

AMNESTY INTERNATIONAL

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Turkey: Amnesty International welcomes Internet law changes recommended by President

Amnesty International welcomes amendments to the Internet law passed by the Parliament yesterday. The amendments address two issues of concern related to changes to the Internet law passed by Parliament on 5 February and approved by the President on 18 February.

Amnesty International has previously raised concerns that the amendments to the Internet law passed by the Parliament on 5 February would result in violations to the rights to freedom of expression and the right to privacy.¹

Amnesty International understands that the amendments passed by Parliament yesterday on the recommendation of the President ensure that administrative orders blocking internet content on grounds of privacy will be automatically subjected to the approval of the courts, who will issue a final decision within 48 hours as to whether the content should continue to be blocked.

The amendment ensures judicial scrutiny of blocking orders and prevents people whose expression rights had been violated having to bear the burden of appealing the blocking orders through the courts.

Amnesty International also understands that the 5 February amendment requiring internet service providers and hosting providers to divulge an individual's data traffic records to the authorities on request without providing justification or notification to the individuals concerned has been qualified. Under yesterday's amendments the request for data traffic records must be approved by a court order and only on the basis that it is required for a criminal investigation.

Amnesty International recognizes that yesterday's amendments represent significant improvements and go some way to mitigate concerns that the Internet law will be applied in ways that violate the rights to freedom of expression and privacy. However, the organization notes that other damaging amendments passed on 5 February have not been subject to further amendment. Unamended provisions allow for URL blocking that may be used to block individual accounts or posts on social media in ways that violate free expression.

More broadly, Amnesty International is concerned that the vague and overly broad wording of the 5 February amendments leaves them open to arbitrary application by both the administrative and judicial authorities. Amnesty International remains concerned that the Internet law has been used to unfairly restrict free expression since it was adopted in 2007 and that the February amendments make the law even more restrictive and open to abuse.

Amnesty International will monitor the application of the law and continues to call for it to be amended to bring it in line with international standards on the right to freedom of expression.

End/

¹ See Amnesty International *Turkey: President Gül: Veto restrictive internet law changes*. Available at <http://www.amnesty.org/en/library/info/EUR44/002/2014/en>