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# Turkey's new internet law increases state control

By [Matt Byrne](#) 27 February 2014 12:05

Turkey's new internet regulations are being seen as draconian.

Turkey's controversial new Omnibus Law, which came into effect on 19 February, has introduced some significant changes to the existing internet publication law. The new law received criticism at every legislative stage, from the initial debates in the commission to the final approval by the president. It introduces amendments that will increase the mechanisms of state and judicial control over internet use and publications.



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The law will introduce new obligations on content providers, access providers and hosting providers. Of particular note is that the duration of the storage of traffic data by hosting providers will be increased to between one to two years. Access providers will now be obligated to block any and all forms of access to any blacklisted content.

However, the two most criticised aspects of the law are the formation of an Association of Access Providers, an industry association in which membership



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personal privacy the Telecommunication and Communications Directorate has been granted the authority to issue blocking orders, or if there is urgent need, to block access itself.

Granting state institutions increased powers over internet access and increasing the duration that traffic data is stored raises concerns as to increasing state control of the internet and intrusive surveillance of users. That any blocking order issued by the directorate must be implemented within four hours, and is not subject to previous judicial approval, has been noted by some as the establishing mechanisms of state censorship.

The increased obligations on companies operating in this sector, along with compulsory membership in an industry association that will be closely regulated by the directorate, will increase operating costs. Companies that are not members of the association will be barred from operating within Turkey. The establishment of the association offers another potential mechanism that is open to state institutions extending regulation and censorship over the industry.

The law has been criticised by many Turkish and foreign NGOs, industry associations and representatives of the EU, with most criticism levelled against the disproportionate measures that are perceived as being to the detriment of freedom of speech. Critics have also been in contact with the president, highlighting the civil rights concerns that would occur if the law were to be passed. Critics have highlighted that the commission was not made up of experts in the field and that previous reports commissioned by parliament were not consulted.

Some of this criticism has been noted by the president, who has issued statements as to future legislative measures that will be passed regarding the storage of traffic data and introducing judicial regulation on the actions of the directorate. However, even with these proposed changes, it would appear that the law leaves the door open to increased state control and surveillance, and the potential for state censorship.

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