked access to certain pieces of content upon request from the government, a decision that lacked transparency. **128** The blocking came after the Presidential Communications Directorate (CID) filed a criminal complaint against several social media platforms for allowing coordinated disinformation campaigns. **129** Opposition candidate Kemal Kılıçdaroğlu's short-message service (SMS) messages to voters were blocked by the BTK two days before the second round of elections, reportedly because preelection "digital or analog" propaganda was prohibited. **130**

The majority of blocking orders are issued by the BTK, **131** rather than by the courts. **132** The procedures surrounding blocking decisions are opaque, creating significant challenges for those seeking to appeal. The reasoning behind court decisions is not provided in blocking notices, and the relevant rulings are not easily accessible. As a result, site owners find it difficult to determine why their site was blocked and which court issued the order. The BTK's mandate includes

executing judicial blocking orders, but it can also issue administrative orders for foreign websites, content involving sexual abuse of children, and obscenity. On some occasions, the BTK asks content and hosting providers to remove offending items from their servers, in order to avoid issuing a blocking order that would impact an entire website.

Appeals to content restriction decisions are rarely effective. News outlets Sendika.org, Yeni Yaşam, and the Etkin News Agency have had to change their domain names on multiple occasions since 2015, Sendika.org doing so 64 times.

133 The European Court of Human Rights (ECtHR) ruled in March 2020 that these actions amounted to free speech rights violations. A blocking order affecting Sendika.org was lifted that October, while others remained in place. **134**

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?	1 / 4
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Digital media outlets are inhibited by heightened self-censorship. While citizens can question and criticize Turkish politicians and leaders through blogs and social media, intimidation and prosecution of online users has led many to self-censor. The many prosecutions for defaming the president and the government's surveillance powers have had a significant effect on social media users in recent years (see C3 and C5). **135** Many commentators, journalists, bloggers, and academics have stated that they abstain from commenting publicly and publishing opinions on sensitive topics (see B5). **136**

Due to increasing xenophobic sentiments on social media, along with the government's crackdown on refugee rights organizations, several nongovernmental organizations (NGOs) that work on immigration and refugee rights have canceled or postponed online activities and have avoided issuing statements for fear of retribution from authorities. **137** Following the February 2023 earthquakes, NGOs that work on immigration and refugee rights published an anonymous joint statement to avoid harassment. **138**

Members of the LGBT+ community and those who publish content on LGBT+ issues often self-censor. Websites that share LGBT+ content are subject to blocks,

streaming services have censored their content, and social media posts containing rainbow imagery have been taken down. **139**

In November 2022, TV100 voluntarily censored a video on its YouTube channel of a speech by Workers Party of Turkey (TİP) chairperson Erkan Baş. The outlet cut parts of Baş’s speech, such as when Baş likened President Erdoğan to İbrahim Zübükzade, a fictional character from a 1961 satirical novel. **140**

Susma 24—which monitors and reports on censorship in the media, social media, and arts and culture—described the rising prevalence of self-censorship in its 2020 report, citing an increasing amount of self-censorship because of Ankara’s targeting of LGBT+ groups, prosecutions of journalists, blocking of news articles, heavy financial penalties given to publishers, and prosecution of social media users. **141** In its 2023 report, Susma 24 stated that nearly half of the censorship orders issued against freedom of artistic expression on digital platforms were due to depictions of LGBT-related subjects. **142**

B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?

1/4

State-sponsored media and government manipulation of social media content has adversely impacted the online information landscape. Specifically, media coverage regarding the Kurdish-majority southeast is heavily controlled by the government.

Ahead of the May 2023 general elections, progovernment disinformation was rampant online. President Erdoğan shared a misleading video on social media depicting CHP candidate Kılıçdaroğlu standing alongside wanted terrorists. **143** An independent media report found that the AKP had paid 200,000 liras (\$10,800) to an Egyptian company to develop and promote the video. **144**

Numerous reports have revealed that the ruling AKP has enlisted an “army of trolls”—numbering around 8,000 individuals as of 2023—to manipulate online discussions, drive particular agendas, and combat government critics on social media. **145** Emails leaked in 2016 provided insight into a coordinated campaign by President Erdoğan’s inner circle to counter critical narratives and weaken protest

movements on social media. **146** A report released in August 2021 found that these trolls frequently “masquerade” as political figures to legitimize their disinformation campaigns. **147** In January 2023, *Birgün* reported that Emin Şen, a Ministry of Interior (İB) official, had been tasked with overseeing troll networks. **148** After the March 2024 local elections, where the ruling AKP suffered losses against the opposition, **149** progovernment social media accounts targeted AKP official Özlem Zengin; they referenced a 2020 interview where she said she admired the movie *Bohemian Rhapsody*, which includes scenes of same-sex intimacy. Progovernment voices said Zengin’s statement had prompted conservatives to avoid voting for the AKP. **150**

Journalists, scholars, and opposition politicians who are critical of the government have faced orchestrated harassment on X, often by dozens of users working to discredit them (see C7). **151** Ahead of May 2023 elections, Habertürk was targeted often by the AKP and its allies; following those municipal elections, Habertürk journalist Fatih Altaylı left the news platform, while another journalist, İsmail Saymaz, announced that his online columns have been discontinued and that the platform would turn to nonpolitical issues. **152**

Coordinated inauthentic activity has been detected in Turkey. In December 2021, Meta removed a network of inauthentic Facebook and Instagram accounts originating in Turkey and Libya.

The government has attempted to control the online information space, claiming that misinformation is rampant and encouraging users to rely on government-issued information or use state-funded verification platforms. **153** In August 2022, the CİD announced the creation of a Center for Combating Disinformation. **154**

B6 0-3 pts

Are there economic or regulatory constraints that negatively affect users’ ability to publish content online?

1/3

Some economic constraints can negatively affect users’ ability to publish content online. The government financially supports AKP-friendly online outlets through advertising and withholds such support from critical publications, leaving independent online media at a disadvantage. **155** Net neutrality is not explicitly protected by Turkish laws.

In March 2018, the parliament approved a bill granting the RTÜK authority to regulate online content, including but not limited to commercial streaming services such as Netflix, as well as foreign-based online media platforms such as Arti TV and Deutsche Welle (DW). **156** RTÜK bylaws authorize the agency to issue licenses to online content providers for a fee of 100,000 liras (\$3,460) and to fine providers or revoke their licenses. **157** After the coverage period, in June 2024, the RTÜK announced a new regulation requiring online streaming platforms to pay 1.5 percent of their annual sales to the media regulator. This regulation is meant to come into effect in July 2025. **158**

In June 2022, the websites of VOA and DW were blocked following a court order by the Ankara First Criminal Court of Peace after failing to obtain licenses (see B1). **159** In March 2023, the Ministry of Technology did not renew DW Turkish's license, requiring the media outlet to close its offices. **160**

The July 2020 Social Media Regulations Law compels social media companies with over one million daily users to open in-country offices with a local representative (see B3). In December 2020, Facebook, Instagram, YouTube, Periscope, and Twitter were all fined 10 million liras (\$1.2 million) after failing to appoint a representative. **161** YouTube, Facebook, and Twitter later opened local offices, though the companies claimed they would not alter their content moderation, transparency, and publication policies. **162** In June 2021, the president of the Digital Platforms Commission stated all platforms that have more than one million daily users have opened local offices. **163**

In January 2023, the Law Amending the Regulation on Electronic Commerce came into effect; the amended regulation includes licensing rules and advertising restrictions for companies with e-commerce services. **164** Failure to comply with the regulations could result in administrative fines of up to 20,000 liras (\$692) or website blocking. **165**

In March 2020, the Digital Services Tax came into force, requiring gaming, music, and video platforms; apps; social media platforms' paid services; and web platforms that allow sale of products or services to pay a 7.5 percent sales tax. A clause in the amendment allows the president to lower the rate to 1 percent or double it to 15 percent upon necessity. **166**

In January 2024, the Ministry of Commerce announced plans to introduce regulations on how one can become a social media influencer, in order to regulate online commerce and ensure taxation of income generated. **167** In May 2021, the Ministry of Commerce had issued a directive requiring all advertisements on social media accounts to be marked as such. **168** In December 2022, the Advertisement Board (RP) issued a 155,000-lira (\$8,310) fine against three social media influencers for not disclosing advertisements on their accounts. **169**

In May 2024, the Ministry of Justice drafted a “foreign influence agent” law, which could target NGOs and media organizations that receive foreign funding; **170** the draft was removed from the judicial package law in June 2024, after the coverage period. **171**

As part of the authorities’ crackdown on LGBT+ people, the RP has required the sale of rainbow-themed products and any material containing LGBT+ slogans or symbols on e-commerce platforms to carry an “18+ adult content” warning. **172** Under a 2022 consumer protection law, the RP has the power to block websites under the auspices of protecting consumers from “harmful” LGBT+ advertisements. **173**

In January 2023, the BRA announced new regulations for online media that receive advertising. Outlets will need to employ at least 32 people and wait two years to qualify for public advertisements under the regulations. **174** In May 2024, the BRA issued a new regulation on monitoring online media’s visitor traffic which would serve as the basis for distribution of public funds for online news media. **175**

Regulations from 2012 name .tr domain extensions a shared property of the Republic of Turkey. Individuals in Turkey are not permitted to register and own domain names ending with that domain unless they own a trademark, company, or NGO with the same name as the requested domain. **176**

B7 0-4 pts

Does the online information landscape lack diversity and reliability?	2/4
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Shutdowns of independent outlets, the preponderance of progovernment media, and self-censorship have negatively affected the diversity of online content. The

government's ownership and control of major media outlets has created challenges for independent journalism. **177** Content about subjects such as LGBT+ issues and atheism are frequently censored (see B1). Pro-Kurdish content is also subject to removal (see B2).

Turkish internet users rely on online publications for reliable news, despite the country's restrictive legislation and blocking of many independent media outlets. During the coverage period, authorities further restricted access to international news platforms (see B1). Censorship of prominent local and foreign news sites, as well as government influence on reporters' coverage, make information-gathering even more difficult, particularly in the Kurdish-majority southeast.

While there is no legal ban on VPN services in Turkey, in an order issued by BTK in December 2023, 17 VPNs were effectively banned. **178** Even without a legal ban, users have long reported widespread difficulties accessing the VPN services that they have purchased, either because of blocks that target VPN servers or because of deep packet inspections (DPI) that can detect and block VPN traffic. **179** Further, the ongoing blocking of popular VPN services has made it more difficult for users to reach blocked websites (see B1). **180**

Social media platforms provide an important source of independent news, although the government has increasingly sought to censor social media content (see B2). **181** The Reuters Institute for the Study of Journalism's *Digital News Report 2023* found that people increasingly used YouTube, Instagram, Twitter, Facebook, and WhatsApp for news consumption. **182**

Because the government has significant control over large-scale media outlets, government critics and opposition leaders have increasingly used YouTube to disseminate their views, specifically using Emin Çapa and DW Türkçe's channels. The British Broadcasting Corporation (BBC), DW, France 24, and VOA have all launched YouTube channels in Turkish, expanding access to independent sources of information. **183** In the past decade, blocked or censored platforms have employed new media practices to avoid government blocks and censorship, such as social media channels and closed-circuit groups on messaging applications, as well as volunteer reporting and citizen journalism.

Several critical news outlets have accused Google of deprioritizing them in its search results and pushing progovernment news ahead of independent outlets. In August 2023, Sözcü and Halk TV cited a steep decline in visibility after becoming less prominent in Google’s search results. **184** Halk TV stated that independent news is only highlighted 26.2 percent of the time in Google’s search results versus progovernment news, which is highlighted 73.8 percent of the time. **185**

Independent fact-checking initiatives such as Teyit.org, Doğruluk Payı, and Malumatfuruş also act as information sources.

B8 0-6 pts

Do conditions impede users’ ability to mobilize, form communities, and campaign, particularly on political and social issues?

3/6

Digital activism has played a significant role in the country since the 2013 Gezi Park protests, although it has waned in recent years due to the repressive climate instilled after the 2016 coup attempt and the growing proclivity of people to self-censor. Activist networks have opted for organizing most activities in closed-door meetings rather than making open calls, out of fear of infiltration by government agents. **186**

Following the February 2023 earthquakes, the Ahbap (“Buddy”) NGO raised over one billion lira (\$53 million) through online campaigns. However, Ahbap was targeted by progovernment trolls after it had raised more funds than government-supported institutions. Ahbap was subjected to over 400,000 cyberattacks as it sought to coordinate relief efforts (see C8). **187**

Internet users take to social media to advocate for justice and bring attention to criminal cases that may be ignored in the mainstream media. In early 2021, students, faculty, and alumni organizations held online and offline protests after a government-appointed trustee became the rector of Boğaziçi University. Amid violent crackdowns on peaceful protesters, many students were arrested for supporting the protests on social media. **188** Students and clubs had their materials confiscated by university security, including a banner for online publication Boğaziçi TV which was accused of engaging in provocative activities online. Security officials did not cite any official orders to confiscate the material. **189** Despite ongoing repression, students at the university continue to organize

online; in October 2023, student-led pro-Palestinian demonstrations were organized and livestreamed online. **190**

Authorities have limited online mobilization in recent years. In April 2021, before International Workers' Day, the General Directorate of Security (EGM) issued a directive banning citizen journalism and the recording of protests, likely in an attempt to prevent online criticism of the police's excessive use of force. The following month, during protests on International Workers' Day, police used the ban to justify unlawfully deleting content from professional journalists' devices. **191** The State Council ruled that the directive banning audiovisual recordings during protests is a violation of the right to access information and press freedom, abolishing it as of November 2021. **192** While the directive was abolished, implementation continues arbitrarily. **193**

In July 2023, the Istanbul Chief Public Prosecutor's Office started an investigation on the provocative social media activities concerning the mass protests in France following the death of a 17-year-old, due to the risk of potentially igniting similar protests among refugees in Turkey. **194** In November 2021, when fluctuations to the lira threatened the country's economic stability, several online users called for protests via social media. The EGM announced that 271 users who called for protests were investigated by security agents. **195**

In December 2020, a law ostensibly addressing the financing of international terrorist networks was passed. The law includes clauses that curtail citizens' right to assemble both offline and online and authorizes the government's appointment of trustees to rights-focused NGOs. **196**

C. Violations of User Rights

C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence?

1/6

The constitution fails to protect free expression and press freedom online despite including broad protections for freedom of expression in theory.

Article 26 of the constitution states that “everyone has the right to express and disseminate their thoughts and opinion by speech, in writing, or in pictures, or through other media, individually or collectively.” **197** Turkish legislation and court judgments are further subject to the European Convention on Human Rights (ECHR) and bound by the decisions of the ECtHR, which protect freedom of speech.

While the Constitutional Court has found various methods of access blocking and content removal unconstitutional, the practice continues (see B2 and B3). **198**

A three-month state of emergency was enacted in 11 provinces in the wake of the February 2023 earthquakes. The state of emergency gives the president power to pass laws without parliamentary approval and allows the government to limit or suspend basic freedoms if needed. **199** Authorities can also take measures to prevent the circulation of information deemed false. **200**

Turkish laws are enforced by a judiciary whose independence has been compromised, particularly since the coup attempt in 2016. **201** Though judges still occasionally rule against the government, thousands of loyalist judges appointed in recent years fall in line with the government’s interests. Those who might rule against the executive in a major case risk their careers by doing so.

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, particularly those that are protected under international human rights standards?	1/4
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Many provisions of the criminal code and other laws, such as the Anti-Terrorism Law and Disinformation Law, are used to criminalize online activity.

Article 7 of the Anti-Terrorism Law states that anyone that uses “propaganda of a terrorist organization” such as “legitimizing, glorifying, or inciting violent methods or threats” can face prison terms of one to five years. The law has been widely criticized for its broad definition of terrorism, which has been exploited by courts

to prosecute journalists and academics who criticize the government, with no clear links to terrorist activities. **202**

In May 2024, the Ministry of Justice drafted a "foreign agent" law, which would introduce prison sentences for those accused of making propaganda for a foreign actor; **203** the draft law was removed from the judicial package law in June 2024, after the coverage period. **204**

Defamation is a criminal offense punishable by a fine and up to two years in prison. Charges have frequently been used to prosecute government critics (see C3). Defaming a public official carries a minimum sentence of one year in prison, while insulting the president is punishable by between one and four years in prison according to Article 299 of the criminal code. **205** The Supreme Court ruled in August 2021 that retweeting content deemed insulting would be considered a crime and the user could stand trial for criminal activity. **206**

In October 2022, the parliament ratified the Disinformation Law, which amended the existing penal code, Internet Law, and Press Law. The Disinformation Law includes provisions that assign criminal penalties for online content. **207** Specifically, anyone who publishes information deemed to be deliberately false can receive a prison sentence of between one and three years. **208** The Disinformation Law, which received significant criticism, includes vague language, and was drafted without consulting relevant stakeholders.

C3 0-6 pts

Are individuals penalized for online activities, particularly those that are protected under international human rights standards?	0/6
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Score change: The score decreased from 1 to 0 due to the multidecade prison terms against Kurdish opposition politicians, largely based on their social media posts.

Prosecutions and detentions of Turkish citizens for their online activities continued during the coverage period. Many journalists, activists, and ordinary citizens faced arrest in retaliation for criticism of President Erdoğan, though internet users received fewer long prison sentences during the coverage period.

In May 2024, 24 Kurdish politicians were convicted of crimes against the state and sentenced to prison terms ranging between 9 and 42 years. The accused include former HDP cochairs Selahattin Demirtaş, who received 42 years, and Figen Yüksekdağ, who received 30 years and 3 months. The politicians were arrested almost exclusively for their party's social media posts and political speeches. The ECtHR confirmed that the core accusation was centered on four social media posts dating back to 2014. The posts called for protests against the siege of the Kurdish-majority Syrian town of Kobane. The ensuing protests resulted in violent clashes with riot police, leading to at least 37 deaths and hundreds of injuries. The indictment held that the social media posts were responsible for that violence, charging the politicians with a number of offenses including murder, damage to property, and theft. **209**

Journalists also face imprisonment for online activities, with 13 being imprisoned as of May 2024, including those prosecuted for their online content. **210** In January 2024, Ahmet Ayva, who reported on Kurdish issues, was arrested on terrorism charges and received a three-and-a-half-year prison sentence. **211** Ali Barış Kurt, a journalist who was investigated over his social media posts and later charged with creating terrorist propaganda (a common charge lodged against journalists), had his two-year-four-month sentence upheld in March 2024. **212**

In April 2023, prosecutors demanded prison sentences for 17 Kurdish journalists, some of whom faced charges due to their online content; **213** 15 of them were released from prison in July 2023 on travel bans and judicial controls. **214** In July 2023, exiled journalist Metin Cihan, who published a series of X posts regarding a former prime minister's son's continued commercial relations with Israel (see B2), stated that the İB ordered his extradition and were planning to issue a red notice against him through Interpol due to his news coverage. **215** Cihan similarly accused Erdogan's son Burak of continuing business relations with Israel, and in July 2024, after the coverage period, Burak filed a lawsuit against him. **216** In November 2023, Tolga Şardan, a journalist for the independent T24 news site, was detained in connection with his article on corruption in the justice system; the article was taken down within two days of publishing (see B2). **217**

Prosecutions for insulting the president online have increased in recent years. In November 2021, an internet user known as KM was charged with "attempted assassination of the President" after criticizing his handling of the COVID-19

pandemic on social media. A lawyer working on the case stated that there is no proof of an attempted assassination; nevertheless, KM faces a life sentence if convicted. **218** There was no update on the case as of the end of the coverage period.

Defamation is a crime in Turkey (see C2). Since 2015, over 200,000 people have been accused of defaming the president, including online. **219** In 2023, cases of alleged insult and defamation against the president and the government reached 15,791. **220** In March 2020, a Turkish court determined that insulting Erdoğan does not constitute insulting the president, as he has registered with a political party and thus lost impartiality. **221** Similarly, in 2021, the European Court of Human Rights stated that the law unjustly affords the president privileged status. **222** Despite these rulings, arrests and detentions for insulting Erdoğan on social media have continued. **223**

Following the February 2023 earthquakes, the government's cyberpatrol unit claimed that 613 social media users had published "provocative" content online; 43 users were arrested and 179 were detained. **224** For example, Daktilo1984 commentator Özgün Emre Koç was detained following his social media comments criticizing the state's earthquake rescue efforts. **225** In August 2023, journalist Hasan Sivri was indicted under the censorship law for publishing videos from the earthquake zone, and charged with "publicly disseminating misleading information to the public." **226**

Opposition party members are frequently targeted by authorities for their social media content. In April 2023, Emre Ayduğan, the local chair of Ankara's Left Party, was sentenced to one and half years in prison for sharing an obituary of his childhood friend, which was considered "terrorism propaganda." **227** In May 2022, Canan Kaftancıoğlu, then the Istanbul chair of the opposition CHP, was sentenced to 4 years and 11 months in prison for her social media activities between 2010 and 2012. **228** She was briefly imprisoned before being released under supervision later that day. **229**

Sharing pro-Kurdish content online has resulted in criminal penalties. A Kurdish social media influencer of Syrian origin, Daniyel İbiş, was deported to Rojava, an autonomous, Kurdish-majority region in the northeast of Syria, in August 2023; the reason for his deportation was not announced. **230** In January 2022, journalist

Rojhat Dođru was sentenced to life in prison for “attempting to disrupt the unity of the state” for his work as a camera operator covering Kurdish areas in Iraq and Syria for various outlets. Dođru was also charged with “making terrorist propaganda” for a photo he posted to Facebook of an area in Iraq controlled by the Kurdistan Workers’ Party (PKK), a group that the Turkish government has designated as a terrorist organization. **231**

Several internet users who are outside of politics were subjected to legal processes during the coverage period. Aydın Aydođan, who was left partially disabled after a violent police response during the Gezi Park protests of 2013, became the subject of an investigation in June 2023 concerning his social media posts criticizing the government and president. **232** Greek social media influencer Mike Kondylas, who had opened a Greek flag in front of the Hagia Sophia and recorded a video saying “Hagia Sophia and Istanbul will someday again be Greek,” was prohibited from entering Turkey in July 2023. **233**

Online users were charged under the Disinformation Law during the coverage period (see C2). **234** In a May 2024 note, the Media and Law Studies Association reported that 27 investigations against 41 journalists were opened under the Disinformation Law; 10 journalists were detained, 15 faced court cases, and investigations on another 18 were ongoing. **235** In February 2023, journalist Sinan Aygöl was sentenced to 10 months in prison after posting about a sexual abuse case involving a government officer, marking the first prison sentence handed down under the Disinformation Law. **236** Aygöl’s appeal was rejected in June 2023. **237** In September 2023, journalist İlknur Bilir was temporarily detained upon arrival in Turkey for noncompliance with the Disinformation Law over social media posts on the February 2023 earthquakes. **238** A detention order was issued for 27 people across 14 provinces in September 2023 for noncompliance with the Disinformation Law, also due to their social media activity. **239** Also in September 2023, 23 people detained for noncompliance with the Disinformation Law in a separate act; 15 were issued international travel bans and judicial controls and another 8 were arrested and imprisoned. **240**

Syrian national RK was arrested in September 2023, after posting a video of their child’s school recital of the Turkish national anthem with Arabic-language captions. RK and his wife were both detained for “insulting the sovereignty of the

state.” **241** Dozens of Syrian refugees living in Turkey had been deported in retaliation for their online activities. **242**

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption?	1/4
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Limitations on encryption and anonymity are concerns in Turkey. According to the 2022 Inclusive Internet Index, 66 percent of people trust that they can maintain their online privacy. **243**

Turkish authorities require that ICTs be registered, claiming registration helps prevent cybercrime, as a tactic to prevent anonymous online activity. The anonymous purchase of mobile phones is illegal. Any imported devices must be registered at mobile service providers’ subscription centers and an e-government website for around 31,692 liras (\$1,097). **244** Devices that are not registered within a year of purchase are blocked from telecommunications networks.

Amendments to several existing laws have threatened platforms that provide end-to-end (E2E) encryption services. Specifically, amendments to the Electronic Communications Law could force over-the-top services (OTTs), including E2E encryption platforms, to hand over user content and traffic data to authorities (see C6). These provisions could force E2E encryption platforms to either build security vulnerabilities into their systems or else face sanctions or blockings for noncompliance. **245**

The Eighth Judicial Package Law, passed in February 2024, carried a clause that allows certain foundations, associations, and/or NGOs to process the personal data of their members. Opposition members, who moved to have the clause removed, expressed concerns that it could allow for profiling of individuals. **246**

In October 2022, the Disinformation Law, which includes provisions that criminalize online anonymity, came into effect (see C2 and C3). **247** The law introduces prison sentences of up to three years for deliberately spreading false information; the penalties can be increased for those internet users who publish anonymously or journalists who rely on anonymous sources. **248** The

disinformation law was used extensively in the coverage period against journalists, politicians and regular social media users (see C3).

In December 2021, the İB enacted a regulation that requires mobile phone users to register SIM cards through an e-government portal where citizens' private information would be linked to phone numbers. **249** The law includes requirements for authenticating identity “during the creation of electronic documents for subscription contracts and applications for transfer of phone number, change of operator, qualified electronic certificates, and SIM card change.” **250**

In 2011, the BTK imposed regulations on the use of encryption hardware and software requiring suppliers to provide encryption keys to state authorities before they offer their products or services to individuals or companies within Turkey. **251** Failure to comply can result in administrative fines and, in cases related to national security, prison sentences.

C5 0-6 pts

Does state surveillance of internet activities infringe on users' right to privacy?	1/6
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Government surveillance and the bulk retention of user data have violated privacy rights in Turkey. The constitution guarantees the right to privacy, though there are legal limitations on the use of encryption devices (see C4), and surveillance of online activity by security agencies is believed to be widespread. **252**

In June 2021, the Constitutional Court gave the CID the power to request access to the private information of Turkish citizens held by “official institutions” and “public companies.” **253** Those opposed to the ruling warned that this would provide the government access to private data without any data protection or privacy safeguards.

Under Turkish law, the interception of electronic communications had fallen under the purview of the BTK. Questions remain over the legality of the EGM's practice of using software that can infiltrate individuals' computers. Furthermore, the powers of the National Intelligence Organization (MİT) to conduct surveillance were expanded under Law No. 6532 on Amending the Law on State

Intelligence Services and the MİT. Passed in 2014, this amendment grants intelligence agents unfettered access to communications data without a court order (see C6).

Security agents have abused their positions and access to data to surveil citizens. In May 2022, a case was opened against a former police officer for unlawfully keeping records of the private information of 3,248 people, including information on their sexual orientation, political beliefs, religious values, race, and ethnicity. **254**

The Presidential Communications Directorate's digital media coordinator, Aslan Değirmenci, announced in December 2023 that "virtual patrols" would be deployed to counteract social media content that is deemed to carry terrorist propaganda or provocative content. **255** In February 2024, a prosecutor made a demand for followers of former Diyarbakır Bar Association head Mehmet Emin Aktar's social media accounts to be investigated to screen for purported terrorists. **256** In April 2024, the Ministry of Finance announced a "social media team" tasked with monitoring social media accounts of commercial enterprises to scan for potential fraud, leading to audits or fines. **257**

Law No. 6532 from 2014 enables the MİT to intercept and store private data on "external intelligence, national defense, terrorism, international crimes, and cybersecurity passing through telecommunication channels," without procuring a court order (see C6). **258** Courts must obtain the permission of the head of the agency in order to investigate agents.

Despite constitutional guarantees to free communication and privacy, most forms of telecommunication continue to be tapped and intercepted. Legally, the constitutional right to anonymous communication can only be limited by a court order to protect national security, public order, and other individuals' rights and freedoms, unless delaying for a court order would prevent officials from carrying out an investigation. **259** Judicial permission is required for technical surveillance under the Penal Procedural Law, although Turkish security forces are allowed to conduct wiretapping for 48 hours without a judge's permission in urgent situations. In addition, only the Ankara High Criminal Court can decide whether a wiretapping request is legitimate. **260**

In October 2021, reports emerged that internet users in Turkey had been targeted by unknown perpetrators with DevilsTongue spyware, which is sold by the Israeli firm Candiru. **261** DevilsTongue was allegedly used to target human rights defenders, journalists, and politicians in several countries in the region, including Turkey. **262** A 2018 report by Canadian internet watchdog Citizen Lab noted that Turkey was one of 45 countries where devices were likely breached by Pegasus, which was developed by the NSO Group of Israel. Governments have been known to spy on journalists, human rights defenders, and the opposition with Pegasus, though it was unclear whether Ankara was a client. **263**

C6 0-6 pts

Does monitoring and collection of user data by service providers and other technology companies infringe on users' right to privacy?	0/6
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Law No. 6532 forces public and private bodies—including but not limited to banks, archives, private companies, and professional organizations, such as bar associations—to provide the MIT any requested data, documents, or information regarding certain crimes related to national security, state secrets, and espionage. Noncompliance can be punished with imprisonment.

Under Law No. 5651, hosting and access providers must retain all traffic information for one year and maintain the accuracy, integrity, and confidentiality of such data. In addition, access providers must file the data together with a time stamp and assist and support the BTK in monitoring internet traffic. **264**

In March 2023, the BTK introduced new regulations to complement the Disinformation Law (see C2 and C4). **265** Specifically, social media and communications companies are obligated to share user data with authorities for reasons such as “spreading disinformation,” or committing crimes against “constitutional order.” Failure to comply with this regulation could result in bandwidth throttling of up to 90 percent. **266**

In July 2022, the BTK was found to have been collecting user data, on an hourly basis, for reasons relating to “security concerns.” The online information collected by the BTK included users’ location data, identification information, web browser and app history tied to user profiles, time and duration of website visits, and communications from messaging apps. **267**

Public-use internet providers have different responsibilities for retaining data, depending on whether they hold commercial or noncommercial status. Commercial providers are defined as entities such as internet cafés that provide internet service for payment. Noncommercial providers are defined as entities that provide internet service at a certain venue for a specific time, such as hotels and restaurants. While all public-use internet providers are expected to take measures to prevent access to illegal content and store internal IP distribution logs, commercial providers must also receive permission from the local authorities, use a content-filtering service approved by the BTK, and keep accurate daily records of internal IP distribution logs using BTK-supplied software, which must be stored for a period of one year. All data must be made available to the BTK upon request; no court order is required. Those who do not comply can face fines between 10,000 (\$346) and 100,000 liras (\$3,460). **268**

In July 2020, without consulting the Digital Platforms Commission, the parliament passed a social media law requiring social media companies to store user data in Turkey, raising serious concerns for user privacy. **269** The law allows private companies to observe and store users' private data, despite previous legislative steps taken to prevent this. **270** Once the companies have in-country offices, they would be obligated to store user data inside Turkey (see B3). **271**

In a largely positive development, the Data Protection Law entered into force in 2016, and the Personal Data Protection Authority began operating in January 2017, aligning the country's legislation with EU standards. **272** Amendments to the Data Protection Law were passed in August 2021. **273** Ahead of the March 2024 municipal elections, the Board of Protecting Personal Data released a statement reiterating the need to comply with the regulations in the Data Protection Law while processing voter data. **274**

C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in relation to their online activities?
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2/5

Online speech on the Kurdish civil conflict, the actions of far-right political parties, and even mild criticism of the president, government, or ruling AKP can result in

death threats and legal battles. Online journalists and activists face extralegal harassment for their work, particularly those that criticize the government.

Intimidation of journalists, through physical attacks and harassment, limits the plurality of voices in the media. In September 2023, Mehmet Karakeçili, chief editor for local news site Virantv, was physically assaulted and threatened by the bodyguard and nephew of the mayor of the city of Tatvan, resulting in a broken nose. The attack was allegedly in response to his reporting on corruption. Similarly, in June 2023, journalist Sinan Aygül was physically assaulted by Tatvan mayor Emil Geylani's guards, following Aygül's news article concerning corruption in zoning and municipal land sales. A group of local bar associations published a statement condemning the attack on Aygül. **275** In May 2023, journalist Muhammed Yavaş was physically assaulted by the head of a progovernment nationalist group after publishing a Facebook post criticizing the group's political banners. **276**

In February 2024, Azim Deniz, chief editor for a news website and online television station, was shot and wounded near his home. While the shooter stated he acted independently, Deniz believes he was targeted for his reporting. **277** Deniz had previously been subject to physical attack; at least 50 people raided a broadcast studio and attacked Deniz and his guest in 2022. **278** In February 2022, journalist and commentator Güngör Arslan was shot and killed by an unknown assailant. In the last report Arslan published before his death, he criticized the mayor of Kocaeli, who gave a housing construction contract to the company of a close friend. **279** In January 2021, journalist Orhan Uğuroğlu was assaulted by three unidentified men who attempted to run him over with a car. Uğuroğlu told police that the attackers had told him to stop criticizing the far-right Nationalist Movement Party (MHP) in his online reporting. **280**

Online hate speech based on religion or ethnicity was spread during the coverage period. In November 2023, Kurdish teacher Mizgin Yalçın was subjected to a coordinated online harassment campaign for teaching Kurdish through her YouTube channel; while opposition parties issued statements of support, the Diyarbakır Bar Association also announced that they would initiate judicial processes against those harassing Yalçın. **281** The radical right Zafer Party started an online campaign calling on supporters to "kill" refugees following the February 2023 earthquakes. **282**

In February 2024, a progovernment media outlet, Yeni Akit, published the names of critical Sendika.org’s editorial board and accused the individuals of legitimizing blasphemy, for their coverage of the 2015 *Charlie Hebdo* cartoons of the Islamic prophet Muhammed. Following a response by Sendika.org, Yeni Akit removed the names from the article. **283** Previously, in February 2023, Yeni Akit had harassed journalist Hazar Dost on Twitter, accusing him of “immorality” after he posted an article discussing a lack of coordination of relief efforts in certain earthquake-hit districts. **284**

Online gender-based discrimination is common. A Kaos-GL report stated that 90 people of LGBT+ people are exposed to digital hate speech and violence, and often more than once. The report also states that Instagram and X are the most common places for such incidents, prompting self-censorship. **285** In February 2023, actress Farah Zeynep Abdullah was targeted by progovernment media and online troll networks for her criticism of religious arguments following the earthquakes. **286** After actress Merve Dizdar dedicated a Cannes Film Festival award to Turkish women in May 2023, she was targeted by a government-led harassment campaign on social media. **287**

Government authorities have used online platforms to specifically target LGBT+ people. Ahead of the May 2023 elections, the governing alliance relied on anti-LGBT+ speech to attract conservative voters. **288** During the 2021 Boğaziçi University student-led resistance movement, which LGBT+ groups actively took part in, the interior minister referred to LGBT+ activists as “perverts” in a Twitter post, which the company later restricted as “hateful conduct” (see B8). **289**

C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?	1/3
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Cyberattacks have targeted universities, media outlets, and opposition websites in recent years.

On March 31, 2024, while beginning to announce that day’s municipal election results, the Anka News Agency was subjected to a large-scale DDoS attack which surpassed 58 million page requests, though the firewall was not breached. **290** On

the day of the May 2023 general elections, opposition websites, including of Sözcü and *Cumhuriyet*, were targeted by cyberattacks. While it is unclear who perpetrated the attacks, at least three websites, which had been reporting on voting results, were made inaccessible on election day. **291** In July 2023, *Forbes* reported that over 700,000 Turkish TikTok accounts were hacked ahead of the elections. **292**

In June 2023, Bianet reported that millions of Turkish residents' private data was leaked on an online portal that allows users to search for individuals' names, relatives, addresses, phone registrations, land registry, and banking details. **293** Six people who had been selling illegally obtained private information on messaging applications were arrested in November 2023. **294**

Following the February 2023 earthquakes, Ahbap's online platform was targeted by over 400,000 cyberattacks while the NGO coordinated relief and rescue efforts in affected areas (see B8). **295**

Hackers frequently target online users and attempt to steal their financial information. According to Kaspersky Lab, 68 percent of internet users in Turkey have been targeted by phishing attempts as of 2021. **296**

Government websites and financial institutions have been targeted by cyberattacks. In February 2023, 61 million Turkish citizens' e-government passwords were stolen following a cyberattack on a government server. **297**

In March 2020, journalist Ayşenur Arslan's Twitter account was hacked by unidentified attackers. **298** The journalists, whose phones, emails, and social media accounts were hacked after posting about Turkish intelligence operatives' deaths in Libya, defined the incidents as "e-assault" and filed criminal complaints. **299**

Footnotes

- 1** Simon Kemp, "Digital 2024: Turkey," Data Reportal, February 23, 2024, <https://datareportal.com/reports/digital-2024-turkey>
- 2** Türkiye İstatistik Korumu [Turkish Statistical Institute], "Hanehalkı Bilişim Teknolojileri (BT) Kullanım Araştırması [Household Information Technologies

(IT) Usage Survey, 2023],” August 29, 2023,
<https://data.tuik.gov.tr/Bulten/Index?p=Hanehalki-Bilisim-Teknolojileri...>

- 3 “Turkey’s Mobile and Fixed Broadband Internet Speeds,” Speedtest, April 2024, <https://www.speedtest.net/global-index/turkey>
- 4 Yeni Şafak, “Yerli 5G ses verdi: İnternet hızı 100 kat artacak [Local 5G sounds: Internet speed will increase by 100 fold],” June 24, 2021, <https://www.yenisafak.com/teknoloji/yerli-5g-ses-verdi-internet-hizi-10...>
- 5 “Bakan Karaismailoğlu: Her haneye 100 megabit internet projemiz var [Minister Karaismailoğlu: we have a project of 100 Mb internet for each household],” Demirören News Agency, February, 23, 2021, <https://www.dha.com.tr/politika/bakan-karaismailoglu-her-haneye-100-meg...>

More footnotes



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Country Facts

Population

84,980,000

Global Freedom Score

33/100 Not Free

Internet Freedom Score

31/100 Not Free

Freedom in the World Status

Not Free

Networks Restricted

No

Social Media Blocked

Yes

Websites Blocked

Yes

Pro-government Commentators

Yes

Users Arrested

Yes

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