

CLAMPDOWN ON SOCIAL MEDIA

HOW TURKEY'S STATE THREATENS JOURNALISTS

As Turkey continues cracking down on the media, many journalists have moved into exile. From abroad, some use social media to keep working while staying safe. But inside Turkey, even access to social media might soon be nearly impossible.

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The new „Internet Law“ brings new rules for foreign-based social network providers

Journalists in Turkey felt their anxiety surge in June 2020 as the country's parliament passed amendments to its Internet Law which began regulating social media providers. According to Amnesty International, “the amendments target one of the few remaining – albeit increasingly restricted – spaces where people can express their opinions freely.”

Although a majority of Turkish people still get their news from TV and don't have Twitter accounts, social media had in recent years offered a much less regulated information outlet. As Tom Porteous from Human Rights Watch explained, “social media is a lifeline for many people who use it to access news, so this law signals a new dark era of online censorship.”



A protest against internet censorship in Istanbul

Social media platforms to report to authorities

As Ankara was clamping down on what can be said on Twitter, I was researching online news-making practices of Turkish journalists in Germany. My research led me to speak with two types of journalists in Germany: some were recent exiles, others had immigrated long ago. Those who were recent exiles were particularly nervous because they relied heavily on social media to access their audience back “home”. To illustrate the extent of the government’s new control over online broadcasting, Can Dündar, a self-exiled journalist living in Germany since 2016, compared the new law to an on/off button of social media controlled by the Presidential Palace. While the legislation came into force in early October of 2020, it is still unclear how it will impact independent Turkish journalists living abroad.

The new “Internet Law”, officially known as the “Regulation of Publications on the Internet and Suppression of Crimes Committed by Means of Such Publications”, brings new rules for foreign-based social network providers such as Facebook, Twitter, and Google. Indeed, these online platforms are now required to assign at least one authorized representative in Turkey, and this person will face the State’s penalties, if the social network fails to respond within 48 hours to official requests to remove content that the State deems undesirable. Furthermore, every six months, the company representative is now also required to submit reports to authorities with information about users in Turkey.

The stifling of Turkish dissenters has been growing since the summer of 2013, when a wave of public dem-

onstrations followed the urban development plan for Istanbul’s Taksim Gezi Park. In her book “Social Media in Southeast Turkey” published in 2016, ethnographer Elisabetta Costa reported that “the Gezi Park protests in June 2013 [...] led to governmental propaganda against social media and reinforced the government’s conspiracy theory, according to which many European countries were backing and supporting the protesters to damage Turkey’s economy and political stability. This anti-social media propaganda intensified during the political campaign season ahead the local elections in March 2014, when YouTube and Twitter were used to discredit the reputation of Prime Minister Erdoğan who was running for the office of the president.”

Journalists writing from exile

In February 2014, the Internet Law was amended, and it became easy for authorities to block websites without a court ruling. Initially aimed at protecting children from harmful content and preventing violation of personal rights, the law was then used to ban online platforms such as YouTube, Twitter, and Wikipedia. The amendment increased State censorship. In one striking example, the government blocked the publishing of secretly recorded phone calls that exposed corruption among politicians and high-level bureaucrats. In the summer of 2016, the failed coup was followed by a state of emergency where the government shutdown the vast majority of alternative or oppositional online news channels.

In this increasingly tense political climate, many professional journalists migrated to Europe. Since 2017, these exiles have been providing uncensored news for an audience who mainly remained in Turkey. Most of these small news organisations had very limited budgets and were therefore forced to rely on free online tools offered by social media. Furthermore, their websites are not always accessible in Turkey because of the Internet Law, so these overseas Turkish journalists are particularly reliant on their social media accounts.

Independent voices have been increasingly silenced. Indeed in 2018, Turkish authorities prevented journalists in exile from using web-based broadcasting services, such as Internet radios, by blocking access to their websites. Similarly, that same year, television

channels and platforms that broadcast on the internet, either in Turkey or abroad, became subjected to the supervision of the Radio and Television Supreme Council (“RTÜK”). This was also the government’s first legal move to force foreign platforms to establish an official entity in Turkey. Initially, these new measures did not seem like such a big deal in a country where the primary source of information remains television. However, considering the dominance of pro-government voices in Turkey’s conventional media and the reliance of independent news providers on foreign platforms, these 2018 measures threatened independent journalists with total disconnection from their audiences. In this context, exiled journalists used social media platforms, such as YouTube, as solutions to bypass the government’s legislation. In June 2020, the government struck back with its updated regulation on social media.

“We are living in a different world called Twitter”

Many young Turkish journalists living in Germany think that it is still worthwhile to continue their work, even from afar: “I find it still weird to live abroad, to gather information not on the street but on the desk, to process it and then send back to the audience in Turkey. Why do we do it, then? Simply because we are free to make news here [in Germany].” Moreover, they find social media very powerful: “It is not easy to make news without being there in Turkey and taping into the feeling in the streets... However, we are living in a different world called Twitter. Put aside challenges of being a migrant, technology solves problems of migrant journalists to a great degree.” Still, migrant journalists rely heavily on their contacts in Turkey: “I sometimes feel like I will only rely on my contacts that I made in Turkey if I stay here longer. It is not possible to make a large network and gather different voices here.” Most of the time, reporters working on the ground in Turkey gather the information and define the agenda: “Sometimes I feel useless here. They are doing all the work. What is my contribution?”

Christian Mihr, the director of Reporters Without Borders Germany, emphasized that “Turkey’s expansion of its Internet Law confirms what we have been saying all along: authoritarian regimes are pointing to the precedent set by, among others, Germany’s 2017

Network Enforcement Act (NetzDG), a measure to fight hate speech, as justification for passing new laws that tighten their control of social media.” I talked to Constitutional Law scholar Ali Rıza Çoban, and he agreed that the 2020 Internet Law was in line with the spirit of General Data Protection Regulation (GDPR) of the European Union and inspired by similar laws in Germany and France. Officials in Turkey have used their new Internet Law to have inconvenient news removed: content related to corruption and controversial political figures. However, Çoban underlined that social media regulations are highly debated in Germany while the Constitutional Council in France cancelled many of them. Therefore, Çoban argued that the “law in Germany is a much more limited version of Turkey’s Internet Law. Most importantly, juridical independence and freedom of speech do exist in Germany but not in Turkey.”

Moreover, Ankara wants money from social media platforms. Indeed, since October 2020, Turkey has charged Facebook, Twitter, YouTube, TikTok and Instagram four million euros, each, for breaking the new law. In the coming months, social media giants will face other penalties including the prohibition of selling advertisements and reducing the social network provider’s internet traffic bandwidth by up to 90% if they do not abide by the new legislation. If they do not obey the new law, accessing these social media platforms in Turkey will become nearly impossible after May 2021.

The limits of State Control

The Turkish government is expecting to make some substantial economic gains with the new Internet Law. Indeed, taxing the advertisement revenues of technology companies is what the government has been aiming to do since 2010. However, this would harm small businesses that use Facebook as a trading platform.

It is unclear if the social media platforms have the technical capacity to share the data of their users, even if they wanted to. Indeed, a Turkish source close to the social media industry explained that even the companies themselves do not have access to the encrypted data that users exchange among themselves. This would suggest that the demands of authorities might not be realistic.

Although some could argue that the new Turkish law is not compatible with the reality of the technological infrastructure, it remains unclear how companies handle data. That said, in January 2021 when WhatsApp asked its users in Turkey to accept new terms that allow sharing data with Facebook, many users protested and switched to other instant messaging applications. Challenged by the reaction coming from users, including from President Erdoğan himself, WhatsApp postponed its new policy to May 2021.

A hashtag to fix things

Back in the summer of 2020, right before the parliament passed the amendments to the Internet Law, President Recep Tayyip Erdoğan told an assembly of NGOs that “We are working on a comprehensive legislation in this regard. Once it is completed, we will put in place all methods [of regulating social media] including access restrictions and legal and financial sanctions. Turkey is not a banana republic.”

A couple of weeks later, Twitter closed more than 7,000 accounts for making pro-government propaganda: “Based on our analysis of the network’s technical indicators and account behaviors, the collection of fake and compromised accounts was being used to amplify political narratives favourable to the AK Parti [the governing party, AKP], and demonstrated strong support for President Erdoğan.” Turkey has 13.6 million Twitter users, making it the company’s 7th largest market. Furthermore, it remains a highly politicized platform in Turkey, an online space where the youth organize collective actions, especially as it has become increasingly complicated to demonstrate in the streets.

An exiled journalist once complained to me about not being able to organise digital protests as successfully in Germany as in Turkey. Right after moving to Germany, he started to work as a journalist in Berlin but was poorly treated by his employer. In parallel, he also runs a popular Twitter account with more than one million followers, mainly in Turkey. He said, “If this had happened in Turkey, I would make it a hashtag and that would have fixed things.”

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FURTHER READING

On academics in exile:

- Özdemir, S. S., Mutluer, N., & Özyürek, E. (2019), “Exile and Plurality in Neoliberal Times. Turkey’s Academics for Peace.” *Public Culture* 31(2), 235-259.

On transnational politics online:

- Gencel Bek, M (2020) “Contesting Home, Nation and Beyond: Digital Space of New Migrants from post-Gezi Turkey,” in: Stein, D, Waegner, CC, De Laforcade, G, Laws, PR (eds), *Migration, Diaspora, Exile: Narratives of Affiliation and Escape*. MD: Lexington Books, pp. 227–244.