

GLOBAL INFORMATION SOCIETY WATCH 2021-2022

Digital futures for a post-pandemic world



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
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Global Information Society Watch 2021-2022

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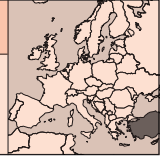
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TURKEY

PUSH-BACK AGAINST CIVIL SOCIETY IN THE DIGITAL SPHERE: LAYING THE FOUNDATIONS FOR FUTURE COLLABORATIONS ONLINE



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Introduction

Over the last two decades, digital platforms and social media have enabled people to express themselves much more freely than before. As a result, globally, social movements have benefited from the new possibilities enabled by these platforms, which have become useful spaces to advocate for social change. Governments also took further steps in this period to keep the new social spaces under control.

Turkey has been one of the foremost countries in terms of introducing restrictive measures to keep public discussion and discourse under control online. During the COVID-19 pandemic – which was first confirmed in the country on 11 March 2020 – there were multiple new attempts to control the digital space, media and civil society in the country.

New restrictions to civil society and the digital sphere

At the height of the COVID-19 pandemic, Turkey passed multiple laws in its parliament, with these laws coming into force soon afterwards. In addition to legal changes through parliamentary processes, the country's president announced its withdrawal from the Council of Europe Convention on preventing and combating violence against women and domestic violence (more commonly known, ironically, as the Istanbul Convention). These developments impacted civil society, contributing to the downward trend in rights and liberties in Turkey, indexed by rights groups over the past decade.

During Spring 2020 – the first months of the pandemic – politicians linked to the governing alliance proposed that one of the most important areas to regulate in the country was the sphere of digital platforms.¹ This was to make sure that public discourse remained under control after journalists critical of

the government's pronouncements on the pandemic, and its lack of measures to prevent a wider outbreak of the virus, were accused of causing panic through their social media posts. In the first two months of the pandemic, as the health minister's daily announcements on the country's coronavirus status raised the public's suspicion, the Ministry of Interior announced that over 10,000 social media users had been identified as spreading false information and publishing "provocative" posts,² with 1,105 being listed as suspects being investigated and 510 detained for their social media activities.

As part of an emergency coronavirus economic relief measure, Turkey drafted a relief package bill³ which included eight clauses on coercing tech companies to submit to requests made by the government on removing content, blocking access to content and users, revealing information, and appointing legal representatives to engage the government – and to do all these within the first 72 hours of the request. If this was not done, the service provider would have to pay massive monetary fines or be prepared to have their services blocked.

In the summer of 2020, Turkey also passed an amendment to Law No. 5651 (Law on the Regulation of Broadcasts via Internet), which is popularly known as the "Social Media Law".⁴ With this amendment, proposed changes that failed to pass when they were first put forward in April were all accepted. These involved allowing mass surveillance of internet users in Turkey, the narrowing of bandwidth, introducing sanctions against social media companies operating in the country unless they complied with the orders of the government, and the removal of content deemed undesirable by government officials.

In addition to regulating the digital sphere, Turkey also passed Law No. 7262 (Law on the Prevention of Financing and Spread of Weapons of Mass

1 Bellut, D. (2020, 21 April). Turkey's Erdogan clamps down further on media amid coronavirus crisis. *DW*. <https://www.dw.com/en/turkeys-erdogan-clamps-down-further-on-media-amid-coronavirus-crisis/a-53192898>

2 Hürriyet Daily News. (2020, 22 May). Turkey detains 510 people for 'provocative' COVID-19 posts on social media. *Hürriyet Daily News*. <https://www.hurriyetdailynews.com/turkey-detains-510-people-for-provocative-covid-19-posts-on-social-media-154989>

3 Sinclair-Webb, E. (2020, 13 April). Turkey Seeks Power to Control Social Media. *Human Rights Watch*. <https://www.hrw.org/news/2020/04/13/turkey-seeks-power-control-social-media>

4 Santora, M. (2020, 29 July). Turkey Passes Law Extending Sweeping Powers Over Social Media. *The New York Times*. <https://www.nytimes.com/2020/07/29/world/europe/turkey-social-media-control.html>

Destruction), more popularly known as the “Civil Society Law”.⁵ This specifically targeted civil society, and would potentially block activities of non-governmental organisations that do not share the same views as the governing party. It exposes organisations to sanctions, such as the dismissal of board members and replacement of the board by government-appointed trustees, the freezing of bank accounts, and the suspension of all activities without having to provide evidence of any illegal activity, and even without a court order, putting the activities of these civil society actors on hold and preventing rights movements from operating freely.

Online resistance and responses to the pandemic

Turkey’s government attempted to control the social discourse by increasing pressure on civil society, independent media and society in general. The legal amendments adopted during the pandemic period aimed at hiding information that was valid from people at a crucial time, then subverting the facts by creating alternate explanations on statistics, prosecuting critical publications and finally attempting to block any social support activities that relied on digital advocacy.

In the first days of the pandemic, while there was increasing unease regarding the uncertainty of the coming weeks, for a brief period of time, the government eased its usual restrictions and pressure on the media, as it lifted the restrictions on critical and independent media participating in press conferences held by the officials. It was crucial for the ministry to sustain proper crisis communication in order to clear up public concerns and quieten the panic. For a long time, this had not been the case, as any critical question by an independent journalist was met by harsh reactions by officials or in some cases physical intervention by security guards. However, the pandemic changed these restrictive conditions for a period of time.

This anomaly did not last long. Soon harsher reactions targeting critical speech were put in place. Starting in the first month of the pandemic, the announcements by the Ministry of Health were contested by the raw data published by the Istanbul Metropolitan Municipality, and the Turkish Medical Association (TMA) recorded the contradictory numbers in reports from their local chapters.⁶ These

reports later became the basis of criticism that appeared on social media, which showed an increased frequency of usage due to extended lockdowns and curfews across the country.

The discussions on social media continued with the help of the TMA and other associations that demanded more transparency. Eventually, Minister of Health Dr. Fahrettin Koca announced in September 2020 that he had deliberately provided misleading daily statistics to the public,⁷ shattering the remaining trust in the government’s ability to manage the health crisis.

Amidst the crisis of a lack of transparency and deliberate misinformation supplied by the government, the laws that would further limit online information were heavily criticised by civil society, but passed nonetheless. There was strong reaction to amendments to the Social Media Law, which was drafted in secrecy without informing civil society or even the opposition parties in the parliament. According to the new law, service providers or content publishers would no longer only receive access-blocking orders for content deemed problematic, but also content removal orders.

The Media Research Association in Turkey monitored the law’s impact on media freedom, revealing that in the first year of the law’s implementation, there were almost 1,200 news articles that were removed.⁸ When the law was being passed, civil society networks gathered to advocate against passage of the law, and communications networks were established on messaging platforms. Furthermore, various new media channels published extensive commentary on the law⁹ to inform the public of the risks this legislation bore.

The government’s claims justifying the Social Media Law focused on the spreading of misinformation and misleading the public with the intention to make profit. These claims were also reflected in the Civil Society Law that was passed in December 2020, increasing the government’s control over civil society and introducing new barriers to their engagement online. Civil society would no longer be allowed to collect donations for charity as part of online solidarity campaigns.

5 Yackley, A. J. (2020, 27 December). Turkey tightens government control over civil society groups. *Financial Times*. <https://www.ft.com/content/0c097861-7c02-45c4-88b5-5d0d6af32fb8>

6 Istanbul Medical Association. (2020, 4 May). Healthcare in Istanbul during Coronavirus – VII 27 April-3 May Weekly Report. <https://www.istabip.org.tr/5799-korona-gunlerinde-istanbul-da-saglik-vii-27-nisan-3-mayis-haftasi-raporu.html>

7 Evrensel. (2020, 30 September). Minister of Health Koca confessed to announcing only the number of heavily sick instead of all positive cases. *Evrensel*. <https://www.evrensel.net/haber/415385/saglik-bakani-koca-vaka-sayisinin-degil-hasta-sayisinin-aciklandigini-itiraf-etti>

8 Media Research Association. (2021). *Impact of Social Media Law on Media Freedom in Turkey Monitoring Report*. MEDAR. <https://medarder.org/wp-content/uploads/2021/12/Impact-of-Social-Media-Law-on-Media-Freedom-in-Turkey-Monitoring-Report-Extended-Research.pdf>

9 <https://www.youtube.com/watch?v=py3uZ2dEtgc>

In response, civil society organisation networks organised a joint campaign on social media against the law and continued their public online discussions criticising the government, in doing so creating the foundation for joint action in the future. Even though the law was passed and came into force, the network established by the civil society organisations led to intersectional support groups being formed, which shaped the digital advocacy efforts in the months to come.

When, in the beginning of 2021, Turkey's government announced its intention to withdraw from the Istanbul Convention, it also announced that it would allow bar associations to be split up, potentially creating partisan bar associations, and pass an animal protection law that would be more harmful for animals than useful. In this context, the intersectional communications network that had been created earlier proved to be useful in multiplying the messages of the women's movement, human rights defenders, animal rights activists and environmentalist groups.

Over time, the concerns of the women's rights movement became mainstreamed through digital spaces, not only among civil society, but also in the commercial field. Big companies, including prominent ones such as Koç Holding and Boyner, openly opposed the government's decision to withdraw from the Istanbul Convention,¹⁰ marking a milestone in terms of women's rights and LGBTIQ movements' success in advocacy and awareness raising.

While the latest Civil Society Law would enable the Ministry of Interior to conduct frequent audits and issue heavy monetary fines and even take steps that could lead to imprisonment of the board members of civil society organisations, the dissolution of a civil society organisation, or the appointment of trustee board members to conduct their activities in accordance with how the ministry sees fit, many civil society organisations ceased to operate or slowed down their activities. While some found ways to cooperate with security officials to obtain the necessary permits to conduct their digital advocacy campaigns, others, including some of the most influential organisations, simply stopped declaring opinions or making statements.

Furthermore, some of the organisations contacted during the drafting of this report emphasised that, alongside the impact of the law, their work with solidarity networks that were created over the course of years had slowed or stopped due to the

deep impact of the pandemic restrictions and their failure to digitise their daily operations.

However, this was not the case for everyone. During the pandemic many organisations also initiated online publications and webinars, opening up their previously closed-group activities to larger audiences. With Meta announcing a change in privacy terms for its messaging app WhatsApp, which has been popularly used by civil society organisations and activists in Turkey, a heated online discussion advocating for migrating from WhatsApp ensued. Many organisations, as a result, moved their communications networks to other messaging platforms such as Signal or Telegram,¹¹ causing a mass digital migration like never before.

The interconnectedness of these civil society publications and webinars initiated during the pandemic reached beyond the country's borders, as local activists and researchers from Turkey participated in events held in other countries and hosted global speakers, asking for their opinion on local matters. The forced digitisation of activists during the pandemic urged many smaller organisations to adapt their activities to more digital-friendly settings, which in turn allowed them to reach much wider audiences, multiplying the impact of their advocacy efforts and the dissemination of information.

A significant example of this kind was the so-called Boğaziçi Resistance, which started in 2016 due to the unlawful appointment of a rector at Boğaziçi University, bypassing campus elections. This gained fresh momentum in the beginning of 2021 as a result of a new rector being appointed amidst curfews across the country. The reactions to this political move on the country's most prestigious university were amplified online, with students forming discussion networks, organising online protests, issuing statements, hosting exhibitions and webinars, writing op-ed articles, and organising alternative graduation ceremonies, among other activities coordinated by Boğaziçi Watch.¹² Two of the most significant activities conducted by Boğaziçi Watch were the transnational solidarity petition,¹³ which received almost 5,000 signatures from academics around the world, and the Judith Butler lecture,¹⁴ which received international attention.

10 Önder, N. (2020, 5 August). Updated list of companies that referred to "Istanbul Convention lets one live". *Marketing Türkiye*. <https://www.marketingturkiye.com.tr/haberler/istanbul-sozlesmesi-yasatiri-destekleyen-kuruluslar>

11 Önder, N. (2021, 8 January). Great migration from WhatsApp to Telegram has begun. *Marketing Türkiye*. <https://www.marketingturkiye.com.tr/haberler/whatsappten-telegrama-buyuk-goc-basladi>

12 <https://bogazicinobeti.org>

13 Boğaziçi Watch. (2021, 8 January). Support Academic Freedom for Boğaziçi University Students and Faculty. https://docs.google.com/forms/d/e/1FAIpQLSc_m3St5sK4Zm8Rp54aBMeysfgrCnEfx6_cMV5knhlsjaTrBA/viewform

14 <https://www.youtube.com/watch?v=21KTb4HHGKI>

Another social movement that stood out for its digital action during the pandemic was Red Ribbon Istanbul,¹⁵ an HIV/AIDS activist association, which was initiated digitally in 2016 and had a strong digital presence. The association was quickly able to adapt to the new circumstances and not only coordinate advocacy efforts but launch solidarity action in supplying medicines to people with HIV/AIDS in Turkey and other European countries, in addition to frequently publishing and sharing information on the hardships experienced by people with HIV/AIDS during the pandemic, and the possibilities of accessing treatment.¹⁶

Aside from civil society organisations, Needs Map,¹⁷ which was founded in 2015, launched a solidarity campaign for social support, using a digital map that helped to identify needs in communities across the country. Meanwhile, a socially active rock band, Mor ve Ötesi,¹⁸ engaged in solidarity concerts which were streamed on social media, with the revenues being donated to musicians who had lost their income during the pandemic.¹⁹

Conclusion

Despite the negative developments in the legal field with the passing and implementation of repressive laws and regulations during the pandemic, many social movements and civil society organisations increased their digital outreach and reached new audiences, gained new members and volunteers, and increased their visibility. Many other organisations also initiated online projects in the form of live-streaming closed-group training sessions, which enabled them to reach audiences previously out of their physical reach. During this period, civil society organisations also initiated joint programmes enabling capacity building for civil society and independent media, such as the independent media and journalism training sessions organised by the Journalists Union of Turkey,²⁰ Media Research Association²¹ and Media and Law Studies Association.²² Furthermore, online activities organised by the Checks & Balances Network²³

and the Freedom Research Association²⁴ shed light on the salient issues in society.

Online training programmes, awareness-raising campaigns or even popular online social events organised by civil society organisations with the aim of contributing to society's general psychosocial well-being multiplied the impact of online activism and inspired more organisations to become active digitally. Some of these organisations and social movements have been featured on the Civil Society Hour programme on Dokuz-8TV²⁵ and some others have received awards at the Friedrich Naumann Foundation,²⁶ Turkey's annual Oscar Awards.²⁷

The impact of these activities can be seen in the increasing number of applications for funding with the aim of building capacity for digital outreach activities by smaller civil society organisations in Turkey, and the applications made to an EU programme for micro-financing targeting civil society and activists called Sivil Düşün.²⁸

Action steps

The following action steps are recommended for Turkey:

- More intersectional activities should be organised by civil society organisations working on various focal areas to expand the scope of their work and multiply audiences through collaboration. Despite good examples of organisations reaching out to circles outside of their usual target groups, generally these organisations address most of their activities to the same groups. In order to break out of these natural echo chambers, wider outreach campaigns are needed, possibly with support from socially active artists and activist celebrities to help multiply the impact of initiatives exponentially.
- An archive on the digital transformation of civil society organisations should be created, promoting best practices by exemplary organisations.
- Conventions for civil society organisations that had proven to be useful before the pandemic should be organised again. They should include digital outreach strategies to connect smaller

15 <https://www.kirmizikurdele.org/about-us>

16 RedRibbon Istanbul. (2021, 19 November). HIV AIDS Congress. <https://twitter.com/RedRibbonTR/status/1461591029975597056>

17 <https://www.ihtiyacharitasi.org>

18 <https://www.youtube.com/watch?v=7RW8n4iXZbA>

19 ArtDog Istanbul. (2021, 1 December). Harun Tekin's 'ticketed online concert experiment' <https://artdogistanbul.com/harun-tekinden-biletli-online-konser-deneyi>

20 <https://tgs.org.tr>

21 <https://medarder.org>

22 <https://www.mlsaturkey.com/en/home>

23 <https://www.dengedenetleme.org>

24 <https://oad.org.tr>

25 <https://www.youtube.com/playlist?list=PLEDANnoa4CaMFdwoyXg6alxQPalgRWgss>

26 <https://www.freiheit.org/turkey>

27 FNF Turkey. (2021, 1 March). Restart 21: How did it pass, remember and celebrate. <https://www.freiheit.org/tr/turkiye/yeniden-baslasin-21-nasil-gecti-hatirlayalim-ve-kutlayalim>

28 <https://www.youtube.com/watch?v=DDYyF3WNw78>

organisations and individual activists to these processes.

- Global tech companies should consult local organisations and internet users when developing or amending their community rules and regulations.
- Civil society organisations operating in Turkey should increase their lobbying efforts to inspire positive changes to laws regulating non-governmental organisations.
- A digital rights bill should be drafted by the current alliance of democratic opposition parties, in close

cooperation with civil society actors, independent lawyers, academics, rights defenders and tech experts, to sustain a free and open internet that can inspire positive change in the years to come.

- There need to be more international and transnational exchange programmes between Turkish and international civil society organisations to learn from international experiences and examples. These programmes were disrupted due to the downturn in Turkey's economy and the plummeting of the Turkish lira against other currencies in recent years.

DIGITAL FUTURES FOR A POST-PANDEMIC WORLD

Through the lens of the COVID-19 pandemic, this edition of Global Information Society Watch (GISWatch) highlights the different and complex ways in which democracy and human rights are at risk across the globe, and illustrates how fundamental meaningful internet access is to sustainable development.

It includes a series of thematic reports, dealing with, among others, emerging issues in advocacy for access, platformisation, tech colonisation and the dominance of the private sector, internet regulation and governance, privacy and data, new trends in funding internet advocacy, and building a post-pandemic feminist agenda. Alongside these, 36 country and regional reports, the majority from the global South, all offer some indication of how we can begin mapping a shifted terrain.

GLOBAL INFORMATION SOCIETY WATCH
2021-2022 Report
www.GISWatch.org