INDEX REPORTS >>>   TIME TO STEP UP: THE EU AND FREEDOM OF EXPRESSION   INDIA: DIGITAL FREEDOM UNDER THREAT?

Turkey's internet law following nebulous drafting process

Some freedom of speech activists insist that the most effective resistance to censorship will be promoting internet security

By Catherine Stupp / 29 January, 2014

Sharing is caring!

Turkish Prime Minister Recep Tayyip Erdogan (Photo: Philip Janek / Demotix)

A few weeks ago, internet privacy activists in Turkey began expressing alarm over newly proposed amendments to the law already governing the country's internet activity.

If implemented, the changes would serve to increase the government's already strong hold over the internet. Taking to social media and posting critical declarations on their websites, opponents of the law braced themselves for another debate over censorship in Turkey. Protests held on 18 January drew the attention of the riot police, who responded with pepper spray and water cannons. Despite this, some freedom of speech activists insist that the most effective resistance to censorship will be promoting internet security.

Law number 5651 was passed in 2007 and has since regulated freedom of expression on the internet in Turkey by censoring thousands of websites, including a two-year ban on YouTube. There has even been a European Court of Human Rights ruling against it. Opponents of the new, amended, bill have criticised its ability to collect and store internet users' personal data and its increased censorship of websites deemed offensive. Others have cited its potential to slow down internet connections and damage Turkey's beleaguered economy. The bill has already been redrafted this month, with a recent version extending the time period during which the Directorate of Telecommunication (TİB) would decide on banning websites from four to twenty-four hours. However, the previous time limit remains in "emergency" cases. This could also potentially change, as the bill will be redrafted again before it's voted upon. While it is unclear when the vote will take place, it is expected soon.

The bill's nebulous drafting process has prompted uproar among Turkey's internet activists. Zeynep

Karahan Uslu, the member of parliament who presented the draft bill, first tweeted last month that amendments were being prepared. Members of the Pirate Party of Turkey reacted by starting a public Google doc and encouraging their followers on Twitter and Facebook to contribute information about the law. At the beginning of this month, the Pirates posted a twelve-page declaration on their website, and news of the amendments spread through social media. Serhat Koç, a telecommunications lawyer and spokesperson for the Pirate Party, says people outside the party began editing and tweeting the declaration. Eventually, an aide for the recently formed People's Democratic Party (HDP) approached Koç to ask if he would draft an opposing bill for their party. Koç remains pessimistic about what efforts to oppose the amendments can achieve. "I think nobody can change that draft bill," he said.

Lawmakers and supporters of the new bill have argued that it serves to protect internet users' privacy with regulations safeguarding their reputations against obscenity or defamation. But opponents have drawn attention to the dangers posed by the amendment's blocking of URLs. While lawmakers have promoted this measure by saying URLs can be banned more selectively, critics argue the extent of censorship will be less visible to internet users. İsmail Alpen, a founder of the online campaign Sansürü Durdur, says that while court orders were previously displayed on blocked websites, "in the new system you won't be able to see any warning," leaving visitors to speculate about why they cannot access a website. "People won't be notified about what has been censored," Alpen said.

Other opponents of the bill see the proposed URL-based banning as means for legalising increased data collection. Ahmet Sabancı, a member of the Alternative Informatics Association, explains that blocking URLs instead of entire websites requires TİB to use deep package inspection. "URL-based page blocking forces ISPs to keep all logs for two years, putting all of our information into their hands," he said. But according to Sabancı, most internet users aren't concerned about data retention: "They think they can change their domain name server (DNS) numbers and surpass most censorship." A few weeks ago, the Alternative Informatics Association launched the website kem gözlere şiş, which features guides explaining how to use tools for internet anonymity or circumventing censorship, like Tor, VPNs or encryption. Sabancı said most feedback he's received since the site's launch has been from political activists, and that most are excited about Tor because it's the easiest to use.

In 2013, average user numbers of the Tor browser in Turkey remained low, at just a few thousand a month, according to statistics published on the anonymity network's website. But if the amendments to law 5651 are passed, the potential increase in website censorship could see a surge in Tor and VPN use. "In general, as soon as a government starts talking about censorship, the populace responds by finding ways to circumvent the censorship," Tor executive director Andrew Lewman wrote in an email.

Koç and other Pirate Party members are developing projects for secure communication, including a local mesh network and a whistleblowing platform for journalists. Currently, whistleblowers barely ever leak to journalists because anonymity software is not widely used, Koç says. Both Koç and Sabancı say many internet users' disinterest in government surveillance has made it difficult to raise awareness about the new amendments to 5651 and the likely effects on internet censorship and data collection. But interest in anonymity has been growing since last year's protests in Gezi Park were met with police brutality, Koç says.

Recently, more people have been contacting both Koç and Sabancı through social media to seek advice on using the internet anonymously. At a recent workshop held by Pirate Party members, on instruction on internet security, drew diverse visitors. "There were activists from the Turkish Green Party, citizen journalists, people who used Ustream in Gezi Park, some leftists associations. Censorship is not the thing for lots of people, but anonymity is necessary," Koç said. "They want to be anonymous."

This article was posted on 29 January 2014 at indexoncensorship.org

Sharing is caring!

Tags: digital freedom | internet freedom | Turkey

Challenge censorship. Fight mass surveillance. Support Index.

Related Posts

The Military and democracy – Turkey and Egypt both getting it wrong

Turkey's media: A polluted landscape

Burma: Freedom of expression in transition

Free expression in the news

The trouble with Taraf