

Digital Crime and Punishment: Turkish Online Journalism under Siege

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ABSTRACT

Turkish mass media since its beginnings in late 19th century has aimed to gain its role as the fourth estate in Turkish political scene. The freedom of press has been at the paramount of discussions since the foundation of the Turkish Republic in 1923. Between 1980 and 2000 Turkish media grew more and more liberal and was able to express discontent publicly exercising its checks and balances function. On the other hand, the conservative majority of AKP government, the governing party in Turkey, brought back pressures on the Turkish media since the 2000s. Digital media, as the new developing platform in Turkey for expressing rights and freedoms, is under siege by government as well. The government's definition of digital crime and punishment is mostly unnoticed by the average citizen but despised by the young population. This paper intends to show the invalidity of disproportionate use of punishment and illegitimate definition of cybercrime in contemporary democratic systems that target online media professionals and outline how Turkish authorities can reverse the process by adopting alternative strategies of prevention. Under this perspective, it also assesses the compliance of Internet legislation and practices in Turkey with Article 19 of the Universal Declaration of Human Rights, Article 10 of the European Convention on Human Rights as well as the case law of the European Court of Human Rights.

Keywords: Internet, media, censorship, legislation, cybercrime, Turkey.

INTRODUCTION

Whenever new media platforms have been introduced, they were met with scepticism, mostly because of the fear that they could be capable of oust the governments from power. Therefore, new media have always been liable to excessive regulation as the governments banned certain content from publication in printing press and from airing in radio and television. They believed that all these mediums may have potential detrimental effects on the stability of governments structures and society. With the invention and adoption of the Internet during the 1990s, governments feared the power of this borderless new medium and they have begun to bring restrictions on it.¹

Today, since they have digitally transmitted, information and content are widespread available through the Internet. This means the loss of control of states on digital content. "The increasing popularity of user-driven interactive Web 2.0 applications and services such as YouTube, Facebook and Twitter seem to eliminate virtual Internet borders even further by creating a seamless global public sphere. This, inevitably complicates state-level efforts to find an appropriate balance

between the universal right to freedom of opinion and expression, which includes the right to receive and impart information, and the prohibition on certain types of content deemed illegal by nation-state authorities or intergovernmental organizations."² As a result, the regulation of online content has become a hot button issue.

Some countries around the world including Turkey enforced policies to block access to Internet content that deemed illegal. It looks like blocking access to Internet is being applied and adopted in increasing number of states, with some practices to restrict users' access to the Internet and Web 2.0 based social media platforms which are outside their jurisdiction. These practices and legal measures are analyzed in this paper.

Current Media Censorship in Turkey

After a major win in the 2010 constitutional referendum, Turkish Prime Minister Recep Tayyip Erdogan convened a large gathering of all media representatives and to their shock he has declared a set of principles under which the media should operate in reporting news.³ This approach contrasted with a previous announcement made after his second majority win in general elections in 2007 that had stated empathy and understanding for those who did not vote for him and that he would be open to criticism of all kinds from all parties.⁴ The following three years proved to be otherwise for journalists from all types of political orientation. Currently hundreds of journalists are arrested and awaiting trial for allegedly trying to overthrow the government through violent means, charges based on phone tapping, unidentified witness accounts and some journal entries by military officials, proof yet to be seeing the light of day in a courtroom. There is a consistent drop in Turkey's place in global human rights watch lists concerning freedom of press since 2007. Freedom House Report on Internet states that user rights are violated, users are blocked from reading and writing content and that there is "substantial political censorship".⁵ The report dated July 12, 2011 by Thomas Hammarberg, the commissioner for Human Rights of the Council of Europe, after his trip to Turkey between April 27-29, 2011 shows various concerns on the freedom of press in Turkey. Hammarberg states that there is "increase in criminal proceedings and arrests involving journalists in Turkey... The excessive length of criminal proceedings and remands in custody..."⁶ Paris-based Reporters without Borders has recently published its annual index chronicling Turkey's decline: at "No.

² Ibid.

³ Judson, David (2010). Erdoğan seeks to turn 'new page' with Turkey's news media *Hurriyet Daily News*, Sept 25. <http://212.31.2.101/n.php?n=erdogan-seeks-to-turn-new-page-with-turkeys-news-media-2010-09-25>. Accessed on Jan 11, 2011.

⁴ Zaman Editorial (2007). Erdogan turns new page in second term in power *Today's Zaman* July 24. <http://www.todayszaman.com/news-117494-erdogan-turns-new-page-in-second-term-in-power.html>. Accessed on Jan 11, 2012.

⁵ Freedom House (2011) <http://www.freedomhouse.org/images/File/FotN/Turkey2011.pdf>.

⁶ Hammarberg, Thomas (2011), in Report on Freedom of expression and media in Turkey, <https://wcd.coe.int/ViewDoc.jsp?id=1814085>. Accessed on Jan 12, 2012.

¹ OSCE Report on Freedom of Expression on the Internet, <http://www.osce.org/fom/80723>. Accessed on Jan. 11, 2012.

148” on the RWB list, behind Malawi and the Congo “but mercifully still ahead of Mexico and Afghanistan.”⁷

The negative government practices to news media of all forms point towards the establishment of a new neo-liberal media autocracy in Turkey. Egemen Bağış, minister in charge of EU Affairs, claims in a newspaper article, “Actually, the AK Party is the most reformist and most liberal government in Turkish history.”⁸ On the other hand, print and broadcast media reporters are feeling all time high pressure for self-censorship. David Judson of *Hurriyet Daily News* describes the pressure of writing as a journalist with these words: “Shall I characterize in this column, for example, the details of the government’s response and position on these issues? Backspace. Delete. Backspace. Delete. A tiny example of self-censorship at work.”⁹

This article accepts the media freedom to report on news without restriction or censorship as one of the defining qualities of a liberal democratic system and proposes to examine the restrictions on the digital media as a new form of censorship; this hence is the violation of media freedom in Turkey. In the line with Freedom House’s Freedom on the Net 2011 Report, there are three problematic areas in regard to Internet and digital media freedoms in Turkey: obstacles to access, limits on content, and violations of user rights. Each of these areas will be analyzed in the light of examples, and alternative strategies will be proposed to government on how to regulate new media platforms.

Regulations on New Media in Turkey

The number of Internet users in Turkey has increased to 35 million as of 2011, showing a penetration of 45 percent, which was only 7.5 percent in 2004 and 13.9 percent in 2005. This makes Turkey the thirteenth largest internet population in the world and fifth biggest internet population in Europe (after Germany, Russia, UK and France). The Internet is widely popular among the youth, and with 31 million users Turkey is the sixth largest country in the world on Facebook. But not only on Facebook, the Turks are also very active on other services. 96% of online users use social media in Turkey. Turkey is the number 1 country on Friendfeed and the number 8 country for Twitter on terms of the numbers of the users.¹⁰

Obstacles to Access: Despite the general popularity of online social media platforms, it can be speculated that the population cannot enjoy them without being restricted. As a right, freedom of expression is recognized and protected by the Turkish Constitution through Article 26, and human rights treaties to which Turkey is a party. Turkish law and court judgments are also subject to the European Convention on Human Rights and are bound by the judgments of the European Court on Human Rights. Article 28 of Turkish Constitution states, “the press is free and shall not be censored,” but the judiciary of Turkey has an authority to censor all media outlets under constitutional provisions and loosely interpreted laws, especially on the grounds of “protecting basic characteristics of the Republic” and “safeguarding the indivisible integrity of the State with its territory and nation.”¹¹

On May 4, 2007, Law No. 5651 entitled *Regulation of Publications on the Internet and Suppression of Crimes Committed by means of Such Publication* was enacted by the government. With this law, Turkey provided the broadest legal measures for blocking access to websites by specifying eight different content related crimes, which will be explained below. Users of the blocked websites have filed cases with the European Court of Human Rights, after unsuccessfully appealing the ban in local courts. The infamous YouTube block was lifted in November 2010 only after disputed videos were removed or made unavailable within the country.

Besides the older media control and censorship association, RTÜK (Radio and Television Supreme Council), a new governmental association, TIB (Telecommunications Communication Presidency), can impose bans on Internet sites without prior judicial approval, if the offending Web site hosts content that is illegal under Turkish law and is hosted outside Turkey, or a Web site contains sexual abuse of children or obscenity and its host resides in Turkey. The Information and Communication Technologies Authority and the TIB, which it oversees, act as the regulators for all of these Technologies. However, the fact that board members are government appointees is a potential threat to the authority’s independence, and its decision-making process is not transparent. TIB also oversees the application of the country’s website-blocking law, and is often criticized by pressure groups for a lack of transparency.¹²

According to Law No.5651, the Telecommunications Communication Presidency (TIB) was given duty to execute court orders to block websites and issue blocking orders for the content providers in or outside Turkey for committing crimes listed in Article 8 of Law No. 5651. The law prohibits:¹³

- crimes against Atatürk (Article 8/b),
- offering or promoting prostitution,
- providing place and opportunity for gambling,
- unauthorized online gambling and betting,
- sexual abuse of children,
- encouraging suicide,
- supplying drugs that are dangerous for health, and
- facilitation of the abuse of drugs.

Web sites are also blocked for the following reasons:

- downloading of MP3 and movies in violation of copyright laws,
- insults against state organs and private persons
- crimes related to terrorism
- violation of trademark regulations
- unfair trade regulated under the Turkish Commercial Code
- violation of Articles 24, 25, 26, and 28 of the Constitution (freedoms of religion, expression, thought, and freedom of press).

⁷ Judson 2012.

⁸ Bağış, Egemen (2011). “Turkish experience for Europe: invest in democracy” Nov. 29, 2011, <http://www.europolitics.info/externa-policies/turkish-experience-for-europe-invest-in-democracy-art319518-41.html>.

⁹ Judson 2012.

¹⁰ http://www.ejc.net/media_landscape/article/turkey/. Accessed on Feb.2, 2012.

¹¹ Ibid.

¹² Freedom on the Net 2011 Report, <http://www.freedomhouse.org/report/freedom-net/2011/turkey>. Accessed on Feb.4, 2012.

¹³ http://en.wikipedia.org/wiki/Censorship_in_Turkey#Laws. Accessed on Feb.4, 2012.

Article 8 blocking provisions were extended in January 2008 and are applicable in matters concerning football and other sports betting websites. Websites which enable users to play games of chance via the Internet and which are based outside the Turkish jurisdiction and lack valid licence or permission are also susceptible to blocking.¹⁴ More recently, in February 2011, the blocking list was extended to include websites which sell and provide alcohol and tobacco related products to those under the age of 24. Websites that carry content subject to Article 8 could be taken down if hosted in Turkey or blocked and filtered through Internet access and service providers if hosted abroad.

Certain crimes such as the dissemination of terrorist propaganda (Articles 6 and 7 of the Turkish Anti-Terror Law No. 3713), or crime of ‘denigrating Turkishness’, (Article 301, Criminal Code), or hate crimes (Article 216 of TPC) are not included within the scope of Article 8. “Therefore, neither the Courts nor TIB can block access to websites based on reasons outside the scope of Article 8.”¹⁵

Law No. 5651 refers to Article 41 of the constitution about the duty of the Parliament in protection of families, children, and youth. Related article states, “the state shall take the necessary measures and establish the necessary organisation to ensure the peace and welfare of the family, especially where the protection of the mother and children is involved”.¹⁶

Law No. 5651 enables not only the courts of law to issue judicial blocking orders, but also an administrative body, the Telecommunications Communication Presidency (TIB) to issue administrative blocking orders. Blocking orders would be issued by a judge during a preliminary investigation and by the courts during trial. On the other hand, administrative blocking orders would be issued by TIB for crimes listed in Article 8(1) when the content and hosting providers are situated outside the Turkish jurisdiction. TIB can also execute administrative blocking orders with regards to content and hosting companies based in Turkey if the content in question involves sexual exploitation and abuse of children (Article 103(1) of the Turkish Penal Code),¹⁷ or obscenity (Article 226 of the Turkish Penal Code).

An interesting detail should be noted that “the law does not require these crimes to be committed on the websites, and a ‘sufficient suspicion’ is enough for a court or for TIB to issue a blocking order. The Article 8 provisions do not clarify or establish what is meant by ‘sufficient suspicion’.”¹⁸ According to data compiled by Akdeniz in OSCE report,¹⁹ out of 475 court orders issued by May 2009, 121 websites were blocked because they were deemed obscene (Article 226 of the Turkish Penal Code), 54 websites were blocked because they involved sexual exploitation and abuse of children (Article 103(1) of the Turkish Penal Code), 19 websites were blocked because of provision of gambling (Article 228 of the Turkish Penal Code), 20 were blocked because they involved betting, and 54 websites were ordered to be blocked in relation to crimes committed against Atatürk (Law No. 5816, dated 25/7/1951).

¹⁴ Law Amending Some Acts to Harmonise Criminal Law No 5728, Article 256. Official Gazette, 23.1.2008, No. 26781.

¹⁵ OSCE Report on Freedom of Expression on the Internet.

¹⁶ Article 41, Turkish Constitution.

¹⁷ OSCE Report on Freedom of Expression on the Internet.

¹⁸ Ibid.

¹⁹ Akdeniz, Y. Report of the OSCE Representative on Freedom of the Media on Turkey and Internet Censorship, January 2010, <http://www.osce.org/documents/rfm/2010/01/42294_en.pdf>. Accessed on Mar. 2, 2012.

The same report reveals that out of the 2126 administrative blocking orders issued by TIB, the majority, with 1053 blocking orders involved sexual exploitation and abuse of children (Article 103(1) of the Turkish Penal Code), 846 involved obscenity (Article 226 of the Turkish Penal Code), 117 involved football and other sports betting websites (Law No. 5728, article 256), 74 involved gambling sites (Article 228 of the Turkish Penal Code), 20 involved prostitution websites (Article 227 of the Turkish Penal Code), 11 involved websites facilitating the use of drugs (Article 190 of the Turkish Penal Code), 2 involved crimes committed against Atatürk (Law No. 5816, dated 25/7/1951), and one involved encouragement and incitement of suicide (Article 84 of the Turkish Penal Code). By looking at this data, it can be said that “the number of websites blocked outside the scope of Article 8 by the courts was 69 in May 2008 but reached nearly 200 by the end of May 2009.”²⁰

An OSCE report published in January 2010 stated that approximately 3,700 websites had been blocked from Turkey since the enactment of Law No. 5651.²¹ The application of Law No. 5651 resulted in blocking access to a considerable number of foreign websites including prominent sites such as YouTube, Geocities, DailyMotion, Metacafe, 856 Google Sites, Playboy, and Rapidshare. Similarly, websites in Turkish, or addressing Turkey-related issues have been subjected to blocking orders under the Law No. 5651. This has particularly affected news websites such as Özgür Gündem, Azadiya Welat, Keditör, Fırat News, and Günlük Gazetes that are reporting on southeastern Turkey and Kurdish issues. Gabile.com and Hadigayri.com, which form the largest online gay community in Turkey with approximately 225,000 users, were also blocked during 2009. Regarding the YouTube ban that lasted almost two and a half years, three separate applications have been made to the European Court of Human Rights between 2009 and 2011.²² The Strasbourg Court is yet to decide whether to assess further these applications and possible violations of Article 10.

Limits on Content: In accordance with Law No. 5651, judges can issue blocking orders during preliminary investigations as well as during trials. It is often difficult for site owners to determine why their site has been blocked and which court issued the order. According to TIB statistics as of May 2009, the courts are responsible for 21 percent of blocked websites, while 79 percent are blocked administratively by the TIB. Law No. 5651’s primary objective is to protect children from illegal and harmful internet content, but the law’s broad application to date has restricted adults’ access to legal content dramatically.

In June 2010 Turkish activists challenged legally against the government’s controversial move to block Google related services. This was a reaction to 44 IP addresses jointly used by YouTube and Google being initially blocked by the TIB, and then by the Ankara’s 1st Criminal Court of Peace. The reason behind the IP address blocking was to make it even harder to access YouTube from Turkey (which had been already blocked since May 2008) but the IP blocking paralyzed access to numerous Google-related services such as Analytics, Translate, Docs, Books, Map, and Earth. However, following the

²⁰ OSCE Report on Freedom of Expression on the Internet.

²¹ Akdeniz, Y., Report of the OSCE Representative on Freedom of the Media on Turkey and Internet Censorship, January 2010, <http://www.osce.org/documents/rfm/2010/01/42294_en.pdf>. Accessed on March 2, 2012.

²² The European Court of Human Rights published the statements of facts in February 2011, and asked the government of Turkey to respond by June 2011.

unblocking of YouTube in November 2010, access to other Google services was restored.²³

Violations of User Rights: The constitution states that “secrecy of communication is fundamental,” and users are allowed to post anonymously online. The constitution also specifies that only the judiciary can authorize interference with the freedom of communication and the right to privacy. For example, judicial permission is required for technical surveillance under the Penal Procedural Law. Despite the constitutional guarantees, most forms of telecommunication have been tapped and intercepted in practice. Between 2008 and 2009, several surveillance scandals received widespread media attention, and it has been alleged that all communications are subject to interception by various law enforcement and security agencies, including the Gendarmerie (military police). Some reports indicate that up to 50,000 phones—both mobile and land-line—are legally tapped daily in Turkey, and 150,000 to 200,000 interception requests are made each year.²⁴ During 2009 it was alleged that phone conversations involving members of the parliament, journalists, Supreme Court and other judges, and prosecutors including the chief public prosecutor were tapped.²⁵

TIB, on its website, publishes approved filtering programs that mass-use providers are required to use. However, according to which criteria these programs are approved remain unknown and it is also unclear whether the approved programs filter websites other than the ones formally blocked by the courts and the TIB. This could result with the systematic censorship of websites without the necessary judicial or TIB orders.

On August 22, 2011, the Information Technologies and Communication Board (BTK) set up some procedures for the safe use of Internet, which would have forced all home subscribers to choose one of four filtering profiles. These profiles were the standard profile, children’s profile, family profile and domestic Internet profile. But after the strong criticism and reaction against the proposal, the filtering system has been modified on 22 November 2011 and was made non compulsory for the users. The new version also included only the family and child profiles. However ISPs are still compelled to offer the filtering service to their customers and the filtering database and profiles are controlled and maintained by the government.²⁶

The Compatibility of Turkish Internet Legislation with International Laws

Turkey has been found in violation of international standards for suppressing alternative views and mass media organisations in the past.²⁷ While a ‘degree of control’ is still possible for traditional media outlets, it has become harder for the governments to control alternative ideas spread through various Internet communication tools and social media platforms. Freedom of expression is seen not as an absolute right and might be subject to limitations provided in the Turkish Constitution and international treaties.

As was discussed above, the Law No. 5651 has led to the blocking of over 3700 websites as of December 2009. However, neither TIB nor the courts have given clear guidance on what kind of web content results in this most restrictive type of measure. Those visiting blocked websites in Turkey could only see that the website is blocked due to a court order or TIB decision. The notices provided on the blocked pages do not provide any information on which catalogue crime (Article 8 of Law No.5651) has been committed or suspected on that website, or information on any other legal provision triggering the blocking orders. The reasons for the blocking decisions are not made public, nor declared to the content providers or website owners. This lack of guidance leads to uncertainty and arbitrary application of Law No. 5651 by the courts and TIB with regards to its administrative decisions. Research conducted by Akdeniz & Altıparmak has shown that some blocking orders given by the Courts have no legal basis under Law No. 5651, and are issued outside the scope of the new provisions.²⁸

The blocking policies of the government undoubtedly has a chilling effect on freedom of expression, which is one of the founding principles of democracy. As in the case of YouTube, blocking websites could be incompatible with Article 10, and could be regarded as a serious infringement on freedom of speech, and too far-reaching than reasonably necessary in a democratic society. The fact that society may find speech harmful and offensive should not be a sufficient reason for suppressing that content, such as in the case of YouTube. In fact, such speech and content may be protected by Article 10, ECHR, and the related jurisprudence of the European Court of Human Rights. It is obvious that the illegal content does not vanish as a result of blocking access to websites. Those who live outside Turkey or those who know how to access YouTube and other banned websites from within Turkey can still access the suspected content.²⁹ Banning socially useful websites is also damaging for political expression. These sites provide a venue that is popular across the world for alternative and opposition views.

Alternative Strategies on How to Regulate New Media

Everyone should have a right to access information in democratic societies and states have a responsibility to provide citizens’ access to the Internet is guaranteed. Internet access policies, defined by governments, should be in line with the requirements of Article 19 of the Universal Declaration of Human Rights as well as Article 19 of the International Covenant on Civil and Political Rights and (where applicable) with Article 10 of the European Convention on Human Rights. While certain countries and international organizations, such as the United Nations, may recognize Internet access as inherent to the right to free expression, some other governments have adopted policies to block access to the Internet.

Regarding speech- and content-related laws and legal measures, any restriction must comply to international and regional human rights law. According to the European Court of Human Rights jurisprudence, a strict three-part test is required for any content-based restriction. The Court notes that the first and most important requirement of Article 10 of the Convention is that

²³ Freedom on the Net 2011 Report.

²⁴ Ibid.

²⁵ “Başsavcı Engin dinlenmişve takip edilmiş” [The Chief Public Prosecutor’s Calls Are Tapped],” *Radikal*, November 12, 2009.

²⁶ OSCE Report on Freedom of Expression on the Internet.

²⁷ *Özgür Gündem v. Turkey*, App. no. 23144/93, 16.3.2000.

²⁸ Akdeniz, Y., & Altıparmak, K (2008). *Internet: Restricted Access: A Critical Assessment of Internet Content Regulation and Censorship in Turkey*, Ankara: İmaj Yayınevi.

²⁹ OSCE Report on Freedom of Expression on the Internet.

any interference by a public authority with the exercise of the freedom of expression should be lawful. If the interference is in accordance with law, the aim of the restriction should be legitimate – based on the Article 10(2) – and concern limitations in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health of morals or for the protection of the rights and freedoms of others. Furthermore, any restrictions need to be necessary in a democratic society and the state interference should correspond to a “pressing social need”. The state response and the limitations provided by law should be “proportionate to the legitimate aim pursued”. “The Article 10 compatibility criteria as set out by the European Court of Human Rights should be taken into account while developing content related policies and legal measures by the government.”³⁰

It is worth noting that content regulation developed for traditional media cannot and should not simply be applied to the Internet. Recognizing this, some countries have developed new measures dealing only with online content. “This increased legislation of online content has led to challenging restrictions on the free flow of information and the right to freely impart and receive information on and through the Internet.”³¹ Access to information should be seen as a right and freedom by governments, without making distinctions between traditional and digital media, and any blocking mechanism that could restrict users’ access should be avoided.

In Turkey, hundreds of journalists are prosecuted and jailed, facing criminal charges. Media serves as the fourth estate and inevitable part of democracies. However, if the journalists cannot write or report on matters of public importance, without fear of criminal prosecution, this means that one of the founding principles of democratic societies is severely damaged. Specific examples include the case of journalist Nedim Şener and OdaTV incident. The arrest and condemnation of Nedim Şener, an online journalist, before his critical book on AKP government is published, marked blow to the online rights of Turkish media professionals. OdaTV, a popular online website and its bloggers were also arrested on accounts of terrorism for the alleged “attempt to overthrow the government through violent means as an organized crime group”.

Another problematic area is for governments not keeping and revealing statistical data on convictions under relevant law(s) pertaining to online content regulation. Without the presence of reliable statistical data, it is not possible judge and reach conclusions on whether content related crimes were committed over the Internet. Therefore, governments should spent effort on collecting these data and make them publicly available.

CONCLUSIONS AND RECOMMENDATIONS

Freedom of expression applies to all means of communications, including the Internet. Any restriction on it should be weighted against the public interest. Governments need to take action to ensure that the Internet remains as an open and public forum for freedom of opinion and expression. States should keep in mind the borderless nature of the Internet when developing online content regulation policies. Restrictions introduced by law should be proportional and in line with the requirements of democracy as was argued in this paper.

³⁰ Ibid.

³¹ Ibid.

Definitional problems and inconsistencies exist related to certain speech-based restrictions. Clarifications are needed to define what amounts to ‘extremism’, ‘terrorist propaganda’, ‘harmful’ and ‘racist content’ and ‘hate speech’ since the legal provisions are often vague and open to subjective interpretation.

Prior restraint and bans imposed on the future publication of entire online content, or for that matter websites such as YouTube, are incompatible with the European Convention standards. Based on legal and procedural deficiencies related to Law No. 5651 practice, it is speculated that the Turkish government should urgently modify Law No. 5651 in line with international standards on freedom of expression, independence and pluralism of the media, and the free flow of information. It is also argued that the government should establish a grand public inquiry to develop a new policy which is truly designed to protect children from harmful Internet content while respecting freedom of speech, and the rights of Turkish adults to access and consume any type of legal Internet content.³²

The Information and Communication Technologies Authority (BTK) has recently been declared the development of a state sponsored Turkish search engine which will reflect upon ‘Turkish sensitivities.’ There is a potential for government to use this tool for censorship in the future. Legal authorities should carefully watch the development of this engine and raise their concerns if it is used to restrict online content.

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