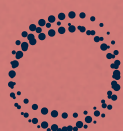




How Press Freedom Disappeared **in Turkey**?

Legal Repression and Digital Censorship



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Introduction

Since 2016, the Erdoğan regime has systematically targeted journalists and critics in the aftermath of the failed coup attempt, introducing a widespread and sustained crackdown on dissent.¹ In 2020, Türkiye occupied the 154th position out of 180 evaluated nation-states in the global media freedom index compiled by Reporters Without Borders ("RSF").² The trajectory of decline has continued over years, with the hostile environment in Türkiye exacerbating, as 515 journalists were prosecuted in the first half of 2024 alone.³ Such a hostile environment was also reflected in Türkiye's ranking, with the country descending to the 158th position in 2024 according to the RSF global press freedom assessment.⁴ The situation appears to be deteriorating further in 2025, particularly in light of the unrest sparked by the arrest of Ekrem İmamoğlu, the principal figure of political opposition to

¹ Reporters Without Borders, 'Turkey – press freedom in figures' (RSF, 28 January 2021) <<https://rsf.org/en/turkey-press-freedom-figures>> accessed 27 April 2025.

² Reporters Without Borders, '2020 World Press Freedom Index' (RSF, 2020) <<https://rsf.org/en/index?year=2020>> accessed 27 April 2025.

³ Stockholm Center for Freedom, '515 journalists prosecuted in Turkey in past 6 months: report' (SCF, 8 July 2024) <<https://stockholmcf.org/515-journalists-prosecuted-in-turkey-in-past-6-months-report/>> accessed 29 April 2025.

⁴ Reporters Without Borders, '2024 World Press Freedom Index' (RSF, 2024) <<https://rsf.org/en/index?year=2024>> accessed 27 April 2025.

the Erdoğan regime.⁵ Given the political turmoil and the rapid pace of arrests among demonstrators, it is difficult to determine the exact number of journalists; however, it is certain that they are included⁶ in the reported total of 1,879 arrests as of late March, according to data provided by Interior Minister Ali Yerlikaya.⁷

As of now, roughly 90% of Türkiye's media is under government influence, making digital communication the primary source of information between the public and independent journalists.⁸ Consequently, the digital landscape and journalists operating on these platforms have been relentlessly targeted by the government in various forms. Although the deterioration of freedom of speech and the rights of journalists in Türkiye is a broad topic, this report focuses on providing information and real-life examples of the persistent challenges journalists face, with particular emphasis on the digital landscape.

Legal Attacks on Journalism

Social media platforms such as YouTube, Instagram, X (formerly Twitter), and Facebook have become central avenues for news access, according to research published in 2023 by the Reuters Institute for the Study of Journalism.⁹ As a crucial conduit for independent journalism, the digital sphere has increasingly captured the attention of Erdoğan's

⁵ Ruth Michaelson, 'Journalists among more than 1,100 arrested in Turkey crackdown' (*The Guardian*, 24 March 2025) <<https://www.theguardian.com/world/2025/mar/24/journalists-among-more-than-1100-arrested-in-turkey-crackdown-istanbul>> accessed 27 April 2025.

⁶ Ruth Michaelson, 'Journalists among more than 1,100 arrested in Turkey crackdown' (*The Guardian*, 24 March 2025) <<https://www.theguardian.com/world/2025/mar/24/journalists-among-more-than-1100-arrested-in-turkey-crackdown-istanbul>> accessed 27 April 2025.

⁷ Shubhangi Derhgawen, 'Turkey: 1,900 protesters detained after Imamoglu's arrest' (*Deutsche Welle*, 27 March 2025) <<https://www.dw.com/en/turkey-1900-protesters-detained-after-imamoglus-arrest/a-72059045>> accessed 27 April 2025.

⁸ Reuters, 'Turkey's independent news websites face closure risk after Google changes' (*Reuters*, 13 March 2025) <<https://www.reuters.com/technology/turkeys-independent-news-websites-face-closure-risk-after-google-changes-2025-03-13/>> accessed 27 April 2025.

⁹ Nic Newman, 'Digital News Institute' (*Reuters Institute*, 14 June 2023) <<https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2023/turkey>> accessed 27 April 2025.

regime.¹⁰ The year 2023 holds particular significance, especially in light of the presidential elections held in May.¹¹ A total of 219,059 URLs were blocked, including 14,680 news articles, 197,907 domains, 5,641 social media posts, 743 social media accounts, and 38 Google business reviews.¹² This number represents a significant increase compared to the 2022 data, which showed that access restrictions affected at least 40,536 URLs, including 35,066 domain names, 3,196 news articles, 2,090 social media posts, and 184 social media accounts.¹³

“Violation of personal rights” is predominantly invoked for blocking or removing content.¹⁴ In 2022, 3,191 out of 3,196 blocked news articles were removed due to alleged violations of personal rights.¹⁵ In 2023, this number significantly increased, with 14,332 out of 14,680 blocked news articles removed for the same reason.¹⁶ Although personal rights are protected under Article 24 of the Turkish Civil Code,¹⁷ there is no clear definition

¹⁰ Mark Scott, ‘How Turkey’s Erdoğan uses social media to cling onto power’ (*Politico*, 15 May 2023) <<https://www.politico.eu/article/recep-tayyip-erdogan-elon-musk-twitter-turkey-elections-social-media-power/>> accessed 27 April 2025.

¹¹ Reuters, ‘Who won Turkey’s 2023 elections? Final results, and the high stakes at issue’ (*Reuters*, 30 May 2023) <<https://www.reuters.com/world/middle-east/who-won-turkeys-2023-elections-final-results-high-stakes-issue-2023-05-29/>> accessed 27 April 2025.

¹² Free Web Turkey, ‘14,000 news articles and 197,000 websites censored in Turkey in 2023’ (*Free Web Turkey*, 3 September 2024) <https://www.freewebturkey.com/en/14-000-news-articles-and-197-000-websites-censored-in-turkey-in-2023?utm_source=> accessed 27 April 2025.

¹³ Free Web Turkey, ‘Free Web Turkey’s ‘2022 Internet Censorship Report’ has been released’ (*Free Web Turkey*, 22 November 2023) <<https://www.freewebturkey.com/the-free-web-turkey-2022-internet-censorship-report-has-been-released>> accessed 27 April 2025.

¹⁴ Free Web Turkey, ‘Free Web Turkey’s ‘2022 Internet Censorship Report’ has been released’ (*Free Web Turkey*, 22 November 2023) <<https://www.freewebturkey.com/the-free-web-turkey-2022-internet-censorship-report-has-been-released>> accessed 27 April 2025; Free Web Turkey, ‘14,000 news articles and 197,000 websites censored in Turkey in 2023’ (*Free Web Turkey*, 3 September 2024) <https://www.freewebturkey.com/en/14-000-news-articles-and-197-000-websites-censored-in-turkey-in-2023?utm_source=> accessed 27 April 2025.

¹⁵ Free Web Turkey, ‘Free Web Turkey’s ‘2022 Internet Censorship Report’ has been released’ (*Free Web Turkey*, 22 November 2023) <<https://www.freewebturkey.com/the-free-web-turkey-2022-internet-censorship-report-has-been-released>> accessed 27 April 2025.

¹⁶ Free Web Turkey, ‘14,000 news articles and 197,000 websites censored in Turkey in 2023’ (*Free Web Turkey*, 3 September 2024) <https://www.freewebturkey.com/en/14-000-news-articles-and-197-000-websites-censored-in-turkey-in-2023?utm_source=> accessed 27 April 2025.

¹⁷ Law No 4721, art. 24 <<https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=4721&MevzuatTur=1&MevzuatTertip=5>>.

of what constitutes personal rights, allowing for a broad level of flexibility and a wide margin of appreciation in protecting the rights of individuals.¹⁸

Under Turkish law, personal rights are considered to include various aspects, such as life, health, bodily integrity, dignity (reputation), privacy, name, image, and voice.¹⁹ Considering this broad scope of interpretation, personal rights are construed as being safeguarded by the Constitution,²⁰ in addition to other provisions derived from various legal instruments.²¹ According to the Court of Cassation, the scope of personal rights can be determined based on the ordinary course of life, established value judgments, and life experience.²²

However, this broad interpretation can easily be exploited to benefit the Erdoğan regime. In 2023, corruption and irregularities were the most common topics among the blocked news articles, accounting for 5,881, making them the leading category of blocked content.²³ A notable example of this occurred in June 2023, when the Istanbul Anatolian 5th Criminal Judgeship of Peace issued an order to block access to 93 websites for

¹⁸ Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

¹⁹ Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

²⁰ Law No 2709 <<https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=2709&MevzuatTur=1&MevzuatTertip=5>>

²¹ Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

²² Court of Cassation ACC No E 2007/4-224 K 2007/228 (2 May 2007); See also Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

²³ Free Web Turkey, '14,000 news articles and 197,000 websites censored in Turkey in 2023' (*Free Web Turkey*, 3 September 2024) <https://www.freewebturkey.com/en/14-000-news-articles-and-197-000-websites-censored-in-turkey-in-2023?utm_source> accessed 27 April 2025.

distributing a Reuters article about a situation in the U.S. and Sweden involving Bilal Erdoğan.²⁴ The block applied to websites that directly shared, summarized, or quoted parts of the article,²⁵ on the grounds of “violation of personal rights” and for being “far from reality, unconfirmed, and far from goodwill.”²⁶ The block affected all major international news outlets, including Voice of America, Euronews, MSN, and almost all independent news outlets in Türkiye, along with the original version from Reuters.²⁷

The article states that U.S. and Swedish anti-corruption authorities were reviewing a complaint, which claimed that the Swedish branch of a U.S. company had pledged millions of dollars in kickbacks in exchange for assistance from a son of Erdoğan to secure a dominant market position in Türkiye (*source cited for this sentence*).²⁸ The article indicates that communications and business documents, which outlined this plan, were reviewed by Reuters and another individual familiar with the matter.²⁹ Reuters also later reported that the branch’s project was completely abandoned in Türkiye due to “potentially concerning conduct” in Türkiye and that no bribery had occurred in that case.³⁰ The outlet

²⁴ Reuters, ‘Reuters appeals Turkish court order to remove news article’ (*Reuters*, 4 July 2023) <<https://www.reuters.com/world/reuters-appeals-turkish-court-order-remove-news-article-2023-07-03/>> accessed 27 April 2025; Media and Press Freedom Monitor, ‘Turkish court blocks access to websites connected to Reuters article reporting on preliminary probe into Erdoğan’s son’ (*MAPMF*, 3 July 2023) <<https://www.mapmf.org/alert/30440>> accessed 27 April 2025.

²⁵ Reuters, ‘Reuters appeals Turkish court order to remove news article’ (*Reuters*, 4 July 2023) <<https://www.reuters.com/world/reuters-appeals-turkish-court-order-remove-news-article-2023-07-03/>> accessed 27 April 2025.

²⁶ Media and Press Freedom Monitor, ‘Turkish court blocks access to websites connected to Reuters article reporting on preliminary probe into Erdoğan’s son’ (*MAPMF*, 3 July 2023) <<https://www.mapmf.org/alert/30440>> accessed 27 April 2025.

²⁷ Media and Press Freedom Monitor, ‘Turkish court blocks access to websites connected to Reuters article reporting on preliminary probe into Erdoğan’s son’ (*MAPMF*, 3 July 2023) <<https://www.mapmf.org/alert/30440>> accessed 27 April 2025.

²⁸ David Gauthier-Villars, ‘US, Swedish prosecutors study graft complaint naming son of Turkey’s Erdogan’ (*Reuters*, 26 June 2023) <<https://www.reuters.com/world/us-swedish-prosecutors-study-graft-complaint-naming-son-turkeys-erdogan-2023-06-26/>> accessed 27 April 2025.

²⁹ David Gauthier-Villars, ‘US, Swedish prosecutors study graft complaint naming son of Turkey’s Erdogan’ (*Reuters*, 26 June 2023) <<https://www.reuters.com/world/us-swedish-prosecutors-study-graft-complaint-naming-son-turkeys-erdogan-2023-06-26/>> accessed 27 April 2025.

³⁰ Reuters, ‘Reuters appeals Turkish court order to remove news article’ (*Reuters*, 4 July 2023) <<https://www.reuters.com/world/reuters-appeals-turkish-court-order-remove-news-article-2023-07-03/>> accessed 29 April 2025.

emphasized that the targeted article was prepared in accordance with its Trust Principles and its commitment to publishing fair and accurate reporting in the global public interest.³¹

There are many cases where personal rights and freedom of press clash,³² and the Court of Cassation outlines four criteria to strike a balance when personal freedoms conflict with freedom of the press: apparent reality, public benefit and social interest, actuality, and the balance between essence and form.³³ In addressing the above issue, the concepts of apparent reality and the balance between essence and form are crucial to understanding. Apparent reality means that news reports should reflect facts that are apparent at the time of reporting, not the absolute truth.³⁴ The perception of the average reader is considered the decisive criterion in the assessment of apparent reality.³⁵ The press cannot be held responsible for reporting events that appear correct at the time but later turn out to be untrue.³⁶ When the apparent reality rule is applied to Reuters, it is difficult to conclude

³¹ Reuters, 'Reuters appeals Turkish court order to remove news article' (*Reuters*, 4 July 2023) <<https://www.reuters.com/world/reuters-appeals-turkish-court-order-remove-news-article-2023-07-03/>> accessed 29 April 2025.

³² Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

³³ Court of Cassation ACC No E 2011/4-278 K 2011/376 (1 June 2011); Court of Cassation ACC No E 2006/4-540 K 2006/601 (27 September 2006); Court of Cassation ACC No E 2008/4-263 K 2008/262 (19 March 2008); Court of Cassation ACC No E 2005/4-644 K 2005/701 (7 December 2005); Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

³⁴ Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

³⁵ Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

³⁶ Court of Cassation ACC No E 2003/4-167 K 2003/176 (19 March 2003); Court of Cassation ACC No E 2011/4-278 K 2011/376 (1 June 2011); Court of Cassation ACC No E 2008/4-263 K 2008/262 (19 March 2008); Court of Cassation ACC No E 2005/4-644 K 2005/701 (7 December 2005); Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and

that it breached journalistic standards. The Reuters report only reflected the facts at the time, based on certain evidence, namely that a complaint had been made to the U.S. and Swedish authorities about the Swedish branch of a company, concerning corruption involving a son of Erdoğan, and that this complaint was under review.³⁷

The balance between essence and form implies that there should be compatibility between reported content and the manner in which it is presented.³⁸ This means that there should be intellectual coherence between the style of the report and its content, with a clear distinction maintained between criticism and insult. Criticism may be harsh, but it should not cross the line into insult.³⁹ The language used in the Reuters report is plain and straightforward, conveying the current findings with an objective tone, free of any criticism.⁴⁰ Therefore, there is no deviation from journalistic standards regarding the balance between essence and form, and it is difficult to conclude a lack of goodwill.

To conclude, this situation is an indicator of how courts tend to approach violations of personal rights in political cases, often failing to establish an appropriate balance for a free press.

the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

³⁷ David Gauthier-Villars, 'US, Swedish prosecutors study graft complaint naming son of Turkey's Erdogan' (*Reuters*, 26 June 2023) <<https://www.reuters.com/world/us-swedish-prosecutors-study-graft-complaint-naming-son-turkeys-erdogan-2023-06-26/>> accessed 27 April 2025.

³⁸ Court of Cassation 4th Civil Chamber No E 2001/4584 K 2001/9053 (4 October 2001); Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

³⁹ Court of Cassation 4th Civil Chamber No E 2001/4584 K 2001/9053 (4 October 2001); Ferhat Canbolat and Günhan Gönül Koşar, 'Freedom of the Press and the Protection of Personality Rights in Türkiye from the Perspective of the European Court of Human Rights' [2024] Oxford U Comparative L Forum 1 <<https://ouclf.law.ox.ac.uk/freedom-of-the-press-and-the-protection-of-personality-rights-in-turkiye-from-the-perspective-of-the-european-court-of-human-rights/>> accessed 27 April 2025.

⁴⁰ David Gauthier-Villars, 'US, Swedish prosecutors study graft complaint naming son of Turkey's Erdogan' (*Reuters*, 26 June 2023) <<https://www.reuters.com/world/us-swedish-prosecutors-study-graft-complaint-naming-son-turkeys-erdogan-2023-06-26/>> accessed 27 April 2025.

There are also other issues within the judiciary that undermine press freedom, including instances of bias and bribery. An instance of this occurred in October 2023, when the Istanbul Chief Public Prosecutor sent a letter to the Council of Judges regarding decisions by Istanbul Anatolian 4th Criminal Judgeship of Peace to block and remove content in exchange for money.⁴¹ The letter also contained accusations against the president of the Istanbul Judicial Commission concerning this matter.⁴² It is both ironic and tragic that a piece of content shared by a journalist, which exposed this corruption scandal within the judiciary related to decisions on blocking and removing content — specifically involving the Istanbul Anatolian 4th Criminal Judgeship of Peace —⁴³ was itself blocked and removed by a judge from that same court in October 2023, following a complaint filed by the president of the Istanbul Judicial Commission who was mentioned in the content.⁴⁴ All content related to this article, including news articles and social media posts, was blocked.⁴⁵ Consequently, all types of coverage related to this matter were affected,⁴⁶ and

⁴¹ Stockholm Center Freedom, 'Turkish judge accused of bribery had access blocked to 172 news reports about claims' (SCF, 21 October 2023) <<https://stockholmcf.org/turkish-judge-accused-of-bribery-had-access-blocked-to-172-news-reports-about-claims/>> accessed 27 April 2025; Turkish Minute, 'Prosecutor reveals corruption within judiciary in letter to Turkey's top judicial body' (*Turkish Minute*, 13 October 2023) <<https://www.turkishminute.com/2023/10/13/prosecutor-reveal-corruption-within-judiciary-letter-to-turkeys-top-judicial-body/>> accessed 27 April 2025.

⁴² Stockholm Center Freedom, 'Turkish judge accused of bribery had access blocked to 172 news reports about claims' (SCF, 21 October 2023) <<https://stockholmcf.org/turkish-judge-accused-of-bribery-had-access-blocked-to-172-news-reports-about-claims/>> accessed 27 April 2025; Turkish Minute, 'Prosecutor reveals corruption within judiciary in letter to Turkey's top judicial body' (*Turkish Minute*, 13 October 2023) <<https://www.turkishminute.com/2023/10/13/prosecutor-reveal-corruption-within-judiciary-letter-to-turkeys-top-judicial-body/>> accessed 27 April 2025.

⁴³ The Good Men Project, 'In Turkey, the State Is Targeting Scores of Journalists' (*The Good Men Project*, 19 November 2023) <<https://goodmenproject.com/featured-content/in-turkey-the-state-is-targeting-scores-of-journalists/>> accessed 27 April 2025.

⁴⁴ BirGün, 'Erişim engelleriyle halktan gerçekleri gizleyemezsiniz' (*BirGün*, 16 October 2023) <<https://www.birgun.net/haber/erisim-engelleriyle-halktan-gercekleri-gizleyemezsiniz-476264>> accessed 27 April 2025.

⁴⁵ The Good Men Project, 'In Turkey, the State Is Targeting Scores of Journalists' (*The Good Men Project*, 19 November 2023) <<https://goodmenproject.com/featured-content/in-turkey-the-state-is-targeting-scores-of-journalists/>> accessed 27 April 2025.

⁴⁶ The Good Men Project, 'In Turkey, the State Is Targeting Scores of Journalists' (*The Good Men Project*, 19 November 2023) <<https://goodmenproject.com/featured-content/in-turkey-the-state-is-targeting-scores-of-journalists/>> accessed 27 April 2025.

access to 172 separate reports was blocked on the basis of “violation of personal rights” of the president of the Istanbul Judicial Commission.⁴⁷ Furthermore, access to another report documenting decisions made by the Istanbul Anatolian 4th Criminal Judgeship of Peace to block and remove content was also blocked and removed.⁴⁸

This chain of events demonstrates an abuse of power within the judiciary, which becomes especially harmful given the broad interpretation of what constitutes a violation of personal rights. Such actions threaten both the integrity of the judicial system and the freedom of the press, with recent developments indicating growing concerns in this regard.

One such development concerns Law No. 5651 on the Regulation of Broadcasting on the Internet and the Prevention of Crimes Committed through Internet Broadcasting (commonly referred to as the “Social Media Law”),⁴⁹ which imposes both obligations and liabilities on various internet actors, with the aim of preventing crimes on the internet.⁵⁰ The now-repealed Article 9(1) allowed right holders to directly submit their requests to the Penal Judgeships of Peace, claiming a “violation of personal rights.”⁵¹ The now-repealed Article 9(3) provided that a judge of the Penal Judgeships of Peace could order the blocking or removal of content upon determining a violation of personal rights.⁵² The Constitutional Court repealed Article 9(1) and Article 9(3),⁵³ citing the vague scope of

⁴⁷ Stockholm Center Freedom, ‘Turkish judge accused of bribery had access blocked to 172 news reports about claims’ (SCF, 21 October 2023) <<https://stockholmcf.org/turkish-judge-accused-of-bribery-had-access-blocked-to-172-news-reports-about-claims/>> accessed 27 April 2025.

⁴⁸ The Good Men Project, ‘In Turkey, the State Is Targeting Scores of Journalists’ (*The Good Men Project*, 19 November 2023) <<https://goodmenproject.com/featured-content/in-turkey-the-state-is-targeting-scores-of-journalists/>> accessed 27 April 2025.

⁴⁹ Law No 5651 <<https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=5651&MevzuatTur=1&MevzuatTertip=5>>.

⁵⁰ Law No 5651, art. 1.

⁵¹ Constitutional Court No E 2020/76 K 2023/172 (11 October 2023), para 5 <<https://normkararlarbilgibankasi.anayasa.gov.tr/Dosyalar/Kararlar/KararPDF/2023-172-nrm.pdf>>.

⁵² Constitutional Court No E 2020/76 K 2023/172 (11 October 2023), para 5.

⁵³ Constitutional Court No E 2020/76 K 2023/172 (11 October 2023), VIII Verdict, B(1) p 26.

these provisions, which granted Penal Judgeships of Peace excessive discretion and made it almost impossible to challenge their decisions.⁵⁴ Therefore, this was found to be in breach of the freedom of fundamental rights under Article 13, the freedom of expression and dissemination of thought under Article 26, and the freedom of the press under Article 28 of the Constitution.⁵⁵

However, Article 8/A(1) of Law No. 5651 states that content can be removed on the basis of other reasons such as “protection of national security and public order” and “prevention of crimes being committed.”⁵⁶ The Penal Judgeships of Peace have persisted in imposing online censorship based on other reasons such as “national security.”⁵⁷ In 2024, these courts implemented restrictions on access to at least 3,136 news articles and journalistic materials on similar grounds.⁵⁸

Therefore, although certain measures have been taken by the Constitutional Court against violations of personal rights, the issue of vague concepts and the broad discretion they grant to judges remains a problem. This problem is not limited to personal rights cases but also appears in recent amendments to the penal code related to regulating online content and the dissemination of false information.

In October 2022, just ahead of the presidential elections in May 2023,⁵⁹ the Turkish Penal Code was amended⁶⁰ to include a new provision, Article 217/A(1), which provides:

⁵⁴ Constitutional Court No E 2020/76 K 2023/172 (11 October 2023), para 105.

⁵⁵ Constitutional Court No E 2020/76 K 2023/172 (11 October 2023), para 107.
107; Law No 2709, art. 13, art. 26, and art. 28.

⁵⁶ Law No 5651, art. 8/A(1).

⁵⁷ IFEX, ‘Turkey: 2024 was “a living hell” for journalists’ (*IFEX*, 27 January 2025) <<https://ifex.org/turkey-2024-was-a-living-hell-for-journalists/>> accessed 27 April 2025.

⁵⁸ IFEX, ‘Turkey: 2024 was “a living hell” for journalists’ (*IFEX*, 27 January 2025) <<https://ifex.org/turkey-2024-was-a-living-hell-for-journalists/>> accessed 27 April 2025.

⁵⁹ Emine Özge Yıldırım, ‘Silenced, Chilled, and Jailed: The New Turkish Law Criminalizes Disseminating “Disinformation”’ (*Verfassungsblog*, 20 October 2022) <<https://verfassungsblog.de/silenced-chilled-and-jailed/>> accessed 27 April 2025.

⁶⁰ Law No 7418, art. 29 <<https://www.resmigazete.gov.tr/eskiler/2022/10/20221018-1.htm>>.

*"Any person who publicly disseminates false information concerning the internal and external security, public order and public health of the country with the sole intention of creating anxiety, fear or panic among the public, and in a manner likely to disturb public peace, shall be sentenced to imprisonment from one year to three years."*⁶¹

The provision fails to provide a precise definition of "false information," nor does it offer a comprehensive explanation of what constitutes a threat to the country's internal and external security, public order, or public health.⁶² Given the lack of clarity surrounding certain concepts within the article, there is considerable scope for actions and information to fall under these vague notions.⁶³ Moreover, the law does not provide a clear definition of what might provoke anxiety or induce fear within the public.⁶⁴ Additionally, this ambiguity is compounded by the fact that the article does not distinguish between the content creator and those who contribute to its dissemination, such as by liking or sharing.⁶⁵ The Venice Commission, the advisory body to the Council of Europe,⁶⁶ also criticized the vague wording of the provision, urging that its scope be clearly defined.⁶⁷ Due to Türkiye's lack of the rule of law, the interpretation of false information has been

⁶¹ Law No 5237, art. 217/A(1) <https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=5237&MevzuatTur=1&MevzuatTertip=5>.

⁶² Amnesty International, *A Human Rights Approach to Tackle Disinformation* (IOR 40/5486/2022, 2022) <https://www.amnesty.org/en/wp-content/uploads/2022/04/IOR4054862022ENGLISH.pdf> accessed 27 April 2025.

⁶³ Amnesty International, *A Human Rights Approach to Tackle Disinformation* (IOR 40/5486/2022, 2022) <https://www.amnesty.org/en/wp-content/uploads/2022/04/IOR4054862022ENGLISH.pdf> accessed 27 April 2025; Hikmet Adal, 'Analysis: At least 24 journalists faced legal action in a year under "disinformation" law' (*Expression Interrupted*, 20 October 2023) <https://www.expressioninterrupted.com/analysis-at-least-24-journalists-faced-legal-action-in-a-year-under-disinformation-law/> accessed 27 April 2025.

⁶⁴ Amnesty International, *A Human Rights Approach to Tackle Disinformation* (IOR 40/5486/2022, 2022) <https://www.amnesty.org/en/wp-content/uploads/2022/04/IOR4054862022ENGLISH.pdf> accessed 27 April 2025.

⁶⁵ Amnesty International, *A Human Rights Approach to Tackle Disinformation* (IOR 40/5486/2022, 2022) <https://www.amnesty.org/en/wp-content/uploads/2022/04/IOR4054862022ENGLISH.pdf> accessed 27 April 2025.

⁶⁶ European Commission for Democracy through Law (Venice Commission), 'Presentation' (*Council of Europe*) https://www.venice.coe.int/webforms/pages/?p=01_presentation accessed 27 April 2025.

⁶⁷ Council of Europe, *Journalists Prosecuted under Defamation, Insult and 'Anti-Terrorism Laws'* (Alert No. 107641405, 6 September 2024) <https://fom.coe.int/en/alerte/detail/107641405> accessed 27 April 2025.

shaped to favor the Erdoğan regime and the ruling political party, thereby protecting their political interests at the expense of the opposition.⁶⁸

Another concern is the severity of the penalty, which entails imprisonment for a duration ranging from one to three years.⁶⁹ Even large monetary penalties in civil proceedings can be sufficient to violate Article 10 of the ECHR, the right to freedom of expression, when the amount of such penalties is disproportionate to the income of the applicant and when there is no evidentiary support for the person who is being defamed.⁷⁰ This reinforces the principle that criminal law should serve as *ultima ratio*—a last resort, a concept that is clearly not upheld for journalists in Türkiye.⁷¹ In 2024, a total of 4,590 individuals were investigated, including 33 arrests, some involving journalists, all under Article 217/A over a period of just two years.⁷²

There are also other legal instruments and provisions in Türkiye to hold journalists accountable.⁷³ These include Article 125 of the Turkish Penal Code which prescribe penalties for insult,⁷⁴ Article 216 which criminalizes public call to hatred, hostility, degradation,⁷⁵ Article 217 which prohibits public call to disobey the law,⁷⁶ Article 267 which penalizes defamation,⁷⁷ Article 299 which provides special protection against the

⁶⁸ Hikmet Adal, 'Analysis: At least 24 journalists faced legal action in a year under "disinformation" law' (*Expression Interrupted*, 20 October 2023) <<https://www.expressioninterrupted.com/analysis-at-least-24-journalists-faced-legal-action-in-a-year-under-disinformation-law/>> accessed 27 April 2025.

⁶⁹ Deniz Tekin, '4590 Investigations, 33 Arrests Under Turkey's "Censorship Law" in Two Years' (*MLSA Turkey*, 20 November 2024) <<https://mlsatrkey.com/en/4590-investigations-33-arrests-under-turkeys-censorship-law-in-two-years>> accessed 27 April 2025.

⁷⁰ *Skalka v Poland*, App. no 43425/98 (ECtHR, 27 May 2003), para 41.

⁷¹ Hikmet Adal, 'Analysis: At least 24 journalists faced legal action in a year under "disinformation" law' (*Expression Interrupted*, 20 October 2023) <<https://www.expressioninterrupted.com/analysis-at-least-24-journalists-faced-legal-action-in-a-year-under-disinformation-law/>> accessed 27 April 2025.

⁷² Deniz Tekin, '4590 Investigations, 33 Arrests Under Turkey's "Censorship Law" in Two Years' (*MLSA Turkey*, 20 November 2024) <<https://mlsatrkey.com/en/4590-investigations-33-arrests-under-turkeys-censorship-law-in-two-years>> accessed 27 April 2025.

⁷³ Council of Europe, *Journalists Prosecuted under Defamation, Insult and 'Anti-Terrorism Laws'* (Alert No. 107641405, 6 September 2024) <<https://fom.coe.int/en/alerte/detail/107641405>> accessed 27 April 2025.

⁷⁴ Law No 5237, art. 125.

⁷⁵ Law No 5237, art. 216.

⁷⁶ Law No 5237, art. 217.

⁷⁷ Law No 5237, art. 267.

President,⁷⁸ Article 301 which criminalizes degradation of the Turkish nation, state, and state organs and institutions.⁷⁹

From Headlines to Headquarters

Oftentimes, it is not only the content or the journalist, but entire media outlets that are subjected to threats and pressure, usually targeted by regulatory bodies like the Radio and Television Supreme Council ("RTÜK"), which has imposed various measures against newspapers and radio stations.

This became especially evident in February 2022, when RTÜK requested Deutsche Welle, Voice of America and Euronews — among the few independent news outlets still operating in Türkiye — to obtain a broadcasting license.⁸⁰ They were given 72 hours to apply for the licenses, but none of them complied.⁸¹ In April 2022, the request for Euronews was withdrawn after it altered the content that had initially triggered the broadcasting license requirement.⁸² Deutsche Welle and Voice of America continued to reject these requests, with Deutsche Welle stressing that the demand concerned not formal broadcasting requirements but rather an interference with journalistic content

⁷⁸ Law No 5237, art. 299.

⁷⁹ Law No 5237, art. 301.

⁸⁰ Deutsche Welle, 'DW appeals against licensing in Turkey' (*Deutsche Welle*, 22 February 2022) <<https://corporate.dw.com/en/dw-appeals-against-licensing-in-turkey/a-60877739>> accessed 27 April 2025; Euractiv, 'Turkey says DW, VOA, Euronews must obtain licences or have access blocked' (*Euractiv*, 10 February 2022) <<https://www.euractiv.com/section/media/news/turkey-says-dw-voa-euronews-must-obtain-licences-or-have-access-blocked/>> accessed 27 April 2025.

⁸¹ Deutsche Welle, 'DW appeals against licensing in Turkey' (*Deutsche Welle*, 22 February 2022) <<https://corporate.dw.com/en/dw-appeals-against-licensing-in-turkey/a-60877739>> accessed 27 April 2025; Euractiv, 'Turkey says DW, VOA, Euronews must obtain licences or have access blocked' (*Euractiv*, 10 February 2022) <<https://www.euractiv.com/section/media/news/turkey-says-dw-voa-euronews-must-obtain-licences-or-have-access-blocked/>> accessed 27 April 2025.

⁸² Bianet, 'Turkey may block access to DW, VoA as Euronews allowed to operate without licensing' (*Bianet*, 13 April 2022) <<https://bianet.org/english/media/260444-turkey-may-block-access-to-dw-voa-as-euronews-allowed-to-operate-without-licensing>> accessed 27 April 2025.

itself.⁸³ Ultimately, RTÜK took this matter to the Ankara 1st Criminal Judgeship of Peace,⁸⁴ which blocked access to both news sites on June 30, 2022.⁸⁵

RTÜK's effort to issue broadcast licenses and maintain control is persistent, even targeting street interviews. On August 2, 2024, the Turkish government blocked access to Instagram, citing the platform's failure to comply with national regulations and its disregard for local cultural norms and public sensitivities.⁸⁶ This sparked widespread disapproval within society, as Türkiye ranks 5th globally in Instagram usage, making the platform highly influential for both social interactions and online business operations.⁸⁷ The ban was lifted after nine days, following an agreement between Instagram officials and Turkish authorities to cooperate.⁸⁸ This situation led to some street interviews during which Dilruba Kayserilioğlu publicly voiced her disapproval of the ban.⁸⁹ In her criticism, she

⁸³ Deutsche Welle, 'DW appeals against licensing in Turkey' (*Deutsche Welle*, 22 February 2022) <<https://corporate.dw.com/en/dw-appeals-against-licensing-in-turkey/a-60877739>> accessed 27 April 2025.

⁸⁴ RTÜK, 'Kamuoyunun Dikkatine' (RTÜK, 1 July 2022) <<https://www.rtuk.gov.tr/kamuoyunun-dikkatine-/4346>> accessed 27 April 2025; Reuters, 'Turkey blocks ccess to Deutsche Welle, Voice of America for not getting licenses - official' (*Reuters*, 30 June 2022) <<https://www.reuters.com/business/media-telecom/turkey-blocks-access-deutsche-welle-voice-america-not-getting-licenses-official-2022-06-30/>> accessed 27 April 2025.

⁸⁵ Hürriyet Daily News, 'Turkey bans access to VOA and DW broadcasters' (*Hürriyet Daily News*, 1 July 2022) <<https://www.hurriyetdailynews.com/turkiye-bans-access-to-voa-and-dw-broadcasters-175004>> accessed 27 April 2025.

⁸⁶ Reuters, 'Turkey to Restore Access to Instagram, Minister Says' (*Reuters*, 10 August 2024) <<https://www.reuters.com/technology/turkey-restore-access-instagram-minister-says-2024-08-10/>> accessed 27 April 2025.

⁸⁷ Reuters, 'Turkey to Restore Access to Instagram, Minister Says' (*Reuters*, 10 August 2024) <<https://www.reuters.com/technology/turkey-restore-access-instagram-minister-says-2024-08-10/>> accessed 27 April 2025.

⁸⁸ Reuters, 'Turkey to Restore Access to Instagram, Minister Says' (*Reuters*, 10 August 2024) <<https://www.reuters.com/technology/turkey-restore-access-instagram-minister-says-2024-08-10/>> accessed 27 April 2025.

⁸⁹ NDTV, 'Turkish Woman Arrested for Criticising Instagram Ban, Insulting Tayyip Erdogan' (*NDTV*, 14 August 2024) <<https://www.ndtv.com/world-news/turkish-woman-arrested-for-criticising-instagram-ban-insulting-tayyip-erdogan-6327379?utm>> accessed 27 April 2025.

openly stated, “This is wrong. The President cannot ban Instagram as he wishes,”⁹⁰ and her remarks were broadcast on a YouTube channel.⁹¹

This led to her immediate arrest for eighteen days,⁹² and she was charged with “inciting hatred and enmity among the public” and “insulting the president,”⁹³ with prosecutors requesting a prison sentence of up to four and a half years.⁹⁴ Although her appeals against the charges of “inciting hatred and enmity” and “insulting the president” were rejected, the court released her while the case continued.⁹⁵ In September 2024, she was sentenced to a suspended prison term of seven and a half months for “insulting the public,” meaning that while she was given a prison sentence, it would only be enforced if she committed any criminal offenses within the next five years.⁹⁶ In addition to the political scrutiny surrounding such cases, RTÜK reiterated in early September 2024 that street interviews should be monitored to prevent slander and the spread of online misinformation.⁹⁷ Many

⁹⁰ NDTV, ‘Turkish Woman Arrested for Criticising Instagram Ban, Insulting Tayyip Erdogan’ (NDTV, 14 August 2024) <<https://www.ndtv.com/world-news/turkish-woman-arrested-for-criticising-instagram-ban-insulting-tayyip-erdogan-6327379?utm=>> accessed 11 March 2025.

⁹¹ Stockholm Center for Freedom, ‘Official from Erdogan’s Party Calls for Release of Woman Arrested over Street Interview’ (SCF, 26 August 2024) <<https://stockholmcf.org/official-from-erdogans-party-calls-for-release-of-woman-arrested-over-street-interview/>> accessed 27 April 2025.

⁹² Duvar English, ‘Turkish Court Sentences Woman to 7.5 Months in Prison for Insulting Public in Street Interview, Postpones Ruling’ (Duvar English, 4 September 2024) <<https://www.duvarenglish.com/turkish-court-sentences-woman-to-75-months-in-prison-for-insulting-public-in-street-interview-postpones-ruling-news-64895>> accessed 27 April 2025.

⁹³ Stockholm Center for Freedom, ‘Official from Erdogan’s Party Calls for Release of Woman Arrested over Street Interview’ (SCF, 26 August 2024) <<https://stockholmcf.org/official-from-erdogans-party-calls-for-release-of-woman-arrested-over-street-interview/>> accessed 27 April 2025.

⁹⁴ Türkiye Today, ‘Turkish Court Sentences Woman to 7 Months for Street Interview Comments’ (Türkiye Today, 3 September 2024) <<https://www.turkiyetoday.com/turkiye/turkish-court-sentences-woman-to-7-months-for-street-interview-comments-48362/>> accessed 27 April 2025.

⁹⁵ Duvar English, ‘Turkish Court Releases Woman Arrested for Street Interview’ (Duvar English, 30 August 2024) <<https://www.duvarenglish.com/turkish-court-releases-woman-arrested-for-street-interview-news-64873>> accessed 27 April 2025.

⁹⁶ Turkish Minute, ‘Turkish Court Gives Woman Suspended Sentence for Criticizing Instagram Ban’ (Turkish Minute, 3 September 2024) <<https://www.turkishminute.com/2024/09/03/turkish-court-gave-woman-suspended-sentence-criticizing-instagram-ban/>> accessed 27 April 2025.

⁹⁷ Turkish Minute, ‘YouTubers Will Need License from Turkey’s RTÜK for News Program, Street Interviews’ (Turkish Minute, 2 September 2024) <<https://www.turkishminute.com/2024/09/02/youtuber-will-need-license-from-turkey-rtuk-for-news-program-street-interviews/>> accessed 27 April 2025.

consider this statement to be an attempt to control and restrict independent media and public discourse.⁹⁸

Following these statements, RTÜK further asserted its authority.⁹⁹ In October 2024, Açık Radyo ("Open Radio"), one of the oldest radio stations in Türkiye, was targeted by the RTÜK, which revoked its broadcasting license just a month before its 30th anniversary on air.¹⁰⁰ After a broadcast on April 24, 2024, during which their guest used the phrase "Armenian genocide," the radio station was fined the equivalent of 7,500 euros and subjected to a five-day broadcast suspension.¹⁰¹ RTÜK justified the fine and the suspension on the grounds that Open Radio failed to interrupt the guest after they had used the phrase,¹⁰² which it deemed to be "inciting society to hatred and hostility or fostering feelings of hatred within society."¹⁰³

The founder of the radio station, Ömer Madra, stated that they had appealed the fine while simultaneously complying with it in order to avoid further tension.¹⁰⁴ He also explained that they were not informed of the specific dates of the suspension and that

⁹⁸ Turkish Minute, 'YouTubers Will Need License from Turkey's RTÜK for News Program, Street Interviews' (*Turkish Minute*, 2 September 2024) <<https://www.turkishminute.com/2024/09/02/youtuber-will-need-license-from-turkey-rtuk-for-news-program-street-interviews/>> accessed 27 April 2025.

⁹⁹ Turkish Minute, 'YouTubers Will Need License from Turkey's RTÜK for News Program, Street Interviews' (*Turkish Minute*, 2 September 2024) <<https://www.turkishminute.com/2024/09/02/youtuber-will-need-license-from-turkey-rtuk-for-news-program-street-interviews/>> accessed 27 April 2025.

¹⁰⁰ Euronews, 'Shuttered Turkish Radio Station Denies Licence Was Cancelled Over the Phrase "Armenian Genocide"' (*Euronews*, 18 October 2024) <<https://www.euronews.com/2024/10/18/shuttered-turkish-radio-station-denies-licence-was-cancelled-over-the-phrase-armenian-geno>> accessed 27 April 2025.

¹⁰¹ Euronews, 'Shuttered Turkish Radio Station Denies Licence Was Cancelled Over the Phrase "Armenian Genocide"' (*Euronews*, 18 October 2024) <<https://www.euronews.com/2024/10/18/shuttered-turkish-radio-station-denies-licence-was-cancelled-over-the-phrase-armenian-geno>> accessed 27 April 2025.

¹⁰² Reuters, 'Turkey Shuts Down Radio Station Over "Armenian Genocide" Remarks' (*Reuters*, 17 October 2024) <<https://www.reuters.com/world/middle-east/turkey-shuts-down-radio-station-over-armenian-genocide-remarks-2024-10-17/>> accessed 27 April 2025.

¹⁰³ Euronews, 'Shuttered Turkish Radio Station Denies Licence Was Cancelled Over the Phrase "Armenian Genocide"' (*Euronews*, 18 October 2024) <<https://www.euronews.com/2024/10/18/shuttered-turkish-radio-station-denies-licence-was-cancelled-over-the-phrase-armenian-geno>> accessed 27 April 2025.

¹⁰⁴ Euronews, 'Shuttered Turkish Radio Station Denies Licence Was Cancelled Over the Phrase "Armenian Genocide"' (*Euronews*, 18 October 2024) <<https://www.euronews.com/2024/10/18/shuttered-turkish-radio-station-denies-licence-was-cancelled-over-the-phrase-armenian-geno>> accessed 27 April 2025.

the electronic notice had not been provided due to software and technical issues.¹⁰⁵ Although RTÜK's text was included in an electronic notification, the section indicating the closure dates could not be accessed due to a technical malfunction in the electronic notification system.¹⁰⁶ This issue stemmed from errors encountered in the National Electronic Notification System ("UETS"), a government entity responsible for sending notifications to individuals.¹⁰⁷ Although there is no direct ban on digital content, this situation presents a unique case in which RTÜK punishes Open Radio for an error caused by third parties in the communication system, an issue that should also be considered detrimental to the digital landscape in journalism.

Open Radio filed a lawsuit against the penalty decision before an Administrative Court, which led to a stay of execution of the penalty payment until RTÜK submitted its defense.¹⁰⁸ RTÜK challenged the stay of execution order before a higher court; however, the court rejected the challenge.¹⁰⁹ In October 2024, the Administrative Court re-evaluated the case and ultimately canceled the stay of execution of the penalty payment.¹¹⁰ Before Open Radio could file any objections to this decision, RTÜK

¹⁰⁵ Euronews, 'Shuttered Turkish Radio Station Denies Licence Was Cancelled Over the Phrase "Armenian Genocide"' (*Euronews*, 18 October 2024) <<https://www.euronews.com/2024/10/18/shuttered-turkish-radio-station-denies-licence-was-cancelled-over-the-phrase-armenian-genoc>> accessed 27 April 2025.

¹⁰⁶ Euronews, 'Shuttered Turkish Radio Station Denies Licence Was Cancelled Over the Phrase "Armenian Genocide"' (*Euronews*, 18 October 2024) <<https://www.euronews.com/2024/10/18/shuttered-turkish-radio-station-denies-licence-was-cancelled-over-the-phrase-armenian-genoc>> accessed 27 April 2025.

¹⁰⁷ Reuters, 'Turkey Shuts Down Radio Station Over "Armenian Genocide" Remarks' (*Reuters*, 17 October 2024) <<https://www.reuters.com/world/middle-east/turkey-shuts-down-radio-station-over-armenian-genocide-remarks-2024-10-17/>> accessed 27 April 2025.

¹⁰⁸ Euronews, 'Shuttered Turkish Radio Station Denies Licence Was Cancelled Over the Phrase "Armenian Genocide"' (*Euronews*, 18 October 2024) <<https://www.euronews.com/2024/10/18/shuttered-turkish-radio-station-denies-licence-was-cancelled-over-the-phrase-armenian-genoc>> accessed 27 April 2025.

¹⁰⁹ Euronews, 'Shuttered Turkish Radio Station Denies Licence Was Cancelled Over the Phrase "Armenian Genocide"' (*Euronews*, 18 October 2024) <<https://www.euronews.com/2024/10/18/shuttered-turkish-radio-station-denies-licence-was-cancelled-over-the-phrase-armenian-genoc>> accessed 27 April 2025.

¹¹⁰ Euronews, 'Shuttered Turkish Radio Station Denies Licence Was Cancelled Over the Phrase "Armenian Genocide"' (*Euronews*, 18 October 2024) <<https://www.euronews.com/2024/10/18/shuttered-turkish-radio-station-denies-licence-was-cancelled-over-the-phrase-armenian-genoc>> accessed 27 April 2025.

immediately revoked their license to broadcast, without providing prior notice¹¹¹ or a justification for the license cancellation.¹¹²

Furthermore, there is a growing tendency within the judiciary to uphold RTÜK's authority and decisions.¹¹³ In early 2025, the Council of State, Türkiye's highest administrative court, dismissed a legal challenge against a regulation expanding RTÜK's powers.¹¹⁴ The court concluded that the expanded powers granted to RTÜK did not infringe upon freedom of expression and considered its authority to be exercised within lawful boundaries.¹¹⁵

Such hostility in RTÜK's requirements and threats further exemplifies an authoritarian approach. At times, this approach escalates to an entirely different level, especially when social media platforms are targeted by other state actors.

Many widely used social media platforms are tightly controlled to suppress independent journalism, particularly during incidents that highlight the deficiencies of Erdoğan's regime, sometimes even at the devastating cost of citizens' lives.¹¹⁶ The earthquake that struck in February 2023¹¹⁷ stands as a poignant and consequential example of this

¹¹¹ Euronews, 'Shuttered Turkish Radio Station Denies Licence Was Cancelled Over the Phrase "Armenian Genocide"' (*Euronews*, 18 October 2024) <<https://www.euronews.com/2024/10/18/shuttered-turkish-radio-station-denies-licence-was-cancelled-over-the-phrase-armenian-geno>> accessed 27 April 2025.

¹¹² Reuters, 'Turkey Shuts Down Radio Station Over "Armenian Genocide" Remarks' (*Reuters*, 17 October 2024) <<https://www.reuters.com/world/middle-east/turkey-shuts-down-radio-station-over-armenian-genocide-remarks-2024-10-17/>> accessed 27 April 2025.

¹¹³ Media and Law Studies Association (MLSA), 'Council of State upholds RTÜK's internet licensing regulation, says no violation of free expression' (*MLSA*, 21 March 2025) <<https://www.mlsaturkey.com/en/council-of-state-upholds-rtueks-internet-licensing-regulation-says-no-violation-of-free-expression>> accessed 27 April 2025.

¹¹⁴ Media and Law Studies Association (MLSA), 'Council of State upholds RTÜK's internet licensing regulation, says no violation of free expression' (*MLSA*, 21 March 2025) <<https://www.mlsaturkey.com/en/council-of-state-upholds-rtueks-internet-licensing-regulation-says-no-violation-of-free-expression>> accessed 27 April 2025.

¹¹⁵ Media and Law Studies Association (MLSA), 'Council of State upholds RTÜK's internet licensing regulation, says no violation of free expression' (*MLSA*, 21 March 2025) <<https://www.mlsaturkey.com/en/council-of-state-upholds-rtueks-internet-licensing-regulation-says-no-violation-of-free-expression>> accessed 27 April 2025.

¹¹⁶ Nic Newman, 'Digital News Institute' (*Reuters Institute*, 14 June 2023) <<https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2023/turkey>> accessed 27 April 2025.

¹¹⁷ Reuters, 'Istanbul's strong quake triggers nerves and new pledges to prepare' (*Reuters*, 24 April 2025) <<https://www.reuters.com/world/middle-east/istanbuls-strong-quake-triggers-nerves-new-pledges-prepare-2025-04-24/>> accessed 27 April 2025.

dynamic.¹¹⁸ Claiming to prevent the spread of “misinformation” about the earthquake, X was blocked on the third day of the disaster.¹¹⁹ As a result, rescue operations and relief efforts on X were blatantly disrupted for 12 hours,¹²⁰ preventing survivors trapped under the rubble from sharing their locations, health conditions, and urgent needs.¹²¹ In March 2023, X started blocking and removing journalistic content that pointed out the inadequacy of post-earthquake relief efforts following a court order.¹²² Later, other journalistic content addressing these blockings and removals was also blocked, once again under a court order.¹²³

Public Repression and Echoes of Fear

There is an undeniable increase in self-censorship and a worsening chilling effect, given the general stance toward journalism and the hostile environment in Türkiye toward freedom of speech.¹²⁴ Consequently, it is to be expected that the aim is not only to intimidate journalists but also to target the public defending free speech.

Recently, the Industry and Business Association (“TÜSİAD”), whose members account for 85 percent of Türkiye’s foreign trade and contribute 80 percent of corporate tax

¹¹⁸ Nic Newman, ‘Digital News Institute’ (*Reuters Institute*, 14 June 2023) <<https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2023/turkey>> accessed 27 April 2025.

¹¹⁹ Nic Newman, ‘Digital News Institute’ (*Reuters Institute*, 14 June 2023) <<https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2023/turkey>> accessed 27 April 2025.

¹²⁰ L’Orient-Le Jour, ‘Twitter back online in Turkey after block’ (*L’Orient-Le Jour*, 9 February 2023) <<https://today.lorientlejour.com/article/1327726/twitter-back-online-in-turkey-after-block.html>> accessed 27 April 2025.

¹²¹ Nic Newman, ‘Digital News Institute’ (*Reuters Institute*, 14 June 2023) <<https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2023/turkey>> accessed 27 April 2025.

¹²² Sertaç Çomak, ‘Twitter Türkiye’de sansüre başladı: Diken’in tweet’ine engel’ (*Diken*, 16 March 2023) <<https://www.diken.com.tr/twitter-turkiyede-sansure-basladi-dikenin-tweetine-engel/>> accessed 27 April 2025.

¹²³ Yeşil Gazete, ‘Haber sitelerinin tweetlerine engel: haberimize erişim engeli’ (Yeşil Gazete, 29 August 2023) <<https://yesilgazete.org/haber-sitelerinin-tweetlerine-engel-haberimize-erisim-engeli/>> accessed 27 April 2025.

¹²⁴ International Federation of Journalists, ‘Türkiye: Journalists’ and press freedom organisations call for action as press freedom violations surge in 2025’ (*IFJ*, 5 February 2025) <<https://www.ifj.org/media-centre/news/detail/category/press-releases/article/tuerkiye-journalists-and-press-freedom-organisations-call-for-action-as-press-freedom-violations-surge-in-2025>> accessed 27 April 2025.

revenue,¹²⁵ also came under scrutiny by the Turkish government. The president of TÜSİAD, Orhan Turan, and the chairman of the group's advisory council, Ömer Aras, became subjects of political targeting.¹²⁶ This targeting was a response to their recent criticism of the government's economic policies and the ongoing legal actions against opposition figures including members of the press.¹²⁷ During TÜSİAD's general assembly in February 2025, both Orhan Turan and Ömer Aras expressed concerns that the ongoing judicial probes into opposition figures and journalists had sparked public concern and social insecurity while undermining democratic values.¹²⁸ Their criticism also extended to the adverse impact these issues had on foreign investment in the country.¹²⁹

A prosecutor's office launched an investigation into their remarks on the grounds of "attempting to influence a fair trial" and "publicly spreading misinformation."¹³⁰ Both were initially detained for questioning and appeared before prosecutors the following day.¹³¹

¹²⁵ TÜSİAD, 'About Us' (TÜSİAD) <<https://www.tusiad.us/about-us/>> accessed 27 April 2025.

¹²⁶ Associated Press, 'Two Business Leaders in Turkey are Questioned After They Criticize the Government' (AP News, 19 February 2025) <<https://apnews.com/article/turkey-business-leaders-questioned-crackdown-dissent-c03d83125ef85b280afd17618b076470>> accessed 27 April 2025.

¹²⁷ Associated Press, 'Two Business Leaders in Turkey are Questioned After They Criticize the Government' (AP News, 19 February 2025) <<https://apnews.com/article/turkey-business-leaders-questioned-crackdown-dissent-c03d83125ef85b280afd17618b076470>> accessed 27 April 2025.

¹²⁸ Reuters, 'Turkey Probes Business Group Official After Criticism of Opposition Crackdown' (Reuters, 14 February 2025) <<https://www.reuters.com/world/middle-east/turkey-probes-business-group-official-after-criticism-opposition-crackdown-2025-02-14/?utm=>> accessed 27 April 2025; Duvar English, 'Turkish Business Group TÜSİAD Leaders Face Up to Five Years in Prison' (Duvar English, 8 March 2025) <<https://www.duvarenglish.com/turkish-business-group-tusiad-leaders-face-up-to-five-years-in-prison-news-65768>> accessed 27 April 2025.

¹²⁹ Reuters, 'Turkey Probes Business Group Official After Criticism of Opposition Crackdown' (Reuters, 14 February 2025) <<https://www.reuters.com/world/middle-east/turkey-probes-business-group-official-after-criticism-opposition-crackdown-2025-02-14/>> accessed 27 April 2025.

¹³⁰ Reuters, 'Erdogan Accuses Top Turkish Business Group of Political Meddling' (Reuters, 19 February 2025) <<https://www.reuters.com/world/middle-east/erdogan-accuses-top-turkish-business-group-political-meddling-2025-02-19/>> accessed 27 April 2025.

¹³¹ Duvar English, 'Turkish Business Group TÜSİAD Leaders Face Up to Five Years in Prison' (Duvar English, 8 March 2025) <<https://www.duvarenglish.com/turkish-business-group-tusiad-leaders-face-up-to-five-years-in-prison-news-65768>> accessed 27 April 2025.

They were placed under certain judicial supervision, including an international travel ban for both individuals, and were eventually released.¹³²

This investigation itself led to a drop in Istanbul-listed stocks,¹³³ in conformity with Orhan Turan's and Ömer Aras' statements at the TÜSİAD general assembly for which they were investigated. Following the investigation, Istanbul's primary stock index dropped by approximately 0.5%, with analysts suggesting that such actions could further hinder foreign investment inflows.¹³⁴ On March 7, 2025, prosecutors concluded their investigation into both individuals, requesting prison sentences of up to five and a half years.¹³⁵ Their first hearing before a court will be held on May 20, 2025.¹³⁶

Conclusion

To conclude, there is a hostile environment in Türkiye towards journalists, which continues to deteriorate relentlessly. As the digital sphere is the only means through which the public and independent journalists can communicate, it is under heavy attack by the Erdoğan regime. There is a legal battle against journalists and journalistic content which includes blocking content or access to it under vague legal rules, which are frequently interpreted in the benefit of the current government, severely undermining independent

¹³² Duvar English, 'Turkish Business Group TÜSİAD Leaders Face Up to Five Years in Prison' (*Duvar English*, 8 March 2025) <<https://www.duvarenglish.com/turkish-business-group-tusiad-leaders-face-up-to-five-years-in-prison-news-65768>> accessed 27 April 2025.

¹³³ Reuters, 'Erdogan Accuses Top Turkish Business Group of Political Meddling' (*Reuters*, 19 February 2025) <<https://www.reuters.com/world/middle-east/erdogan-accuses-top-turkish-business-group-political-meddling-2025-02-19/>> accessed 27 April 2025.

¹³⁴ Reuters, 'Turkey Probes Business Group Official After Criticism of Opposition Crackdown' (*Reuters*, 14 February 2025) <<https://www.reuters.com/world/middle-east/turkey-probes-business-group-official-after-criticism-opposition-crackdown-2025-02-14/>> accessed 27 April 2025.

¹³⁵ Duvar English, 'Turkish Business Group TÜSİAD Leaders Face Up to Five Years in Prison' (*Duvar English*, 8 March 2025) <<https://www.duvarenglish.com/turkish-business-group-tusiad-leaders-face-up-to-five-years-in-prison-news-65768>> accessed 27 April 2025.

¹³⁶ Deep Newz, 'TÜSİAD's Orhan Turan and Mehmet Ömer Arif Aras to Face Court Over Misleading Information, Up to 5 Years 6 Months Sought' (*Deep Newz*, 10 March 2025) <<https://deepnewz.com/turkey/tusiad-s-orhan-turan-mehmet-omer-arif-aras-to-face-court-over-misleading-up-to-5-45f6e08b>> accessed 27 April 2025.

journalism. This dire situation is further exacerbated by harsh punishments under criminal law as a means to instill fear and seek retribution against independent journalists. Furthermore, it is not just the headlines, but also the headquarters that are being targeted by administrative bodies such as RTÜK. This is also evident in the actions of other state officials who do not hesitate to block social media platforms, even when access to these platforms is crucial for survival in the most dire disasters, as was tragically demonstrated during the earthquake. These intimidations are also directed towards anyone who appears to be unafraid to criticize the harsh conditions faced by journalists.

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