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# Turkey

NOT FREE

**30**  
/100

|                                     |               |
|-------------------------------------|---------------|
| A. <u>Obstacles to Access</u>       | <b>12</b> /25 |
| B. <u>Limits on Content</u>         | <b>10</b> /35 |
| C. <u>Violations of User Rights</u> | <b>8</b> /40  |

## LAST YEAR'S SCORE &amp; STATUS

**32 /100**    **Not Free**

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

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## Overview

Internet freedom in Turkey has steadily declined over the past decade. President Recep Tayyip Erdoğan and the ruling Justice and Development Party (AKP) have enacted several laws that increase censorship and criminalize online speech. During the coverage period, the new Disinformation Law was enacted; it introduces prison sentences for spreading information deemed false, including online. In the run-up to the May 2023 elections, the Disinformation Law was used to silence members of the political opposition as well as critical journalists. Censorship is widespread, and hundreds of websites, online articles, and social media posts have been blocked or removed. Online troll networks frequently amplify progovernment disinformation, and journalists, activists, and social media users continue to face legal charges for their online content.

President 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 and the May 2023 elections have given the government new incentives to suppress dissent and limit public discourse.

## **Key Developments, June 1, 2022 - May 31, 2023**

- Social media and communications platforms were blocked in November 2022 after a bombing in Istanbul, and again in February 2023 following two major earthquakes in the south (see A3 and B1).
- Ahead of the May 2023 general elections, authorities removed online content, spread progovernment disinformation, and issued criminal penalties against internet users (see B2, B5, and C3).
- The Disinformation Law, which came into force in October 2022, includes provisions that criminalize online speech, restrict online privacy, and increase censorship (see B3, C2, and C6).
- Several political opposition websites were subject to cyberattacks during the electoral period (see C8).

## **A. Obstacles to Access**

**A1** 0-6 pts

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

**4/6**

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 83.4 percent in early 2023, and the mobile penetration rate stood at 95.4 percent. <sup>1</sup> The share of households with internet access reached 94.1 percent in 2022. <sup>2</sup>

Internet speeds were largely reliable in Turkey during the coverage period. <sup>3</sup> According to Ookla's Speedtest, as of May 2023, the median mobile download and upload speeds were 34.17 megabits per second (Mbps) and 13.79 Mbps, respectively. The median fixed-line broadband download and upload speeds were 34.60 Mbps and 8.84 Mbps, respectively. <sup>4</sup>

The Ministry of Transport and Infrastructure (UAB) announced that Turkey's fifth-generation (5G) infrastructure was successfully used for the first time in June 2021. <sup>5</sup> The UAB also shared plans to provide 100-megabyte (MB) internet connections to every household by 2023. <sup>6</sup> In 2021, multiple municipalities, including Istanbul <sup>7</sup> and İzmir, <sup>8</sup> 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). <sup>9</sup> In June 2022, the Türksat 5B satellite, which would facilitate television and internet services, began operating. <sup>10</sup>

In early February 2023, two earthquakes caused catastrophic infrastructural damage in southern Turkey. The damage caused widespread internet outages affecting customers nationwide. <sup>11</sup>

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. <sup>12</sup> In 2021, around 4,000 residents of the Sandıklı neighborhood of İncirliova were without internet access, in some cases for nearly five months, after planned power cuts. <sup>13</sup> In September 2022, stolen telecommunications cables led to disruptions in two districts in Istanbul. <sup>14</sup>

**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**

*Score Change: The score declined from 2 to 1 because the ongoing economic crisis and rising inflation have made the cost of internet services prohibitively expensive for many people in Turkey.*

Internet pricing in Turkey remains high due to the market concentration in broadband services that have led to high costs, low wages, and high inflation. According to the Turkish Statistical Institute, inflation reached 85.5 percent in October 2022. <sup>15</sup> According to TÜBİSAD's 2022 *Digital Transformation Index Report*, Turkey's ranking dropped due to poor telecommunications-sector funding and high taxes. <sup>16</sup>

According to the 2023 edition of the *Economist's Inclusive Internet Index Report*, Turkey had the lowest affordability score in Europe and ranked 43rd in that criterion globally. <sup>17</sup> According to UK-based Cable's 2023 report, a monthly fixed-line broadband package cost an average of \$13.17, <sup>18</sup> whereas the average price for 1 gigabyte (GB) of mobile data was 39 cents in 2022. <sup>19</sup> The average monthly income in Turkey stood at 28,000 liras (\$1,482) as of August 2023, just after the end of the coverage period. <sup>20</sup> Rural areas have poorer access than urban areas. <sup>21</sup> There is also a slight gender gap: more men than women have access to the internet. However, there is no apparent gender gap in mobile phone access. <sup>22</sup>

In early 2022, the government increased the price of electricity by 130 percent. This, coupled with inflation, <sup>23</sup> has forced people to choose between vital needs and secondary services like internet access. <sup>24</sup> In September 2022, Türk Telekom raised its monthly tariffs by between 35 and 55 percent. <sup>25</sup> In January 2023,

TurkNet raised its prices by 65 percent. <sup>26</sup> In September 2022, the opposition Republican People's Party (CHP) claimed that fixed-line broadband prices had increased by 122 percent in 12 months. <sup>27</sup>

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. <sup>28</sup> More people in Turkey access the internet via mobile phones than via fixed-line broadband and were especially impacted by this change. <sup>29</sup>

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). <sup>30</sup>

**A3** 0-6 pts

|                                                                                                                                           |            |
|-------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?</b> | <b>3/6</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------|------------|

*Score Change: The score declined from 4 to 3 because social media platforms were throttled or blocked twice during the coverage period, impeding people's ability to communicate online.*

While restrictions on connectivity are relatively infrequent, communications platforms were throttled in November 2022 after a bombing in Istanbul and again in February 2023 following that month's earthquakes. The centralization of the internet infrastructure under the government enables authorities to deliberately restrict access.

Following a terrorist attack in Istanbul in November 2022, access to social media platforms was throttled, leaving millions of users unable to access those services; a media blackout was also imposed (see B5). <sup>31</sup>

In February 2023, the government blocked Twitter for eight hours after two earthquakes devastated southern Turkey (see B1). <sup>32</sup> Users in Turkey had been using Twitter to contact emergency services; the blocking hindered rescue efforts. It was also revealed that the government blocked attempts by Global System for

Mobile communication (GSM) 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). **33**

In February 2020, social media users reported connectivity issues that lasted 16 hours when Turkish troops conducted an air strike in northern Syria. **34** The government intermittently blocked social media platforms and messaging applications during that time. Similar restrictions had also been experienced in previous years during Turkey's military operations in the north of Syria. **35**

In the past, internet disruptions targeted the restive southeast, where ethnic Kurds comprise a majority of the population. **36** 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. **37**

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, **38** owns 366,122 of Turkey's 471,020 kilometers of fiber-optic cable infrastructure. **39**

**A4** 0-6 pts

|                                                                                                             |            |
|-------------------------------------------------------------------------------------------------------------|------------|
| <b>Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?</b> | <b>3/6</b> |
|-------------------------------------------------------------------------------------------------------------|------------|

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 (\$536 to \$5,365). Mobile service providers must obtain licensing through the BTK. Moreover, the BTK has the authority to request written notifications from ISPs. **40**

According to the BTK's fourth-quarter 2022 report, 464 operators were providing information and communications technology (ICT) services in the Turkish market.

**41** TTNET, founded in 2006 by Türk Telekom, is the dominant player, with a market share of 56.6 percent. **42** After its privatization in 2005, the company and its executives have maintained a close relationship with the government (see A5).

**43**

Turkey has one of the most concentrated mobile markets in Europe. **44** Turkcell is still the leading mobile service provider, with over 40 percent share of the market, **45** followed by the British multinational company Vodafone and TT Mobil. **46**

**A5** 0-4 pts

|                                                                                                                                                     |              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?</b> | <b>1 / 4</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------|

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. **47**

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. Moreover, the BTK chairperson between 2015 and 2018 was the brother of a former minister. As chairperson, he was responsible for the communications sector, while at the same time serving as the chief executive of Türk Telekom. **48**

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. **49**

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 taken from METU and handed over to

the BTK. **50** As of the first quarter of 2023, there are close to one million .tr domain names registered and managed by the BTK. **51**

## 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**

Blocking of online content, particularly news and citizen journalism, has increased in recent years. The Freedom of Expression Association (İFÖD) found that more than 712,000 domains and 150,000 URLs were blocked as of December 2022. **52**

Following the February 2023 earthquakes, the government blocked Twitter for eight hours, ostensibly to combat disinformation about those incidents. Authorities met with Twitter’s policy team and later announced that the company had agreed to cooperate with authorities to remove disinformation from the platform. **53** The blocking hindered emergency rescue efforts as people had been using Twitter to call for help following the disaster (see A3). Also in February, access to a domestic social media platform, Ekşi Sözlük, was blocked for similar reasons. **54** It remained inaccessible at the end of the coverage period, although it vowed to appeal the blocking decision in court. **55**

Blocked websites include those that publish content about Turkey’s military operations, Kurdish news, and critiques of the government. Some blocked digital news outlets are accused of “propagating terrorism” for covering stories largely omitted by mainstream media. **56** Websites can be blocked for “obscenity,” or if they are deemed defamatory to Islam, which includes content that promotes atheism (see B2). **57** In December 2022, 918 websites were blocked for insulting the president, endangering national security, and promoting narcotics. **58** In March 2023, the Rize Court of Peace issued an blocking order against EngelliWeb, the platform where the İFÖD compiles access-blocking orders in Turkey. **59**

Independent news outlets were blocked during the coverage period. In February 2023, blocking orders were issued against 340 URLs and websites, mainly

belonging to Kurdish media outlets and literary publishers. <sup>60</sup> The Etkin News Agency received its 50th blocking order in March 2023. <sup>61</sup> Prominent news sites that remained blocked during the coverage period include Ahval News (blocked since 2018) and Haberdar (blocked since 2016).

In November 2022, Tumblr was blocked after receiving orders from the Kuşadası Court of Peace due to “violation of personal rights.” The order came after the platform announced an end to its ban on content containing nudity but it was lifted a few days later. <sup>62</sup> Turkey’s Football Federation used its authority to block access to Mastodon in order to prevent unauthorized broadcasting of football games during the coverage period, raising questions of unchecked authority to issue censorship orders. <sup>63</sup> 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 European Union both imposed bans on that outlet. <sup>64</sup>

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 Radio and Television Supreme Council (RTÜK) or risk blocking. <sup>65</sup> Digital music streaming platform Tidal was blocked in November 2020 after it failed to apply for a broadcast license. <sup>66</sup> In October 2020, the music streaming platform Spotify announced it would apply for a license only four days before it was to receive a blocking order. <sup>67</sup>

In February 2022, the RTÜK issued a 72-hour deadline for international news sites to obtain a national broadcast license or risk blocking. <sup>68</sup> In July 2022, the RTÜK blocked the Turkish-language editions of Deutsche Welle (DW) and Voice of America (VOA) after the outlets refused to obtain broadcast licenses (see B6). <sup>69</sup>

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. <sup>70</sup> 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. <sup>71</sup>

Gambling is illegal in Turkey, and online betting platforms have received blocking orders. In April 2022, the Ankara Gendarmerie Command announced that 387 gambling websites had been blocked for “acting illegally.” **72**

Service websites like Uber, PayPal, and Booking.com are blocked in Turkey. **73** A court imposed a blocking order against Uber in January 2023, citing “unfair competition.” **74** The scooter-rental app and website Martı was blocked in March 2023 following a complaint from the Taxi Drivers Chamber of Istanbul. **75**

In 2016, the BTK ordered ISPs to ban more than 10 virtual private network (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. **76**

**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. **77** Popular Turkish websites are also subject to content removal orders. Following the inclusion of the Hürda-Par political party into the governing People’s Alliance coalition ahead of the May 2023 elections, 47 news articles concerning Hürda-Par’s connections to Kurdish Hezbollah (a militant group which is not linked to the Lebanese organization of the same name) were subjected to blocking and content removal orders at the request of Istanbul’s 8th Criminal Court of Peace and Hürda-Par. **78** In August 2022, cartoonist Carlos Latuff’s caricatures of President Erdoğan were removed from online news portal Diken because they violated Erdoğan’s personal rights. **79** Other articles from Diken were also removed that month. **80**

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. <sup>81</sup> In July 2022, independent journalist Adem Karaçoban's YouTube channel was blocked without a legal order. <sup>82</sup>

The government also requests social media companies to remove content. As of December 2022, more than 55,500 Twitter posts have been blocked in Turkey. <sup>83</sup> In July 2022, journalist Metin Cihan's Twitter account was restricted and his Twitter posts concerning the AKP deputy chairperson were removed for "violating personal rights." Cihan had been posting about corruption allegations against the government. <sup>84</sup> In March 2023, Twitter started country-based content blocking and removed access to posts about the inadequacy of postearthquake relief efforts from online news platforms Diken and Birgün. <sup>85</sup>

The Press Advertisement Agency issued a directive on "Press Moral Principles," which came into force in July 2022. <sup>86</sup> According to the directive, content that promotes terrorism or is harmful to "family structures" can be removed, as well as any content deemed to threaten "Turkish society's national and spiritual values." The 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 and will then be subjected 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. <sup>87</sup>

After coming into effect in October 2020, the social media law resulted in the removal of at least 1,197 news articles—primarily about political issues—in the first year of its implementation, according to the Media Research Association (see B3 and B6). <sup>88</sup>

Content on streaming sites is censored at times. <sup>89</sup> In July 2022, the RTÜK began an investigation against Netflix due to LGBT+ themes in an animated film. <sup>90</sup> Netflix was issued an administrative fine and the animated film was labeled 18+ on the platform.

An LGBT+ dating application, Hornet, was removed from Apple's app store in Turkey in August 2021 after the Ankara Gendarmerie Command requested its removal via court order. <sup>91</sup> In February 2022, Hornet created another app, Hornet Stories, which remains accessible. <sup>92</sup>

**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**

Many online restrictions on digital content lack proportionality and transparency.

The blocking and removal of online content is regulated under Law No. 5651, <sup>93</sup> 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. <sup>94</sup> 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. <sup>95</sup>

Turkish authorities have an arsenal of tools to censor online content. The BTK can fine ISPs up to 300,000 liras (\$16,090) 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 (\$2,680). <sup>96</sup> A 2019 bylaw also allows the RTÜK to regulate online content, including audio and video streaming services (see B2 and B6). <sup>97</sup> The law compels streaming services to apply for a license, which Netflix and Amazon Prime did in 2020. <sup>98</sup>

In July 2020, Turkish lawmakers passed the Social Media Regulations Law, which provides authorities with more power to censor online content. <sup>99</sup> Specifically, the law requires social media companies to respond to content removal requests within 48 hours; noncompliance could result in significant fines (see B6). <sup>100</sup>

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. <sup>101</sup>

Ahead of the May 2023 general elections, Twitter blocked access to certain pieces of content upon request from the government, a decision that lack transparency. <sup>102</sup> The blocking came after the Presidential Communications Directorate (CİD) filed a criminal complaint against several social media platforms for allowing coordinated disinformation campaigns. <sup>103</sup> 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. <sup>104</sup>

The majority of blocking orders are issued by the BTK, <sup>105</sup> rather than by the courts. <sup>106</sup> 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. Since July 2015, online news portal Sendika.org has had to change its domain name 64 times due to the number of blocking orders it received. The European Court of Human Rights (ECtHR) ruled in March 2020 that these actions amounted to free speech rights violations, and in October 2020 the blocking order was lifted. <sup>107</sup>

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). **108**

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. **109** Following the February 2023 earthquakes, NGOs that work on immigration and refugee rights published an anonymous joint statement to avoid harassment. **110**

Members of the LGBT+ community and those who publish content on LGBT+ issues often self-censor. In June 2022, Amazon Prime removed the first three episodes of one of its series, *The Boys*, by blurring scenes that contained nudity and removing obscene language for viewers in Turkey. **111** In June 2021, the Turkish Radio Television Corporation (TRT), a public broadcaster, removed a social media post that contained colors of the rainbow after the government espoused homophobic rhetoric. **112**

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 out parts of Baş's speech, such as when Baş likened President Erdoğan to İbrahim Zübükzade, a fictional character from a 1961 satirical novel. **113**

Susma 24—which monitors and reports on censorship in the media, social media, and arts and culture—described in its 2020 report 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. **114** Many commentators, journalists,

bloggers, and academics have announced that they abstain from commenting publicly and publishing opinions. <sup>115</sup>

**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 Kemal Kılıçdaroğlu standing alongside wanted terrorists.

<sup>116</sup> An independent media report found that the AKP had paid 200,000 lira (\$10,800) to an Egyptian company to develop and promote the video. <sup>117</sup>

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. <sup>118</sup> 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. <sup>119</sup> A report released in August 2021 found that these trolls frequently “masquerade” as political figures to legitimize their disinformation campaigns. <sup>120</sup> In January 2022, a member of the opposition CHP commissioned a study that allegedly found that the AKP has funded its troll army through taxpayer money, although this claim has not been widely substantiated.

<sup>121</sup> In January 2023, the Birgün news outlet reported that Emin Şen, an Interior Ministry official, had been tasked with overseeing troll networks. <sup>122</sup>

Journalists, scholars, and opposition politicians who are critical of the government have faced orchestrated harassment on Twitter, often by dozens of users working to discredit them (see C7). <sup>123</sup> In January 2022, CHP leader Kılıçdaroğlu said that he had been harassed by thousands of pro-AKP Twitter trolls. <sup>124</sup> This behavior continued through the 2023 preelectoral period.

Coordinated inauthentic activity has also been detected in Turkey. In December 2021, Meta removed a network of inauthentic Facebook and Instagram accounts originating in Turkey and Libya. According to the Stanford Internet Observatory, “retweet rings” in Turkey linked to the AKP’s youth wing were active during the 2017 referendum period, boosting Twitter posts calling for the overthrow of parliamentary democracy. These rings were also active during military operations in Syria to boost Ankara’s legitimacy in the world arena. <sup>125</sup>

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. <sup>126</sup> In August 2022, the CİD announced the creation of a Center for Combating Disinformation. <sup>127</sup>

**B6** 0-3 pts

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|----------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Are there economic or regulatory constraints that negatively affect users’ ability to publish content online?</b> | <b>1 / 3</b> |
|----------------------------------------------------------------------------------------------------------------------|--------------|

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. <sup>128</sup> 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 DW. <sup>129</sup> RTÜK bylaws authorize the agency to issue licenses to online content providers for a fee of 100,000 liras (\$5,360) and to fine providers or revoke their licenses. <sup>130</sup>

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). <sup>131</sup> In March 2023, the Ministry of Technology did not renew DW Turkish’s license, requiring the media outlet to close its offices. <sup>132</sup>

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. <sup>133</sup> YouTube, Facebook, and Twitter later opened local offices, though the companies claimed they would not alter their content moderation, transparency, and publication policies. <sup>134</sup> 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. <sup>135</sup>

In July 2022, the government gazetted the Law Amending the Regulation on Electronic Commerce; the amended regulation includes licensing rules and advertising restrictions for companies with e-commerce services. The new regulation took effect in January 2023. <sup>136</sup> Failure to comply with the regulations could result in administrative fines of up to 20,000 liras (\$1,070) or website blocking. <sup>137</sup>

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. <sup>138</sup>

In May 2021, the Ministry of Commerce issued a directive requiring all advertisements on social media accounts to be marked as such. <sup>139</sup> In December 2022, the Advertisement Board issued a 155,000-lira (\$8,310) fine against three social media influencers for not disclosing advertisements on their accounts. <sup>140</sup> In October 2021, the Ministry of Treasury and Finance enacted a new law that introduced additional taxes for those earning revenues through online activities. <sup>141</sup>

As part of the authorities' crackdown on LGBT+ people, the Advertisement Board has required the sale of rainbow-themed products and any material containing LGBT+ slogans or symbols on e-commerce platforms to show an "18+ adult content" warning. <sup>142</sup> A consumer protection law was passed in March 2022, granting the Advertisement Board the power to block websites under the auspices of protecting consumers from "harmful" LGBT+ advertisements. <sup>143</sup>

In January 2023, the Press Advertising Agency 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 new regulations. **144**

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 the country extension .tr unless they own a trademark, company, or NGO with the same name as the requested domain. **145**

**B7** 0-4 pts

|                                                                              |            |
|------------------------------------------------------------------------------|------------|
| <b>Does the online information landscape lack diversity and reliability?</b> | <b>2/4</b> |
|------------------------------------------------------------------------------|------------|

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. **146** 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, users report 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. **147** Further, the 2016 blocking of Tor and popular VPN services made it more difficult for users to reach blocked websites (see B1). **148**

Social media platforms provide an important source of independent news, although the government has increasingly sought to censor social media content

(see B2). <sup>149</sup> The Reuters Institute for the Study of Journalism's *Digital News Report 2022* found that people increasingly consume news via YouTube, WhatsApp, Instagram, Facebook Messenger, and Twitter. <sup>150</sup>

Because the government controls over 95 percent of 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. <sup>151</sup> 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.

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 Occupy Gezi 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.

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). <sup>152</sup>

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 the beginning of 2021, students, faculty, and alumni organizations held online and offline protests after a government-appointed trustee became the rector of Turkey's most prestigious educational institute, Boğaziçi University. Multiple online publications

and networks emerged throughout the protests, some of which supported LGBT+ people at the university. Amid violent crackdowns on peaceful protesters, many students were arrested for supporting the protests on social media. <sup>153</sup>

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.

<sup>154</sup> 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. <sup>155</sup> While the directive was abolished, implementation continues arbitrarily. <sup>156</sup>

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. <sup>157</sup>

In December 2020, legislation titled "Preventing the Proliferation of Financing Weapons of Mass Destruction" was passed, ostensibly to prevent the financing of international terrorist networks. 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. <sup>158</sup>

## 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.” <sup>159</sup> 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.

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. <sup>160</sup> Authorities can also take measures to prevent the circulation of information deemed false. <sup>161</sup>

Turkish laws are enforced by a judiciary whose independence has been compromised, particularly since the coup attempt in 2016. <sup>162</sup> 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**

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. <sup>163</sup>

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. Several courts deemed Article 299 unconstitutional in the first half of 2016, but the Constitutional Court upheld the provision in December 2016. <sup>164</sup> 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. <sup>165</sup>

In October 2022, the Turkish 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. <sup>166</sup> Specifically, anyone who publishes information deemed to be deliberately false can receive a prison sentence of between one and three years. <sup>167</sup> 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?**

**1/6**

*Score Change: The score improved from 0 to 1 because fewer internet users received long prison sentences during the coverage period, although thousands of social media users were arrested, investigated, or charged for their online content.*

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.

According to the Ministry of Interior, 132,310 social media users were found to have committed “acts of terrorism” online in 2023, of which 9,314 were detained. <sup>168</sup> As of June 2023, there were 37 journalists imprisoned in Turkey, over half of whom were prosecuted for their online content. <sup>169</sup> In April 2023, prosecutors demanded prison sentences for 17 Kurdish journalists, some of whom faced charges due to their online content. <sup>170</sup> The trials had not started by the end of the coverage period. <sup>171</sup>

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. <sup>172</sup> There has been no update on the case as of June 2023.

Defamation is a crime in Turkey (see C2). Since 2015, over 200,000 people have been accused of defaming the president, including online. <sup>173</sup> In 2022, cases of alleged insult and defamation against the president and the government reached a record high of 16,753. <sup>174</sup> In March 2020, a court determined that insulting Erdoğan does not constitute insulting the president, as he has registered with a political party and thus lost impartiality. <sup>175</sup> Despite this ruling, arrests and detentions for insulting Erdoğan on social media have continued. <sup>176</sup>

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. <sup>177</sup> For example, Daktilo1984 commentator Özgün Emre Koç was detained following his social media comments criticizing the state’s earthquake rescue efforts. <sup>178</sup>

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.” <sup>179</sup> In May 2022, Canan Kaftancıoğlu, 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. <sup>180</sup> In March 2021, Ömer Faruk Gergerlioğlu, a parliamentarian representing the pro-Kurdish Peoples’ Democratic Party (HDP), received a two-and-one-half-year sentence and parliamentary demotion after being prosecuted for one of his posts on Twitter. <sup>181</sup>

Sharing pro-Kurdish content online has resulted in criminal penalties. Academic Hifzullah Kutum was imprisoned in November 2021 and accused of terrorism after posting “Happy September Revolution to all Kurds. Long live Kurdistan” on his social media account. <sup>182</sup> He was acquitted in March 2022. <sup>183</sup> In January 2022, journalist Rojhat Doğru was sentenced to life in prison on charges of “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. Doğru 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. **184**

Several internet users who are outside of politics received prison sentences during the coverage period. In April 2023, two online journalists, Mehmet Güleş and İsmail Çoban, were charged with “making propaganda” for their pro-Kurdish online articles and social media posts. Güleş, a reporter for Mezopotamya News Agency, was sentenced to nearly two years in prison, while Çoban, the former editor for a Kurdish-language outlet, received an 18-month sentence. **185** Social media influencer Mika Can Raun, who was detained in October 2022 after posting a video of herself throwing liras into a toilet, faces a prison sentence of up to seven years for “defying the sovereignty of the state” and for insulting Atatürk. **186** Also in October 2022, the head of the Turkish Medical Association, Şebnem Korur Fincancı, was sentenced to two years and eight months in prison after calling for an investigation into the military’s alleged use of chemical weapons in a livestream. **187** She was released in January 2023. **188**

Online users were charged under the Disinformation Law during the coverage period (see C2). **189** In November 2022, CHP leader Kılıçdaroğlu became the first target of the law due to an online video where he discussed drug trafficking in Turkey. **190** In February 2023, journalist Sinan Aygül was sentenced to 10 months in prison after posting about a sexual abuse case involving a government officer. **191**

Posting LGBT+ content online has also resulted in arrests. In October 2021, social media celebrity Pınar Yıldırım—also known as Pucca—was sentenced to 5 months and 18 days in prison for a Twitter post about homosexuality in films. **192**

In 2022, several online users were arrested for insulting religion. In April 2022, Deniz Talu received a two-year-one-month prison term for insulting religious values and glorifying criminal content on social media. **193** In October 2021, musician and YouTuber Oğuzhan Uğur was called to a prosecutor’s office concerning a comment in his video channel. He was accused of insulting Islamic values and inciting people to violence or insult. **194**

Dozens of Syrian refugees living in Turkey were deported in retaliation for their online activities. <sup>195</sup> In August 2022, authorities raided a Syrian student's house after he shared Facebook posts that "insulted the prestige of the Turkish state." Following the raid, the student, Salah Al-Din al-Dabbagh, was detained by security forces and deported to Syria. <sup>196</sup>

**C4** 0-4 pts

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| <b>Does the government place restrictions on anonymous communication or encryption?</b> | <b>1 / 4</b> |
|-----------------------------------------------------------------------------------------|--------------|

*Score Change: The score declined from 2 to 1 because amendments to the Electronic Communications Law, which came into effect during the coverage period, could force encryption platforms to hand over user data to authorities.*

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. <sup>197</sup>

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 2,000 liras (\$107). <sup>198</sup> Devices that are not registered within a year of purchase are blocked from telecommunications networks.

Amendments to several existing laws were passed during the coverage period, threatening 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. <sup>199</sup>

In October 2022, the Disinformation Law, which includes provisions that criminalize online anonymity, came into effect (see C2). <sup>200</sup> 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. **201**

In December 2021, the Ministry of Interior 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 GSM numbers. **202** 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.” **203**

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. **204** Failure to comply can result in administrative fines and, in cases related to national security, prison sentences.

**C5** 0-6 pts

|                                                                                            |            |
|--------------------------------------------------------------------------------------------|------------|
| <b>Does state surveillance of internet activities infringe on users' right to privacy?</b> | <b>1/6</b> |
|--------------------------------------------------------------------------------------------|------------|

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. **205**

In June 2021, the Constitutional Court gave the CİD the power to request access to the private information of Turkish citizens held by “official institutions” and “public companies.” **206** 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 National Intelligence Organization. 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. **207**

In July 2020, the EGM announced the close monitoring of online discussion in Turkey to target illegal activities, terrorism propaganda, and manipulative information. **208** The interior minister warned that the government would be able to detect criminal activity online, locate the perpetrators, and hand them over to the judiciary. In October 2021, the minister announced that security forces are constantly operating under the pretense of detecting online activity that might constitute a crime. **209**

Law No. 6532 from 2014 enables the MIT 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). **210** 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. **211** Judicial permission is required for technical surveillance under the Penal Procedural Law, although Turkish security forces are allowed to conduct wiretapping for 24 hours without a judge’s permission in urgent situations. However, after the passage of the Homeland Security Act in 2015, this time limit was increased to 48 hours. In addition, only the Ankara High Criminal Court can decide whether a wiretapping request is legitimate. **212**

In October 2021, reports emerged that internet users in Turkey had been targeted with DevilsTongue spyware, which is sold by the Israeli firm Candiru. **213** While it is

unclear who the perpetrator of the attack was, DevilsTongue was allegedly used to target human rights defenders, journalists, and politicians in several countries in the region, including Turkey. <sup>214</sup> In a 2018 report by Canadian internet watchdog Citizen Lab, Turkey one of 45 countries where devices were likely breached by Pegasus, which was developed by the NSO Group of Israel. Pegasus is known to be used by governments to spy on journalists, human rights defenders, and the opposition, though it is unclear whether the Turkish government is a Pegasus client. <sup>215</sup>

**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**

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. Failure to comply 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. <sup>216</sup>

In March 2023, the BTK introduced new regulations to complement the Disinformation Law (see C2 and C4). <sup>217</sup> 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. <sup>218</sup>

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. <sup>219</sup>

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 public-use internet 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 internet protocol (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 (\$536) and 100,000 liras (\$5,360).

**220**

In July 2020, without consulting the new 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. **221** The law allows private companies to observe and store users' private data, despite previous legislative steps taken to prevent this. **222** Once the companies have in-country offices, they would be obligated to store user data inside Turkey (see B3). **223**

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. **224** Amendments to the Data Protection Law were passed in August 2021. **225**

**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?**

**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 March 2023, progressive theology commentator and YouTube broadcaster Cemil Kılıç was assaulted by unknown assailants in front of his house, likely in response to his YouTube videos. <sup>226</sup> Also in March, İlker Canikligil of Flu TV, an online platform, received death threats for his criticism of one of the 2023 presidential candidates ahead of elections. <sup>227</sup> In August 2022, Balkan Insight journalists Nermina Kuloglija and Hamdi Firat Buyuk received threatening messages from members of a far-right nationalist organization in response to their reporting on the group's activities in Bosnia and Herzegovina. <sup>228</sup>

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. <sup>229</sup> In June 2023, after the coverage period, Sinan Aygöl, the editor in chief of independent website Bitlis News, was violently attacked by a municipal government employee and a police officer, allegedly in response to his recent reporting on alleged government corruption. <sup>230</sup>

Online hate speech based on religion or ethnicity was spread by government-affiliated entities during the coverage period. The radical right Zafer Party started an online campaign calling on supporters to “kill” refugees following the February 2023 earthquakes. <sup>231</sup> Government officials also engaged in anti-Christian hate speech targeting Christian rescue workers, accusing them as being missionaries, which is an illegal activity in Turkey. <sup>232</sup>

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 after the mayor gave a housing construction contract to the company of a close friend. <sup>233</sup> 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. <sup>234</sup>

In February 2023, progovernment media outlet Yeni Akit 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. <sup>235</sup>

Online gender-based discrimination is common. 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. <sup>236</sup> After actress Merve Dizdar dedicated a film award to the women’s movement, she was targeted by a government-led harassment campaign on social media. <sup>237</sup>

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. <sup>238</sup> During the 2021 Boğaziçi University student-led resistance movement—in which LGBT+ groups actively participated—the interior minister referred to LGBT+ activists as “perverts” in a Twitter post, which the company later restricted as “hateful conduct” (see B8). <sup>239</sup>

**C8** 0-3 pts

|                                                                                                                                                              |            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?</b> | <b>1/3</b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|

Cyberattacks have targeted universities, media outlets, and opposition websites in recent years.

On the day of the May 2023 general elections, opposition websites, including 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. <sup>240</sup> In July 2023, after the coverage period, *Forbes* reported that over 700,000 Turkish TikTok accounts were hacked ahead of the elections. <sup>241</sup>

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). <sup>242</sup>

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. <sup>243</sup>

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. <sup>244</sup>

Two journalists, Murat Ağirel and Batuhan Çolak, had their mobile phones hacked through a Signaling System 7 (SS7) breach, downgrading their connectivity from fourth-generation (4G) to second-generation (2G) service in February 2020. <sup>245</sup> In March 2020, journalist Ayşenur Arslan's Twitter account was hacked by unidentified attackers. <sup>246</sup> 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. <sup>247</sup>

## Footnotes

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More footnotes



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### *Country Facts*

Global Freedom Score

**32/100**    **Not Free**

Internet Freedom Score

**30/100**    **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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